IN RE: PETITION FOR VARIANCE (5902 Hilltop Avenue) 1st Election District 1st Council District Warren G. & Carole L. Grill *Legal Owners* Petitioners	* * * * *	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **CASE NO. 2019-0334-A**

* * * * * * *

OPINION AND ORDER ON MOTION FOR RECONSIDERATION

Now pending is a Motion for Reconsideration filed in the above case by Petitioners. Petitioners seek reconsideration of the Order dated July 19, 2019, which denied the petition for variance.

In their motion Petitioners described the process they followed from 1993-95 when they first sought zoning approval for this undersized lot. I was aware of this lengthy history, all of which was detailed in a letter (with enclosures) from People's Counsel dated June 20, 2019. I am sympathetic to the Petitioners' plight but am unable to grant the relief they seek.

While in practice motions for reconsideration are filed with some regularity in zoning cases, the reality is that the function of such a motion is quite limited. In *Calvert County v. Howlin Realty, Inc.*, 364 Md. 301 (2001), the court held that an administrative agency "may reconsider an action previously taken and come to a different conclusion upon a showing that ... some new or different factual situation exists that justifies the different conclusion." In this case, I do not believe Petitioners have identified "some new or different factual situation." *Id.* at 325. As such, the motion will be denied.

THEREFORE, IT IS ORDERED, this **20th** day of **August, 2019**, by the Administrative Law Judge for Baltimore County, that the Motion for Reconsideration be and is hereby DENIED.

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

IN RE: PETITION FOR VARIANCE (5902 Hilltop Avenue) 1st Election District 1st Council District Warren G. & Carole L. Grill *Legal Owners* Petitioners	* * * * *	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **CASE NO. 2019-0334-A**

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by Warren and Carole Grill, legal owners of the subject property ("Petitioners"). Petitioners are requesting variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR") to permit a lot width of 40 ft. and side yard setbacks of 7 ft. and 7 ft. in lieu of the required 55 ft., 10 ft., and 10 ft., respectively for a new dwelling. A site plan was marked as Petitioners' Exhibit 1.

Mr. and Mrs. Warren Grill and David Billingsley appeared in support of the petition. The adjoining owners opposed the request. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP"). That agency opposed the variance request. The unimproved site is approximately 6,005 square feet in size and is zoned DR 5.5.

As noted by the Office of People's Counsel in correspondence dated June 20, 2019, this property has an "extensive zoning history." While it is unnecessary to document in detail this history, it suffices for present purposes to note that the same owners sought approval in or about 1994 for an undersized lot pursuant to BCZR §304. Although the Zoning Commissioner granted the request, the County Board of Appeals ("CBA") denied the petition and that decision was

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Date 7/19/19
By

affirmed by the Court of Special Appeals. The same owners filed a petition in 2004 seeking undersized lot approval pursuant to BCZR §304, although that petition was withdrawn. See Case No. 2004-0270-SPHA.

The current petition seeks variance relief under BCZR §307. Mr. Billingsley prepared a site plan and submitted a series of exhibits which present in a chronological fashion the history and evolution of this matter. Mr. Billingsley submitted a letter dated August 27, 1993 from the DRC granting the requested "Limited Exemption" and informing Petitioners they "may apply for a building permit." See Exhibit 11. Mr. Billingsley also submitted an aerial photo showing that there are seven (7) other dwellings on the same block which are constructed on 40 ft. wide lots. I believe both of these documents are significant, although not dispositive, in this case.

With regard to the former, Mr. Billingsley indicated the DRC approval was not presented or discussed in connection with the 1994 zoning case. The DRC granted an exemption under former BCC Section 26-171(a). The letter did not specify which of the ten enumerated exemptions was granted, but the only applicable provisions concern lot line adjustments or constructing a dwelling on a single lot or tract. A potential issue at this juncture is whether the County should be equitably estopped in this scenario, based on the grant of the exemption and the statement that the owners could apply for a building permit. Having reviewed the aforementioned Code section I do not believe estoppel would be applicable since the Code clearly states that all development for which an exemption was granted must comply with "all applicable zoning regulations." *Id.*

The aerial photo submitted by Petitioners (Ex. 12) shows that several dwellings on this same street are located on 40 ft. wide lots, and according to SDAT records submitted by Mr. Billingsley those lots are roughly the same size as or smaller than the subject property. I mention this only because I believe a proposed dwelling would not be incompatible with the community,

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Date 7/19/19
By

and were I writing on a blank slate this would weigh heavily in favor of granting a variance. But as Mr. Zimmerman noted, this case has a long zoning history and I agree with his argument that the current petition is barred by *res judicata*.

In a zoning case whether or not *res judicata* is applicable hinges on whether or not there have been "substantial changes in fact and circumstances between the first case and the second." *Seminary Galleria, LLC v. Dulaney Valley Improv. Ass'n.,* 192 Md. App. 719, 739-40 (2010). Though the legal theory involved (i.e., a request for undersized lot approval previously, a variance request presently) is different in this case, the zoning request, property description and facts are all the same. The owners could have, but apparently did not, include a variance request in their original zoning petition in 1994. Under Maryland law *res judicata* applies not only to claims which were litigated in an earlier proceeding, but also those claims which *could have* been brought in an earlier case. *MPC, Inc. v. Kenny*, 279 Md. 29 (1977). As such I believe the request must be denied.

THEREFORE, IT IS ORDERED, this **19th** day of **July, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations to permit a lot width of 40 ft. and side yard setbacks of 7 ft. and 7 ft. in lieu of the required 55 ft., 10 ft., and 10 ft., respectively for a new dwelling, be and is hereby DENIED.

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

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Date 7/19/19
By Sen

PETITION FOR ZONING HEARING(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 5902 HILLTOP AVENUE **which is presently zoned** DR 5.5

Deed References: L. 10187 F. 285 10 Digit Tax Account # 2200018018

Property Owner(s) Printed Name(s) WARREN G. & CAROLE L. GRILL

(SELECT THE HEARING(S) BY MARKING X 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. X **a Variance** from Section(s)

1B02.3.C.1 (BCZR) TO PERMIT A LOT WIDTH OF 40 FEET AND SIDE YARD SETBACKS OF 7 FEET AND 7 FEET IN LIEU OF THE REQUIRED 55 FEET, 10 FEET AND 10 FEET RESPECTIVELY FOR A NEW DWELLING

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)**

TO BE PRESENTED AT HEARING

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:

DREAMHOUSE LLC
YADIM BAKAEV
Name- Type or Print

Signature

3206 MIDFIELD RD BALTO, MD
Mailing Address City State

21208 (443)755-2644 dreamhousellc@yahoo.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 7/19/19
By DLW

Legal Owners (Petitioners):

WARREN G. GRILL , CAROLE L. GRILL
Name #1 – Type or Print Name #2 – Type or Print

Warren G. Grill , Carole L. Grill
Signature #1 Signature # 2

6220 ROLLING VIEW DRIVE SYKESVILLE, MD
Mailing Address City State

21784 410-795-2598 CEGRILLSONS@VERIZON.NET
Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY
Name – Type or Print

David Billingsley
Signature

601 CHARWOOD CT. EDGEWOOD, MD
Mailing Address City State

21040 (410)679-8719 dwb0709@yahoo.com
Zip Code Telephone # Email Address

CASE NUMBER 2019-0334-A **Filing Date** 5/22/19 **Do Not Schedule Dates:** _____ **Reviewer** gh

REV. 10/4/11

ZONING DESCRIPTION
5902 HILLTOP AVENUE

Beginning at a point on the northeast side of Hilltop Avenue (40 feet wide) distant 158 feet northwesterly from its intersection with the center of Ingleside Avenue, thence:

(1) N 42° 32' 30" W 40.00 feet

(2) N 47° 20' 14" E 150 feet

(3) S 44° 43' 56" E 41.43 feet

(4) S 48° 56' 22" W 50.07 feet and

(5) S 47° 20' 14" W 100 feet to the place of beginning.

Containing 6005 square feet or 0.138 acre of land, more or less.

Being known as 5902 Hilltop Avenue. Located in the 1ST Election District, 1ST Councilmanic District of Baltimore County, MD.

2019-0334-A

BW 9-20-19

Sen 9-19-19

PETITIONER'S EXHIBITS
5902 HILLTOP AVENUE
CASE NO. 2019-0334-A

1. PLAT TO ACCOMPANY PETITION DATED APRIL 23, 2019 (NO CHANGES)

2. SDAT REAL PROPERTY SEARCH FOR SUBJECT PROPERTY

3. DEED OF RECORD FOR SUBJECT PROPERTY L.10187 F. 285 DATED NOV. 19, 1993 GRILL TO GRILL (LOTS 51,52 AND REAR OF LOTS 25 & 26)

4. DEED OF RECORD FOR ORIGINAL PROPERTY SOLD TO GRILL FROM BLACKBURN AUGUST 19, 1993 L.10077 F.370 (LOTS 51,52, 57-60 AND REAR OF LOTS 25 & 26

5. PLAT SHOWING ORIGINAL PROPERTY SOLD TO GRILL FROM BLACKBURN OUTLINED IN RED AND SUBSEQUENT CONVEYANCE FROM GRILL TO GRILL

6. DEED OF RECORD FOR PROPERTY SOLD TO BLACKBURN (LOTS 51,52 AND 57 -60) L.650 F.332 L.650 F.332

7. DEED OF RECORD FOR PROPERTY SOLD TO BLACKBURN (REAR OF LOTS 25 & 26) L.1285 F.535

8. AERIAL PHOTO

9. PHOTOS

10. BUILDING ELEVATION

11. DRC Letter dated 8-27-1993

12. Aerial photo showing other 40' wide lots

TO: THE DAILY RECORD
Thursday, June 27, 2019 - Issue

Please forward billing to:
David Billingsley 410-679-8719
601 Charwood Court
Edgewood, MD 21040

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: 2019-0334-A
5902 Hilltop Avenue
N/e side of Hilltop Avenue, n/w of Ingleside Avenue
1st Election District – 1st Councilmanic District
Legal Owners: Warren & Carole Grill
Contract Purchaser/Lessee: Dreamhouse, LLC, Vadim Bakaev

Variance to permit a lot width of 40 ft. and side yard setbacks of 7ft. and 7 ft. in lieu of the required 55 ft., 10 ft. and 10 ft. respectively for a new dwelling.

Hearing: Wednesday, July 17, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

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.

JOHN A. OLSZEWSKI, JR.
County Executive

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

June 12, 2019

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: 2019-0334-A
5902 Hilltop Avenue
N/e side of Hilltop Avenue, n/w of Ingleside Avenue
1st Election District – 1st Councilmanic District
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Michael Mallinoff
Director

MM:kl

C: Warren & Carole Grill, 6220 Rolling View Drive, Sykesville 21784
Vadim Bakaev, 3206 Midfield Road, Baltimore 21208
David Billingsley, 601 Charwood Court, Edgewood 21040

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 27, 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.

RE: PETITION FOR VARIANCE 5902 Hilltop Avenue; NE/S of Hilltop Avenue, NW 158' to c/line of Ingleside Avenue 1st Election and 1st Councilmanic Districts Legal Owner(s): Warren & Carole Grill Contract Purchaser(s): Dreamhouse, LLC Petitioner(s)	*	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2019-334-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.

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 30th day of May, 2019, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
JUN 03 2019

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
http://www.thedailyrecord.com

Order #: 11757473
Case #: 2019-0334-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0334-A

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:

6/27/2019

Darlene Miller

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: 2019-0334-A
5902 Hilltop Avenue
N/e side of Hilltop Avenue, n/w of Ingleside Avenue
1st Election District - 1st Councilmanic District
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Variance to permit a lot width of 40 ft. and side yard setbacks of 7ft. and 7 ft. in lieu of the required 55 ft., 10 ft. and 10 ft. respectively for a new dwelling.

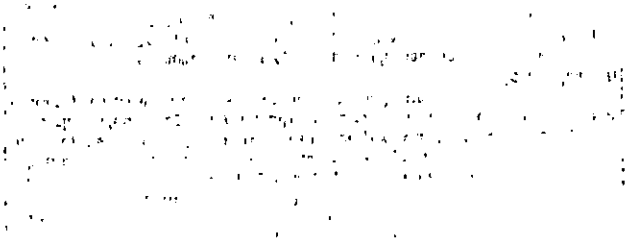
Hearing: Wednesday, July 17, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

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.

je27



JB 7-17-19
10 Am

Debra Wiley

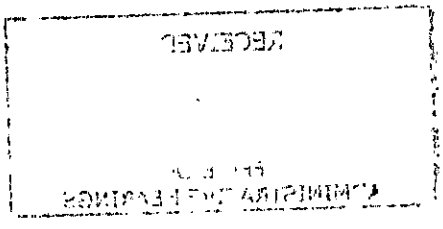
From: David Billingsley <dwb0209@yahoo.com>
Sent: Saturday, July 13, 2019 6:51 AM
To: Administrative Hearings
Cc: Vadim Bakaev
Subject: 5902 HILLTOP AVENUE CASE NO. 2019-0334-A
Attachments: Scan_0207.pdf

CAUTION: This message from dwb0209@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.

POSTING RECERTIFICATION ATTACHED
THANKS

Dave Billingsley
Central Drafting and Design
410-679-8719 OFFICE
410-458-1401 CELL

RECEIVED
JUL 15 2019
OFFICE OF
ADMINISTRATIVE HEARINGS



CERTIFICATE OF POSTING

RECERT 7/12/19

Date: JUNE 27, 2019

RE: Project Name: 5902 HILLTOP AVE #1

Case Number /PAI Number: 2019-0334-A

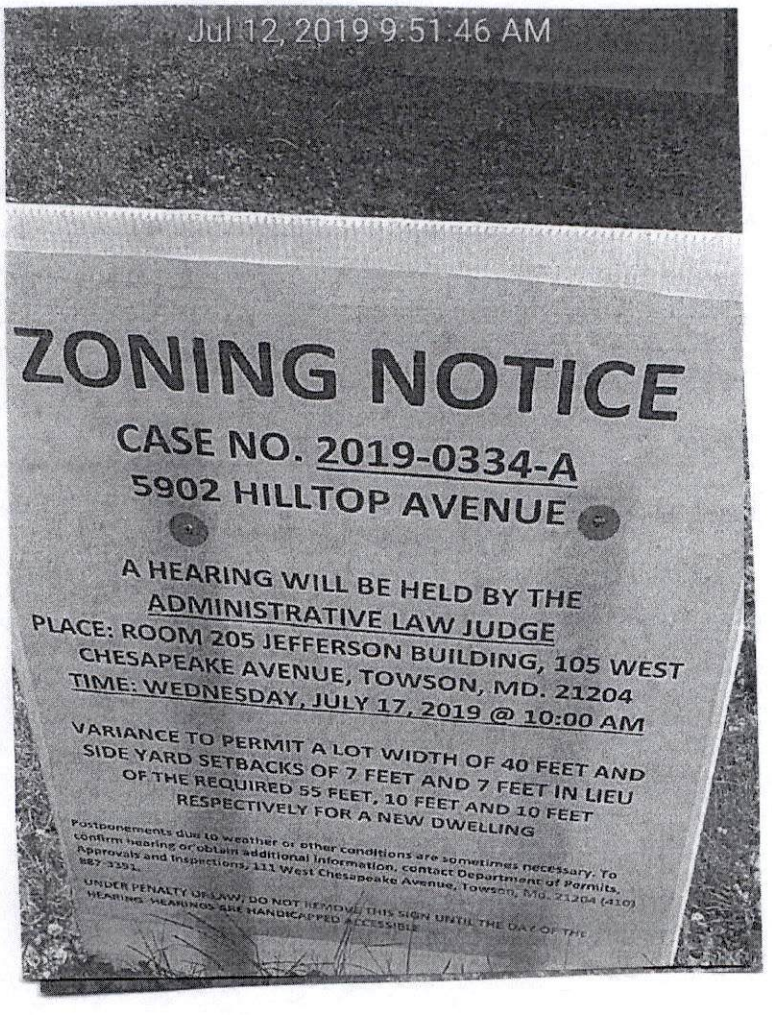
Petitioner/Developer: BAKAEV

Date of Hearing/Closing: JULY17, 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 5902 HILLTOP AVENUE

The sign(s) were posted on 7/12/19 JUNE 27 2019

(Month, Day, Year)



David Billingsley

(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

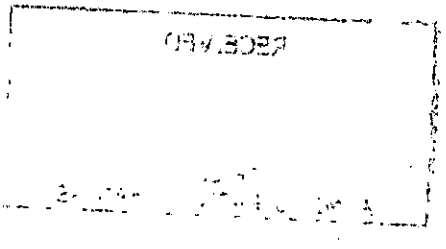
(Telephone Number of Sign Poster)

RECEIVED

JUL 15 2019

OFFICE OF ADMINISTRATIVE HEARINGS

11/11



CERTIFICATE OF POSTING

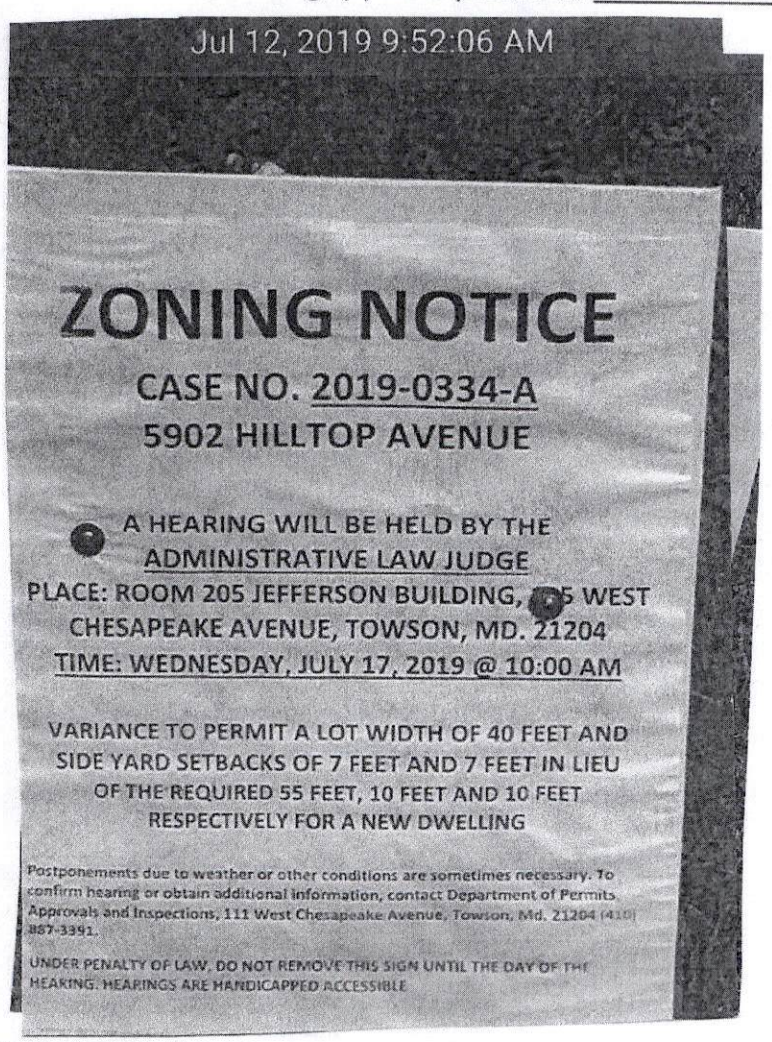
RECERT 7/12/19
Date: JUNE 27, 2019

RE: Project Name: 5902 HILLTOP AVE #2
Case Number /PAI Number: 2019-0334-A
Petitioner/Developer: BAKAEV
Date of Hearing/Closing: JULY17, 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 5902 HILLTOP AVENUE

7/12/19
The sign(s) were posted on JUNE 27 2019
(Month, Day, Year)

David Billingsley
(Signature of Sign Poster)



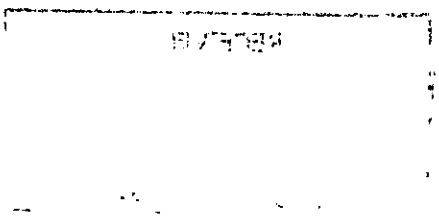
DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

RECEIVED
JUL 15 2019
11/11
OFFICE OF ADMINISTRATIVE HEARINGS



CERTIFICATE OF POSTING

Date: JUNE 27, 2019

RE: Project Name: 5902 HILLTOP AVE #1

Case Number /PAI Number: 2019-0334-SPHA

Petitioner/Developer: BAKAEV

Date of Hearing/Closing: JULY17, 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 5902 HILLTOP AVENUE

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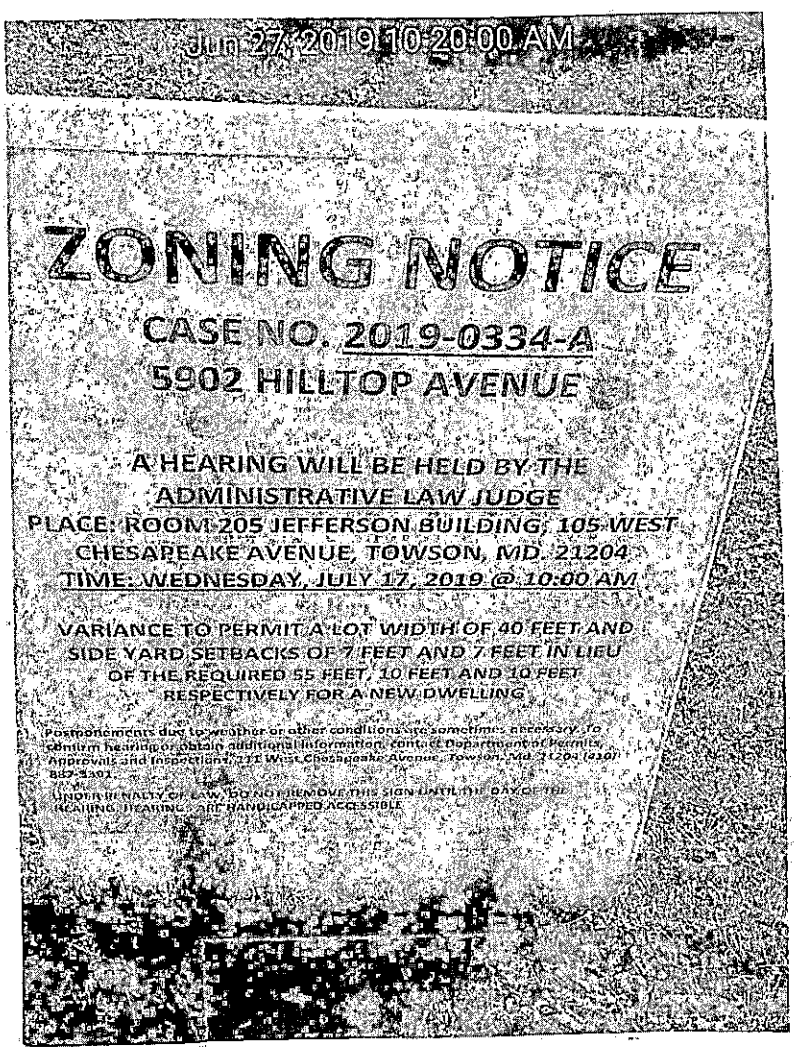
(Month, Day, Year)



(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Date: JUNE 27, 2019

RE: Project Name: 5902 HILLTOP AVE #2

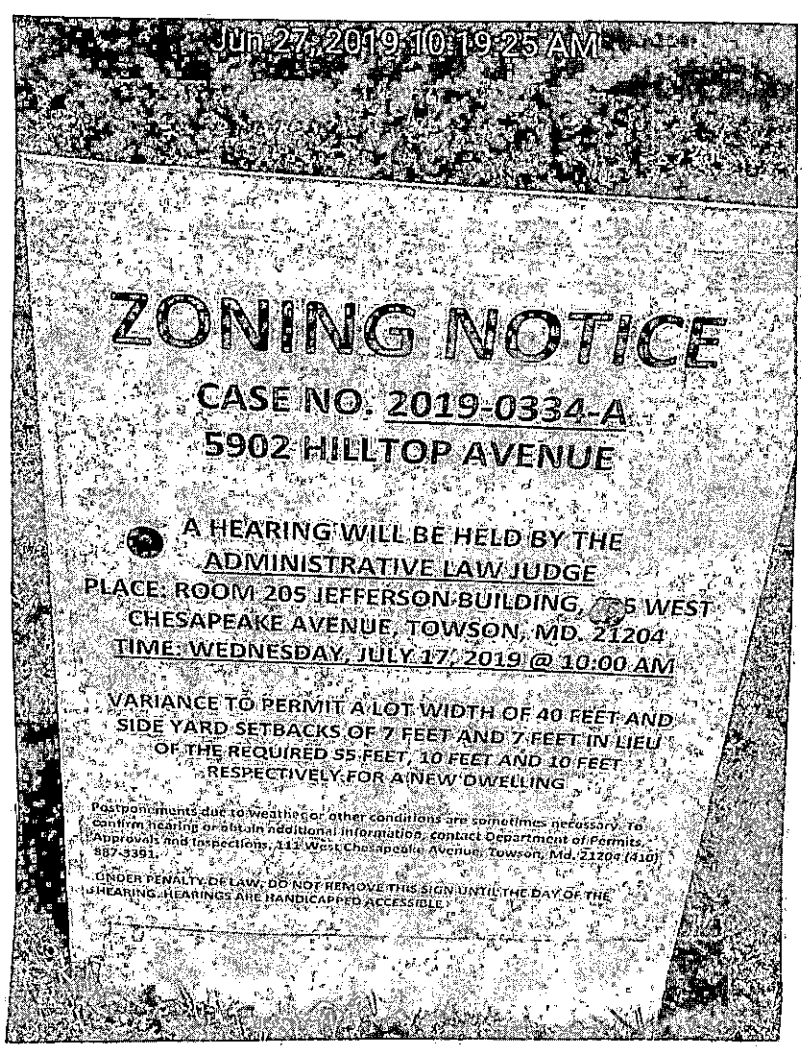
Case Number /PAI Number: 2019-0334-SPHA

Petitioner/Developer: BAKAEV

Date of Hearing/Closing: JULY17, 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 5902 HILLTOP AVENUE

The sign(s) were posted on JUNE 27 2019
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

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/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 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 0334-A

Property Address: 5902 HILLTOP AVENUE

Property Description: NE SIDE HILLTOP AVE, 158' NW OF INGLESIDE AVE

Legal Owners (Petitioners): GRILL

Contract Purchaser/Lessee: DREAM HOUSE LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVE BILLINGSLEY

Company/Firm (if applicable):

Address: 601 CHARWOOD CT
EDGEWOOD MD 21040

Telephone Number: (410) 679-8719

Revised 7/9/2015

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 183793

Date: 5/22/19

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: 75.00

Rec From: Dave Billingsley

For: 2019-0334-A

5902 Hilltop Ave.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS ACTUAL TIME
5/22/2019 5/22/2019 09:09:50 1
REG WS01 WALKIN LJR
>>RECEIPT # 009110 5/22/2019
Dept 5 528 ZONING VERIFICATION
CR NO. 183793
Recpt Tot $ 75.00
75.00 CK .00 CA
Baltimore County, Maryland

JOHN A. OLSZEWSKI, JR.
County Executive

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

July 12, 2019

David Billingsley
601 Charwood Court
Edgewood MD 21040

RE: Case Number: 2019-0334-A, 5902 Hilltop Avenue

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 22, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Dream House LLC 3206 Midfield Road Baltimore MD 21208
Warren G. Grill & Carole L. Grill 6220 Rolling View Drive Sykesville MD 21784

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Millanoff, Director
Department of Permits, Approvals

DATE: June 19, 2019

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 03, 2019
Item No. 2019-0331-A, 0332-SPH, 0334-A, 0336-A, 0337-A & 0338-A

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

* * * * *

VKD: cen
cc: file

M-17

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 6/14/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 19-334

INFORMATION:
Property Address: 5902 Hilltop Avenue
Petitioner: Warren G. Grill, Carole L. Grill
Zoning: DR 5.5
Requested Action: Variance

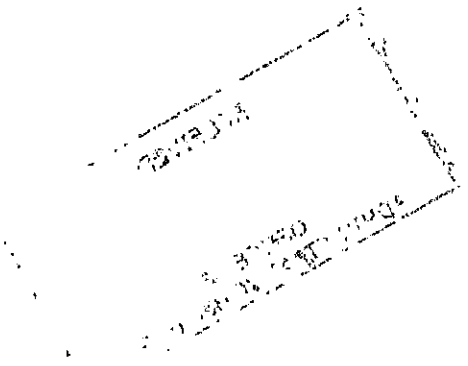
The Department of Planning has reviewed the petition for a variance to permit a lot width of 40 feet and side yard setbacks of 7 feet in lieu of the required 55 feet and 10 feet respectively for a new dwelling.

A site visit was conducted on June 5, 2019.

The Department objects to granting the petitioned zoning relief.

The proposed 7' setback from the side property line in common with the rear property line for 1524 Ingleside Avenue presents a very constrained building area too closely situated and with excessive exposure to the rear yard of said 1524 Ingleside Avenue. This condition is contrary to the developed pattern of the neighborhood.

The subject site has an extensive zoning legal history. The Department understands said prior proceedings were considered within the context of a petition seeking under sized lot approval under BCZR § 304. In its determination in the case of Warren Grill, et ux v. People's Counsel for Baltimore County, filed November 1, 1996, the Court of Special Appeals for Maryland established that the Grills who were the appellants in that case *"were not content to maintain it as a single residential lot, as it had been used in the past. Rather, they divided the property, sold part of it, created one undersized lot, and now seek relief from their own action"* (pg. 8). Although the instant petition seeks variance relief pursuant to 1B02.3.C.1 the fact of the self-created hardship remains. The Department sees no substantial change in the conditions to warrant a recommendation contrary to the Courts decision in the aforementioned case.



For further information concerning the matters stated herein, please contact Lloyd T. Moxley at 410-887-3480.

Prepared by:

Lloyd T. Moxley

Division Chief:

Jenifer G. Nugent

CPG/JGN/LTM/

c: Josephine Selvakumar
Choose an item.
David Billingsley, Central Drafting & Design
Office of the Administrative Hearings
People's Counsel for Baltimore County

M-17

RECEIVED
JUN 04 2019
OFFICE OF
ADMINISTRATIVE HEARINGS

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 4, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0334-A
Address 5902 Hilltop Avenue
(Grill Property)

Zoning Advisory Committee Meeting of **June 3, 2019**.

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

Reviewer: Steve Ford

CASE NO. 2018-0334-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
6/19	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	NO COMMENT
6/4	DEPS (if not received, date e-mail sent _____)	NO COMMENT
_____	FIRE DEPARTMENT	_____
6/14	PLANNING (if not received, date e-mail sent _____)	Objection w/ Comments
_____	STATE HIGHWAY ADMINISTRATION	_____
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
6/20/19	People's Counsel	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 6/27/19 by Buellingsley

SIGN POSTING (2nd) Date: 7/12/19 by Billingsley

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Tax Exempt: | **Special Tax Recapture:**
Exempt Class: NONE

Account Identifier: **District -** 01 **Account Number -** 2200018018

Owner Information

Owner Name:	GRILL WARREN G GRILL CAROLE L	**Use:** **Principal Residence:**	RESIDENTIAL NO
Mailing Address:	6220 ROLLING VIEW DR SYKESVILLE MD 21784-6527	**Deed Reference:**	/10187/ 00285

Location & Structure Information

Premises Address:	HILLTOP AVE 0-0000	**Legal Description:**	.1378 AC LTS 51,52 NES HILLTOP AVE CATONSVILLE GARDENS

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0095	0009	0225		0000		10	51	2019	Plat Ref:	0006/ 0157

Special Tax Areas: | **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			6,005 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2019	As of 07/01/2018	As of 07/01/2019
Land:	25,500	25,500		
Improvements	0	0		
Total:	25,500	25,500	3,000	25,500
Preferential Land:	0			0

Transfer Information

Seller: GRILL WARREN G	**Date:** 12/02/1993	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /10187/ 00285	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt: | **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: No Application

lomeowners' Tax Credit Application Informati

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

7-17-19

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

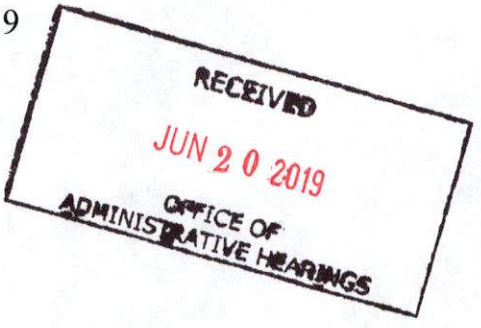
Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

June 20, 2019



HAND DELIVERED
John Beverungen, Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

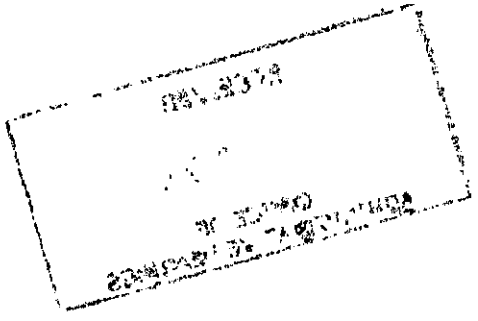
Re: Warren & Carole Grill –Legal Owners
Dreamhouse, LLC – Contract Purchaser
5902 Hilltop Avenue
Case No: 2019-334-A
Hearing Scheduled: July 17, 2019 at 10 A.M.

Dear Judge Beverungen,

This case involves a petition for variances for minimum lot width and side yard setbacks on an undersized lot. There is an extensive zoning history for this property with petitioners Warren and Carole Grill going back about 25 years.

This history includes the enclosed County Board of Appeals and Court of Special Appeals opinions from CBA Case 94-163 (1995), CSA Case No. 268, Sept. Term, Grill v. People's Counsel for Baltimore County (1996). The CBA majority denied the application for the reconfigured undersized lots under BCZR Sec. 304 essentially because the preexisting lots (pre-1955) were modified, so the petition failed to pass even the threshold criterion. As the CSA opinion recites in detail, the Grills acquired not only the subject lots 51 and 52, but also Lots 57 to 60 and parts of Lots 25-26. They resubdivided the parts of Lots 25-26, combining the garage part of them with Lots 57-60. They sold this reconfigured lot with dwelling and garage as 1528 Ingleside Avenue.

As a result, this sizable previously L-shaped property, used for one single-family dwelling, was subdivided into the smaller but sufficiently sized 1528 Ingleside Avenue and the remaining undersized Lots 51-52 and residual partial Lots 25-26, called 5902 Hilltop Avenue. This latter reconfigured area is where the Grills again seek to add a new or second dwelling. The CSA decision details this history on pages 2-4.



As noted, both the CBA and CSA denied the petition. There were several residents who opposed squeezing another dwelling on to this newly created undersized lot.

This important history is omitted in the current rudimentary petition and site plan.

The current site plan cites only subsequent Case No. 04-270-A, where the Grills filed a petition for special hearing and variances for the same undersized lot. They then voluntarily dismissed this second petition. The 2004 history is also enclosed.

To illustrate and elaborate the geography and the history, we also enclose a My Neighborhood Aerial Photograph, SDAT Property Data, and relevant deed history. The photo shows the relevant lots, including the original L-shaped property, which combined the subject 5902 Hilltop Avenue and the 1528 Ingleside Avenue dwelling use. The SDAT data and deeds show the Grills' acquisition of the combined properties and their splitting off and selling the reconfigured lots for the dwelling use at 1528 Ingleside.

The D.R. 5.5 Zone remains the same. The undersized lot proposal remains essentially the same, but in the guise of variances. Concurrent with the deficient width and side yard setbacks, it is also noteworthy that the stated lot area of 6005 square feet barely exceeds the minimum of 6000 square feet. It is unclear if the lot area has been field surveyed.

The case clearly presents *res judicata* and self-created difficulty issues. These are in addition to the usual variance issues.

We also argued in the earlier litigation that the lots had merged. The CSA discussed the issue at pages 9-12 of their opinion, but found it unnecessary to reach the issue. Notably, this was before the Court of Appeals' landmark decision in Montgomery County v. Remes 387 Md. 52 (2005). Based on this decision, it is apparent that the lots did merge based on the historic use and on the necessity of such merger for the lots to comply with zoning because lots 51-52 by themselves do not comply.

I hope you find this helpful as you review the case.

Sincerely,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

cc: David Billingsley, Representative for Petitioners
Warren & Carole Grill, Petitioners
Jeff Mayhew, Deputy Planning Director
Lloyd Moxley, Development Review Planner

IN THE MATTER OF WARREN GRILL, ET UX - Petitioners WEST SIDE HILLTOP AVENUE, 125' WEST OF INGLESIDE AVENUE (5902 HILLTOP AVENUE) 1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT	*	BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
RE: ZONING COMMISSIONER'S APPROVAL\BUILDING PERMIT APPLICATION	*	CASE NO: CBA-94-163

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

OPINION

This case comes before the Board on appeal from the decision of the Zoning Commissioner dated July 29, 1994 approving a building permit application for the proposed development of an undersized lot known as 5902 Hilltop Avenue (the "Property"). The Zoning Commissioner, pursuant to Section 304.4 of the BCZR, determined that the proposed development of the subject undersized lot was appropriate and approved the proposed dwelling. On appeal, the Board must now review this matter de novo.

Section 304 governs the use of undersized single family lots. That Section provides a property owner with the right to construct a one-family detached or semi-detached dwelling on an undersized lot (i.e. a lot having a substandard area or width at the building line less than that required by the regulations), provided the property owner meets the requirements of a three-pronged test set forth therein. One, the property must be duly recorded, either by deed or a validly approved subdivision, prior to March 30, 1955, the date of the first adopted comprehensive zoning regulations of Baltimore County. Secondly, the Petitioners must demonstrate that all other requirements of the height and area regulations can be

met. Finally, the Petitioners must demonstrate that they do not own sufficient adjoining land to conform to the width and area requirements of the BCZR.

Petitioner, Warren G. Grill, and Mr. Russ D. Blackburn testified on behalf of the Petitioner. Mr. Joseph L. Lotz, Protestant, testified on his own behalf. Mr. James Hannon, Mr. Steve M. Nagy, Mr. Scott Shouffer and Community Planner, William Hughey, all testified during the presentation of the Protestants' case.

From the testimony and exhibits, the Board finds the following facts.

The Property is located in Catonsville Gardens, a subdivision granted in 1918. The Property consists of lots originally known as Lots 51 and 52 and portions of lots originally known as Lots 25 and 26. The Property is zoned D.R.5.5. The minimum lot width required in a D.R.5.5 zone is 55 feet. The front lot width of the Property along Hilltop Avenue is only 40 feet +/-. The depth of the Property is approximately 150 feet. The Petitioners first came into title of the Property by virtue of a Deed dated August 19, 1993 and recorded among the Land Records of Baltimore County in Liber 10077, folio 378. Other property was included in said Deed. On November 19, 1993, the Petitioners granted to themselves a new Deed separately describing the subject lot.

The Petitioners desire to construct a single family dwelling

on the subject lot. The Property has a substandard lot width under Section 304. Therefore, the Petitioners seek approval of the Property as an undersized lot pursuant to the requirements contained within Section 304 of the BCZR. The Petitioners have not requested a variance pursuant to Section 307 of the BCZR. The Petitioners argue that they comply with Section 304 and thus should be allowed to develop the Property by right.

The threshold issue for the Board to decide is whether the Property qualifies as an undersized lot pursuant to Section 304.1A.

From the evidence, the Board concludes that the lot in question does not qualify. The subject lot was not "duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955" as required by Section 304.1A. The basis for the Board's conclusion is that the lot in question was not duly recorded until November 19, 1993. The presence of old Catonsville Gardens subdivision Lots 51 and 52 and portions of Lots 25 and 26 within the Property does not in and of itself qualify the existing reconfigured lot as an undersized lot under Section 304.1A.

The plain and ordinary meaning of the words found in Section 304.1A support the above conclusion. Section 304.1A starts with the words "such lot." The Board finds that "such lot" is the lot which was deeded to the Petitioners in 1993. The Board finds that the Property fails to satisfy the threshold test under Section 304.1A. Therefore, the remaining issues presented under Section

304 are deemed moot.

The Petitioners may want to consider applying for a variance under Section 307. Although a Section 307 variance request is not presently before the Board, the Board acknowledges that strict compliance with the BCZR may unreasonably prevent the use of the Property or be unnecessarily burdensome.

ORDER

For the reasons set out above, it is this 28th day of April, 1995, by the County Board of Appeals of Baltimore County,

ORDERED that the decision of the Zoning Commissioner dated July 29, 1994 be and is hereby REVERSED and that the building permit application for the proposed development of an undersized lot known as 5902 Hilltop Avenue be and is hereby DENIED.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Judson H. Lipowitz

Judson H. Lipowitz, Acting Chairman

S. Diane Levero

S. Diane Levero

IN THE MATTER OF WARREN GRILL, ET UX -PETITIONERS WEST SIDE HILLTOP AVENUE, 125' WEST OF INGLESIDE AVENUE (5902 HILLTOP AVENUE) 1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT	*	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
RE: ZONING COMMISSIONER'S APPROVAL /BUILDING PERMIT APPLICATION	*	CASE NO. CBA-94-163

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

DISSENTING OPINION

This case centers around the application of Baltimore County Zoning Regulations (BCZR), Section 304 and/or Section 307. The subject property is part of a validly approved subdivision granted in 1918, known as Catonsville Gardens. The facts in the case are nearly altogether undisputed. The point on which this Board member dissents from the majority opinion is the application of Section 304.1A and C. However, this Board member is also compelled to discuss Section 307 as it relates to this case, if one is disposed to strictly adhere to the letter of Section 304.1A.

The subject property is before this Board under Section 304 because of the width of the property at the building line. The recorded lot having been recorded in 1993, it is urged by the majority that Section 304.1A invalidates the application of Section 304 for the purposes of this case. I contend that the lot in question having the substandard lot width at the building line is a condition which existed as of the date of the original subdivision. The current property owner, by changing the lot lines to the rear of the property so as to comply with the minimum area requirement of 6,000 sq. ft., was unable to meet any other requirements under Section 304.1C wherein the property owner, had

he owned adjoining property to either side of the subject property, could have complied and built as a matter of right. Therefore, it is my contention that the intent of Section 304.1A is not to result in the invalidation of existing lots whose constraints were in existence prior to the controlling date, 1955, but to allow for lawful development of property. My argument stems only from my recognition of the fact that the issue in this case is borne solely out of the lot width criteria.

Having taken that step, the next test under Section 304 is in Section 304.2A and B, subparagraphs 1, 2 and 3. Much was said by the Protestants about this case during the hearing, the inappropriateness of the proposed development. Photographs and other evidence concerning the surrounding properties lead me to believe that the subject site is a unique development opportunity which requires sensitive treatment of architectural features and site development. I cannot overlook my own background in architecture and urban theory in evaluating the subject proposal. My review consisted of a review of the facts. In addition, I created an elevation/street scape so as to gain understanding of the height, massing, bulk, major divisions or architectural rhythm of facades, proportions of openings such as windows and doors in relation to walls, roof design and treatment, and materials and colors, and other aspects of facade texture or appearance, as required under Section 304.2B.2. In understanding the site design under Section 304.2B.1, there was adequate evidence as required

under 2A to do analysis of 2B.1 in site design criteria and find that the building line relative to adjoining properties is in fact a very responsive treatment of the building situation on the lot. Therefore, for my interpretation of 304.1 and 2, I believe the subject petition should have been granted.

Assuming that my position on 304.1A is incorrect, then the case centers around 307, wherein the Petitioner would be required to meet the tests under Section 307, Variances. I do not wish to express that I even question my own position on the interpretation of 304.1; I only wish to indicate that the tests under 307.1 have been easily met by the subject petition. Were this case the subject of variance, then this Petitioner would be granted said variance in my opinion. Section 304 is a section which recognizes prior actions by the County in its design criteria and the need to allow property owners with such lots affected by the prior acts of others in this County to pursue their development process. Strict reading of 304 still allows a property owner to do that. Therefore, one criteria under 307 which is particularly difficult for developers to prove is the intent of the proposed developer in meeting the spirit and intent of the zoning regulations. This is a case where the mere application of Section 304 points to the fact that the proposed development is in the spirit and intent of the BCZR. By virtue of the fact that the side lot lines existed as early as the original subdivision plat points to the, what I would call, automatic meeting of the density regulations, and other

height, area, off-street parking, and sign regulations. As I see it, no matter how you slice it, this petition should have been granted under Section 304.1, or, in the strict, literal reading of 304.1A, the requirement to obtain a variance under Section 307.1, this variance should have been granted.

Robert O. Schuetz

Robert O. Schuetz, Member
County Board of Appeals

DATE: 4/21/95

UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 268

SEPTEMBER TERM, 1996

WARREN GRILL, et ux.,

v.

PEOPLE'S COUNSEL FOR BALTIMORE COUNTY

Fischer,
Hollander,
Bishop, (Ret.'d,
Specially Assigned)
JJ.

PER CURIAM

Filed: November 1, 1996

95CV04581

Warren and Carole Grill, appellants, attempted to obtain a building permit in order to construct a residential dwelling on an undersized lot in Baltimore County. Since the site does not meet the width requirement for the zone, appellants sought relief from that requirement, pursuant to Baltimore County Zoning Regulations ("B.C.Z.R.") § 304 (1987). Upon a challenge lodged by People's Counsel for Baltimore County, as well as Joseph Lotz, and Steve Nagy, appellees, the Circuit Court for Baltimore County upheld the decision of the Baltimore County Board of Appeals (the "Board") denying appellants' request for a building permit. Appellants now present the following issues for our review:

> I. Were the Appellants entitled to a building permit for Constitutional reasons?
>
> II. Did the Appellants correctly apply under Section 304 for a variance in order to obtain a building permit for the undersized lot?
>
> III. Did the transfer of the undersized lots created in 1918 into an undersized lot in 1993 create a new lot or did the transfer merge the undersized lots into a post-1955 undersized lot?
>
> IV. Is the proposed building appropriate in relation to the existing neighborhood?

For the reasons discussed below, we shall affirm the circuit court.

Factual Background

This dispute involves the parcel of land known as 5902 Hilltop Avenue, located in Catonsville Gardens, a subdivision recorded in Baltimore County in 1918, that consisted of 482 lots, most of which were 20 feet wide. The zoning classification is presently Density

Residential 5.5 (*i.e.*, 5.5 units per acre). The current minimum lot width is 55 feet, and the minimum required area is 6000 square feet.

In 1927, Harry and Virginia Blackburn purchased lots 51 and 52,[1] which front on Hilltop, as well as lots 57, 58, 59, and 60, around the corner at 1528 Ingleside Avenue. The properties were acquired from two different owners, but were recorded in the same deed. Lots 51 and 52 are each 20 feet wide, while lots 57-60 are each 25 feet wide. The Blackburns constructed a house on lots 57-60, located at 1528 Ingleside Avenue. Thereafter, in 1943, they acquired the back portions of lots 25 and 26, which they used to add a garage to their property. As a result of this purchase, their land, which had previously been contiguous for only a few feet, then formed an L-shaped parcel.[2] A neighbor, Mr. Saunders, who once owned the corner lot between the two branches of the Blackburns' property, had permission to use the Hilltop lots (lots 51 and 52) as a vegetable garden, for which he provided vegetables to the Blackburns in return.

In 1945, Baltimore County established a comprehensive zoning scheme and, in 1955, it passed an ordinance to "grandfather" lots

[1] Appellee Lotz owns lots 48-50, fronting on Hilltop Avenue, adjacent to lot 51.

[2] Specifically, the rear of lots 57-58 share a common boundary with the southeastern rear portion of lot 52. The rear portions of lots 25 and 26 back up to the rear of lots 51 and 52, and share a common boundary, on the side of lot 26, with the rear of lots 57-58.

that had become substandard as a result of the 1945 ordinance, allowing them to be developed under certain conditions. In 1970, the ordinance was amended to create density residential zoning, establishing, as we noted, the present minimum width requirements of 55 feet and minimum area requirements of 6,000 square feet. The ordinance was again amended in 1991 to add a "compatibility review" to the process, requiring a landowner who seeks a building permit to show that the proposed dwelling would be appropriate to the neighborhood.

On August 19, 1993, for the sum of $70,000, the Grills purchased all of the Blackburn lots from Harry Blackburn, Carole Grill's uncle, who had become sole owner of the land after his wife's death. Before purchasing the property, Ms. Grill wrote a letter on behalf of Harry Blackburn, dated August 6, 1993, requesting a lot line revision to reconfigure the lots. On August 27, 1993, after the Grills had purchased the land from Blackburn, the Baltimore County Office of Zoning Administration approved a limited exemption allowing the Grills to redraw the lot lines.

Thereafter, on November 19, 1993, the Grills recorded the property in two separate deeds. In one deed, they aggregated lots 51 and 52 (on Hilltop Avenue) and part of the rear portions of lots 25 and 26,[3] exclusive of the garage, in order to satisfy the area

[3] Lots 25 and 26 front on Franklin Avenue. The rear portions of those lots are located in the center of the block. Thus, after having been severed from the front portions, these portions do not front on any street.

requirement. The combined lots, however, were only 40 feet in width, and thus did not satisfy the current width requirement. According to appellants, Mr. Blackburn did not "own any lots that would have allowed him to increase the combined 40' width of the two lots 51 and 52. . . ." Thus, appellant's re-configured parcel remained 15 feet shy of the 55 foot width requirement. Lots 57-60, which contained the house, were aggregated with the portion of lots 25 and 26 that contained the garage. These lots satisfied current zoning requirements, and were described in the other deed.

On August 30, 1994, the Grills sold lots 57-60 and part of lots 25 and 26 to Joseph Hamilton for $91,000. On December 13, 1993, they applied for a building permit for the newly configured undersized lot, by filing an application under B.C.Z.R. § 304. They did not apply, alternatively, for a variance.

The Zoning Commission held a hearing to determine if appellants complied with B.C.Z.R. § 304. In an order dated July 29, 1994, the zoning commissioner approved the application. Appellees appealed to the Board, which reversed the Zoning Commission's decision, stating:

> The threshold issue for the Board to decide is whether the Property qualifies as an undersized lot pursuant to Section 304.1(A).
>
> From the evidence, the Board concludes that the lot in question does not qualify. The subject lot was not "duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955" as required by Section 304.1(A). The basis for the Board's conclusion is that the lot in question was not duly recorded until November 19, 1993. The presence of old Catonsville Gardens subdivision Lots 51 and 52 and portion of Lots 25 and 26 within the Property does not in and of itself qualify the existing reconfigured lot as an undersized lot under Section 304.1(A).
>
> The plain and ordinary meaning of the words found in Section 304.1(A) support the above conclusion. Section 304.1(A) starts with the words "such lot." The Board finds that "such lot" is the lot which was deeded to Petitioners in 1993.

Thereafter, appellants sought review in the circuit court, which affirmed the Board's decision. This appeal followed.

Discussion

I.

In *Cromwell v. Ward*, 102 Md.App. 691, 709 (1995), we said:

> 'In reviewing the zoning authority's decision, the court must consider all of the evidence in the administrative record. The reviewing court's role, however, is confined to determining the legality of the procedure employed and whether the decision was fairly debatable in light of the evidence adduced before the zoning authority.'

(quoting *Red Roof Inns, Inc. v. People's Counsel*, 96 Md. App. 219, 224 (1993)). See also *Pub. Serv. Comm'n v. Balto. Gas & Elec. Co.*, 273 Md. 357, 362 (1974); *Dep't Econ. & Emp't Dev't v. Hager*, 96 Md. App. 362 (1993). On review, the circuit court must determine only whether the decision of the agency was in accordance with law. *Levy v. Seven Slade, Inc.* 234 Md. 145, 149 (1964); *Gray v. Anne Arundel Co.*, 73 Md. App. 301 (1987). The Board's decision is not lawful if it is arbitrary, illegal, or capricious. *Moseman v. County Council*, 99 Md. App, 258, 262, *cert. denied*, 335 Md. 229 (1994). As we said in *Mortimer v. Howard Research*, 83 Md. App. 432, 441 (1989) a decision is "not in accordance with law" when it is

> arbitrary, illegal or capricious. In making a determination of whether the [agency] decision is arbitrary, illegal or capricious, the reviewing court must decide whether the question before the agency was fairly debatable. An issue is fairly debatable if reasonable persons could have reached a different conclusion on the evidence, and if so, a reviewing court may not substitute its judgment for that of the administrative agency. The fairly debatable test is analogous to the clearly erroneous standard under Rule 8-131(c) and a decision is fairly debatable if it is supported by substantial evidence on the record taken as a whole.

In reviewing the Board's decision, this Court must not engage in judicial fact-finding. *Anderson v. Dep't of Public Safety*, 330 Md. 187, 212 (1993); *Bd. of County Comm'rs v. Holbrook*, 314 Md. 210, 218 (1988). Nor may we supply factual findings that were not made by the Board. *Ocean Hideaway Condo. v. Boardwalk Plaza*, 68 Md. App. 650, 662 (1986). Moreover, this Court may not uphold the agency's decision "unless it is sustainable on the agency's findings and for the reasons stated by the agency." *United Parcel Serv., Inc.*, 336 Md. at 577 (quoting *United Steelworkers v. Beth. Steel*, 298 Md. 665 (1984)); *see also Harford v. Preston*, 322 Md. 493, 505 (1991).

Factual findings made by an agency are binding upon a reviewing court, so long as they are supported by substantial evidence. *United Parcel Serv.*, 336 Md. at 577; *Mortimer*, 83 Md. App. at 441; *Floyd v. County Council of P.G. Co.*, 55 Md. App. 246 (1983). Substantial evidence has been defined as more than a scintilla of evidence. *Montgomery Co. v. Gr. Colesville Ass'n*, 70 Md. App. 374, 382 (1987). Further, the inferences reasonably to be

drawn from the facts are also left to the Board. *Holbrook*, 314 Md. at 218 (citing *Snowden v. Mayor & C.C. of Balto.*, 224 Md. 443, 448 (1961)); *see also Moseman*, 99 Md. App. at 265. "'The Court may not substitute its judgment on the question whether the inference drawn is the right one or whether a different inference would be better supported. The test is reasonableness, not rightness.'" *Snowden*, 224 Md. at 448 (citations omitted). *See also People's Counsel v. Mangione*, 85 Md. App. 738, 751 (1991). An appellate court must "review the agency's decision in the light most favorable to the agency, since decisions of administrative agencies are prima facie correct and carry with them the presumption of validity." *Baltimore Lutheran High School Ass'n v. Employment Security Administration*, 302 Md. 649, 662-663 (1985).

In contrast to findings of fact, however, an agency's conclusions of law are not entitled to deference. On appeal, the reviewing court must determine whether the agency's decision constitutes an error of law. *Caucus Distributors, Inc. v. Md. Securities Comm'r*, 320 Md. 313, 324 (1990); *State Election Bd. v. Billhimer*, 314 Md. 46, 59 *cert. denied*, 490 U.S. 1007 (1988); *Washington Nat'l Arena v. Comptroller*, 308 Md. 370, 378-79 (1987); *Bd. of Educ. v. Paynter*, 303 Md. 22, 36 (1985); *Baltimore Lutheran*, 302 Md. at 663.

II.

This appeal turns on the meaning of BCZR § 304, "Use of Undersized Single-Family Lots." It provides a two-step inquiry to

determine whether a building permit is appropriate under the section. The first part, §304.1, sets out the threshold test for eligibility as follows:

> A one-family detached or semi-detached dwelling may be erected on a lot having an area or width at the building line less than 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.C.Z.R., 1955; Bill No. 47, 1992.]
>
> B. All other requirements of the height and area regulations are complied with [B.C.Z.R., 1955]; and
>
> C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations. [B.C.Z.R, 1955; Bill No. 47, 1992.]

Only if the threshold requirements of B.C.Z.R. §304.1 have been met does the inquiry proceed to the "compatibility review" outlined in B.C.Z.R. §304.2, to determine the appropriateness of the proposed building in the neighborhood.

When appellants acquired the Blackburns' property, they were not content to maintain it as a single residential lot, as it had been used in the past. Rather, they divided the property, sold part of it, created one undersized lot, and now seek relief from their own action.

Appellants acknowledge that the combination of lots 51 and 52 and parts of lots 25 and 26 is undersized in width. They contend, however, that they cannot increase the size of the width because they lack adjacent land to do so. Nevertheless, they claim that

the reconfigured property almost conforms with current width and area requirements. They assert, further, that since the property once qualified for an exemption under B.C.Z.R. § 304, it remains eligible for the exemption, because the exemption "runs with the land."

The Board and the circuit court disagreed. They concluded that the November 19, 1993 deeds, which re-created the boundaries of the property, disqualified the property from eligibility for the exemption, because the property no longer satisfied either condition of eligibility of B.C.Z.R. § 304.1(A); the new lot was neither duly recorded by deed, nor duly recorded in a validly approved subdivision prior to March 30, 1955. In our view, the exemption in B.C.Z.R. 304.1(A) is not available to appellants. Therefore, the Board validly relied on the 1993 deeds to conclude, as a matter of law, that the Grills were ineligible for an exemption pursuant to B.C.Z.R. § 304.1(A).

Preliminarily, we note that appellees argue that, because Blackburn held the Hilltop property and the Ingleside property under single ownership, the two properties merged to form a single parcel for the purposes of B.C.Z.R. § 304.1. Further, they assert that when Blackburn later acquired portions of lots 25 and 26, these also merged into Blackburn's single property. They contend, therefore, on the basis of merger principles, that appellants were not entitled to the building permit for the undersized lot.

In appellees' view, when the Blackburns' parcels merged to

form a single, indivisible parcel, that parcel easily met the width and area requirements imposed in 1945. Thus, lots 51 and 52 would not qualify under B.C.Z.R. § 304.1, because the whole property, as a unit, satisfied the zoning requirements, and lots 51 and 52 were merely part of that property. In contrast, appellants contend that lots 51 and 52 merged only with the back portions of lots 25 and 26 in 1993.

Merger, in the context of land use, is the joining of contiguous parcels under common ownership, so that they are viewed as a single parcel for purposes of zoning regulations. 3 Ziegler, *Rathkopf's Law of Zoning and Planning*, §32.04, n.1 (1994). Section 304.1(C), as we have noted, permits erection of a dwelling on a substandard lot when "The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations." B.C.Z.R. § 304.1(C). *See* 3 Ziegler, *Rathkopf's Law of Zoning and Planning*, §32.04 & n.1 (1994). The cases appellees cite with respect to merger involve only side-by-side lots. In this case, however, the parcels formed an "L" shaped lot.

> Zoning ordinance provisions often limit exemptions or grandfather clauses to lots of record that are in single or separate ownership. Either implicitly by such provisions or expressly by "merger" requirements in the ordinance itself, *contiguous* substandard lots under *common ownership* may lose their separate identity and be treated as a single parcel for purposes of zoning area and frontage requirements and subdivision restrictions. Merger provisions generally have been upheld against due process, equal protection, and taking claims. . . . Merger requirements may operate upon contiguous undeveloped lots or upon contiguous lots where one or more of the lots are already developed.
>
> In dealing with substandard lots . . . the point of reference is the effective date of the bylaw. The basic purpose of the ordinance provision establishing generally applicable minimum lot requirements has as its corollary the purpose to freeze and minimize substandard lots. If there is a merger provision in the ordinance, it is designed to result in a maximum number of standard lots from each separate tract of land in single ownership at the effective date of the ordinance. The number of separately described parcels which an owner or his predecessors in title may have acquired over the course of time to make up the entire tract is thus immaterial.

3 Ziegler, *Rathkopf's Law of Zoning and Planning*, § 32.04 (emphasis in original; footnotes omitted.)

Contiguity alone, however, has not always proved dispositive with respect to the concept of merger. "Cases in which the exemption and protection afforded lots [that do not meet minimum area requirements] have been held to apply have included lots [in single ownership] that are back-to-back (i.e., lots that have a common rear line) and "L" shaped lots (where the rear line of one is to the side of the other and each has frontage on different streets). . . . Lots contiguous for a distance of 105 feet, but related to each other in such a fashion as to form an L shape, have been held not to adjoin each other within the meaning of a provision exemption clause relating to ownership of "adjoining land." Rathkopf, *supra*, at §32.05 (citing *Blue Ridge Gardens, Inc. v. Oswald*, 44 A.D.2d 567, 353 N.Y.S.2d 55 (1974); *see Somol v. Board of Adjustment*, 277 N.J. Super. 220, 229, 649 A.2d 422, 426 (1994) (refusing to apply merger doctrine where lots are "not side to side of each other but are back to side and are not fronting on

the same street"); *see also Chirichello v. Zoning Bd. of Adj., Monmouth Park*, 78 N.J. 544, 397 A.2d 646 (1979) (declining to find merger where acquisition of lot directly behind subject lot did not increase frontage of subject lot).

As we see it, we need not determine whether the parcels merged when the Blackburns owned them. This is because the Board properly concluded that B.C.Z.R. § 304.1 was not applicable to the Grills, based on the deeds they acquired in November 1993.

Courts apply fundamental principles of statutory construction when construing ordinances. *Prince George's County v. Equitable Trust*, 44 Md. App. 272 (1979). A statute must be construed so as to "ascertain and carry out the intent of the legislature." *Montgomery County v. Buckman*, 333 Md. 516, 523 (1994); *Stapleford v. Hyatt*, 330 Md. 388, 400 (1993); *Taxiera v. Malkus*, 320 Md. 471, 480 (1990); *Jones v. State*, 311 Md. 398, 405 (1988). In considering the language of a statute, courts will give that language its natural and ordinary meaning. *Buckman*, 333 Md. at 523; *Harford County v. University of Maryland Medical System Corp.*, 318 Md. 525, 529 (1990); *NCR Corp. v Comptroller of the Treasury*, 313 Md. 118 (1988). When a statute is unambiguous, the court need not look beyond the statute itself to identify the intent of the legislature. *Buckman*, 333 Md. at 523; *In re Criminal Investigation No. 1-162*, 307 Md. 674, 685 (1986); *Police Comm'r v. Dowling*, 281 Md. 412, 418 (1977). When a statute may reasonably be read to have more than one meaning, the court will look to both the literal

meaning of the ambiguous words and to their meaning in light of the context and purpose of the statute. *Allied Vending, Inc. v. City of Bowie*, 332 Md. 279 (1993).

Baltimore County enacted a comprehensive zoning scheme in 1945. Subsequently, in 1955, the County passed B.C.Z.R. § 304 to mitigate the harsh effect of the zoning scheme on some property owners, and to avoid constitutional takings violations. The County later added area and density provisions to its zoning scheme for the purpose of improving the health, safety and general welfare of its citizens.

B.C.Z.R. § 304 contemplates that a landowner is protected against the change in the zoning laws if either, or both, of two events has occurred: 1) the lot was recorded by deed prior to 1955 or 2) the lot was recorded as part of a validly approved subdivision recorded prior to 1955. Thus, the ordinance covers several possible situations. First, the provision would apply to unimproved lots owned by a developer who intended to build on the lots, and then sell them as improved properties. Second, the provision would cover vacant subdivision lots, so that a lot owner who bought the unimproved lot with the intention of building a house on the lot, but who had not yet constructed it, would be protected. In the latter circumstance, the buyer's lot would have been recorded as part of the subdivision recorded by the developer, but this would be superseded for purposes of B.C.Z.R. § 304.1(A) by the deed from the developer to the buyer. In this second scenario,

the deed recorded before 1955 would qualify the buyer under B.C.Z.R. § 304.1(A). Third, the provision might also apply if the land was never part of a subdivision. In such a situation, the only logical reading of the deed provision would be that it was intended to protect landowners who had recorded a deed prior to 1955. Such a reading would defeat the purpose of the zoning scheme.

Under appellant's reading of B.C.Z.R. § 304, it would apply both to those who owned a substandard lot prior to 1955 and to those to whom the pre-1955 owners sold the land subsequent to 1955. Such a reading would defeat the purpose of the zoning scheme.

The parties have not referred us to any Maryland case concerning undersized lots excepted under B.C.Z.R. § 304. We look, therefore, to other jurisdictions for guidance. In *In re Sofo*, 57 A.D.2d 841, 394 N.Y.S.2d 43 (1977), the Supreme Court of New York had occasion to interpret a provision similar to the provision at issue here. The Town of Yorktown increased its area requirements for a building permit from 5,000 to 10,000 square feet, and adopted a provision to "grandfather" current owners:

> A permit may be issued for the erection of a building on a (substandard) lot or parcel for which a valid conveyance has been recorded or contract of sale has been signed and the conveyance recorded prior to August 19, 1958 * * * provided that the owner of such lot or parcel does not own other lots or parcels contiguous thereto.

Id. at 842. In 1973 and 1974, potential builders bought five substandard lots and applied for building permits. When their

applications were denied, they applied for area variances.[4] In reversing the order granting the variances and the building permits, the court reasoned:

> We agree with the board's interpretation of the above-quoted "grandfather clause", to wit, that only those who owned the parcels at the time they were rendered substandard by increased area requirements have the right to build on such parcels. Petitioners here, having bought their parcels at least 15 years after they became substandard, are not benefited by such clause."

Id. In further support of its holding, the court noted that "the petitioners purchased the parcels with presumptive knowledge of the zoning ordinance and, to that extent, created their own hardship." *Id. See also Craig v. Zoning Board of Appeals*, 50 A.D.2d 887, 3377 N.Y.S. 2d 171 (1975) (Denying building permit to landowner; where ordinance created vested right in grantor to build on lot that

---

[4] The provision at issue in the instant case is a special exception, rather than a variance, as defined in Maryland. The distinction has often been blurred, particularly because an application for a special exception is often combined with an application for a variance. The distinction has been explained as follows:

> . . .[T]he variance and exception are designed to meet two entirely different needs. The variance contemplates a departure from the terms of the ordinance in order to preclude confiscation of property, while the exception contemplates a permitted use . . .[once] the prescribed conditions therefor are met."

Cromwell v. Ward, 102 Md.App. at 699-700. Moreover, "[m]atters relating to area issues are intended to be, and usually are, addressed as special exceptions." *Id.* at 699 n. 5. No cases have been found treating the relevant type of special exception in other jurisdictions. The cases discussed here referred to the ordinances at issue as variances. As the policy considerations are the same, the cases are instructive.

became substandard when area was up-zoned, but vested right did not transfer to grantee).

In *Hays v. Vanek*, 217 Ca. App. 3d 271, 266 Cal. Rptr. 856 (1989), the owner of a parcel of land who sought to develop it into a subdivision attempted to rely on a provision exempting him from compliance with more restrictive zoning requirements enacted after a prior owner had begun development of the subdivision. The court denied relief, reasoning that:

> [t]he clear purpose of the so-called "grandfather" clause is to protect developers who have detrimentally relied on an earlier state of the law. That purpose is hardly served by allowing later purchasers of property which has never been sold in subdivided form to take advantage of an exemption. In such cases, the later purchaser placed no reliance on the prior state of the law. . . .In simple terms, the purpose of the statutory exemption does not support the conclusion that it runs with the land.

Id. at 289-290.

Zoning matters involve a balancing of the interests of all property owners in an area. In enacting B.C.Z.R. § 304, Baltimore County struck a balance between the expectancy interests of landowners who, in the 1940's and 1950's, had intended to build on land that was affected by the zoning scheme, and the long-term interests of the County in protecting against over-development and overcrowding. At a minimum, forty years later, purchasers of land in Catonsville Gardens made their purchase with constructive knowledge of the zoning scheme.

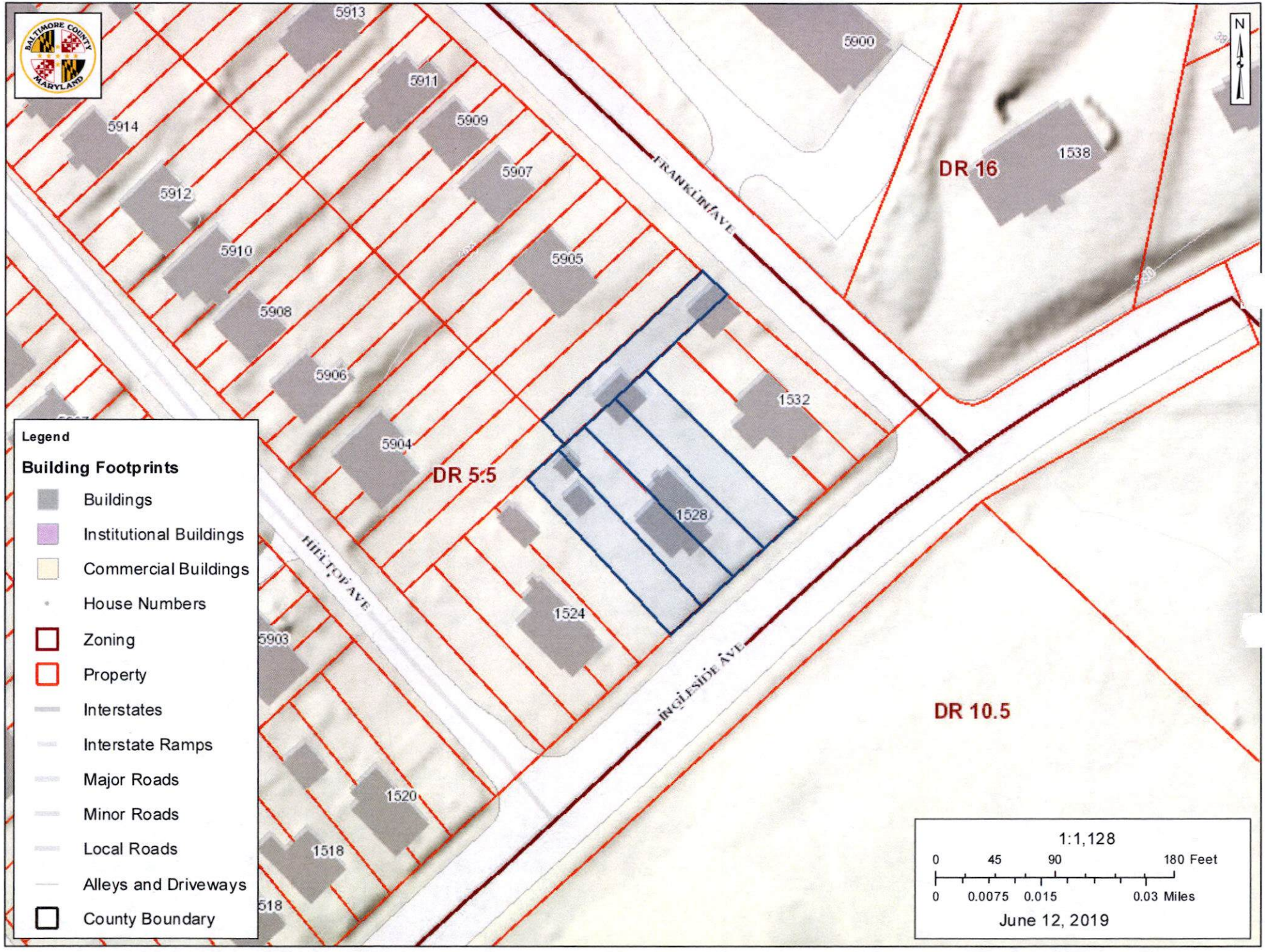
Appellants' challenge on constitutional grounds must also

fail. They did not argue in the circuit court that operation of B.C.Z.R. § 304.1 works an unconstitutional taking of their property without due process. Consistent with well-settled principles of appellate review, this issue is not preserved and we decline to address it. Md. Rule 8-131; *Wieland v. State*, 101 Md. App. 1 (1994); *C.S. Bowen Co. v. Maryland Nat'l Bank*, 36 Md. App. 26 (1977); *Washington Homes, Inc. v. Baggett*, 23 Md. App. 167 (1974).

JUDGMENT AFFIRMED. COSTS TO BE PAID BY APPELLANTS.

Baltimore County - My Neighborhood

Baltimore County - My Neighborhood



IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE – W/S Hilltop Avenue, 125' W of the c/l Ingleside Avenue (5902 Hilltop Avenue)
1st Election District
1st Council District

Warren G. Grill, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-270-SPHA

* * * * * * * * * * *

ORDER OF DISMISSAL

WHEREAS, this matter was scheduled for a public hearing on February 6, 2004 to consider Petitions for Special Hearing and Variance filed by the owners of the subject property, Warren G. Grill and his wife, Carole L. Grill. The Petitioners sought special hearing and variance relief from Sections 1B02.3.C.1 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the proposed development of the subject property with a single-family dwelling. Specifically, relief was requested to permit a lot width of 40 feet in lieu of the required 55 feet and side yard setbacks of 6 feet each in lieu of the required 10 feet, respectively, and to approve the subject property as an undersized lot.

Pursuant to a letter dated February 2, 2004 received from Bernadette L. Moskunas, Vice President of Site Rite Surveying, the consultants who prepared the site plan for this property, the Petitioners requested a withdrawal of the Petitions.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of February 2004 that the Petitions for Special Hearing and Variance in the above-captioned matter, be and the same are hereby DISMISSED AS MOOT.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Warren G. Grill
6220 Rolling View Drive, Sykesville, Md. 21784
Ms. Bernadette L. Moskunas, Site Rite Surveying, Inc.
200 E. Joppa Road, #101, Towson, Md. 21286
People's Counsel; Case File

ORDER RECEIVED FOR FILING
Date 2/4/04
By

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5902 HILLTOP AVE.
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 AND 304 B.C.Z.R.

TO PERMIT A LOT WIDTH OF 40 FT. AND SIDE YARD SETBACKS OF 6 FT. (EACH) IN LIEU OF THE REQUIRED 55 FT. AND 10 FT. (EACH SIDE) RESPECTIVELY, AND TO APPROVE AN UNDERSIZED LOT.

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

1. All lot widths are 20' as recorded on a plat of "Catonsville Gardens" dated October 1918.
2. There is no contiguous ownership to meet setback and lot width requirements per B.C.Z.R.
3. Strict compliance with such requirments would unreasonably prevent the permitted use of the property.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

WARREN G. GRILL
Name - Type or Print
Warren G. Grill
Signature
CAROLE L. GRILL
Name - Type or Print
Carole L. Grill
Signature
6220 ROLLING VIEW DR. 410.795.2598
Address Telephone No.
SYKESVILLE, MD. 21784
City State Zip Code

Representative to be Contacted:

Site Rite Surveying, Inc.
Name
200 E. Joppa Blvd Rm101 410 828-9060
Address Telephone No.
Towson, MD 21286
City State Zip Code

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING 1/2 HR
UNAVAILABLE FOR HEARING
Reviewed By JL Date 12/04/03

Case No. 04-270-SPHA

Reviewed

ORDER RECEIVED FOR FILING
Date 2/4/04
By

270

ZONING DESCRIPTION FOR #5902 HILLTOP AVENUE

BEGINNING AT A POINT ON THE NORTHEAST SIDE OF HILLTOP AVENUE WHICH IS 40 FEET WIDE AT THE DISTANCE OF 150 FEET NORTHWEST OF THE CENTERLINE OF INGLESIDE AVENUE WHICH IS 50 FEET WIDE. BEING PART OF LOT NOS. 51 AND 52, BLOCK 10, IN THE SUBDIVISION OF "CATONSVILLE GARDENS" AS RECORDED IN BALTIMORE COUNTY PLAT BOOK NO. 6, FOLIO NO. 157, CONTAINING 6,005 S.F. ALSO KNOWN AS #5902 HILLTOP AVENUE AND LOCATED IN THE 1ST. ELECTION DISTRICT, ~~4TH.~~ 1ST. COUNCILMANIC DISTRICT. BLM

STATE OF MARYLAND · MICHAEL VINCENT MOSKUNAS · NO. 21176 · PROFESSIONAL LAND SURVEYOR

MICHAEL V. MOSKUNAS

SITE RITE SURVEYING, INC.
200 E. JOPPA ROAD
SUITE 101
TOWSON, MD 21286
(410)828-9060

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL
Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

RECEIVED
FEB - 2 2004
ZONING COMMISSIONER

February 2, 2004

Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
401 Bosley Avenue, 4th Floor
Towson, Maryland 21204

Re: Warren & Carole Grill
Case No.: 04-270-SPHA

Dear Mr. Schmidt:

Enclosed please find opinions from the Zoning Commissioner, Board of Appeals, Circuit Court and the Court of Special Appeals with regard to a prior case at this same address. The courts affirmed the County Board of Appeals' denial of a building permit on the same property in Case No. CBA-94-163, on April 28, 1995.

At the time of the 1995 decision, the Grills owned contiguous lots on Hilltop Avenue (Lots 51 and 52), on Ingleside Avenue (Lots 57-60), and backing up to these lots (parts of Lots 25 and 26). Review of the current site plan suggests that the Grills sold off Lots 57-60 and parts of Lots 25 and 26, leaving them with the Hilltop Avenue lots and parts of Lots 25 and 26. This sale does not justify any change from the 1995 denial. If anything, it amounts to a "self-created difficulty."

Thank you for your consideration.

Sincerely,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw
Enclosures
cc: Warren & Carole Grill

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Tax Exempt:
Exempt Class:
Special Tax Recapture: NONE

Account Identifier: District - 01 Account Number - 2200018018

Owner Information

Owner Name:	GRILL WARREN G GRILL CAROLE L	**Use:** **Principal Residence:**	RESIDENTIAL NO
Mailing Address:	6220 ROLLING VIEW DR SYKESVILLE MD 21784-6527	**Deed Reference:**	/10187/ 00285

Location & Structure Information

Premises Address:	HILLTOP AVE 0-0000	**Legal Description:**	.1378 AC LTS 51,52 NES HILLTOP AVE CATONSVILLE GARDENS

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0095	0009	0225		0000		10	51	2019	Plat Ref:	0006/ 0157

Special Tax Areas:
Town: NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			6,005 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation

Value Information

	Base Value	Value As of 01/01/2019	Phase-in Assessments As of 07/01/2018	Phase-in Assessments As of 07/01/2019
Land:	25,500	25,500		
Improvements	0	0		
Total:	25,500	25,500	3,000	25,500
Preferential Land:	0			0

Transfer Information

Seller: GRILL WARREN G	**Date:** 12/02/1993	**Price:** $0
Type: NON-ARMS LENGTH.OTHER	**Deed1:** /10187/ 00285	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt:
Exempt Class:
Special Tax Recapture: NONE

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

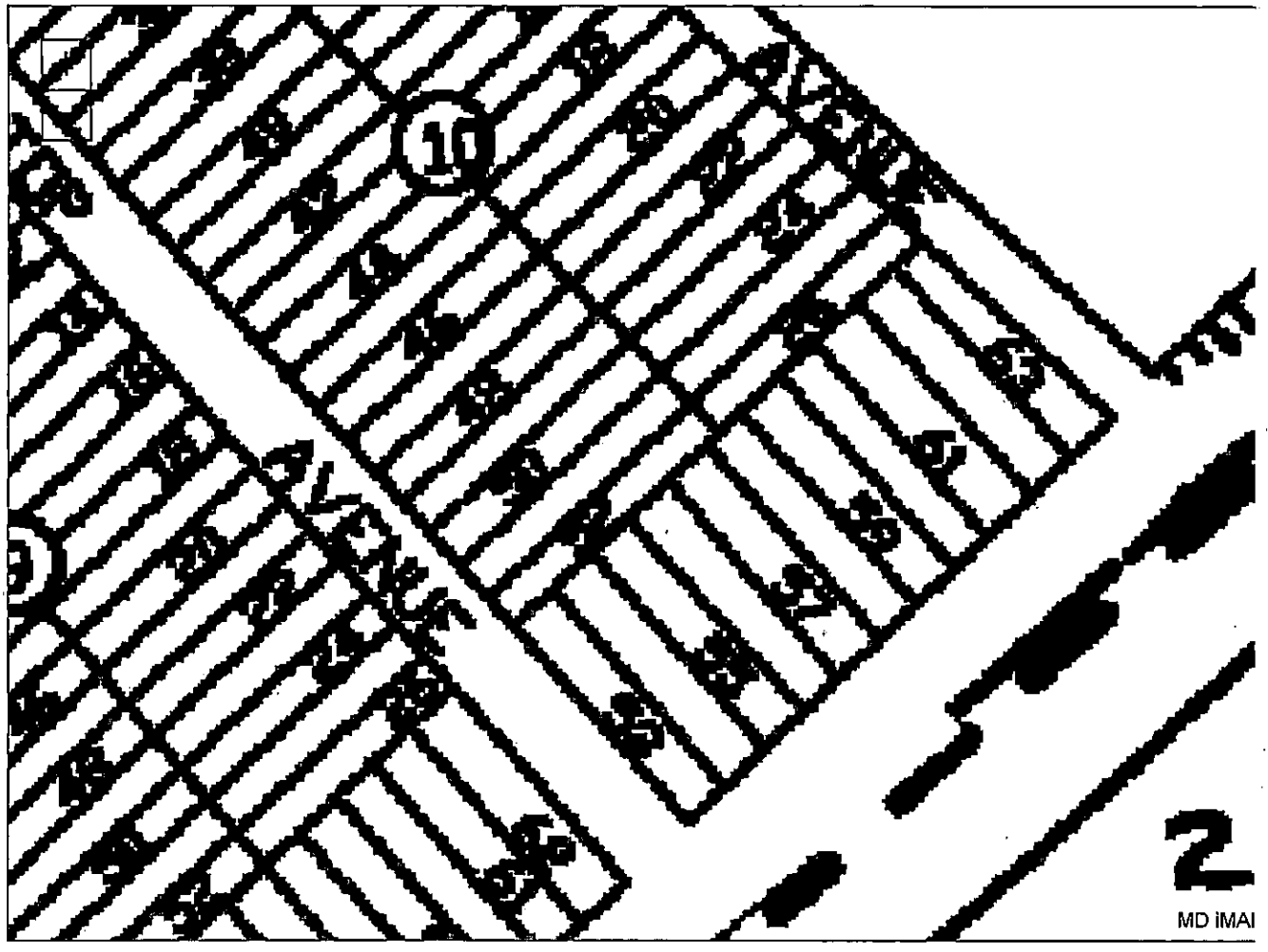
Homeowners' Tax Credit Application Status: No Application **Date:**

1. This screen allows you to search the Real Property database and display property records.
2. Click here for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

Baltimore County

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

District: **01** Account Number: **2200018018**



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 www.plats.net (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 http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx (http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx).

THE FOUNTAINHEAD TITLE GROUP
801-A Old Liberty Road
Sykesville, MD 21784

NO TITLE EXAMINATION
NO TITLE SEARCH
NO CONSIDERATION

This Deed, MADE THIS 19th day of November in the year One Thousand Nine Hundred and Ninety Three by and between **WARREN G. GRILL and CAROLE L. GRILL, his wife**, parties of the first part, and **WARREN G. GRILL and CAROLE L. GRILL, his wife**, parties of the second part.

Witnesseth, That in consideration of the sum of No Cents ($0.00), the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives, heirs and assigns, in fee simple, that parcel of ground situate in Baltimore County, Maryland and described as follows, that is to say:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

BEING A PART OF the same parcel of ground which by deed dated August 19, 1993 and recorded among the Land Records of Baltimore County, Maryland in Liber No. 10077, folio 378 was granted and conveyed by Harry H. Blackburn unto **WARREN G. GRILL and CAROLE L. GRILL**, the Grantors herein.

THIS DEED IS BEING EXECUTED BY THE PARTIES HERETO TO RECORD THE RECONFIGURED DESCRIPTION HEREINABOVE SET FORTH.

This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

F. Michael Grace, Esquire

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 the said described lot of ground and premises to the said parties of the second part as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives, heirs and assigns, in fee simple.

And the said parties of the first part hereby covenants 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.

WITNESS the hands and seals of said Grantor(s).

Test:

WARREN G. GRILL

CAROLE L. GRILL

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10187, p. 0285, MSA_CE62_10042. Date available 03/03/2005. Printed 06/12/2019.

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10187, p. 0286, MSA_CE62_10042. Date available 03/03/2005. Printed 06/12/2019.

William E. Doyle
Professional Land Surveyor 8440
5312 Emerald Drive
Sykesville, Maryland 21784
(410) 795- 6210

September 15, 1993

Description of Warren G. Grill and Carole L. Grill property, situated on the northeast side of Hilltop Avenue in Election District 1, Baltimore County, Maryland.

Vacant Lots

Beginning for the same at a steel pin found in concrete on the northeast side of Hilltop Avenue(40.00 ft. wide right of way) at the division line between lot 52 and lot 53, Block 10 as shown on the Plat of Catonsville Gardens and recorded among the Plat Records of Baltimore County in Plat Book W.P.C. 06, Page 157, running thence binding on the northeast side of said Avenue and also binding on the southwest boundary lines of lot 52 and lot 51 as shown on said Plat as now surveyed and referring all courses to the Baltimore County Metropolitan District Grid, (1) N 42°32'30"W 40.00 ft. to a steel pin found in concrete at the division line between lot 50 and lot 51 as shown on said plat, running thence leaving said Hilltop Avenue and binding on the justmentioned division line, (2) N 47°20'14"E 200.00 ft. to a pipe found at the division line between lot 24 and lot 25, Block 10 as shown on said plat, running thence binding on the justmentioned division line, (3) N 47°20'14"W 20.00 ft. to a steel pin and cap 8440 set, running thence for one new line of division through said lot 25 and lot 26, (4) S 44°43'56"E 41.43 ft. to a steel pin and cap 8440 set, running thence for one new line of division through lot 58 and lot 57 as shown on said plat, (5) S 48°56'22"W 50.07 ft. to a steel pin found at the division line between lot 52 and lot 56 as shown on said plat, running thence binding on the division line between said lot 52 and the northwest boundary line of lots 56,55,54 and 53 as shown on said plat. (6) S 47°20'14"W 100.00 ft. to the place of beginning. Containing 6004 Sq.Ft. or 0.1378 Acre of land more or less.

Being part of a deed dated October 26,1927 and recorded among the Land Records of Baltimore County in Liber 650, Folio 332 from William W. Blackburn and John H. Heacock to Harry H. Blackburn and Virginia R. Blackburn, his wife.

Being part of a deed dated May 8, 1943 and recorded among the Land Records of Baltimore County in Liber 1285, Folio 535 from William W. Blackburn to Harry H. Blackburn and Virginia R. Blackburn, his wife.

Survey Description By;

William E. Doyle

William E. Doyle
Professional Land Surveyor 8440

STATE OF MARYLAND · WILLIAM E. DOYLE · No. 8440 · REGISTERED · PROFESSIONAL LAND SURVEYOR

STATE OF Maryland, COUNTY OF [illegible], to wit:

I Hereby Certify, That on this 19th day of November in the year One Thousand Nine Hundred and Ninety Three, before me, the subscriber, a Notary Public of the State of Maryland, County of [illegible] personally appeared **WARREN G. GRILL AND CAROLE L. GRILL, Grantors** known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

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

[illegible]
Notary Public

My Commission Expires: [illegible], 19[illegible]

File Number 1514-ACC

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10187, p. 0287, MSA_CE62_10042. Date available 03/03/2005. Printed 06/12/2019.

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10187, p. 0288, MSA_CE62_10042. Date available 03/03/2005. Printed 06/12/2019.

Baltimore County, Maryland
Land Instrument Intake Sheet

(Type or print in black ink only—all copies must be legible)

Pursuant to Baltimore County Code 1978, Title 33, Taxation, Article II, §§ 33-12[illegible] and the Annotated Code of Maryland, Tax-Property Article, §§ 12-101 through 12-115, as amended, it is certified that the transfer of title effected by the recordation of this document is exempt from the State, County and Special taxes or charges imposed on the transfer of real or leasehold property. The property conveyed is not subject to such taxes or charges for the reason(s) identified as follows:

Description of Property
(Check box(es) for units to be released and recorded)

Property Tax ID No.: [illegible] Lot Block Map Grid Parcel No.

Subdivision Tract Lot Acreage Prior Deed Ref.: LIBER FOLIO

Street Address (or description if partial conveyance)

Transferred From

Grantor(s): (check box if additional sheets are attached)

Owner of record (if different from grantor)

Transferred To

Grantee(s): (check box if additional sheets are attached)

Type of Instrument

- Deed
- Deed of Trust
- Mortgage
- Lease
- Assignment of Mortgage
- Contract
- Land Installment Contract
- Power of Attorney
- Financing Statement
- Other (Specify)

Exemptions (Cite authority or explain if any)

Baltimore County Exempt Status Claimed:

Recordation Tax Exempt Status Claimed:

State Exempt Status Claimed:

Consideration and Tax Calculations
Make check payable to Baltimore County, MD
(410) 887-2416

Consideration Amount		County Taxes to be Paid
Purchase Price/Consideration (including any new mortgage)	$ 0.00	Transfer Tax Consideration
Real Property		$ [illegible] = $
Personal Property		
Balance of Assumed Mortgage		
Other		
Total Consideration or Assessed Factor	$	

Office of Finance Use Only

Agent: [illegible] Tax Bill:

U.S. Check: Any Tax Other:

Fees and Recording Instructions
Make check payable to Clerk of the Circuit Court
(410) 887-2650

Recordation Fees	
Recording Charges	$
State Transfer Tax	
County Recordation Tax	
Surcharge	
Other	
Total	$

Special Recording Instructions (if any)

Contact/Mail Information

Instrument Prepared By	Return Instrument To	Mailing Address for Tax Bill
Name: Rose Myers	Name: Same	Name: Warren Grill
Firm: Fountainhead Title	Address:	Address: 2222 Rollingview Dr.
Address: 601-A Old Solomons Island Rd. Annapolis, MD 21401		Millersville, Md 21784
Phone: 349-0440		

Certification

I hereby certify under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief.

Signature: Rose Myers Date: 12/1/93

Assessment Information (410) 321-2299

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

- Yes / No Will grantee be living in property conveyed?
- Yes / No Is grantor currently receiving a homeowners tax credit?
- Yes / No Is property subject to agricultural transfer tax? If yes, what amount
- Yes / No If agricultural assessment on conveyance is unknown, have you attached a letter of intent?
- Yes / No Partial conveyance? If yes, amount of acreage transferred:

Total number of parcels conveyed

Complete Section 4 on Page 2 for Agricultural Property Tax ID Number

Optional Expediting Information

A delay in processing may be incurred if a conveyance deed is not accompanied by an adequate property description, preferably a survey or area calculation. A partial conveyance may require additional processing time.

Yes No Was property surveyed? If yes, attach copy of survey. If partial conveyance, balance of acreage?

Complete description of property conveyed (see attached [illegible])

Location and improvement address:

Space Reserved for Clerk's Office

Transfer and Recordation Data

Terminal Verification
Agricultural Verification
Tran. Process Verification
Whole Deed Type

Liber/Folio
Deed Reference
Assigned Property No.

Distribution: White - Clerk's Office Canary - [illegible] Pink - [illegible] Goldenrod - Taxpayer

FAC CC 130

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10077, p. 0378, MSA_CE62_9932. Date available 03/03/2005. Printed 06/12/2019.

LIBER 10077 PAGE 378

THE FOUNTAINHEAD TITLE GROUP
5340 Enterprise Street
Elderrburg, MD 21784

This Deed, Made This 19th day of August in the year One Thousand Nine Hundred and Ninety Three by and between HARRY H. BLACKBURN party of the first part, and WARREN G. GRILL and CAROLE L. GRILL, his wife, parties of the second part.

Witnesseth, That in consideration of the sum of Seventy Thousand Dollars ($70,000.00), the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives, heirs and assigns, in fee simple, that parcel of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEGINNING FOR THE SAME at an iron pipe set in the ground on the southeasternmost side line of lot number 26 in block number 10 as laid down on the plat of the property of "CATONSVILLE GARDENS" (said plat being recorded among the Land Records of Baltimore County in plat book WPC No. 6 flio 157) at a point where the division line between lots number 60 and 61 in block number 10 on said plat intersects the aforesaid side line of lot number 26 in block number 10 on said plat and running thence southwesterly and binding along the rear lines of lots number 60-59 and 58 to the end of said side line of lot number 26 and running thence northwesterly and binding along the rear lines of said lots number 26 and 25 block 10 on said plat forty feet to the northwesternmost side line of lot number 25 block number 10 on said plat and running thence northeasterly and binding on the northwesternmost side line of said lot number 25 to a pipe set in the ground at a point where the division line between lots number 60 and 61 in block number 10 on said plat if extended across said lots number 26 and 25 block number 10 on said plat would intersect the said northernmost side line of said lot number 25 block number 10 on said plat and thence southeasterly reversing said line so drawn forty feet more or less to the place of beginning.

BEING AND COMPRISING the southwesternmost rear portions of lots number 25 and 26 in block number 10 as laid down on the plat of "Catonsville Gardens" said plat being recorded among the Land Records aforesaid in plat book WPC No. 6, folio 157.

BEING known and designated as Lots Nos. 51-52-57-58-59-60 in Block Number Ten as shown on Plat entitled ,"Catonsville Gardens" said Plat being recorded among the Land Records of BaltimoreCounty in plat 1943 Book WPC 6, folio 157. **

BEING the same parcel of ground which by deed dated May 8, [illegible] and recorded among the Land Records of Baltimore County, Maryland in Liber No. 1285, folio 535 was granted and conveyed by William W. Blackburn unto HARRY H. BLACKBURN and VIRGINIA R. BLACKBURN, his wife. The said Virginia R. Blackburn having since departed this life on or about February 13, 1987, thus leaving Harry H. Blackburn solely in title, herein Grantor.

**Being also the same lots of ground which by Deed dated October 26, 1927, and recorded in Liber 650, folio 332, was granted and conveyed unto Harry H. Blackburn and *

This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

F. Michael Grace, Esquire

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
BY [illegible] DATE 9/29/93

*Virginia R. Blackburn, his wife. The said Virginia R. Blackburn ~~having departed this life~~ on or about 2/13/87, thereby vesting title solely in the within named grantor.

THE WITHIN GRANTEE(S) DO HEREBY CERTIFY UNDER THE PENALTY(IES) OF PERJURY THAT THE LAND CONVEYED HEREIN IS RESIDENTIALLY IMPROVED OWNER-OCCUPIED REAL PROPERTY AND THAT THE RESIDENCE WILL BE OCCUPIED BY US AS EVIDENCED BY THE SIGNATURE(S) BELOW.

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 the said described lot of ground and premises to the said parties of the second part as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives, heirs 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 granted; and that he will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said Grantor(s) and Grantee(s).

Test:

HARRY H. BLACKBURN

WARREN G. GRILL

CAROLE L. GRILL

RECEIVED FOR RECORD
ALLIED TITLE & ESCROW
9/29/93
By Date

STATE OF Maryland, COUNTY OF Carroll, to wit:

I Hereby Certify, That on this 19th day of August in the year One Thousand Nine Hundred and Ninety Three, before me, the subscriber, a Notary Public of the State of Maryland, County of Carroll personally appeared **HARRY H. BLACKBURN, Grantor and WARREN G. GRILL AND CAROLE L. GRILL, Grantees** known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

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

Notary Public

My Commission Expires: February 1, 1994

File Number 1514CC

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10077, p. 0379, MSA_CE62_9932. Date available 03/03/2005. Printed 06/12/2019

01059R SEP 27 8

LIBER 10077 PAGE 380

Baltimore County, Maryland
Land Instrument Intake Sheet

(Type or print in black ink only—all copies must be legible)

In compliance with Baltimore County Code, 1978, Title 33, Taxation, Article III, §33-126 through 33-140, as amended, and the Annotated Code of Maryland, Tax-Property Article, §12-101 through 12-113, as amended, and Tax-Property Article, §13-101 through 13-408, as amended, it is certified that an instrument of writing dated 9/27/93 conveying title to, or creating liens or encumbrances upon, real or personal property is offered for record in the County. The property conveyed, or on which a lien or encumbrance is created, is identified as follows:

Recording Validation

C RCPT 13.50
C T TX 200.00
C SDCS 350.00
CC IMP 5.00
DEED 0 M
SM CLERK 568.50
#27349 C001 R02 T14:19
10/18/93

~~C RCPT 13.50~~
~~C T TX 200.00~~
~~C SDCS 350.00~~
~~CC IMP 5.00~~
~~DEED 0 M~~
~~SM CLERK 568.50~~
~~#27349 C001 R02 T14:19~~
~~10/18/93~~

Circuit Court Clerk

Description of Property (Check box(es) for item(s) to be indexed in land records)

Property Tax ID No.: 01-02-470253 | Lot/Block | Map/Grid/Parcel No.
Subdivision/Tract: CATONSVILLE GARDENS | Lot Acreage | Prior Deed Ref.: 1286/535 & 1332 | NAR. L.U.C.
Street Address (or description if partial conveyance): 1528 INGLESIDE AVE.
BALTIMORE MD 21207

Space Reserved for

Transferred From
Grantor(s) ( ) check box if additional sheets are attached): HARRY N. BLACKBURN
Owner of record (if different from grantor)

Transferred To
Grantee(s) ( ) check box if additional sheets are attached): WARREN C. GRILL
CAROLE L. GRILL

Type of Instrument
☑ Deed | Assignment of Mtg/DOT | Financing Statement
Deed of Trust | Contract | Other (Specify)
Mortgage | Land Installment Cont.
Lease | Power of Attorney

Exemptions (Cite authority or explain briefly)
Baltimore County Exempt Status Claimed:
Recordation Tax Exempt Status Claimed:
State Exempt Status Claimed:

Consideration and Tax Calculations Make check payable to Baltimore County, MD (410) 887-2416

Consideration Amount		County Taxes to be Paid
Purchase Price/Consideration (including any new mortgage)	$	Transfer Tax Consideration
Real Property		$ 70,000 x 1.6% = $ 1120
Personal Property		
Balance of Assumed Mortgage		
Other		
Total Consideration	$ 70,000.00	
or Assessed Factor	$	

Office of Finance Use Only
Agent: ar Tax Bill: Paid
C.B. Credit: Ag. Tax/Other:

Fees and Recording Instructions Make check payable to Clerk of the Circuit Court (410) 887-2650

Recordation Fees		Special Recording Instructions (if any)
Recording Charges	$ 18.50	
State Transfer Tax	200.00	
County Recordation Tax	1,120.00	
Surcharge		
Other Doc. Stamps		
Total	$	

Contact/Mail Information

Instrument Prepared By	Return Instrument To	Mailing Address for Tax Bill
Name: ROSE MYERS	Name: FOUNTAINHEAD	Name: WARREN GRILL
Firm: FOUNTAINHEAD TITLE	TITLE GROUP	
Address: 5340 ENTERPRISE	Address: 5340 ENTERPRISE	Address: 6220 ROLLINGWOOD DR
ELDERSBURG MD 21784	ELDERSBURG MD 21784	SYKESVILLE MD 21784
Phone: 549-2440		

Certification
I hereby certify under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief.
Signature: Rosemary Myers Date: 8/26/93

Assessment Information (410) 321-2299

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

☑ Yes	☐ No	Will grantee be living at property conveyed?
☐ Yes	☑ No	Is grantor currently receiving a homeowners' tax credit?
☐ Yes	☑ No	Is property conveyed subject to agricultural transfer tax? If yes, enter amount:
☐ Yes	☐ No	If agricultural assessment on conveyance is to continue, have you attached a letter of intent?
☐ Yes	☐ No	Partial conveyance? If yes, amount of acreage transferred:

List improvements conveyed:
If subdivision occurred after July 1, indicate former property tax ID number:

Optional Expediting Information A delay in processing may be incurred if a conveyance deed is not accompanied by an adequate property description, preferably a survey or area calculation. A partial conveyance may require additional processing time.

☐ Yes ☐ No Was property surveyed? If yes, attach copy of survey. If partial conveyance, balance of acreage:

Complete description of property conveyed (subdivision, lot, block, section, plat ref., acreage):

Location and improvement address:

Space Reserved for County Transfer Tax

Assessment Use Only - Do Not Write Below This Line

☐ Terminal Verification ☐ Agricultural Verification ☐ Trans. Process Verification
Whole Desc. Part
Deed Plotter
Deed Reference
Assigned Property No.
Juriet 21-1798

Distribution: White - Clerk's Office \ Canary - Office of Finance \ Pink - SDAT \ Goldenrod - Preparer

ACC-CC-100

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10077, p. 0380, MSA_CE62_9932. Date available 03/03/2005. Printed 06/12/2019.

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration

Tax Exempt:		Special Tax Recapture:	
Exempt Class:		NONE	
Account Identifier:	District - 01 Account Number - 2200018019		

Owner Information

Owner Name:	HARMAN NORMAN E HARMAN MARY L	Use: Principal Residence:	RESIDENTIAL YES
Mailing Address:	1528 INGLESIDE AVE BALTIMORE MD 21207-4948	Deed Reference:	/16519/ 00376

Location & Structure Information

Premises Address:	1528 INGLESIDE AVE BALTIMORE 21207-	Legal Description:	.322AC P25,26AL57-60 1528 INGLESIDE AVE CATONSVILLE GARDENS

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0095	0009	0225		0000		10	25	2019	Plat Ref:	0006/ 0157

Special Tax Areas:		Town:	NONE
		Ad Valorem:	
		Tax Class:	

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1932	1,442 SF		14,056 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1 1/2	YES	STANDARD UNIT	ASBESTOS SHINGLE	1 full	1 Detached	

Value Information

	Base Value	Value As of 01/01/2019	Phase-in Assessments As of 07/01/2018	Phase-in Assessments As of 07/01/2019
Land:	70,000	72,000		
Improvements	109,100	105,400		
Total:	179,100	177,400	179,100	177,400
Preferential Land:	0			0

Transfer Information

Seller: HAMILTON JOSEPH B	Date: 06/15/2002	Price: $121,000
Type: ARMS LENGTH IMPROVED	Deed1: /16519/ 00376	Deed2:
Seller: HAMILTON JOSEPH B	Date: 06/16/2000	Price: $0
Type: NON-ARMS LENGTH OTHER	Deed1: /14532/ 00226	Deed2:
Seller: GRILL WARREN G	Date: 09/12/1994	Price: $91,000
Type: ARMS LENGTH IMPROVED	Deed1: /10746/ 00563	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt:		Special Tax Recapture:	
Exempt Class:		NONE	

Homestead Application Information

Homestead Application Status: Approved 02/07/2012

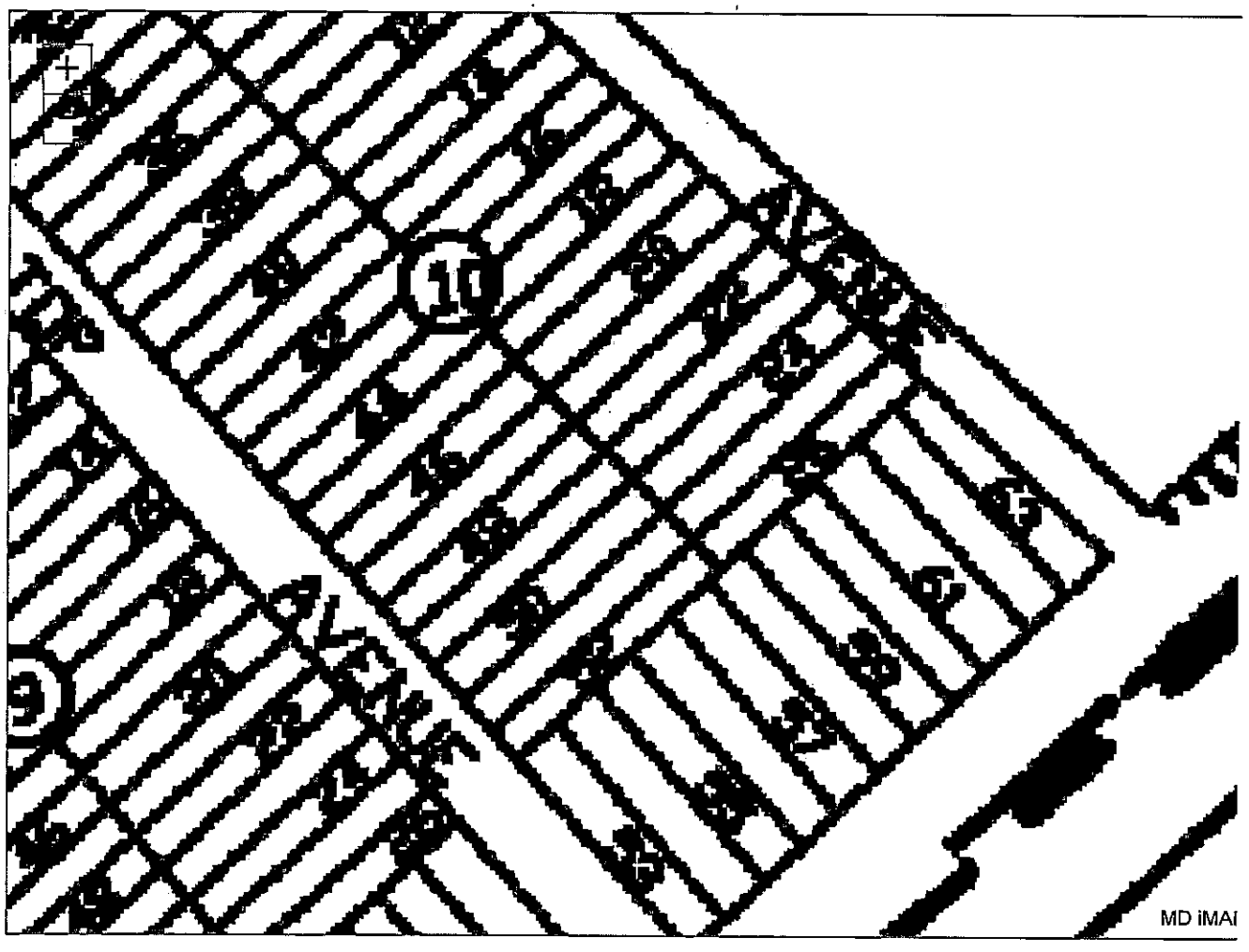
Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

Baltimore County

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

District: **01** Account Number: **2200018019**



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 www.plats.net (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 http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx (http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx).

This Deed, MADE THIS 30th day of May in the year Two Thousand Two by and between Joseph B. Hamilton and Lori Hamilton, parties of the first part, and Norman E. Harman and Mary L. Harman, parties of the second part.

Witnesseth, That in consideration of the sum of One Hundred Twenty One Thousand Dollars and NO Cents ($121,000.00), the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey to the said parties of the second part, as Tenants by the Entirety, their assigns, the survivor of them and the survivor's personal representatives, heirs and assigns, in fee simple, those parcels of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEGINNING FOR THE SAME at a steel pin and cap 8440 set on the division line between Lot 56 and Lot 57, as shown on the Plat of Catonsville Gardens Block 10 and recorded among the Plat Records of Baltimore County in Plat Book WPC 6, page 157, and being N 42 degrees, 32', 30" W and 4.11 feet distant from the original corners said Lot 56 and Lot 57, said pin also being on the existing right of way line of Ingleside Avenue (60.00 feet wide right of way) as shown on the Baltimore County HRW 61-072-13 Plat, dated July 1, 1951, running thence leaving said Ingleside Avenue and binding on the division line between Lot 56 and Lot 57 as shown on said Plat as now surveyed and referring all courses to the Baltimore County Metropolitan District Grid, (1) N 42 degrees' 32 " W 120.85 feet to a steel pin found running thence for one new line of division through lots 57 and 58, (2) N 48 degrees 56' 22" E 50.07 feet to a steel pin and cap 8440 set, running for one new line of division through lots 26 and 25, (3) N 44 degrees 43' 56" W 41.43 feet to a steel pin and cap 8440 set on the division line between Lot 24 and Lot 25 as shown on above mentioned plat, running thence binding on the just mentioned division line, (4) N 47 degrees 20' 14" E 51.53 feet to a steel pin and cap 8440 set at a point where the division line between Lot 50 and Lot 51 in Block 10 on said plat, if extended across said lots would intersect the northwesternmost division line between said Lot 24 and 26; said steel pin and cap 8440 also being S 47 degrees 20' 14" W and 56.09 feet, distant from a steel pin found at the northeastmost corners of said Lot 24 and Lot 26, running thence said reversing said line so drawn, (5) S 42 degrees 32' 30" E 160.48 feet to a steel pin and cap 8440 set on the aforesaid northwest existing right of way line of said Ingleside Avenue, and being N 42 degrees 32' 30" W and 4.44 feet, distant from a pipe found at the original corner of the division line between said lot 60 and lot 61, running thence binding on the existing right of way line of said Ingleside Avenue for the two following courses and distances, by a curve to the left, (6) having a radius of 1030.00 feet and an arc length of 16.05 feet and a chord of S 47 degrees 29' 57" W 16.05 feet to a point (7) S 47 degrees 03' 10" W 83.95 feet, to the place of beginning. Containing 14056 Square Feet or 0.3227 acres. Also known as Part of Lots 25 & 26 and all of Lots 57, 58, 59 and 60, recorded among the land Records of Baltimore County, Maryland, in a Subdivision known as "Catonsville Gardens"' in Plat Book 6, Plat 157. The improvements thereon being known as 1528 Ingleside Avenue, Baltimore MD 21207.

BEING the same parcels of ground which by deed dated April 11, 2000 and recorded among the Land Records of Baltimore County, Maryland in Liber SM No. 14532, folio 226 was granted and conveyed by Joseph B. Hamilton unto Joseph B. Hamilton and Lori Hamilton, the Grantors herein.

THE WITHIN GRANTEE(S) DO HEREBY CERTIFY UNDER THE PENALTY(IES) OF PERJURY THAT THE LAND CONVEYED HEREIN IS RESIDENTIALLY IMPROVED OWNER-OCCUPIED REAL PROPERTY AND THAT THE RESIDENCE WILL BE OCCUPIED BY US AS EVIDENCED BY THE SIGNATURE(S) BELOW.

This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

F. Michael Grace

F. Michael Grace

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 the said described lots of ground and premises to the said parties of the second part as Tenants by the Entirety, their assigns, the survivor of them and the survivor's personal representatives, 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.

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 16519, p. 0376, MSA_CE62_16374. Date available 03/07/2005. Printed 06/12/2019.

WITNESS the hands and seals of said Grantor(s) and Grantee(s).

Test:

Joseph B Hamilton (SEAL)
JOSEPH B. HAMILTON

(SEAL)
LORI HAMILTON

Norman E. Harman (SEAL)
NORMAN E. HARMAN

Mary L Harman (SEAL)
MARY L. HARMAN

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I Hereby Certify, That on this 30th day of May in the year Two Thousand Two, before me, the subscriber, a Notary Public of the State of Maryland, County of Anne Arundel personally appeared Joseph B. Hamilton, Lori Hamilton, Norman E. Harman and Mary L. Harman, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

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

TERRY A. FOWBLE
NOTARY PUBLIC
ANNE ARUNDEL CO., MD

TERRY A. FOWBLE
Notary Public, State of Maryland
Anne Arundel County
My Commission Expires February 22, 2006

Notary Public

My Commission Expires: _____, ____

RECORD AND RETURN TO:

THE FOUNTAINHEAD TITLE GROUP
300 FREDERICK ROAD, SUITE 100
CATONSVILLE, MD 21228
410-744-5252

File Number: 14771CAT

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 16519, p. 0377, MSA_CE62_16374. Date available 03/07/2005. Printed 06/12/2019.

0016519 378

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore County

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)

CHP FD SURE $ 5.00
RECORDING FEE 20.00
TR TAX STATE 605.00
TOTAL 630.00
Rcpt # 24366
Blk # 3115
02:21 PM

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

1	Deed		Mortgage		Other ____		Other ____
2	Deed of Trust		Lease				

2 Conveyance Type Check Box

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

3 Tax Exemptions (if applicable) Cite or Explain Authority

Recordation:	
State Transfer:	
County Transfer:	

4 Consideration and Tax Calculations

Consideration Amount		Finance Office Use Only: Transfer and Recordation Tax Consideration	
Purchase Price/Consideration	$ 121,000.00	Transfer Tax Consideration	$
Any New Mortgage	$ 120,051.00	X( )% =	$
Balance of Existing Mortgage	$	Less Exemption Amount	$
Other:	$	Total Transfer Tax	$
Other:	$	Recordation Tax Consideration	$
		X( ) per $500 =	$
Full Cash Value	$	TOTAL DUE	$

5 Fees

Amount of Fees	Doc. 1	Doc. 2	
Recording Charge	$ 20.00	$ 20.00	Agent:
Surcharge	$ 5.00	$ 5.00	Tax Bill:
State Recording Tax	$ 605.00	$	
State Transfer Tax	$ 605.00	$	C.B. Credit:
County Transfer Tax	$ 1485.00	$	
Other	$	$	A.G. Tax/Other:
Other	$	$	

6 Description of Property

SDAT Requires Submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-10(g)(3)(i).

District	Property Tax ID No.(1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG (1) (5)
01	04-22-00-018019	14532/226			

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

Location/Address of Property Being Conveyed (2): 1528 Ingleside Avenue, Baltimore, MD 21207

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

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

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

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
Joseph B. Hamilton	Norman E. Harman
Lori Hamilton	Mary L. Harman
Doc. 1 - Owner(s) of Record, if Different form Grantor(s)	Doc. 2 - Owner(s) of Record, if Different form Grantor(s)

8 Transferred To

Doc. 1 - Grantee(s) Name(s)	Doc. 2 - Grantee(s) Name(s)
Norman E. Harman	Larry Rice
Mary L. Harman	Michelle Slattery
New Owner's (Grantee) Mailing Address:	
SAME AS ABOVE	

9 Other Names To Be Indexed

Doc. 1 - Additional Name(s) to be Indexed (Optional)	Doc. 2 - Additional Name(s) to be Indexed (Optional)
	FIRST HORIZON HOME LOAN CORPORATION

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name: NANCY DRAGO FILE: 14771CAT

Firm: The Fountainhead Title Group

Address: 300 Frederick Road

Suite 100, Catonsville, MD 21 (410) 744-5252

☐ Return to Contact Person

☒ Hold for Pickup

☐ Return Address Provided

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

Assessment Information

[X] Yes [ ] No Will the property being conveyed be the grantee's principal residence?

[ ] Yes [X] No Does transfer include personal property? If yes, identity:

[ ] Yes [X] No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required)

Assessment Use Only - Do Not Write Below This Line

[ ] Terminal Verification [ ] Agricultural Verification [ ] Whole [ ] Part [ ] Trdl. Process Verification

Date Received: Deed Reference: Assigned Property No.:

19		Geo	Map	Sub	Block
19		Zoning	Grid	Plat	Lot
		Use	Parcel	Section	Corp. Cd.
		Town Cd.	Ex. St.	Ex. Cd.	

Remarks:

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

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 16519, p. 0378, MSA_CE62_16374. Date available 03/07/2005. Printed 06/12/2019.

RECEIPT PAID LICATE
TIME
6/10/2002 08:55:12
DRAWER
DMD
DDDL
6/10/2002
CONSIDERATION TAXES
$2,090.00
.00 CA
Baltimore County, Maryland

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 14532, p. 0226, MSA_CE62_14387. Date available 03/08/2005. Printed 06/12/2019.

0014532 226

Superior Settlements, Inc.
File No. 00-1088

REVIEWED SDAT
CA 6/15/00
BY DATE

This Deed, made this 11th day of April, 2000, by and between JOSEPH B. HAMILTON, party of the first part, Grantor; and JOSEPH B. HAMILTON and LORI HAMILTON, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of NO DOLLARS and 00/100 ($.00), transfer is to add wife to title, which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said JOSEPH B. HAMILTON and LORI HAMILTON, as Tenants by the Entirety, their assigns, the survivor of them and the survivor's personal representatives and assigns in fee simple, all that lot of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEGINNING for the same at a steel pin and cap 8440 set on the division line between Lot 56 and Lot 57, as shown on the Plat of Catonsville Gardens Block 10 and recorded among the Plat Records of Baltimore County in Plat Book WPC 6, page 157, and being N 42 degrees, 32', 30" W and 4.11 feet distant from the original corners said Lot 56 and Lot 57, said pin also being on the existing right of way line of Ingleside Avenue (60.00 feet wide right of way) as shown on the Baltimore County HRW 61-072-13 Plat, dated July 1, 1951, running thence leaving said Ingleside Avenue and binding on the division line between Lot 56 and Lot 57 as shown on said Plat as now surveyed and referring all courses to the Baltimore County Metropolitan District Grid, (1) N 42 degrees 32' 30" W 120.85 feet to a steel pin found running thence for one new line of division through lots 57 and 58, (2) N 48 degrees 56' 22" E 50.07 feet to a steeel pin and cap 8440 set, running for one new line of division through lots 26 and 25, (3) N 44 degrees 43' 56" W 41.43 feet to a steel pin and cap 8440 set on the division line between Lot 24 and Lot 25 as shown on above mentioned plat, running thence binding on the just mentioned division line, (4) N 47 degrees 20' 14" E 51.53 feet to a steel pin and cap 8440 set at a point where the division line between Lot 50 and Lot 51 in Block 10 on said plat, if extended across said lots would intersect the northwestemmost division line between said Lot 24 and Lot 26; said steel pin and cap 8440 also being S 47 degrees 20' 14" W and 56.09 feet, distant from a steel pin found at the northeastmost corners of said Lot 24 and Lot 26, running thence reversing said line so drawn, (5) S 42 degrees 32' 30" E 160.48 feet to a steel pin and cap 8440 set on the aforesaid northwest existing right of way line of said Ingleside Avenue, and being N 42 degrees 32' 30" W and 4.44 feet, distant from a pipe found at the original corner of the division line between said lot 60 and Lot 61, running thence binding on the existing right of way line of said Ingleside Avenue for the two following courses and distances, by a curve to the left, (6) having a radius of 1030.00 feet and an arc length of 16.05 feet and a chord of S 47 degrees 29' 57" W 16.05 feet to a point (7) S 47 degrees 03' 10" W 83.95 feet, to the place of beginning. Containing 14056 Square Feet or 0.3227 acres.**

The improvements thereon being known as 1528 Ingleside Avenue, Baltimore, MD 21207

BEING the same property which, by Deed dated August 30, 1994, and recorded among the Land Records of Baltimore County, Maryland, in Liber No. 10746, folio 663, was granted and conveyed by Warren G. Grill and Carole L. Grill unto Joseph B. Hamilton, the grantor herein.

**ALSO KNOWN AS Part of Lots 25 & 26 and all of Lots 57, 58, 59 and 60, recorded among the Land Records of Baltimore County, Maryland, in a Subdivision known as "Catonsville Gardens", in Plat Book 6, Plat 157.

TS5240-00049

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 JOSEPH B. HAMILTON and LORI HAMILTON, as Tenants by the Entirety, 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 covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

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

WITNESS:

Joseph B. Hamilton {Seal}
Joseph B. Hamilton

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I hereby certify that on this 11th day of April, 2000, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Joseph B. Hamilton, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be his 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.

LISA G. McELWEE NOTARY PUBLIC ANNE ARUNDEL CO. MD

Notary Public
My commission expires:

LISA G. McELWEE
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires October 23, 2001

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

Property Tax ID No. 01 2200018019
Title Insurer: Chicago Title Insurance Company

AFTER RECORDING, PLEASE RETURN TO:
Superior Settlements, Inc.
101 Chestnut Street
Suite 100
Gaithersburg, MD 20877

TSS240-00049

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 14532, p. 0227, MSA_CE62_14387. Date available 03/08/2005. Printed 06/12/2019.

001453 228

State of Maryland Land Instrument Intake Sheet

[ ] City [X] County: Baltimore

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

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

IMP FD SURE $ 5.00
RECORDING FEE 20.00
25.00
TOTAL

Rcpt # 8481 SM CR Jun 16, 2000 10:56 am
Rcpt # 67810 Blk # 1486

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

1	Deed		Mortgage		Other		Other
2	Deed of Trust		Lease				

2 Conveyance Type Check Box

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

3 Tax Exemptions (If Applicable) Cite or Explain Authority

Recordation
State Transfer
County Transfer

4 Consideration and Tax Calculations

Consideration Amount		Finance Office Use Only	
Purchase Price/Consideration	$ .00	Transfer and Recordation Tax Consideration	
Any New Mortgage	$ 23,675.00	Transfer Tax Consideration	$
Balance of Existing Mortgage	$ 32,281.99	X ( )%	$
Other:	$	Less Exemption Amount	$
		Total Transfer Tax	$
Other:	$	Recordation Tax Consideration	$
		X ( ) per $500	$
Full Cash Value	$ .00	TOTAL DUE	$

5 Fees

Amount of Fees	Doc. 1	Doc. 2	
Recording Charge	$ 25.00	$ 25.00	Agent:
Surcharge	$	$	Tax Bill:
State Recordation Tax	$	$	
State Transfer Tax	$	$	C.B. Credit:
County Transfer Tax	$	$	
Other	$	$	Ag. Tax/Other:
Other	$	$	

6 Description of Property

SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No.(1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
01	2200018019	10746/663			1(5)

Subdivision Name (2)	Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
Catonsville Gardens				/	14056 Sq Ft or 0.3227

Location/Address of Property Being Conveyed (2)
1528 Ingleside Avenue, Baltimore, MD 21207

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

Residential [X] or Non-Residential [ ] | Fee Simple [X] or Ground Rent [ ] | Amount 85

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

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
Joseph B. Hamilton	Joseph B. Hamilton Lori Hamilton
Doc. 1 - Owner(s) of Record, if Different from Grantor(s)	**Doc. 2 - Owner(s) of Record, if Different from Grantor(s)**

8 Transferred To

Doc. 1 - Grantee(s) Name(s)	Doc. 2 - Grantee(s) Name(s)
Joseph B. Hamilton Lori Hamilton	Union Planters Bank, N.A.
New Owner's (Grantee) Mailing Address	

9 Other Names to Be Indexed

Doc. 1 - Additional Names to be Indexed (Optional)	Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name: Lisa McElwee
Firm: Superior Settlements, Inc.
Address: 101 Chestnut Street Suite 100 Gaithersburg, MD 20877
Phone: 301-963-0662

[X] Return to Contact Person
[ ] Hold for Pickup
[ ] Return Address Provided

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

Assessment Information

[X] Yes [ ] No Will the property being conveyed be the grantee's principal residence?
[ ] Yes [X] No Does transfer include personal property? If yes, identify:
[ ] Yes [X] No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required)

Assessment Use Only - Do Not Write Below This Line

[ ] Terminal Verification [ ] Agricultural Verification [ ] Whole [ ] Part [ ] Trans. Process Verification

Transfer Number	Date Received	Deed Reference	Assigned Property No.

Year	19	20	Geo		Map		Sub		Block
Land			Zoning		Grid		Plat#		Lot
Buildings			Use		Parcel		Section		Occ. Cd.
Total			Town Cd.		Ex. 80		Ex. Cd.		

REMARKS

TRANSFER TAX NOT REQUIRED
Director of Budget and Finance
BALTIMORE COUNTY, MARYLAND
Per _____
Authorized Signature
Date 6/16/00
Sec. 13-1901

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 14532, p. 0228, MSA_CE62_14387. Date available 03/08/2005. Printed 06/12/2019.

00-1088

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10746, p. 0663, MSA_CE62_10601. Date available 03/03/2005. Printed 0

AFTER RECORDING, PLEASE RETURN TO:
UNIVERSAL TITLE OF BALTIMORE, INC.
22 WEST PADONIA ROAD, SUITE C-336
TIMONIUM, MARYLAND 21093
CASE NUMBER: 94B-10329

010746.663

THIS DEED

Tax Account No/Parcel Identifier: 22-00-018019

Made this 30th day of August, 1994 by and between Warren G. Grill and Carole L. Grill, parties of the first part, and Joseph B. Hamilton, party of the second part:

WITNESSETH, that in consideration of the sum of $91,000.00 receipt of which is hereby acknowledged, and which the parties of the first part certify 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 parties of the first part do grant and convey unto the party of the second part in fee simple as Sole Owner, all that property situate in Baltimore County, State of Maryland, described as:

See Schedule A Attached Hereto

which has the address of 1528 Ingleside Avenue, Baltimore, MD 21207

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 of the second part in fee simple.
Being the same property described in Liber 10187 folio 289 among the said Land Records.

AND said parties of the first part do 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.

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE [signature] DATE 9/12/94

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County
[signature] 9/13/94
By Date

UNIVERSAL TITLE
22 WEST PADONIA ROAD
SUITE C-336
TIMONIUM, MARYLAND 21093
(410) 252-1208
FAX (410) 252-9075

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10746, p. 0664, MSA_CE62_10601. Date available 03/03/2005. Printed

010746.664

WITNESS our hands and seals on the day and year first hereinbefore written.

Signed, sealed and delivered
in presence of,

_____ _____ (SEAL)
Warren G. Grill

_____ (SEAL)
Carole L. Grill

State of Maryland
County of Baltimore ss

On this 30th day of August, 1994, before me, the undersigned officer, personally appeared Warren G. Grill and Carole L. Grill known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument bearing date of August 30, 1994 and acknowledged that they have executed the same for the purpose therein contained.
In witness whereof, I have hereunto set my hand and official seal.

_____
Cynthia Presson, Notary Public

My commission expires: January 1, 1997

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

_____

CYNTHIA PRESSON
Notary Public, State of Maryland
Baltimore County
Commission Expires Jan 1, 1997

UNIVERSAL TITLE
22 WEST PADONIA ROAD
SUITE C-336
TIMONIUM, MARYLAND 21093

(410) 252-1206
FAX (410) 252-8076

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10746, p. 0665, MSA_CE62_10601. Date available 03/03/2005. Printed

SCHEDULE A

BEGINNING for the same at steel pin and cap 8440 set on the division line between Lot 56 and Lot 57, as shown on the Plat of Catonsville Gardens Block 10 and recorded among the Plat Records of Baltimore County in Plat Book W.P.C. 06, Page 157, and being N 42 degrees, 32', 30"W and 4.11 ft. distant from the original corners said Lot 56 and Lot 57, said pin also being on the existing right of way line of Ingleside Avenue (60.00 ft. wide right of way) as shown on the Baltimore County HRW 61-072-13 Plat, Dated July 1, 1961, running thence leaving said Ingleside Avenue and binding on the division line between Lot 56 and Lot 57 as shown on said Plat as now surveyed and referring all courses to the Baltimore County Metropolitan District Grid, (1) N 42 degrees 32'30"W 120.85 ft. to a steel pine found, running thence for one new line of division through lots 57 and 58, (2) N 48 degrees 56'22"E 50.07 ft. to a steel ipin and cap 8440 set, running for one new line of division through lots 26 and 25, (3) N 44 degrees 43'56"W 41.43 ft. to a steel pine and cap 8440 set on the division line between lot 24 and lot 25 as shown on abovementioned plat, running thence binding on the justmentioned division lline, (4) N 47 degrees 20'14"E 51.53 ft. to a steel pine and cap 8440 set at a point where the division line between lot 60 and lot 61 in Block 10 on said plat, if extended across said lots would intersect the northwesternmost division line between said lot 24 and lot 25; said steel pin and cap 8440 also being S 47 degrees 20'14"W and 56.09 ft. distant from a steel pin found at the northeastmost corners of said lot 24 and lot 25, running thence reversing said line so drawn, (5) S 42 degrees 32'30"E 160.48 ft. to a steel pin and cap 8440 set on the aforesaid northwest existing right of way line of said Ingleside Avenue, and being N42 degrees 32'30"W and 4.44 ft. distant from a pipe found at the original corner of the division line between said lot 60 and lot 61, running thence binding on the existing right of way line of said Ingleside Avenue for the two following courses and distances, by a curve to the left, (6) having a radius of 1030.00 ft. and an arc lenght of 16.05 ft. and a chord of S 47 degrees 29'57"W 16.05 ft. to a point, (7) S 47 degrees 03'10"W 83.95 ft. to the place of beginning. Containing 14056 Sq. Ft. or 0.3227 Acre. BEING a part of the same land described in a deed dated October 26, 1927 and recorded among the Land Records of Baltimore County in Liber 650, folio 332, and Willilam W. Blackburn and John H. Heacock to Harry H. Blackburn and Virginia R. Blackburn his wife.

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10746, p. 0666, MSA_CE62_10601. Date available 03/03/2005. Printed 06

010746.666

AFFIDAVIT OF PURCHASER REGARDING EXEMPTION FROM STATE TRANSFER TAX

After being duly sworn, the undersigned Purchaser(s) depose and say the following under oath pursuant to MD. TAX PROP.CODE ANN. SS13-203 (1987 Sup.), as amended by 1988 MD. Laws 197:

1. The undersigned is/are the Grantee(s) of real property located at:

Address: 1528 Ingleside Avenue
Baltimore, MD 21207

being more particularly described as Lot/Unit , Block , Subdivision/Condominium , Baltimore County, Maryland.

2. Said real property is improved by a residence which the undersigned Grantee(s) will occupy.

3. This affidavit is being executed in order to obtain an exemption from the Maryland State Transfer Tax on the first $30,000 of consideration payable for an instrument of writing for residentially improved owner-occupied real property pursuant to the aforesaid statute.

Joseph B. Hamilton

Joseph B. Hamilton - Grantee-Purchaser

Subscribed and sworn to before me this 30th day of August, 1994.

Cynthia Presson Notary Public
My Commission Expires: January 1, 1997

CYNTHIA PRESSON
Notary Public, State of Maryland
Baltimore County
Commission Expires Jan 1, 1997

02167 SEP -8 95

010746.667

Baltimore County, Maryland
Land Instrument Intake Sheet

(Type or print in black ink only—all copies must be legible)

In compliance with Baltimore County Code, 1978, Title 33, Taxation, Article III, §33-126 through 33-140, as amended, and the Annotated Code of Maryland, Tax-Property Article, §12-101 through 12-113, as amended, and Tax-Property Article, §13-101 through 13-408, as amended, it is certified that an instrument of writing dated 8/31/94 conveying title to, or creating liens or encumbrances upon, real or personal property is offered for record in the County. The property conveyed, or on which a lien or encumbrance is created, is identified as follows:

(01 / GRI)

1 Description of Property (Check box(es) for item(s) to be indexed in land records)

Property Tax ID No.	Lot/Block	Map/Grid/Parcel No.
22-00-018019		
Subdivision/Tract	Lot Acreage	Prior Deed Ref. / VAR. L.O.G. ☐
N Street Address (or description if partial conveyance): 1628 INGLESIDE AVENUE		

2 Transferred From

Grantor(s) (☐ check box if additional sheets are attached): WARREN G. GRILL CAROL L. GRILL

Owner of record (if different from grantor):

3 Transferred To

Grantee(s) (☐ check box if additional sheets are attached): JOSEPH B. HAMILTON

4 Type of Instrument

- ☒ Deed
- ☒ Deed of Trust
- ☐ Mortgage
- ☐ Lease
- ☒ Assignment of Mtg/DOT
- ☐ Contract
- ☐ Land Installment Cont.
- ☐ Power of Attorney
- ☐ Financing Statement
- ☐ Other (Specify)

5 Exemptions (Cite authority or explain briefly)

Baltimore County Exempt Status Claimed:

Recordation Tax Exempt Status Claimed:

State Exempt Status Claimed: SS13-203

6 Consideration and Tax Calculations Make check payable to Baltimore County, MD (410) 887-2416

Consideration Amount	
Purchase Price/Consideration (including any new mortgage)	$ 91,000.
Real Property	
Personal Property	
Balance of Assumed Mortgage	
Other	
Total Consideration	$ 91000.00
or Assessed Factor	$

County Taxes to be Paid

Transfer Tax Consideration: $ 91000. x 1.6% = $ 1456.00

Office of Finance Use Only — Agent: [signature] Tax Bill: 1400 7/31/94

C.B. Credit: ____ Ag. Tax/Other: ____

7 Fees and Recording Instructions Make check payable to Clerk of the Circuit Court (410) 887-2650

Recordation Fees	
Recording Charges	$ 72.00
State Transfer Tax	325.00
County Recordation Tax	455.00
Surcharge	
Other	
Total	$ 832.00

Special Recording Instructions (if any)

5.00
20.00
5.00
832.00

8 Contact/Mail Information

Instrument Prepared By	Return Instrument To	Mailing Address for Tax Bill
Name: UNIVERSAL TITLE	Name:	Name:
Firm: 22 W. PENNSYLVANIA		
Address: STE. C-3310	Address:	Address: Pick up press
TOWSON, MD 21093		
Phone: 252-1208		

9 Certification

I hereby certify under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief.

Signature: [signature] Date: 9/2/94

10 Assessment Information (410) 321-2299

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

☒ Yes	☐ No	Will grantee be living at property conveyed?
☐ Yes	☒ No	Is grantor currently receiving a homeowners' tax credit?
☐ Yes	☒ No	Is property conveyed subject to agricultural transfer tax? If yes, enter amount:
☐ Yes	☒ No	If agricultural assessment on conveyance is to continue, have you attached a letter of intent?
☐ Yes	☒ No	Partial conveyance? If yes, amount of acreage transferred:

List improvements conveyed:

If subdivision occurred after July 1, indicate former property tax ID number:

Optional Expediting Information

A delay in processing may be incurred if a conveyance deed is not accompanied by an adequate property description, preferably a survey or area calculation. A partial conveyance may require additional processing time.

☒ Yes ☐ No Was property surveyed? If yes, attach copy of survey. If partial conveyance, balance of acreage:

Complete description of property conveyed (subdivision, lot, block, section, plat ref., acreage):

Location and improvement address:

Assessment Use Only - Do Not Write Below This Line

- ☐ Terminal Verification
- ☐ Agricultural Verification
- ☐ Tran. Process Verification
- ☐ Whole ☐ Desc. ☐ Part
- ☐ Deed Plotter
- Deed Reference
- Assigned Property No

Distribution: White - Clerk's Office \ Canary - Office of Finance \ Pink - SDAT \ Goldenrod - Preparer

ACC-CC-100

Recording Validation / Clerk of Circuit Court / Space Reserved for County Transfer Tax

B RC F 20.00
B T TX 305.00
B DOCS 455.00
BC IMP 5.00
DEED 0 #
SM CLERK 755.00
#36242 0004 R01 T15:13
09/12/94

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10746, p. 0667, MSA_CE62_10601. Date available 03/03/2005. Printed 06/12/2019.

A01##475TLTRTX
CODE:49PHONE-08-94
$1,456.00

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10187, p. 0289, MSA_CE62_10042. Date available 03/03/2005. Printed 06/12/2019.

FOUNTAINHEAD TITLE GROUP
901-A Old Liberty Road
Sykesville, MD 21784

NO TITLE EXAMINATION
NO TITLE SEARCH
NO CONSIDERATION

This Deed.

MADE THIS 19th day of November in the year One Thousand Nine Hundred and Ninety Three by and between **WARREN G. GRILL** and **CAROLE L. GRILL**, his wife, parties of the first part, and **WARREN G. GRILL** and **CAROLE L. GRILL**, his wife, parties of the second part.

Witnesseth, That in consideration of the sum of No Cents ($0.00), the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives, heirs and assigns, in fee simple, that parcel of ground situate in Baltimore County, Maryland and described as follows, that is to say:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

BEING A PART OF the same parcel of ground which by deed dated August 19, 1993 and recorded among the Land Records of Baltimore County, Maryland in Liber No. 10077, folio 378 was granted and conveyed by Harry H. Blackburn unto **WARREN G. GRILL** and **CAROLE L. GRILL**, the Grantors herein.

THIS DEED IS BEING EXECUTED BY THE PARTIES HERETO TO RECORD THE RECONFIGURED DESCRIPTION HEREINABOVE SET FORTH.

This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

F. Michael Grace, Esquire

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 the said described lot of ground and premises to the said parties of the second part as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives, heirs and assigns, in fee simple.

And the said parties of the first part hereby covenants 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.

WITNESS the hands and seals of said Grantor(s).

Test:

WARREN G. GRILL

CAROLE L. GRILL

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10187, p. 0290, MSA_CE62_10042. Date available 03/03/2005. Printed 06/12/2019.

William E. Doyle
Professional Land Surveyor 8440
5312 Emerald Drive
Sykesville, Maryland 21784
(410) 795- 4210

September 15, 1993

Description of Warren G. Grill and Carole L. Grill property, situated on the Northwest side of Ingleside Avenue in Election District 1, Baltimore County, Maryland.

Lot with Existing Dwelling

Beginning for the same at steel pin and cap 8440 set on the division line between Lot 56 and Lot 57 as shown on the Plat of Catonsville Gardens Block 10 and recorded among the Plat Records of Baltimore County in Plat Book W.P.C. 06, Page 157, and being N 42°32'30"W and 4.11 ft. distant from the original corners said Lot 56 and Lot 57, said pin also being on the existing right of way line of Ingleside Avenue(60.00 ft.wide right of way) as shown of the Baltimore County HRW 61-072-13 Plat, Dated July 1, 1961, running thence leaving said Ingleside Avenue and binding on the division line between Lot 56 and Lot 57 as shown on said Plat as now surveyed and referring all courses to the Baltimore County Metropolitan District Grid, (1) N 42°32'30"W 120.85 ft. to a steel pin found, running thence for one new line of division through lots 57 and 58, (2) N 46°56'32"E 50.07 ft. to a steel pin and cap 8440 set, running for one new line of division through lots 26 and 25, (3) N 44°43'56"W 41.43 ft. to a steel pin and cap 8440 set on the division line between lot 24 and lot 25 as shown on abovementioned plat, running thence binding on the justmentioned division line, (4) N 47°20'14"E 51.59 ft. to a steel pin and cap 8440 set at a point where the division line between lot 60 and lot 61 in Block 10 on said plat, if extended across said lots would intersect the northwestermost division line between said lot 24 and lot 25; said steel pin and cap 8440 also being S 47°20'14"W and 56.09 ft. distant from a steel pin found at the northeastmost corners of said lot 24 and lot 25, running thence reversing said line so drawn,(5) S 42°32'30"E 160.48 ft. to a steel pin and cap 8440 set on the aforesaid northwest existing right of way line of said Ingleside Avenue, and being N 42°32'30"W and 4.44 ft. distant from a pipe found at the original corner of the division line between said lot 60 and lot 61, running thence binding on the existing right of way line od said Ingleside Avenue for the two following courses and distances, by a curve to the left,(6) having a radius of 1030.00 ft. and an arc length of 16.05 ft. and a chord of S 47°29'57"W 16.05 ft. to a point, (7) S 47°03'10"W 83.95 ft. to the place of beginning. Containing 14056 Sq.Ft. or 0.3227 Acre.

Being a part of the same land described in a deed dated October 26, 1927 and recorded among the Land Records of Baltimore County in Liber 650, Folio 332 from William W. Blackburn and John H. Meacock to Harry H. Blackburn and Virginia R. Blackburn his wife.

STATE OF MARYLAND · WILLIAM E. DOYLE · No. 8440 · REGISTERED PROFESSIONAL LAND SURVEYOR

Survey Description By;
William E. Doyle
William E. Doyle
Professional Land Surveyor 8440

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10187, p. 0291, MSA_CE62_10042. Date available 03/03/2005. Printed 06/12/2019.

STATE OF Maryland, COUNTY OF [illegible], to wit:

I Hereby Certify, That on this 19th day of November in the year One Thousand Nine Hundred and Ninety Three, before me, the subscriber, a Notary Public of the State of Maryland, County of [illegible] personally appeared **WARREN G. GRILL AND CAROLE L. GRILL, Grantors** known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

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

[illegible]
Notary Public

My Commission Expires: [illegible], 19[illegible]

File Number 1514-ACC

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10187, p. 0292, MSA_CE62_10042. Date available 03/03/2005. Printed 06/12/2019.

Baltimore County, Maryland
Land Instrument Intake Sheet

Type or print in black ink only—all copies must be legible

Pursuant to the Baltimore County Code, 1978, Title 35, Section 35.2-1, et seq., and the Annotated Code of Maryland, Tax-Property Article, 13-201 through 13-207, as amended, and Tax-Property Article, 13-301 through 13-308, as amended, it is certified that an instrument of writing called herein for the purpose of creating liens or encumbrances upon, title to or interest in real property is offered for recordation in the County, the property conveyed or on which a lien of encumbrance is created, is identified as follows:

Description of Property
Check box if for additional properties

Property Tax ID No. | Lot | Block | Map | Grid | Parcel No.

Subdivision | Tract | Lot | Acreage | Prior Deed Ref. | VAR. | LOG

Street Address or description if partial conveyance

Transferred From

Grantor(s) (check box if additional sheets are attached)

Owner of record if different from grantor(s)

Transferred To

Grantee(s) (check box if additional sheets are attached)

Type of Instrument

Deed | Assignment of Mtg/DOT | Financing Statement
Deed of Trust | Contract | Other (Specify)
Mortgage | Land Installment Contract
Lease | Power of Attorney

Exemptions
Cite authority or explain exemption

Baltimore County Exempt Status Claimed:
Recordation Tax Exempt Status Claimed:
State Exempt Status Claimed:

Consideration and Tax Calculations
Make check payable to Baltimore County MD
(410) 887-2416

Consideration Amount		County Taxes to be Paid
Purchase Price/Consideration (including any new mortgages)	$	Transfer Tax Consideration
Real Property		
Personal Property		
Balance of Assumed Mortgage		
Other		
Total Consideration	$	
or Assessed Factor	$	

Office of Finance Use Only
Item # | Tax Bill
CB Distr | Tax Cmer

Fees and Recording Instructions
Make check payable to Clerk of the Circuit Court
(410) 887-2650

Recordation Fees		Special Recording Instructions (if any)
Recording Charges	$	
State Transfer Tax		
County Recordation Tax		
Surcharge		
Other		
Total	$	

Contact/Mail Information

Instrument Prepared By	Return Instrument To	Mailing Address for Tax Bill
Name: Rose Myers	Name:	Name: Warren Grill
Firm: Ft. Fountaindale Title	Address:	Address: 6820 Rollingwood Dr
Address: 901-A Dulaney Valley Rd		Lutherville MD 21204
Towson MD 21204		
Phone: 377-2440		

Certification

I hereby certify under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief.

Signature: Rose Myers Date: 12/1/93

Assessment Information
(410) 887-2299

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

Yes / No Will grantee be living at property conveyed?
Yes / No Is grantor currently receiving a homeowners tax credit?
Yes / No [illegible] Transfer Tax? If yes, enter amount:
Yes / No If agricultural assessment on conveyance is to continue, have you attached a letter of intent?
Yes / No Partial conveyance? If yes, amount of acreage transferred:
Improvements conveyed
Conversion assessment after last taxable year of property tax liability

Optional Expediting Information

A delay in processing may be incurred if a conveyance deed is not accompanied by an adequate property description, preferably a survey or area calculation. A partial conveyance may require additional processing time.

Yes / No Was property surveyed? If yes, attach copy of survey. If partial conveyance, balance of acreage?
Complete description of property conveyed (subdivision, lot, block, etc. or metes and bounds)

Location and improvement address

Space Reserved for Circuit Court Use Only

Terminal Verification | Deed Number
Subsidiary Verification | Deed Reference
Tape Process Verification | Assessed Property No.
Zone | Date

CC-CC-100

PLEASE PRINT CLEARLY

CASE NAME 5902 HILLTOP AVENUE
CASE NUMBER 2019-0334-A
DATE 7/15/19

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
DAVE BILLINGSLEY	601 CHARWOOD CT	EDGEWOOD MD 21040	
Mr & Mrs Warren Grall	6220 Rolling Acres Dr	Sykesville Md 21784	
Vadim Bakalov	3206 Midfield rd	Baltimore MD 21208	

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER _____
DATE _____

CITIZEN'S SIGN - IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
Charles-Mary Moser	2270 Baku Blvd	Finksburg Md 21048	

JB 7-17-19

Debra Wiley

From: Carole Grill <cegrillsons@verizon.net>
Sent: Friday, August 16, 2019 4:08 PM
To: Administrative Hearings
Subject: Reconsideration of the motion on the hearing dated July 17, 2019

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

Case N0. 2019-0334-A, 5902 Hilltop Avenue, Gwynn Oak, MD 21207

To Whom It may Concern and John E Beverungen – Administrative Law Judge for Balto. County:

We are asking for a reconsideration of the motion on the hearing Dated July 17, 2019.

On August 6, 1993 Sue Wimbley recommended that I write a letter to Arnold Jablon on behalf of my 93 year old great uncle, Harry Blackburn, for approval of a limited exemption under 27-171 for a lot line revision. He wanted to generate some cash flow for nursing care as he was diagnosed with prostate cancer. We received a letter back from Donald T. Rascoe dated August 27, 1993 stating the Development Review Committee **determined it to be a Limited Exemption under 27-171** and that we may apply for a building permit. The Letter advised us to take a copy of the letter when we applied for the building permit.

Guided by the county we then proceeded with a surveyor to make 5902 Hilltop to be the required 6000 sq ft. for a buildable lot taken from the property at 1528 Ingleside Ave. We eventually bought his property at 1528 Ingleside Avenue as he came to live with us for over 2 years and was not able to live alone anymore.

We filed the lot application on December 13, 1993 and it was accepted for posting on December 17, 1993. At the bottom of my carbon copy it referred to S 304 and we were given a copy of Section 304(Rev 11/92 page 3-3 and 3-3A rev 06/92). **This is why we followed Section 304** – Use of Undersized single family lots per instructions given to us by the county employees. On January 11, 1994 permit #B184576NR was **denied** pursuant to OPZ comments. However, on January 12, 1994 Francis Morsey reviewed the proposal for a change in architectural style and recommended **approval**.

Ironically on the very day that it was approved, January 12, 1994, Joseph Lotz and residents requested a public hearing. Hearing was held on February 24, 1994 before the Zoning commissioner. On July 29, 1994 we received a letter signed by Lawrence E. Schmidt **approving** the building permit application. Notice of appeal was filed by Joseph Lotz and residents on August 29, 1994. On August 31, 1994 I was told by Stella Lowery at zoning that they had gotten the money in on time for an appeal. They were given free counsel because on September 22, 1994 Peter Max Zimmerman, People's Counsel filed his entry of appearance.

On January 26, 1995 a hearing was held before the Board of Appeals. On February 15, 1995 public deliberation was held by the Board and the decision was 2 to 1 in favor of **denying** request. On April 28, 1995 opinion and order of the board in which the decision of the zoning commissioner was reversed and the building permit application was denied. (Dissenting opinion by Mr. Schuetz)

On May 26, 1995 petition for Judicial review filed in circuit court by C. Victor McFarland, Esquire, on behalf of us. On January 16, 1996 Judge Kahl affirmed the opinion of Board of Appeals.

As you can see we went through every procedure asked of us by making **numerous** visits to the county (many of which I had my great uncle in a wheelchair), paying various fees for a new survey, having 2 deeds written and recorded, paying

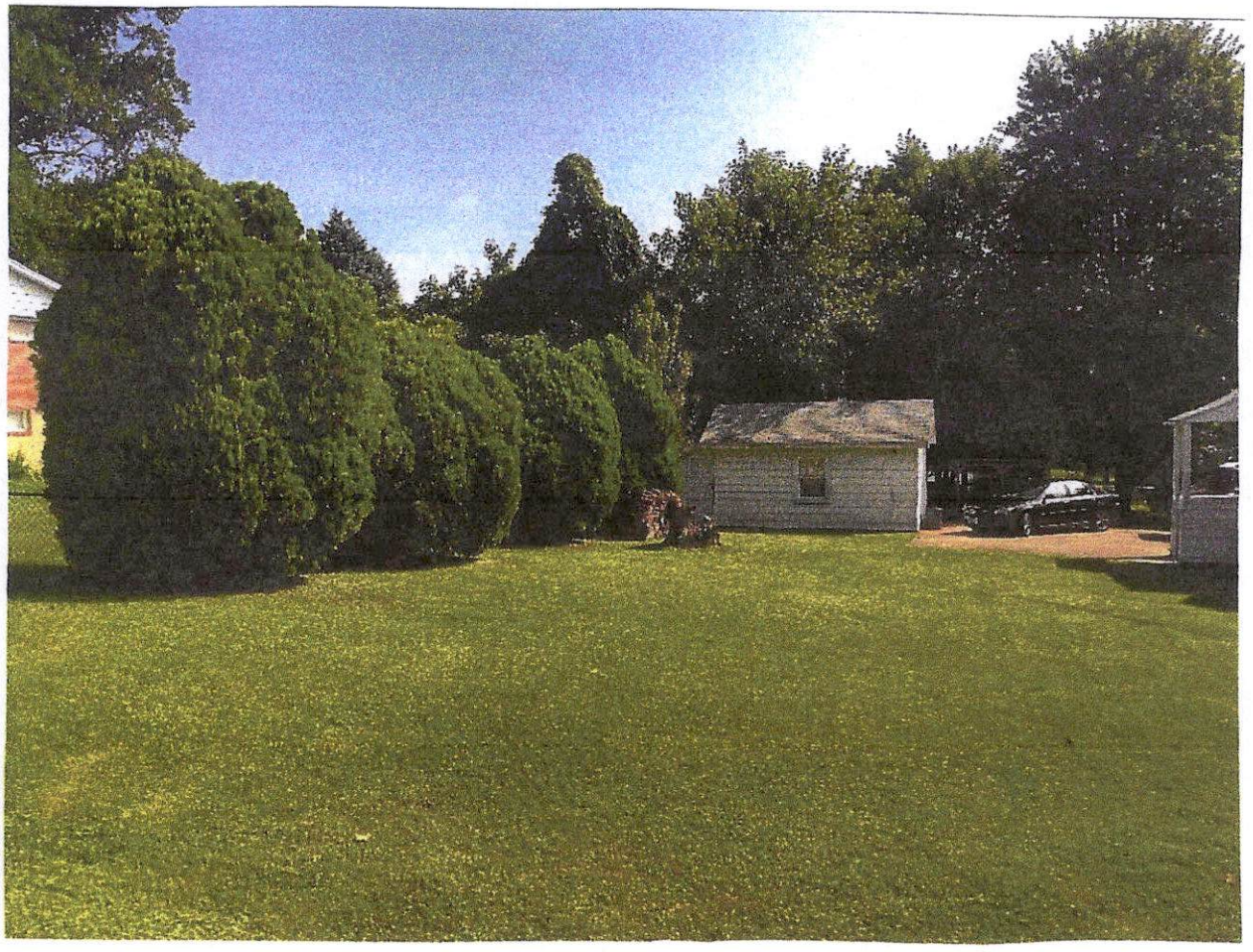
undersize lot fees, lawyer's fees (while the neighbors protesting had people's counsel at no cost to them to plead their case), cost of new building plans because the protesters didn't like our original house submitted, a building permit fee that we had to let expire because of the many appeals, taxes and lot cutting fees for 25 years, etc. The protesters have had the advantage of enjoying a maintained lot to look at, play ball, etc. without having to pay taxes or any lawn cutting fees. In fact we even cleared the lot a few years back of a sizable tree that fell from the house directly across the street.

Judge Beverungen, if you could look over some of the history that we are presenting we would so appreciate your time involved in this! We have copies that we would be happy to give to you of letters, etc. from the county of the above information. We thank you for your consideration on this and the time you spent at the hearing on July 17, 2019. **We feel we followed what the county told us to do and that is why we proceeded the way we did.**

Sincerely,
Carole and Warren Grill
6220 Rolling View Drive,
Sykesville, MD 21784
410-795-2598

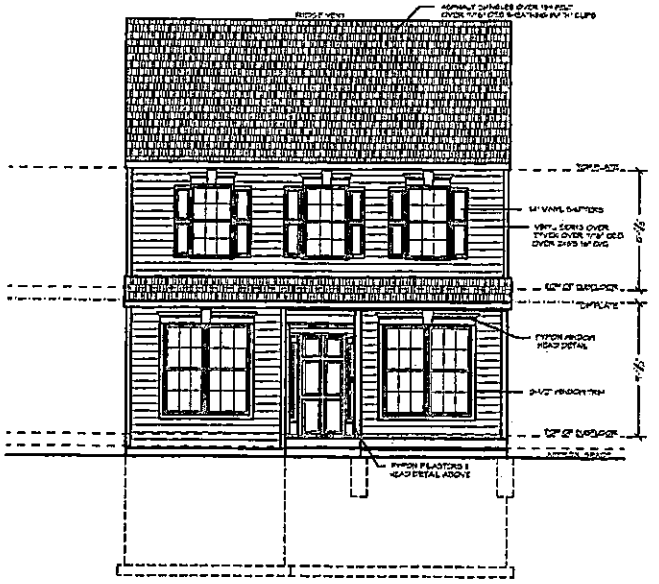
B

A

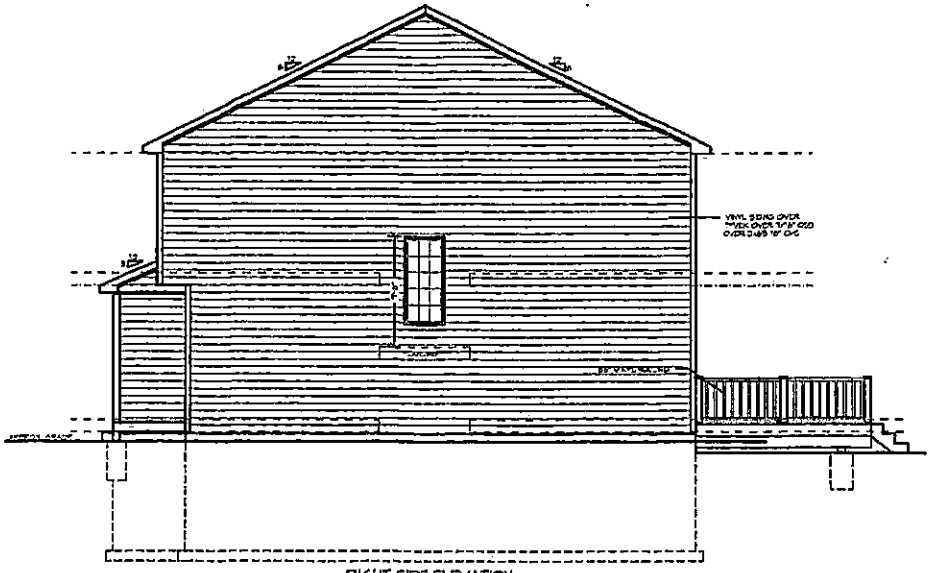


D

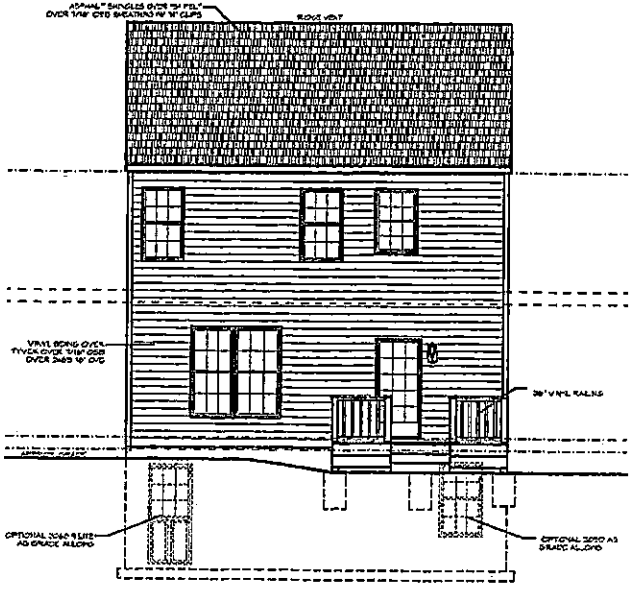
C



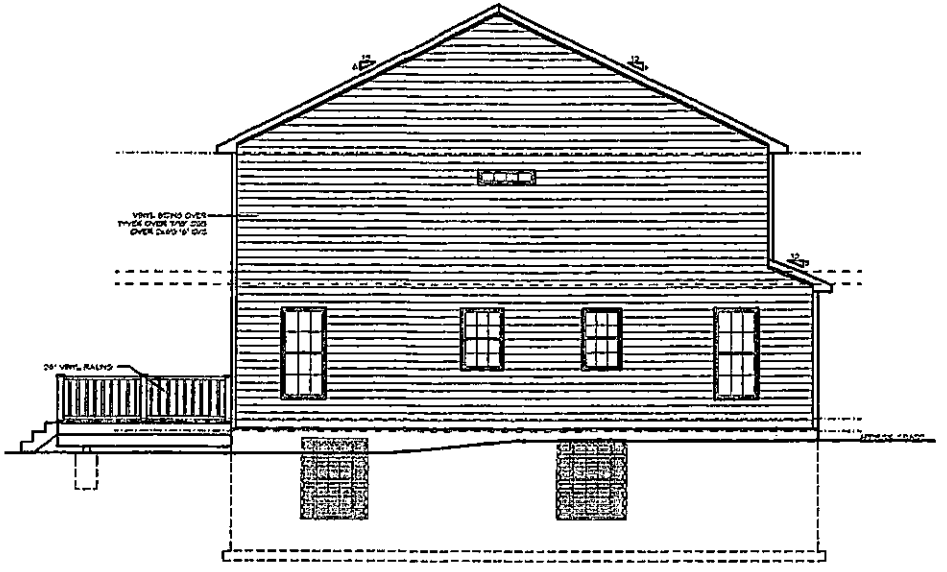
FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

GRINDON HOUSE

DREAMHOUSE BUILDERS

BL CUSTOM HOME DESIGN INC.
PO BOX 157 FREDERICK, MD 21643
PHONE 410-620-0550

PETITIONER'S EXHIBIT NO. 10

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

August 27, 1993

Ms. Carole Grill
6220 Rolling View Drive
Sykesville, MD 21784

Subject: Limited Exemption Approval
Harry Blackburn Property
NW/s Ingleside Ave., E/s Hilltop Ave.
1C2 - DRC No. 9233C

Dear Ms. Grill:

On August 23, 1993, the Development Review Committee reviewed the plan submitted on the above referenced project and determined it to be a Limited Exemption under Section 26-171(a) of the Baltimore County Development Regulations. This exempts your development from Division 2 of these regulations; however, compliance with Divisions 3, 4 and 5 is still required, as is compliance with all applicable zoning regulations.

Please be advised that additional requirements may need to be fulfilled prior to approval of a building permit. You may contact Environmental Impact Review of the Baltimore County Department of Environmental Protection and Resource Management (DEPRM) at 887-2980 for details.

Accordingly, you may apply for a building permit with the Department of Permits and Licenses, in the County Office Building, Room 100, 111 West Chesapeake Avenue, Towson, MD. A copy of this Limited Exemption Approval letter should be presented when making application.

If you have any questions, please feel free to call me at 410-887-3353.

Respectfully,

Donald T. Rascoe

Donald T. Rascoe, Manager
Development Management

DTR:KAK:ggl
c: DEPRM/GWM - Att: Larry Pilson, Chief
OPZ - Att: Carolyn Beatty - M.S. 3402
BLACKBUR/TXTGGL

Printed with Soybean Ink on Recycled Paper

(11)

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Tax Exempt: | **Special Tax Recapture:**
Exempt Class: NONE

Account Identifier: **District -** 01 **Account Number -** 0102203100

Owner Information

Owner Name:	BROWN CASSANDRA	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	5908 HILLTOP AVE BALTIMORE MD 21207	**Deed Reference:**	/10325/ 00627

Location & Structure Information

Premises Address:	5908 HILLTOP AVE 0-0000	**Legal Description:**	LT 43,44 5908 HILLTOP AVE ES CATONSVILLE GARDENS

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0095	0009	0225		0000		10	43	2019	Plat Ref:	0006/ 0157

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1959	780 SF	200 SF	4,880 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1	YES	STANDARD UNIT	ASBESTOS SHINGLE	1 full/ 1 half		

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2019	As of 07/01/2018	As of 07/01/2019
Land:	66,800	68,800		
Improvements	66,600	75,000		
Total:	133,400	143,800	133,400	136,867
Preferential Land:	0			0

Transfer Information

Seller: SHEPPARD JOSEPH A	**Date:** 02/04/1994	**Price:** $79,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /10325/ 00627	**Deed2:**
Seller: SWAN PETER F	**Date:** 09/25/1984	**Price:** $59,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /06787/ 00363	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt: | **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Account Identifier: **District** - 01 **Account Number** - 0126200300

Owner Information

Owner Name:	LUPTON CLAYTON BURTON KIMBERLY	**Use:** **Principal Residence:**	RESIDENTIAL NO
Mailing Address:	105 KILPATRICK RD NEW OXFORD PA 17350-9425	**Deed Reference:**	/26392/ 00633

Location & Structure Information

Premises Address:	5910 HILLTOP AVE BALTIMORE 21207-5058	**Legal Description:**	LT 41,42 5910 HILLTOP AVE CATONSVILLE GARDENS

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0095	0009	0225		0000		10	41	2019	Plat Ref:	0006/ 0157

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1961	936 SF		4,840 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1	YES	STANDARD UNIT	ASBESTOS SHINGLE	1 full		

Value Information

	Base Value	Value As of 01/01/2019	Phase-in Assessments As of 07/01/2018	Phase-in Assessments As of 07/01/2019
Land:	66,800	68,800		
Improvements	77,900	87,200		
Total:	144,700	156,000	144,700	148,467
Preferential Land:	0			0

Transfer Information

Seller: ZELL MARGARET C	**Date:** 11/19/2007	**Price:** $135,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /26392/ 00633	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Account Identifier: **District -** 01 **Account Number -** 0119074520

Owner Information

Owner Name:	BROWN SAMUEL B BROWN DONNETTA	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	5916 HILLTOP AVE BALTIMORE MD 21207	**Deed Reference:**	/11657/ 00716

Location & Structure Information

Premises Address:	5916 HILLTOP AVE 0-0000	**Legal Description:**	LT 34,35 5916 HILLTOP AVE CATONSVILLE GARDENS

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0095	0009	0225		0000		10	34	2019	Plat Ref:	0006/ 0157

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1960	1,170 SF		4,600 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1 1/2	YES	STANDARD UNIT	SIDING	1 full		

Value Information

	Base Value	Value As of 01/01/2019	Phase-in Assessments As of 07/01/2018	Phase-in Assessments As of 07/01/2019
Land:	66,600	68,600		
Improvements	91,400	97,400		
Total:	158,000	166,000	158,000	160,667
Preferential Land:	0			0

Transfer Information

Seller: BROWN SAMUEL B	**Date:** 06/21/1996	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /11657/ 00716	**Deed2:**
Seller: SCARFO JAMES,JR	**Date:** 09/21/1994	**Price:** $89,900
Type: ARMS LENGTH IMPROVED	**Deed1:** /10759/ 00490	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

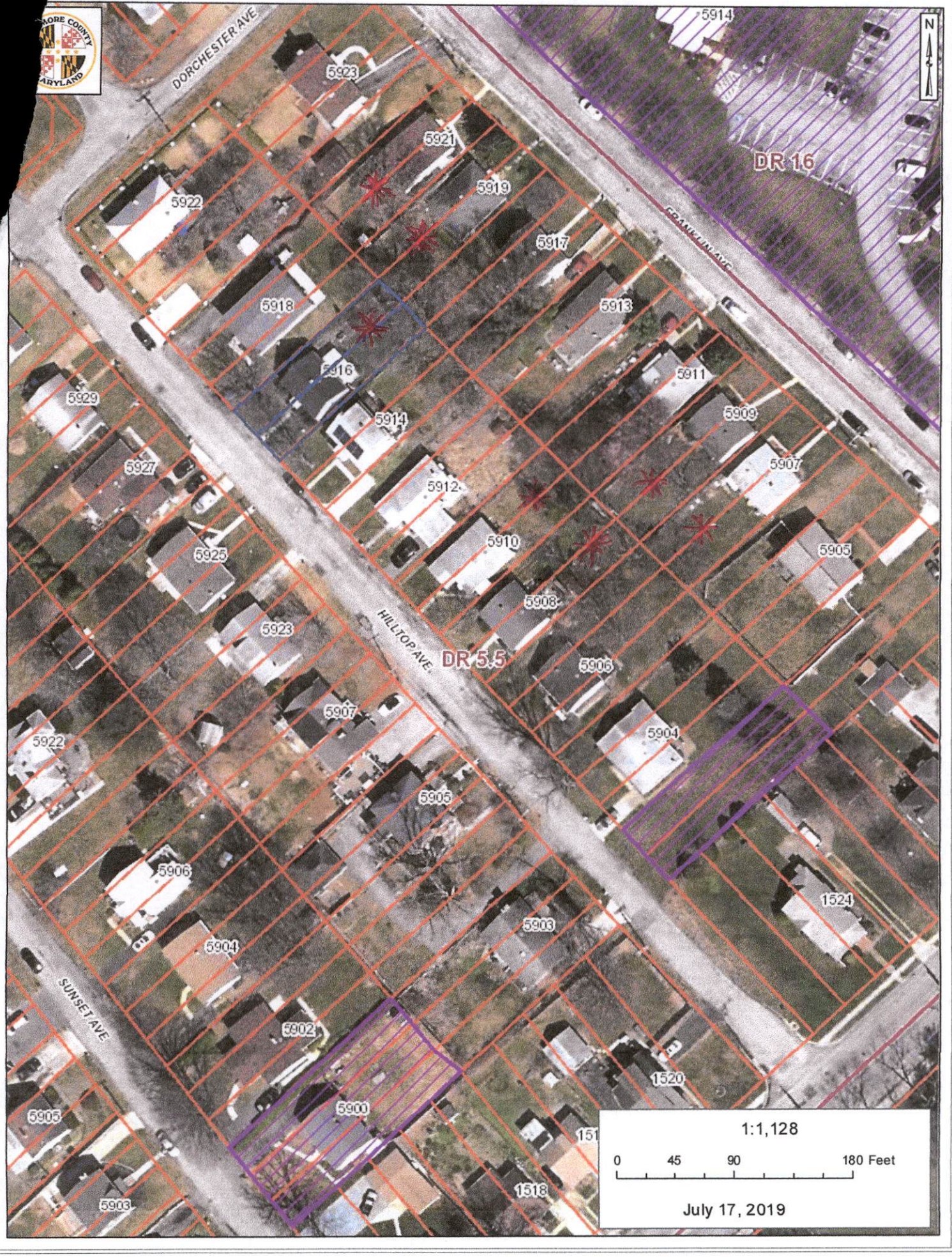
Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: Approved 12/03/2013

Baltimore County - My Neighborhood



Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Tax Exempt: | **Special Tax Recapture:**
Exempt Class: | NONE

Account Identifier: **District** - 01 **Account Number** - 2200018018

Owner Information

Owner Name:	GRILL WARREN G GRILL CAROLE L	**Use:** **Principal Residence:**	RESIDENTIAL NO
Mailing Address:	6220 ROLLING VIEW DR SYKESVILLE MD 21784-6527	**Deed Reference:**	/10187/ 00285

Location & Structure Information

Premises Address:	HILLTOP AVE 0-0000	**Legal Description:**	.1378 AC LTS 51,52 NES HILLTOP AVE CATONSVILLE GARDENS

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0095	0009	0225		0000		10	51	2019	Plat Ref:	0006/ 0157

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			6,005 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2019	As of 07/01/2018	As of 07/01/2019
Land:	25,500	25,500		
Improvements	0	0		
Total:	25,500	25,500	3,000	25,500
Preferential Land:	0			0

Transfer Information

Seller: GRILL WARREN G	**Date:** 12/02/1993	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /10187/ 00285	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt: | **Special Tax Recapture:**
Exempt Class: | NONE

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

PETITIONER'S EXHIBIT NO. 2

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10187, p. 0285, MSA_CE62_10077. Printed 07/16/2019.

TITLE GROUP
THE FOUNTAINHEA Road
201-A Old Libe 21784
Sykesville, M
ATION
NO TITLE EXA
NO TITLE ION
NO CONSI

Deed, MADE THIS 19th day of November in the year One Thousand Nine Hundred and Ninety

tween **WARREN G. GRILL and CAROLE L. GRILL, his wife**, parties of the first part, and **WARREN G. AROLE L. GRILL, his wife**, parties of the second part.

Thre
Gpth, That in consideration of the sum of No Cents **($0.00)**, the receipt of which is hereby acknowledged, the said ie first part do grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, or of them and the survivor's personal representatives, heirs and assigns, in fee simple, that parcel of ground situate nore County, Maryland and described as follows, that is to say:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

EING A PART OF the same parcel of ground which by deed dated August 19, 1993 and recorded among the Land Records of Baltimore County, Maryland in Liber No. 10077, folio 378 was granted and conveyed by Harry H. Blackburn unto **WARREN G. GRILL and CAROLE L. GRILL**, the Grantors herein.

THIS DEED IS BEING EXECUTED BY THE PARTIES HERETO TO RECORD THE RECONFIGURED DESCRIPTION HEREINABOVE SET FORTH.

This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

F. Michael Grace, Esquire

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 the said described lot of ground and premises to the said parties of the second part as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives, heirs and assigns, in fee simple.

And the said parties of the first part hereby covenants 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.

WITNESS the hands and seals of said Grantor(s).

Test:

WARREN G. GRILL

CAROLE L. GRILL

PETITIONER'S EXHIBIT NO. 3

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10187, p. 0286, MSA_CE62_10042. Date available 03/03/2005. Printed 04/14/2019.

William E. Doyle
Professional Land Surveyor 8440
5312 Emerald Drive
Sykesville, Maryland 21784
(410) 795-6210

September 15, 1993

Description of Warren G. Grill and Carole L. Grill property, situated on the northeast side of Hilltop Avenue in Election District 1, Baltimore County, Maryland.

Vacant Lots

Beginning for the same at a steel pin found in concrete on the northeast side of Hilltop Avenue(40.00 ft. wide right of way) at the division line between lot 52 and lot 53, Block 10 as shown on the Plat of Catonsville Gardens and recorded among the Plat Records of Baltimore County in Plat Book W.P.C. 06, Page 157, running thence binding on the northeast side of said Avenue and also binding on the southwest boundary lines of lot 52 and lot 51 as shown on said Plat as now surveyed and referring all courses to the Baltimore County Metropolitan District Grid, (1) N 42°32'30"W 40.00 ft. to a steel pin found in concrete at the division line between lot 50 and lot 51 as shown on said plat, running thence leaving said Hilltop Avenue and binding on the justmentioned division line, (2) N 47°20'14"E 200.00 ft. to a pipe found at the division line between lot 24 and lot 25, Block 10 as shown on said plat, running thence binding on the justmentioned division line, (3) N 47°20'14"W 20.00 ft. to a steel pin and cap 8440 set, running thence for one new line of division through said lot 25 and lot 26, (4) S 44°43'56"E 41.43 ft. to a steel pin and cap 8440 set, running thence for one new line of division through lot 58 and lot 57 as shown on said plat, (5) S 48°56'22"W 50.07 ft. to a steel pin found at the division line between lot 52 and lot 56 as shown on said plat, running thence binding on the division line between said lot 52 and the northwest boundary line of lots 56,55,54 and 53 as shown on said plat, (6) S 47°20'14"W 100.00 ft. to the place of beginning. Containing 6004 Sq.Ft. or 0.1378 Acre of land more or less.

Being part of a deed dated October 26,1927 and recorded among the Land Records of Baltimore County in Liber 650, Folio 332 from William W. Blackburn and John H. Heacock to Harry H. Blackburn and Virginia R. Blackburn, his wife.

Being part of a deed dated May 8, 1943 and recorded among the Land Records of Baltimore County in Liber 1285, Folio 535 from William .W Blackburn to Harry H. Blackburn and Virginia R. Blackburn, his wife.

Survey Description By;

William E. Doyle
Professional Land Surveyor 8440

STATE OF MARYLAND · WILLIAM E. DOYLE · No. 8440 · REGISTERED · PROFESSIONAL LAND SURVEYOR

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10077, p. 0378, MSA_CE62_9932. Date available 03/03/2005. Printed 07/16/2019.

LIBER 10077 PAGE 378

THE FOUNTAINHEAD TITLE GROUP
5340 Enterprise Street
Eldersburg, MD 21784

This Deed, Made This 19th day of August in the year One Thousand Nine Hundred and Ninety Three by and between HARRY H. BLACKBURN party of the first part, and WARREN G. GRILL and CAROLE L. GRILL, his wife, parties of the second part.

Witnesseth, That in consideration of the sum of Seventy Thousand Dollars ($70,000.00), the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives, heirs and assigns, in fee simple that parcel of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEGINNING FOR THE SAME at an iron pipe set in the ground on the southeasternmost side line of lot number 26 in block number 10 as laid down on the plat of the property of "CATONSVILLE GARDENS" (said plat being recorded among the Land Records of Baltimore County in plat book WPC No. 6 flio 157) at a point where the division line between lots number 60 and 61 in block number 10 on said plat intersects the aforesaid side line of lot number 26 in block number 10 on said plat and running thence southwesterly and binding along the rear lines of lots number 60-59 and 58 to the end of said side line of lot number 26 and running thence northwesterly and binding along the rear lines of said lots number 26 and 25 block 10 on said plat forty feet to the northwesternmost side line of lot number 25 block number 10 on said plat and running thence northeasterly and binding on the northwesternmost side line of said lot number 25 to a pipe set in the ground at a point where the division line between lots number 60 and 61 in block number 10 on said plat if extended across said lots number 26 and 25 block number 10 on said plat would intersect the said northernmost side line of said lot number 25 block number 10 on said plat and thence southeasterly reversing said line so drawn forty feet more or less to the place of beginning.

BEING AND COMPRISING the southwesternmost rear portions of lots number 25 and 26 in block number 10 as laid down on the plat of "Catonsville Gardens" said plat being recorded among the Land Records aforesaid in plat book WPC No. 6, folio 157.

BEING known and designated as Lots Nos. 51-52-57-58-59-60 in Block Number Ten as shown on Plat entitled ,"Catonsville Gardens" said Plat being recorded among the Land Records of BaltimoreCounty in plat 1943 Book WPC 6, folio 157. **

BEING the same parcel of ground which by deed dated May 8, [illegible] and recorded among the Land Records of Baltimore County, Maryland in Liber No. 1285, folio 535 was granted and conveyed by William W. Blackburn unto HARRY H. BLACKBURN and VIRGINIA R. BLACKBURN, his wife. The said Virginia R. Blackburn having since departed this life on or about February 13, 1987, thus leaving Harry H. Blackburn solely in title, herein Grantor.

**Being also the same lots of ground which by Deed dated October 26, 1927, and recorded in Liber 650, folio 332, was granted and conveyed unto Harry H. Blackburn and *

This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

F. Michael Grace, Esquire

AGRICULTURAL TRANSFER TAX
[illegible] EXEMPTABLE
[illegible] 9/29/93

*Virginia R. Blackburn, his wife. The said Virginia R. Blackburn having departed this life on or about 2/13/87, thereby vesting title solely in the within named grantor.

THE WITHIN GRANTEE(S) DO HEREBY CERTIFY UNDER THE PENALTY(IES) OF PERJURY THAT THE LAND CONVEYED HEREIN IS RESIDENTIALLY IMPROVED OWNER-OCCUPIED REAL PROPERTY AND THAT THE RESIDENCE WILL BE OCCUPIED BY US AS EVIDENCED BY THE SIGNATURE(S) BELOW.

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 the said described lot of ground and premises to the said parties of the second part as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives, heirs 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 granted; and that he will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said Grantor(s) and Grantee(s).

Test:

HARRY H. BLACKBURN

WARREN G. GRILL

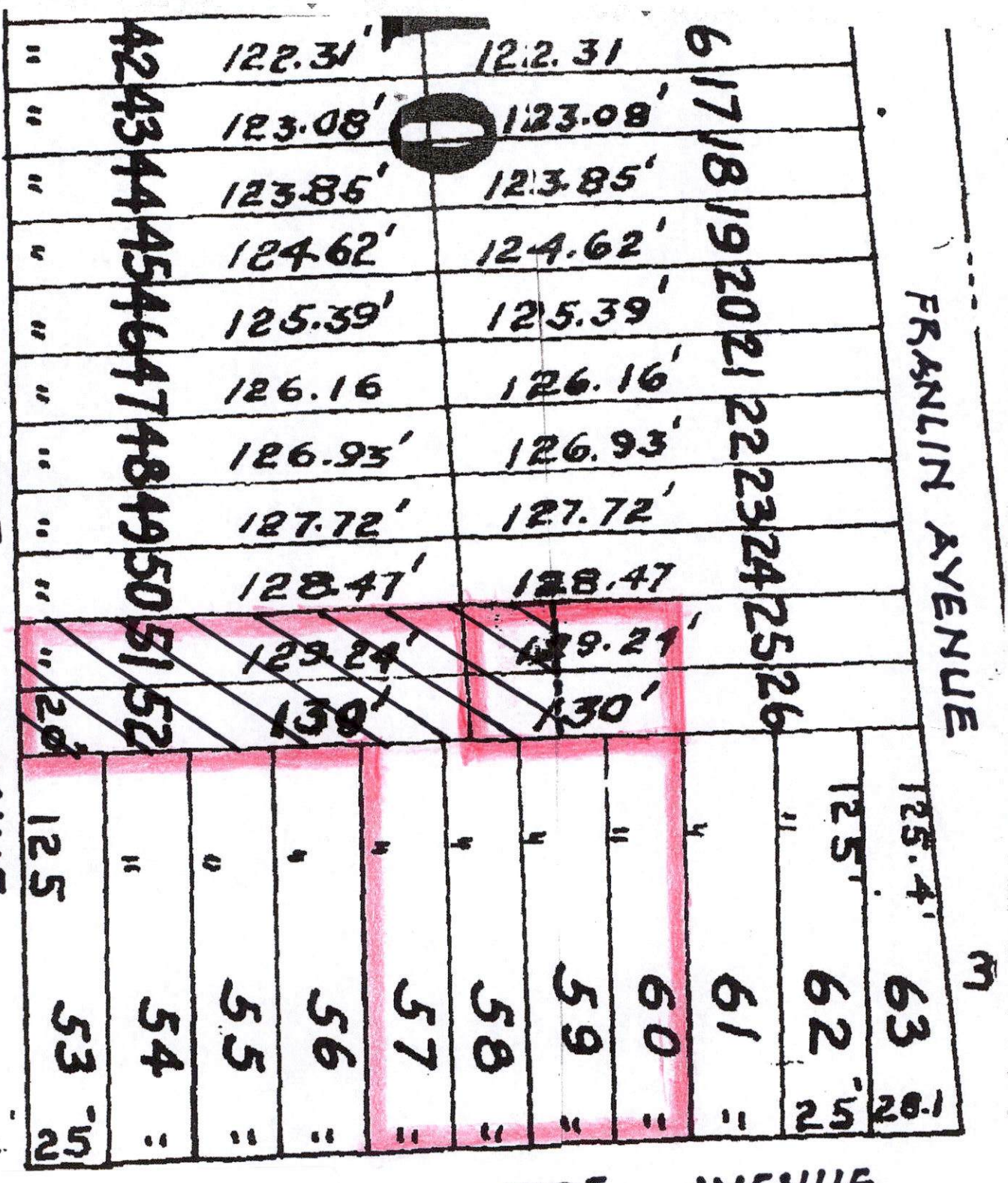
CAROLE L. GRILL

RECEIVED FOR TRANSFER
Albert [illegible] & Tax
[illegible] County
9/29/93
By Date

PETITIONER'S EXHIBIT NO. 4

AREA OUTLINED IN RED IS THE PROPERTY CONVEYED BY BLACKBURN TO GRILL ON AUGUST 19, 1993. LIBER 10077 FOLIO 370

AREA CROSS HATCHED IS THE PROPERTY CONVEYED BY GRILL TO GRILL ON NOVEMBER 19, 1993. LIBER 10187 FOLIO 285



PETITIONER'S EXHIBIT NO. 5

And the said The Inter City Land Company doth hereby constitute and appoint John J McCracken to be its Attorney in its name and as its act to acknowledge this deed before anyone legally authorized to take such acknowledgment

As Witness the corporate seal of said body corporate and the signature of Howard C Knott the President thereof

Signed sealed and delivered in the presence of WmPurnell Hall Secretary

Howard C Knott (Corporate Seal)

State of Maryland City of Baltimore Sct

I Hereby Certify that on this 22nd day of October in the year 1927 before me the subscriber a Notary Public of the State of Maryland in and for the City of Baltimore aforesaid personally appeared John J McCracken the attorney named in the foregoing Deed and by virtue and in pursuance of the authority therein conferred on him acknowledged the said Deed to be the act of the said The Inter City Land Company

As Witness my hand and Notarial Seal

(Notarial Seal)

Helen H Prince
Notary Public

Recorded Oct 27 1927 at 2 30 P M & Exd per C Walter Cole Clerk

---

679
William W Blackburn et al
Deed to
Harry H Blackburn & wf

DEL FILE TICKET JAN 26 1928

This Deed Made this 26th day of October in the year nineteen hundred and twenty seven by William W Blackburn (single) and John Hunter Heacock (single) of the first part grantors and Harry H Blackburn and Virginia R Blackburn his wife grantees all of Baltimore County State of Maryland

Witnesseth that in consideration of the sum of Five Dollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said William W Blackburn and John Hunter Heacock do grant and convey unto the said Harry H Blackburn and Virginia R Blackburn his wife as tenants by the entirety their assigns the survivor of them his or her heirs and assigns in fee simple

All those six lots or parcels of ground situate in the First Election District of Baltimore County being and comprising lots number 51 52 57 58 59 and 60 in Block Number Ten as laid down on the Plat of "Catonsville Gardens" said plat being recorded among the Land Records of Baltimore County in Plat Book W P C No 6 folio 157

The first four lots thereof being all and the same land and premises which by deed dated June 26 1924 and recorded among the Land Records aforesaid in Liber W P C No 622 folio 238 etc was conveyed by The Inter City Land Company to John Hunter Heacock

The fifth and sixth lots aforesaid being a part of the land and premises which by deed dated August 20 1924 and recorded among the Land Records aforesaid in Liber W P C No 603 folio 27 etc was conveyed by The Inter City Land Company to William W Blackburn

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

To Have and to Hold the said lots 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 Harry H Blackburn and Virginia R Blackburn his wife as tenants by the entireties

BALTIMORE COUNTY CIRCUIT COURT (Land Records) CWC 650, p. 0332, MSA_CE62_650. Date available 10/25/2006. Printed 07/16/2013.

PETITIONER'S EXHIBIT NO. 6

Rec May 11 1943 at 9:15 A M & exd per

Robert J Spittel

Clerk

Rec by H M D

Examiners E&P

For Release see folio 587

39428)
Wm W Blackburn) This deed made this eighth day of May in the year nineteen hun-
Deed to) dred and forty three by and between William W Blackburn widower
Harry H Blackburn & wf) of the first part grantor and Harry H Blackburn and Virginia R
U S $.55 St $.10) Blackburn his wife of the second part grantees
----------) Witnesseth that in consideration of the sum of five
dollars and other good and valuable considerations the receipt whereof is hereby acknow-
ledged the said William W Blackburn doth grant and convey unto the said Harry H Blackburn
and Virginia R Blackburn his wife as tenants by the entireties their assigns the survivor
of them his or her heirs and assigns in fee simple subject to the restrictions hereinafter
mentioned

All that lot or parcel of ground situate in the First Election District of Balti-
more County State of Maryland and described as follows

Beginning for the same at an iron pipe set in the ground on the southeasternmost
side line of lot number 26 in block number 10 as laid down on the plat of the property of
"Catonsville Gardens" (said plat being recorded among the land records of Baltimore County
in plat book WPC No 6 folio 157) at a point where the division line between lots number
60 and 61 in block number 10 on said plat intersects the aforesaid side line of lot number
26 in block number 10 on said plat and running thence southwesterly and binding along the
rear lines of lots number 60-59 and 58 to the end of said side line of lot number 26 and
running thence northwesterly and binding along the rear lines of said lots number 26 and
25 block 10 on said plat forty feet to the northwesternmost side line of lot number 25
block number 10 on said plat and running thence northeasterly and binding on the northwest-
ernmost side line of said lot number 25 to a pipe set in the ground at a point where the
division line between lots number 60 and 61 in block number 10 on said plat if extended
across said lots number 26 and 25 block number 10 on said plat would intersect the said
northwesternmost side line of said lot number 25 block number 10 on said plat and thence
southeasterly reversing said line so drawn forty feet more or less to the place of beginning

Being and comprising the southwesternmost rear portions of lots number 25 and
26 in block number 10 as laid down on the plat of "Catonsville Gardens" said plat being
recorded among the land records aforesaid in plat book WPC No 6 folio 157

Being a part of the land and premises which by deed dated August 20 1924 and
recorded among the land records of Baltimore County in liber WPC No 603 folio 27 etc was
conveyed by The Inter City Land Company to the said grantor

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

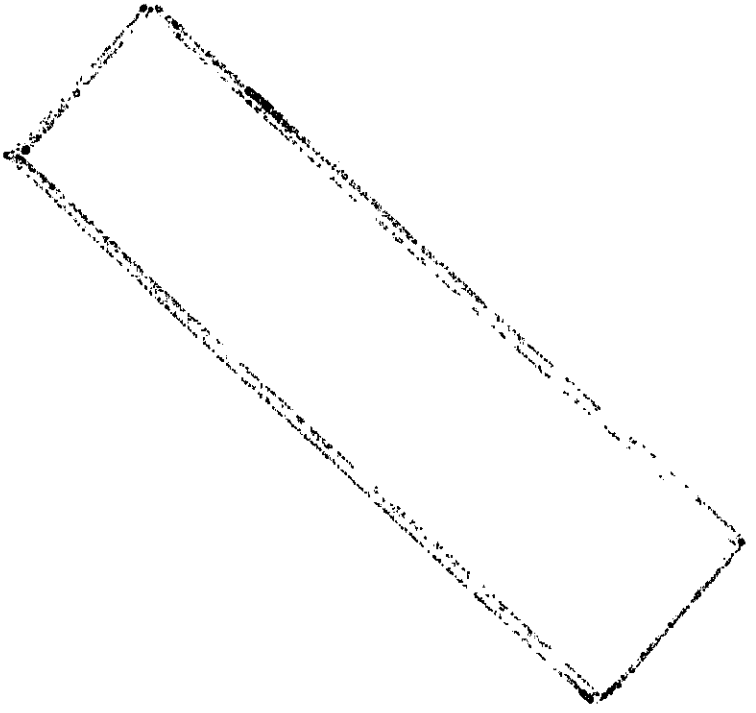
To have and to hold the said lot or ground and premises above described and men-
tioned and hereby intended to be conveyed together with the rights privileges
and advantages thereto belonging or appertaining unto and to the proper use
the said Harry H Blackburn and Virginia R Blackburn his wife as tenants by t

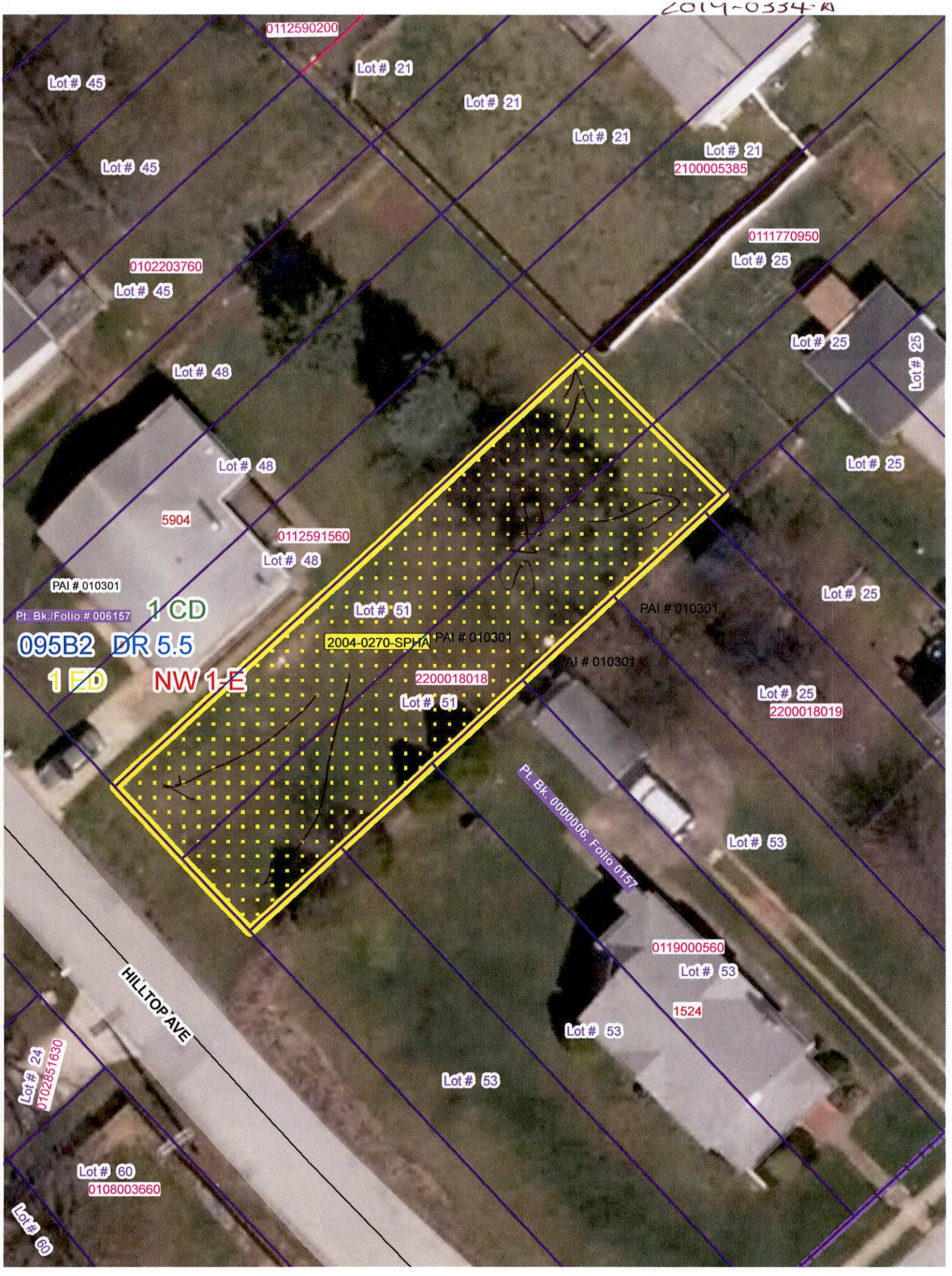
DEL. PER TICKET OCT 22 1943

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLS 1285, p. 0535, MSA_CE62_1140. Date available 01/31/2006. Printed 07/10/2016.

PETITIONER'S EXHIBIT NO. 7

5902 HILLTOP AVENUE




2019-0334-A
0112590200
Lot # 45
Lot # 21
Lot # 21
Lot # 21
Lot # 21
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Lot # 45
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Lot # 25
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Lot # 45
Lot # 25
Lot # 25
Lot # 48
Lot # 48
Lot # 25
5904
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Lot # 48
PAI # 010301
Lot # 25
Pt. Bk./Folio # 006157
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NW 1-E
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Lot # 51
Lot # 25
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0119000560
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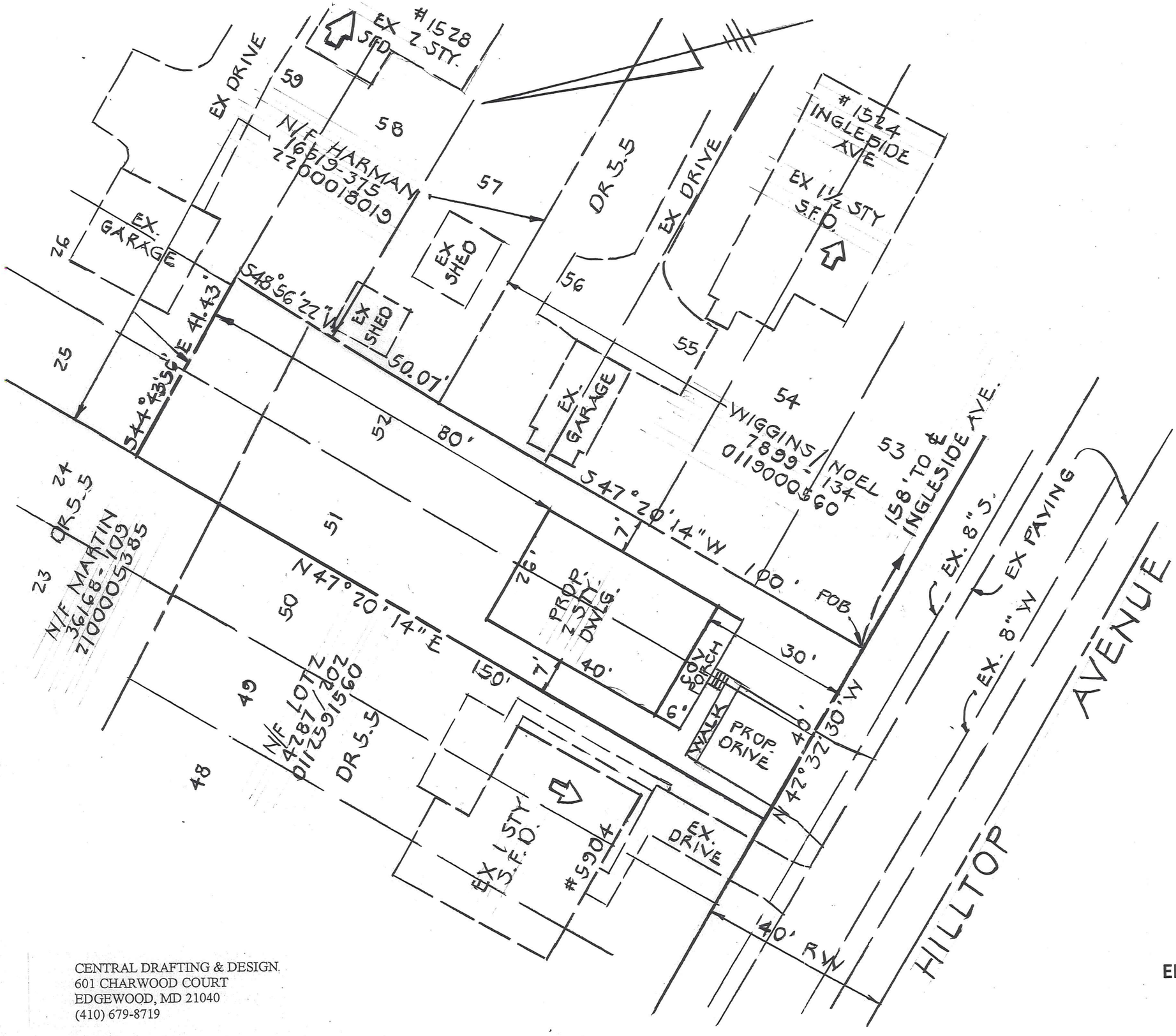
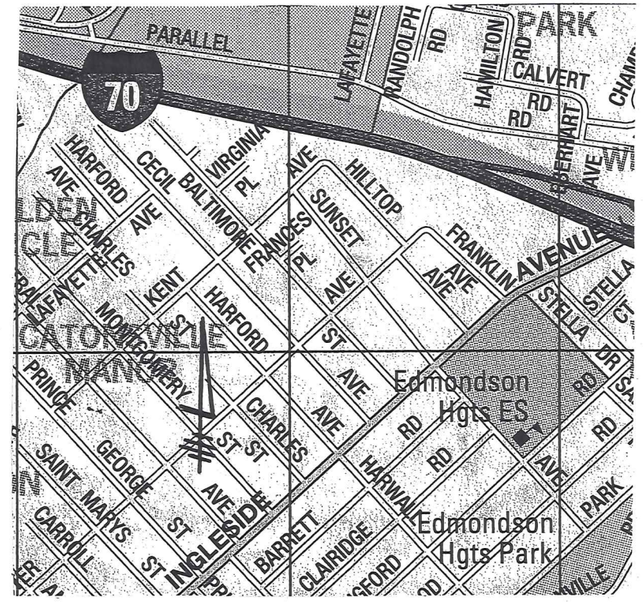




VICINITY MAP
SCALE = 1" = 1000'

NOTES

1. ZONING.....DR5.5 (MAP NO. 095B2)
2. LOT AREA.....6005 SF = 0.138 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS NOT LOCATED IN THE CBCA OR A 100 YEAR FLOOD ZONE
5. NO HISTORIC SITES OR STRUCTURES, ARCHEOLOGIC SITES OR UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST
6. PREVIOUS ZONING HISTORY
   CASE 2004-0270-SPHA TO PERMIT 40 FT LOT WIDTH, 6 FT SIDE YARDS AND UNDERSIZED LOT WAS WITHDRAWN

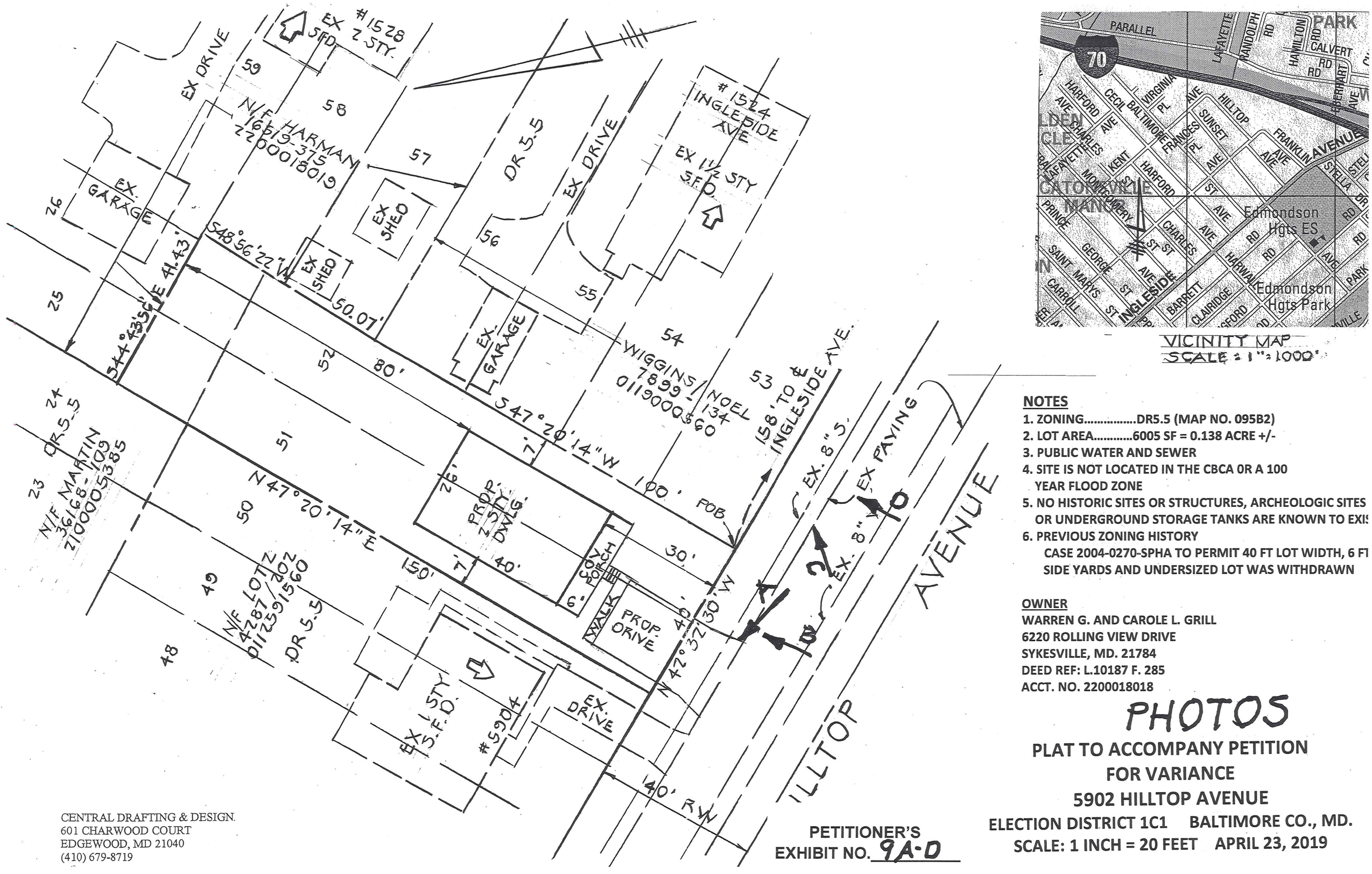
OWNER

WARREN G. AND CAROLE L. GRILL
6220 ROLLING VIEW DRIVE
SYKESVILLE, MD. 21784
DEED REF: L.10187 F. 285
ACCT. NO. 2200018018

PLAT TO ACCOMPANY PETITION FOR VARIANCE
5902 HILLTOP AVENUE
ELECTION DISTRICT 1C1 BALTIMORE CO., MD.
SCALE: 1 INCH = 20 FEET APRIL 23, 2019

2019-0334-A

CENTRAL DRAFTING & DESIGN
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719



VICINITY MAP
SCALE: 1" = 1000'

NOTES

1. ZONING.....DR5.5 (MAP NO. 095B2)
2. LOT AREA.....6005 SF = 0.138 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS NOT LOCATED IN THE CBCA 0R A 100 YEAR FLOOD ZONE
5. NO HISTORIC SITES OR STRUCTURES, ARCHEOLOGIC SITES OR UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIS
6. PREVIOUS ZONING HISTORY
   CASE 2004-0270-SPHA TO PERMIT 40 FT LOT WIDTH, 6 FT SIDE YARDS AND UNDERSIZED LOT WAS WITHDRAWN

OWNER

WARREN G. AND CAROLE L. GRILL
6220 ROLLING VIEW DRIVE
SYKESVILLE, MD. 21784
DEED REF: L.10187 F. 285
ACCT. NO. 2200018018

PHOTOS

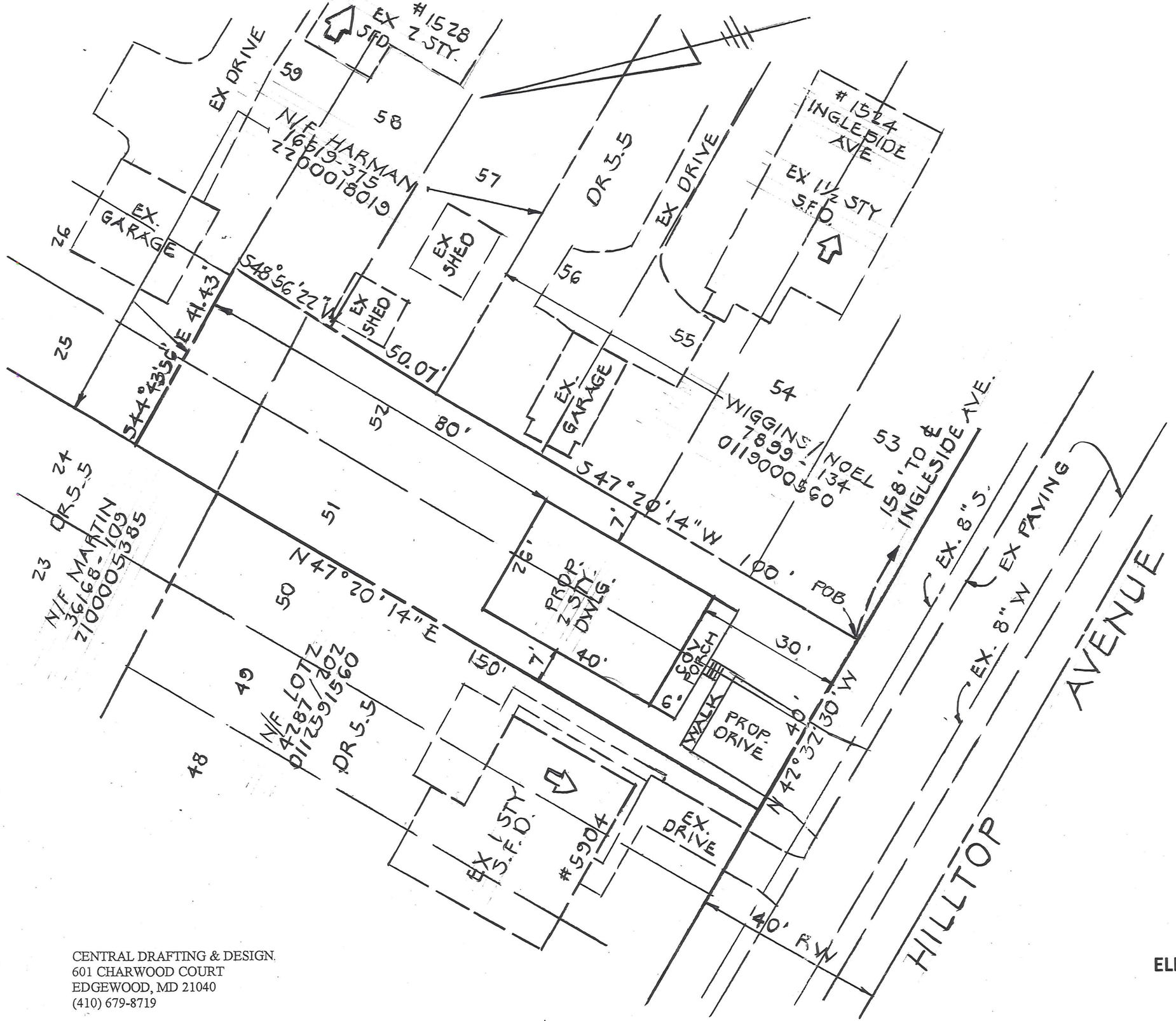
PLAT TO ACCOMPANY PETITION FOR VARIANCE

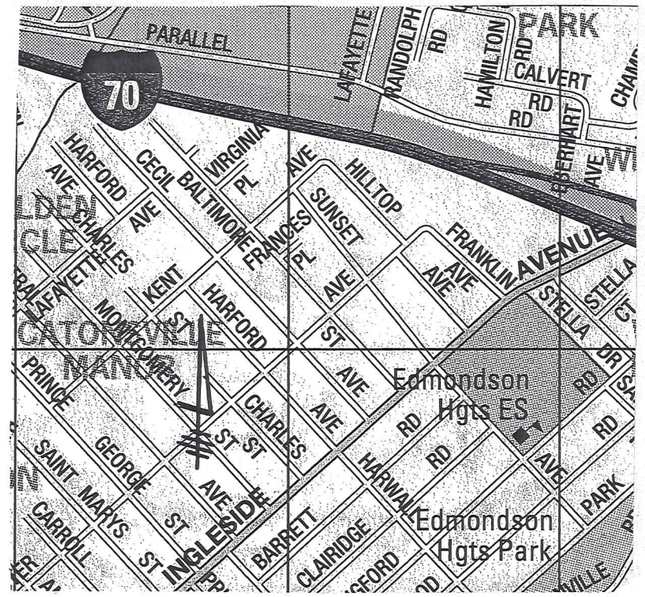
5902 HILLTOP AVENUE

ELECTION DISTRICT 1C1 BALTIMORE CO., MD.
SCALE: 1 INCH = 20 FEET APRIL 23, 2019

PETITIONER'S EXHIBIT NO. 9A-D

CENTRAL DRAFTING & DESIGN.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719





VICINITY MAP
SCALE: 1" = 1000'

NOTES

1. ZONING.....DR5.5 (MAP NO. 095B2)
2. LOT AREA.....6005 SF = 0.138 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS NOT LOCATED IN THE CBCA OR A 100 YEAR FLOOD ZONE
5. NO HISTORIC SITES OR STRUCTURES, ARCHEOLOGIC SITES OR UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST
6. PREVIOUS ZONING HISTORY
   CASE 2004-0270-SPHA TO PERMIT 40 FT LOT WIDTH, 6 FT SIDE YARDS AND UNDERSIZED LOT WAS WITHDRAWN

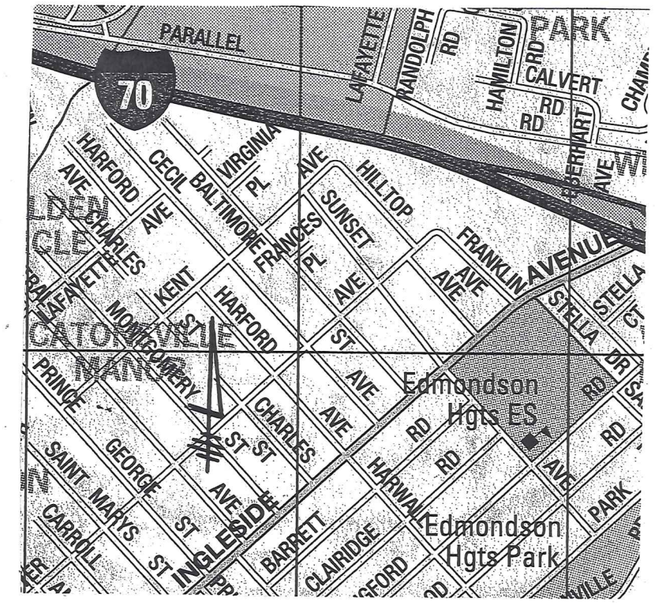
OWNER

WARREN G. AND CAROLE L. GRILL
6220 ROLLING VIEW DRIVE
SYKESVILLE, MD. 21784
DEED REF: L.10187 F. 285
ACCT. NO. 2200018018

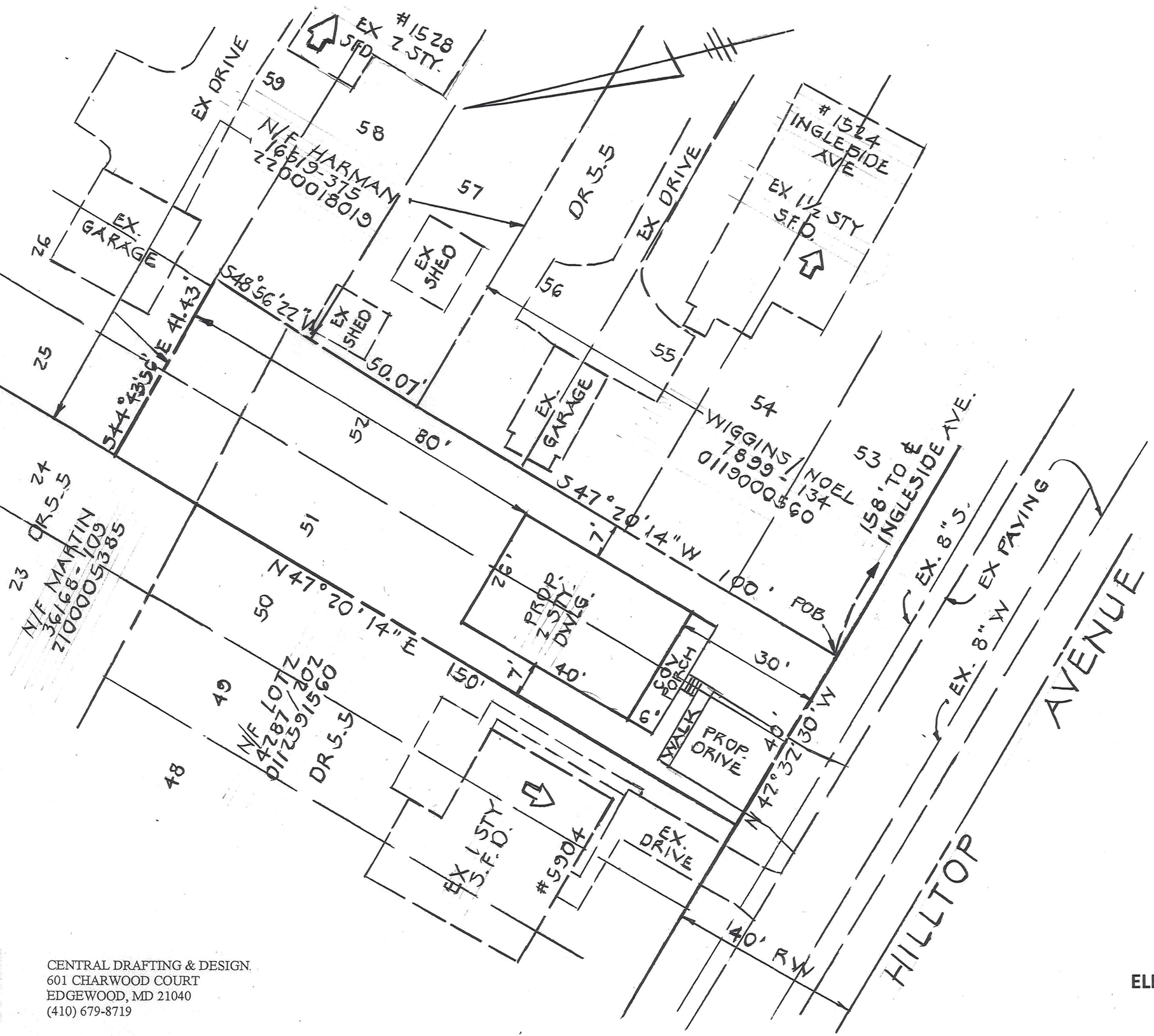
PETITIONER'S EXHIBIT NO. 1

PLAT TO ACCOMPANY PETITION FOR VARIANCE
5902 HILLTOP AVENUE
ELECTION DISTRICT 1C1 BALTIMORE CO., MD.
SCALE: 1 INCH = 20 FEET APRIL 23, 2019

CENTRAL DRAFTING & DESIGN.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719



VICINITY MAP
SCALE: 1" = 1000'



NOTES

1. ZONING.....DR5.5 (MAP NO. 095B2)
2. LOT AREA.....6005 SF = 0.138 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS NOT LOCATED IN THE CBCA OR A 100 YEAR FLOOD ZONE
5. NO HISTORIC SITES OR STRUCTURES, ARCHEOLOGIC SITES OR UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST
6. PREVIOUS ZONING HISTORY
   CASE 2004-0270-SPHA TO PERMIT 40 FT LOT WIDTH, 6 FT SIDE YARDS AND UNDERSIZED LOT WAS WITHDRAWN

OWNER

WARREN G. AND CAROLE L. GRILL
6220 ROLLING VIEW DRIVE
SYKESVILLE, MD. 21784
DEED REF: L.10187 F. 285
ACCT. NO. 2200018018

PLAT TO ACCOMPANY PETITION FOR VARIANCE
5902 HILLTOP AVENUE
ELECTION DISTRICT 1C1 BALTIMORE CO., MD.
SCALE: 1 INCH = 20 FEET APRIL 23, 2019

CENTRAL DRAFTING & DESIGN.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

2019-0334-A