



KATHERINE A. KLAUSMEIER  
*County Executive*

March 12, 2025

MAUREEN E. MURPHY  
*Chief Administrative Law Judge*  
ANDREW M. BELT  
*Administrative Law Judge*  
DEREK J. BAUMGARDNER  
*Administrative Law Judge*

Lawrence E. Schmidt, Esquire – [lschmidt@sgs-law.com](mailto:lschmidt@sgs-law.com)  
Smith, Gildea & Schmidt, LLC  
600 Washington Avenue, Suite 200  
Towson, MD 21204

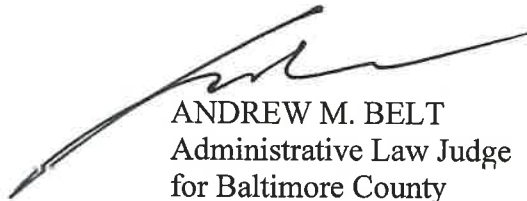
RE: Petitions for Special Hearing & Variance  
Case No. 2025-0010-SPHA  
Property: 1006 Handy Avenue

Dear Mr. Schmidt:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,



ANDREW M. BELT  
Administrative Law Judge  
for Baltimore County

AMB:dml  
Enclosure

c: Craig Powell, Jr  
Malcolm Khalil  
William Grueninger  
Steve Loffler

[craig@brickandquillmd.com](mailto:craig@brickandquillmd.com)  
[goldengooseproperties@gmail.com](mailto:goldengooseproperties@gmail.com)  
[bgrueninger@glwpa.com](mailto:bgrueninger@glwpa.com)  
[stevloffler@gmail.com](mailto:stevloffler@gmail.com)

<b>IN RE: PETITIONS FOR SPECIAL HEARING</b>	*	BEFORE THE
<b>AND VARIANCE</b>		
<b>(1006 Handy Avenue)</b>	*	OFFICE OF
1 <sup>st</sup> Election District		
1 <sup>st</sup> Council District	*	ADMINISTRATIVE HEARINGS
BHG Ventures, LLC		
<i>Legal Owner</i>	*	FOR BALTIMORE COUNTY
<b>Petitioner</b>	*	<b>Case No: 2025-0010-SPHA</b>

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) and Petitions for Special Hearing and Variance filed by the legal owner, BHG Ventures, LLC (“Petitioner”) for the property located at 1006 Handy Avenue (the Property”). The Petition for Special Hearing was filed under Baltimore County Zoning Regulations (“BCZR”), Section 500.7 to allow an existing single family detached dwelling on a separate non-conforming lot of record with insufficient setback as show on the plan to accompany petitions for zoning relief. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County. Variance relief from BCZR Section 1B02.3.C (small lot table) to allow a lot width of 50 ft., in lieu of the required 55 ft. To allow a side setback as little as 9 ft., in lieu of the required 10 ft. To allow a front yard setback of 19 ft., in lieu of the required 25 ft. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on March 10, 2025. The Petitions were properly advertised and posted. Steven Loffler, of BHG Ventures, LLC, the Petitioner, appeared in support of the Petition, along with William Grueninger who prepared and sealed a site plan (the “Site Plan”). (Pet. Ex.1). Lawrence Schmidt, Esquire and Jason Vettori, Esquire of Smith, Gildea and Schmidt represented the Petitioner. There were no

interested citizens or protestants that appeared at the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), Office of Zoning Review (“OZR”) and State Highway Administration (“SHA”) these agencies did not oppose the requested relief.

#### Petitioner’s Case

The Property is approximately 7,500 acres and is zoned DR 5.5. Mr. Schmidt proffered the case and explained that the subject property, 1006 Handy Avenue consists of Lot 139 of the Douglass Park Plat recorded in 1924. The existing structure on the subject property predates the record plat and was built in 1922, prior to modern day zoning requirements for properties in the D.R. 5.5 zone. Mr. Schmidt further explained that the side yard and front yard setbacks are original to the existing structures construction. He further noted that the 50 ft. lot width is consistent with the other lots of record found in Douglass Park, with many of these lots being subject to zoning relief consistent with that requested in the case at bar. *See, i.e.* Zoning Case Nos. 2020-0040- SPHA and 2019-0517-SPHA and 2019 0518 -A.

#### SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the regulations." *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term, 2016).

In Baltimore County, the law regarding nonconforming uses is set forth in BCZR, §104.1, and provides:

A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these regulations, provided that upon any change from such nonconforming use to any other use whatsoever or any abandonment or discontinuance of such nonconforming use for a period of one year or more, the right to continue or resume such nonconforming use shall terminate.

The definition of non-conforming use in BCZR, §101.1 is:

NONCONFORMING USE — A legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such a use. A specifically named use described by the adjective "nonconforming" is a nonconforming use.

BCZR, §104.3 prohibits the extension of a nonconforming building or use:

§104.3 Limit on extension of nonconforming buildings and uses; exception.

No nonconforming building or structure and no nonconforming use of a building, structure or parcel of land shall hereafter be extended more than 25 percent of the ground floor area of the building so used. This provision does not apply to structures or uses restored pursuant to Section 104.2, except as authorized by the Zoning Commissioner pursuant to Section 307.

In regard to the issue of whether a nonconforming use has been extended or intensified, the Supreme Court of Maryland in *Phillips v. Zoning Com'r of Howard County*, 169 A.2d 410, 225

Md. 102, 109-110 (Md. 1961), cited 1 Yokley, *Zoning Law and Practice*, § 153; 2 Rathkopf, *Law of Zoning and Planning*, § 59-1; and *Colati v. Jirout*, 1946, 186 Md. 652, 47 A.2d 613 for the principle that the spirit of the underlying zoning regulations is to restrict, rather than increase nonconforming uses. The Supreme Court of Maryland relied on 101 C.J.S. Zoning §189 in holding that the question as to what is an extension or enlargement of a nonconforming use is ordinarily one of fact, and in determining it, the question in each case must stand on its own facts. (*Id.* at 109).

The Court in *Phillips* wrote that the courts generally disapprove--as a substantial departure from a vested nonconforming use--a change from one use to another. The rule in Maryland, which began with *Chayt v. Zoning Appeals Board*, 177 Md. 426, 9 A.2d 747 (1939), and has continued through a series of cases ending with *Boulevard Scrap Co. v. City of Baltimore*, 213 Md. 6, 7, 130 A.2d 743 (1957), holds that a change from one nonconforming use, to a new and different one, constitutes an impermissible extension of the use.

Citing *Phillips*, *supra*, the Supreme Court of Maryland in *Feldstein v. LaVale Zoning Bd.*, 246 Md. 204, 210-211, 227 A.2d 731 (Md. 1967), explained, the question of whether there is an extension or an intensification of a vested nonconforming use, is typically governed by the provisions of the local ordinances and regulations, and, while an intensification is permissible, an extension is not. The Court in *Feldstein*, citing *Green v. Garrett*, 192 Md. 52, 63 A.2d 326 (1949) and *Nyburg v. Solmson*, 205 Md. 150, 106 A.2d 483, 46 A.L.R.2d 1051 (1954), held that while a nonconforming use should not be extended or perpetuated longer than necessary, the more frequent and present use of property, for the same or a similar use than that for which it had been used less frequently, was held to be an intensification, and not an extension. (Cf. *Jahnigen v. Staley*, Md., 225 A.2d 277 (1967)). As applied in the case of *County Comm'rs of Carroll County v. Zent*, 86

Md. App. 745, 587 A.2d 1205 (1991), the Appellant Court of Maryland held that the increase in the number of non-working trucks stored for repair parts on a property used by a milk trucking company constituted a permissible 'intensification' and not an impermissible 'extension.'

The Appellate Court of Maryland in *McKemy v. Baltimore County*, 39 Md. App. 257, 269-270, 385 A.2d 96 (Md. App. 1978), identified 4 factors (commonly referred to as 'The *McKemy* Doctrine') to be considered in deciding whether the current activity is an extension or intensification:

- (1) to what extent does the current use of these property reflect the nature and purpose of the original non-conforming use;
- (2) is the current use merely a different manner of utilizing the original non-conforming use or does it constitute a use different in character, nature, and kind;
- (3) does the current use have a substantially different effect upon the neighborhood;
- (4) is the current use a "drastic enlargement or extension" of the original non-conforming use.

As it is undisputed in the evidence presented that the existing structure on the subject property and its continued use as a residential dwelling since 1922 has vested its non-conforming use and there is no plan for any further intensification if same. For the reasons set forth herein, the Petition for Special Hearing to approve the nonconforming use as a residence on a 50 ft. wide lot, with 9 ft. and 19 ft. side-yard and front-yard setbacks, respectively will be approved.

## VARIANCES

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

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

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

Although it has already been determined that the existing structure on the subject property is a vested non-conforming use, alternatively, I find that the subject property is unique from other properties in the Douglass Park Plat, in that its construction predates the plat itself and appears to be situated closer to the road than neighboring properties. I also find that if variance relief is denied, Petitioner will experience a practical difficulty. Accordingly, the requested variance relief will be granted.

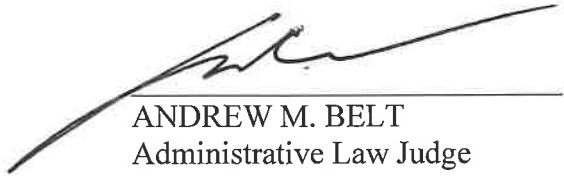
IT IS THEREFORE ORDERED this 12<sup>th</sup> day of **March, 2025** by this Administrative Law Judge, that the Petition for Special Hearing from the BCZR, Section 500.7 to allow an existing single family detached dwelling on a separate non-conforming lot of record with insufficient setbacks as shown on the plan to accompany petitions for zoning relief, and it is hereby, **GRANTED** and,

IT IS FURTHER ORDERED, that the Petition for Variance from the BCZR Section 1B02.3.C (small lot table) to allow a lot width of 50 ft., in lieu of the required 55 ft, to allow a side setback as little as 9 ft., in lieu of the required 10 ft. and to allow a front yard setback of 19 ft., in lieu of the required 25 ft. is **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. The Site Plan (Pet. Ex. 1), a copy of which is attached hereto, is incorporated herein.

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

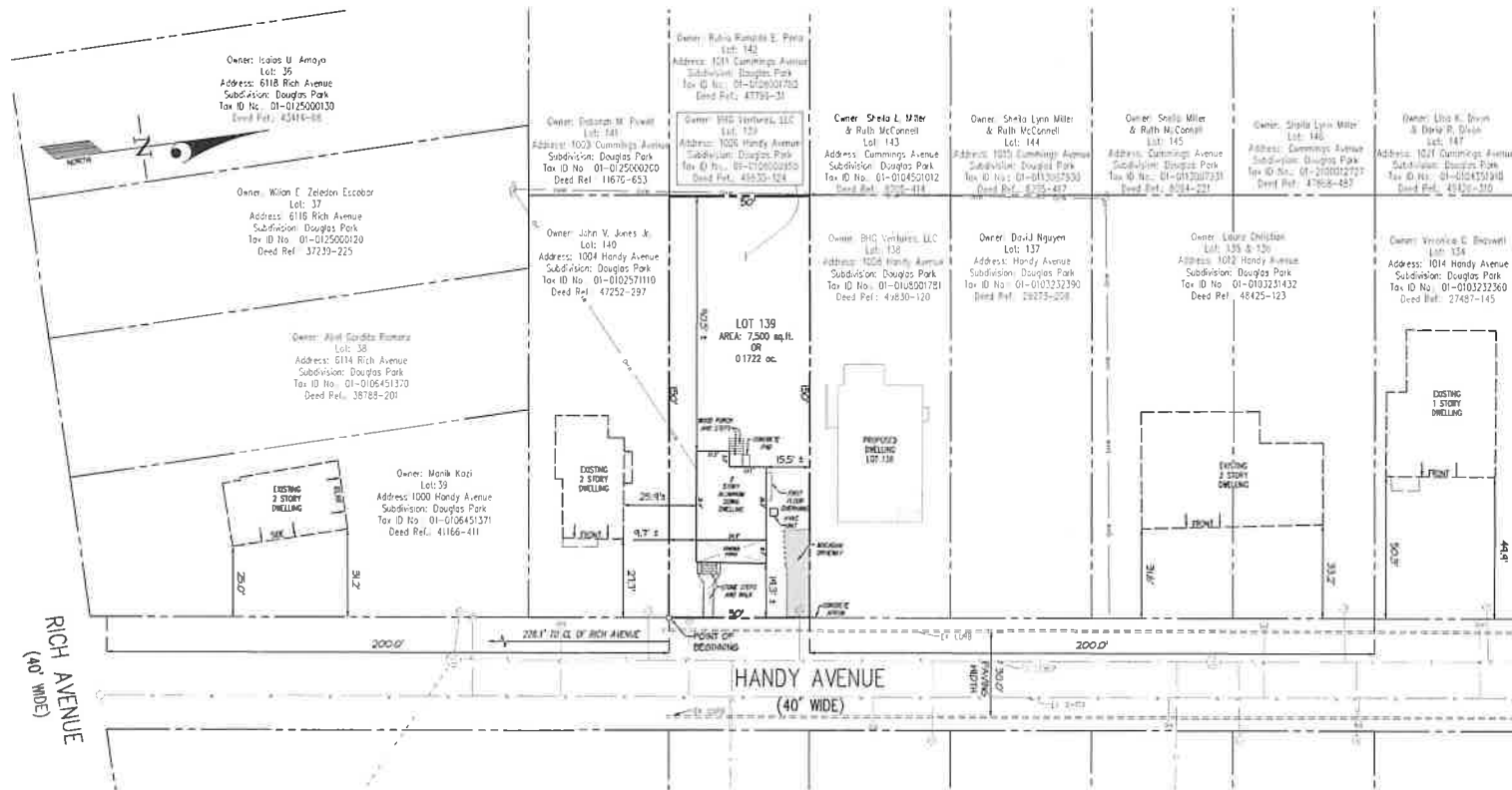
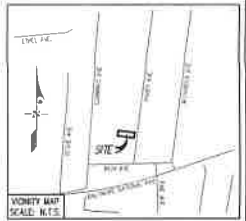


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ANDREW M. BELT  
Administrative Law Judge  
for Baltimore County

AMB/dlm

Zoning Hearing Plan for Variance (X) for Special Hearing (X) Mark Type Required with (X)  
 Address 1006 Handy Avenue Owner(s) Name(s) BHG Ventures, LLC  
 Subdivision Name Douglas Park Lot# 139 Block# N/A Section# N/A  
 Plat Book# WPC 7, Folio# 170, 10 Digit Tax# 0108000950, Deed Reference# 49830-124



Zoning Map # 094C3  
 Zoning DR 5.5  
 Election District 1st  
 Council District 1st  
 Lot Area Acreage 0.1722 ac.  
 Lot Square Footage 7,500 sq.ft.  
 Historic (Yes or No) No  
 CBCA (Yes or No) No  
 Flood Plain (Yes or No) No  
 Utilities - Mark with (X)  
 Water is:  
 Public  Private   
 Sewer is:  
 Public  Private   
 Prior Hearing (Yes or No) No  
 If (Yes) list Case Number(s)  
 and order result(s) below:

Violation Case Number(s)



Petitioner's  
 Exhibit 1

PLAN TO ACCOMPANY  
 ZONING PETITIONS  
 LOT 139  
 "DOUGLAS PARK"  
 DATE: JANUARY 31, 2025



KATHERINE A. KLAUSMEIER  
*County Executive*

C. PETE GUTWALD, AICP  
*Director, Department of Permits,  
Approvals and Inspections*

## NOTE TO FILE

Administrative Law Judge,

RE: Handy Ave and 1006 Handy Ave (Tax No's. 0108001781 and 0108000950)

Case No's 2025-0010-SPHA and 2025-0011-SPHA

The Petitioner is requesting multiple variances. One of the variances is to allowed a 50 ft lot width in lieu of the required 55 ft lot width.

It is the opinion of the Zoning Office that a ruling be made to determine if the two properties have been merged due to the garage and the driveway built over the property line, therefore combining the properties into one. In addition, the existing dwelling at 1006 Handy Ave is using 5 ft of the Handy Ave vacant lot to meet the 55 ft lot width requirement. A deficiency in the existing lot may not be created when creating a new lot for the purpose of construction.

There is also a question regarding the Maryland State Tax Assessments (SDAT) and the recorded deed. The Property Land Area and the Legal Description do not match the submitted site plans for both cases. It is the opinion of the Zoning Office that the site plan be revised to show the properties accurately prior to a decision by the Administrative Law Judge.

Thank You

Christina Frink  
Zoning  
410-887-3391



# PETITION FOR PUBLIC HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections  
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 1006 Handy Ave Currently Zoned DR 5.5  
Deed Reference 49830 / 00124 10 Digit Tax Account # 0108000950  
Owner(s) Printed Name(s) BHG VENTURES LLC

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

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

Please see attached.

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

3.  a **Variance** from the Zoning Regulations of Baltimore County Section(s)

Please see attached.

4.  a **Floodplain Management Variance** from Baltimore County Code Section(s)

for the following reasons: (For Variance items 3 or 4 above, indicate below what is unique about your property resulting in 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 and indicate "SEE ATTACHED" below)

## TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the Zoning Regulations or County Code.  
I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the Zoning Regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County or bound by the Floodplain Management laws of the Baltimore County Code.  
**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:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

### Legal Owners (Petitioners):

BHG VENTURES LLC  
Name #1 - Type or Print \_\_\_\_\_ Name #2 - Type or Print \_\_\_\_\_  
Signature #1 \_\_\_\_\_ Signature #2 \_\_\_\_\_  
3919 National Drive Ste 310 \_\_\_\_\_ Burtonsville MD  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
20866 \_\_\_\_\_ (301) 476-7700 \_\_\_\_\_  
Zip Code \_\_\_\_\_ Telephone #'s (Cell and Home) \_\_\_\_\_ Email Address \_\_\_\_\_

### Attorney for Petitioner:

Lawrence E. Schmidt  
Name - Type or Print \_\_\_\_\_  
Signature Lawrence E. Schmidt  
600 Washington Ave Ste 200 Towson MD  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
21204 \_\_\_\_\_ (410) 821-0070 \_\_\_\_\_ lschmidt@sgs-law.com  
Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

### Representative to be contacted:

Lawrence E. Schmidt  
Name - Type or Print \_\_\_\_\_  
Signature Lawrence E. Schmidt  
600 Washington Ave Ste 200 \_\_\_\_\_ Towson MD  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
21204 \_\_\_\_\_ (410) 821-0070 \_\_\_\_\_ lschmidt@sgs-law.com  
Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

Case Number 20250010 SP4A Filing Date 1/16/2025 Do Not Schedule Dates \_\_\_\_\_ Reviewer CP

ATTACHMENT TO PETITION FOR PUBLIC HEARING(S)

1006 Handy Avenue  
1<sup>st</sup> Councilmanic District  
7<sup>th</sup> Election District

Variances from BCZR Sec. 1B02.3.C (Small lot table) as follows:

1. To allow a lot width of 50 feet in lieu of the required 55 feet.
2. To allow a side yard setback as little as 9 feet in lieu of the required 10 feet.
3. To allow a front yard setback of 19 feet in lieu of the required 25 feet.
4. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Special Hearing Relief:

1. To allow an existing single family detached dwelling on a separate non-conforming lot of record with insufficient setbacks as shown on the plan to accompany these petitions for zoning relief.
2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

2025-0010-SATA



## LOT 139

### ZONING DESCRIPTION

Zoning description for: #1006 Handy Avenue

Beginning at a point on the west side of Handy Avenue which is 40 feet wide at a distance of 226.1 feet north of the centerline of the nearest improved intersecting street Rich Avenue which is 40 feet wide.

### PROPERTY DESCRIPTION

(SUBDIVISION LOT – LOT IS PART OF A RECORD PLAT)

Being Lot # 139, (No designated block or section numbers) in the subdivision of “Douglas Park” as recorded in Baltimore County Plat Book # WPC 7, Folio # 170, containing 7,500 square feet or 0.1722 ac. Located in the 1<sup>st</sup> Election District and the 1<sup>st</sup> Council District.

**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: 2025-0010-SPHA  
Property Address: 1006 Handy Avenue  
Legal Owners (Petitioners): BHG Ventures LLC  
Contract Purchaser/Lessee: \_\_\_\_\_

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): BHG Ventures LLC  
Address: 3919 National Drive Suite 310  
Burtonsville, MD 20866  
\_\_\_\_\_  
Telephone Number: (301) 476-7700

\*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Silver Title, LLC  
File No. 2024-654  
Tax ID # 01-01-08-000950  
01-01-08-001781

Recordation Taxes are based on a Purchase Price of \$269,000.00 pursuant to an Assignment of Contract.

LR - Deed (w Taxes) 1,405.00  
Recording only \$120.00  
Name: BHG VENTURES, LLC  
Ref: 08/17/2024 09:34  
LR - Deed (with Taxes) 402.00  
Surcharge  
LR - Deed State  
Transfer Tax 1,349.00  
LR - M. Tax - 1kd 2.00  
SubTotal: 1,405.00  
Total: 1,524.00  
#18205409 CC03-SLF  
Baltimore  
County/CC03.01.15 -  
Register 15

**This Deed**, made this 17th day of May, 2024, by and between Carrie M. Ward, Howard N. Bierman, Jacob Geesing, Richard R. Goldsmith, Jr., Elizabeth C. Jones, Nicholas Derdock, Andrew J. Brenner, Christopher Robert Selig, Philip Shriver, Eric VandeLinde and Daniel Dreifuss, Substitute Trustees, party of the first part, Grantor; and BHG Ventures, LLC, a Maryland Limited Liability Company, party of the second part, Grantee.

**Whereas**, by virtue of a Deed of Appointment of Substitute Trustees dated October 12, 2023 and recorded among the Land Records of Baltimore County in Liber JLE No. 48464, folio 274, the said Carrie M. Ward, Howard N. Bierman, Jacob Geesing, Richard R. Goldsmith, Jr., Elizabeth C. Jones, Nicholas Derdock, Andrew J. Brenner, Christopher Robert Selig, Philip Shriver, Eric VandeLinde and Daniel Dreifuss were appointed Substitute Trustees to make the sale of the hereinafter described property, and any of whom may individually exercise all of the powers therein conferred per the terms thereof.

**Whereas**, default having occurred under the terms of certain Home Equity Conversion Deeds of Trust from Herbert M. Hallmon, Sr. and Mary L. Hallmon to RGS Title and Senior Official with responsibility for Single Family Mortgage Insurance Program in the Department of Housing and Urban Development Field Office, Trustees, dated August 19, 2008 and recorded in Liber SM No. 27325, folios 540 and 555, among the Land Records of Baltimore County, the said Substitute Trustees, in the exercise of the power of sale conferred in said Deed of Trust, and pursuant to the foreclosure proceeding filed in the Circuit Court of Baltimore County, Case No. C-03-CV-23-004561, after first having posted bond for the faithful performance of their trust and after having given notice of the time, place, manner and terms of sale in The Daily Record, a newspaper published in Maryland, did, on March 7, 2024 at public sale held as advertised and reported to the Court, sell the property described in said Deed of Trust to Omid Land Group LLC, for the sum of \$249,000.00, it being the highest and best bidder thereof, and the receipt of which is hereby acknowledged by the Substitute Trustees; and,

**Whereas**, on May 13, 2024, an Order Substituting Purchaser was granted, wherein BHG Ventures, LLC was named the Substitute Purchaser; and

**Whereas** said sale has been duly reported, ratified and confirmed by the Circuit Court for Baltimore County, by Order dated April 30, 2024 the purchase money of \$249,000.00 aforesaid having been fully paid and satisfied to the Substitute Trustees, said Substitute Trustees are now authorized to execute these presents.

**- Witnesseth -**

**That in consideration** of the sum of TWO HUNDRED FORTY NINE THOUSAND AND 00/100 DOLLARS (\$249,000.00), the receipt whereof is hereby acknowledged, the said Grantor do hereby grant and convey to **BHG Ventures, LLC, a Maryland Limited Liability Company**, its successors and assigns, in fee simple, all that lot of ground situate in Baltimore County, Maryland, and described as follows, that is to say:

BEING, KNOWN AND DESIGNATED as Lot No. 142 and northernmost half of Lot No. 138 on the Plot of Douglas Park, recorded among the Land Records of Baltimore County in Liber JLE No. 48464, folio 274.

*Recapture Homestead Credit  
No Ratification Order Received*

**REVIEWED SDAT**  
*BT* *6/12/24*  
DATE

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 49124, p. 0483, MSA\_CE62\_48981. Date available 06/20/2024. Printed 01/16/2025.

BEING ALSO KNOWN AND DESIGNATED as Lot No. 139 and the southernmost twenty five feet of Lot No. 138 on the west side of Handy Avenue north of Rich Avenue as shown on the Plat of Douglas Park recorded among the Land Records of Baltimore County in. Liber WPC No. 7, folio 170.

For informational purposes only:

THE IMPROVEMENTS thereon being known as No. 1006 Handy Avenue, Baltimore, Maryland 21228.

Tax ID No. 01-01-08-000950 & 01-01-08-001781

**To Have and To Hold** the said tract of ground and premises unto, and to the proper use and benefit of, the said **BHG Ventures, LLC, a Maryland Limited Liability Company**, its successors and assigns, in fee simple.

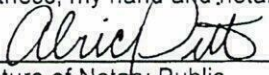
**In Witness Whereof**, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

 (SEAL)  
**Jacob Geesing**  
Acting for all Substitute Trustees

STATE OF Maryland  
CITY/COUNTY OF Montgomery, to wit:

I hereby certify that on the 17 day of May, 2024, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared **Jacob Geesing**, acting on behalf of all the Substitute Trustees, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and made oath in due form of law that the matters and facts set forth herein are true.

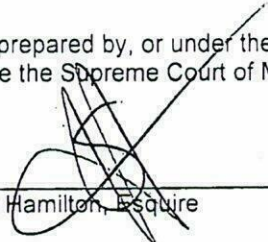
As witness, my hand and notarial seal.

  
Signature of Notary Public

**Abrie E. Pitt**  
NOTARY PUBLIC  
MONTGOMERY COUNTY  
MARYLAND  
MY COMMISSION EXPIRES 04/12/2028

My Commission Expires: 4/12/2028

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 Supreme Court of Maryland.

 (SEAL)  
Steven Hamilton, Esquire

AFTER RECORDING, PLEASE RETURN TO:  
**BHG Ventures, LLC**  
3919 National Drive  
Burtsonville, Maryland 20866

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 49124, p. 0484, MSA\_CE62\_48981. Date available 06/20/2024. Printed 01/16/2025.

**State of Maryland Department of Assessments and Taxation Intake Sheet**  
 Baltimore City  County: Baltimore  
 Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.  
 (Type or Print in Black Ink Only - All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording/Validation

**1 Type(s) of Instruments** (  Check Box if addendum Intake Form is Attached.)  
 Deed  Mortgage  Other \_\_\_\_\_  
 Deed of Trust  Lease  Other \_\_\_\_\_

**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)**  
 Recordation \_\_\_\_\_  
 State Transfer \_\_\_\_\_  
 County Transfer \_\_\_\_\_  
*Foreclose*

Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only Transfer and Recordation Tax Consideration	
	Purchase Price/Consideration	\$ 269,000.00	Transfer Tax Consideration	\$ 4,035.00
Any New Mortgage	\$ 190,000.00	X ( ) % =		
Balance of Existing Mortgage	\$	Less Exemption Amount	\$	
Other:	\$	Total Transfer Tax	\$	
Other:	\$	Recordation Tax Consideration	\$	
Full Cash Value:	\$	X ( ) per \$500 =	\$ 1,345.00	
		TOTAL DUE	\$ 1,345.00	

**5 Fees**

Amount of Fees	Doc. 1	Doc. 2	Agent:
Recording Charge	\$ 60.00	\$ 115.00	RS
Surcharge	\$	\$	Tax Bill: PJ Pd
State Recordation Tax	\$ 950.00	\$	C.B. Credit:
State Transfer Tax	\$ 1,345.00	\$	Ag. Tax/Other:
County Transfer Tax	\$ 4,035.00	\$	
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: 01 Property Tax ID No. (1): 01-08-000950 \* Grantor Liber/Folio: 10888 224 Map: \_\_\_\_\_ Parcel No.: \_\_\_\_\_ Var. LOG:  (5)

Subdivision Name: \_\_\_\_\_ Lot (3a): 139 Block (3b): \_\_\_\_\_ Sect/AR (3c): \_\_\_\_\_ Plat Ref.: \_\_\_\_\_ SqFt/Acreage (4): \_\_\_\_\_

Location/Address of Property Being Conveyed (2): 1006 Handy Avenue, Baltimore, MD 21228

Other Property Identifiers (if applicable): (6) 01-08-001781 Water Meter Account No.: \_\_\_\_\_

Residential  Or Non-Residential  Fee Simple  or Ground Rent  Amount: \$ \_\_\_\_\_

Partial Conveyance  Yes  No Description/Amt. of SqFt/Acreage Transferred: \_\_\_\_\_

If Partial Conveyance, List Improvements: \_\_\_\_\_

**7 Transferred From**

Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
<u>Carrie M. Ward, et al, Substitute Trustees</u>	<u>BHG Ventures, LLC</u>
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)
<u>BHG Ventures, LLC</u>	
New Owner's (Grantee) Mailing Address	
<u>3919 National Drive, 310, Burtonsville, MD 20866</u>	

**9 Other Names to Be Indexed**

Doc. 1 - Additional Names to be Indexed (Optional)	Doc. 2 - Additional Names to be Indexed (Optional)
	<u>Greenbrier Lending LLC</u>

**10 Contact/Mail Information**

Instrument Submitted By or Contact Person

Name: Steven Hamilton  Return to Contact Person  
 Firm: Silver Title, LLC  Hold for Pickup  
 Address: 2650 Quarry Lake Drive, Suite 220  
 Baltimore, MD 21209 Phone: (443) 739-8752  Return Address Provided

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

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

**Assessment use only - Do Not Write Below This Line**

Terminal Verification	Agricultural Verification	Whole	Part	Tran. Process Verification
Transfer Number	Date Received:	Deed Reference:		Assigned Property No.:
Year: <u>20</u>	<u>20</u>	Geo.	Map	Sub
Land		Zoning	RECORDATION TAX NOT REQUIRED	Block
Buildings		Use	Director of Budget and Finance	Lot
		Town Cd.	BALTIMORE COUNTY, MARYLAND	Occ. Cd.

REMARKS: \_\_\_\_\_  
 T.P. ART 12-108  
 DOC# 2  
 Initial: [Signature]  
 Date: 6/14/2024


BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 49124, p. 0486, MSA\_CE02\_48981, Date available 06/20/2024. Printed 01/16/2025.

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

Based on the certification below, Transferor claims exemption from the tax withholding requirements of § 10-912 of Maryland's Tax General Article. Section 10-912 states that certain tax payments must be withheld when a deed or other instrument that affects a change in ownership of real property is recorded.

<b>1. Transferor Information</b>	
Howard N. Bierman, Carrie M. Ward, et. al., Substitute Trustees	
<b>2. Reason for Exemption</b>	
<b>Resident Status</b>	<input type="checkbox"/> I, Transferor, am a resident of the State of Maryland <input type="checkbox"/> Transferor is a resident entity under § 10-912(A)(4) of Maryland's Tax General Article, I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf
<b>Principal Residence</b>	<input type="checkbox"/> Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC § 121
<b>Foreclosure</b>	<input type="checkbox"/> This is a transfer of REO property acquired by the grantor in a foreclosure action and conveyed herein to a third party <input checked="" type="checkbox"/> This is a transfer of the foreclosed property from the Substitute Trustees to the secured party or a third party bona fide purchaser
<b>Other</b>	<input type="checkbox"/> This is a transfer from the U.S. of America and its instrumentalities, or the State of Maryland and its instrumentalities and/or 24 political subdivisions

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct and complete.

<b>3a. Individual Transferors</b>	
<p style="text-align: center;"><u>Abrie Pitt</u></p> <p>Witness</p>	<p style="text-align: center;"><b>Jacob Geesing</b></p> <p>Name</p> <p style="text-align: center;"></p> <p>Signature</p>
<b>3b. Entity Transferors</b>	
<p>_____ Witness/Attest</p>	<p>_____ Name of Entity</p> <p>By: _____</p> <p>_____ Name</p> <p>_____ Title</p>

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

No. **235072**

Date: 1-16-2025

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				150.00

Total: 150.00

Rec From: 1006 Handy Ave

For: 2025-0010-CPHA

DR 5.5

**DISTRIBUTION**

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

**CASHIER'S  
VALIDATION**

CP  
24-1178

HOLD TO LIGHT TO VIEW TRUE WATERMARK IN PAPER    HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED

**SMITH, GILDEA & SCHMIDT, LLC**  
IOLTA ACCOUNT  
600 WASHINGTON AVENUE, SUITE 200  
TOWSON, MARYLAND 21204

  
**First National Bank**  
60-1809/433



5837

Dec 30, 2024

PAY TO THE  
ORDER OF

**Baltimore County, MD**

**150.00**

**\*\*\* One Hundred Fifty \*\*\*\*\***

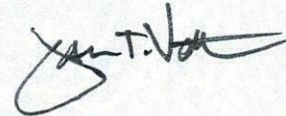
\$

**00/100**

DOLLARS

Baltimore County, MD





MEMO

AUTHORIZED SIGNATURE



**SMITH, GILDEA & SCHMIDT, LLC - IOLTA ACCOUNT**

5837

Date: Dec 30/24    Amount \$150.00

Baltimore County, MD - Zoning Petition Filing Fee

Paid to: Baltimore County, MD

Matter No. 4861-001    BHG Ventures LLC

Re: BHG Ventures, LLC - 1006 Handy Ave

Security features. Details on back.

# CERTIFICATE OF POSTING

**ATTENTION:** KRISTEN LEWIS

**DATE:** 2/17/2025

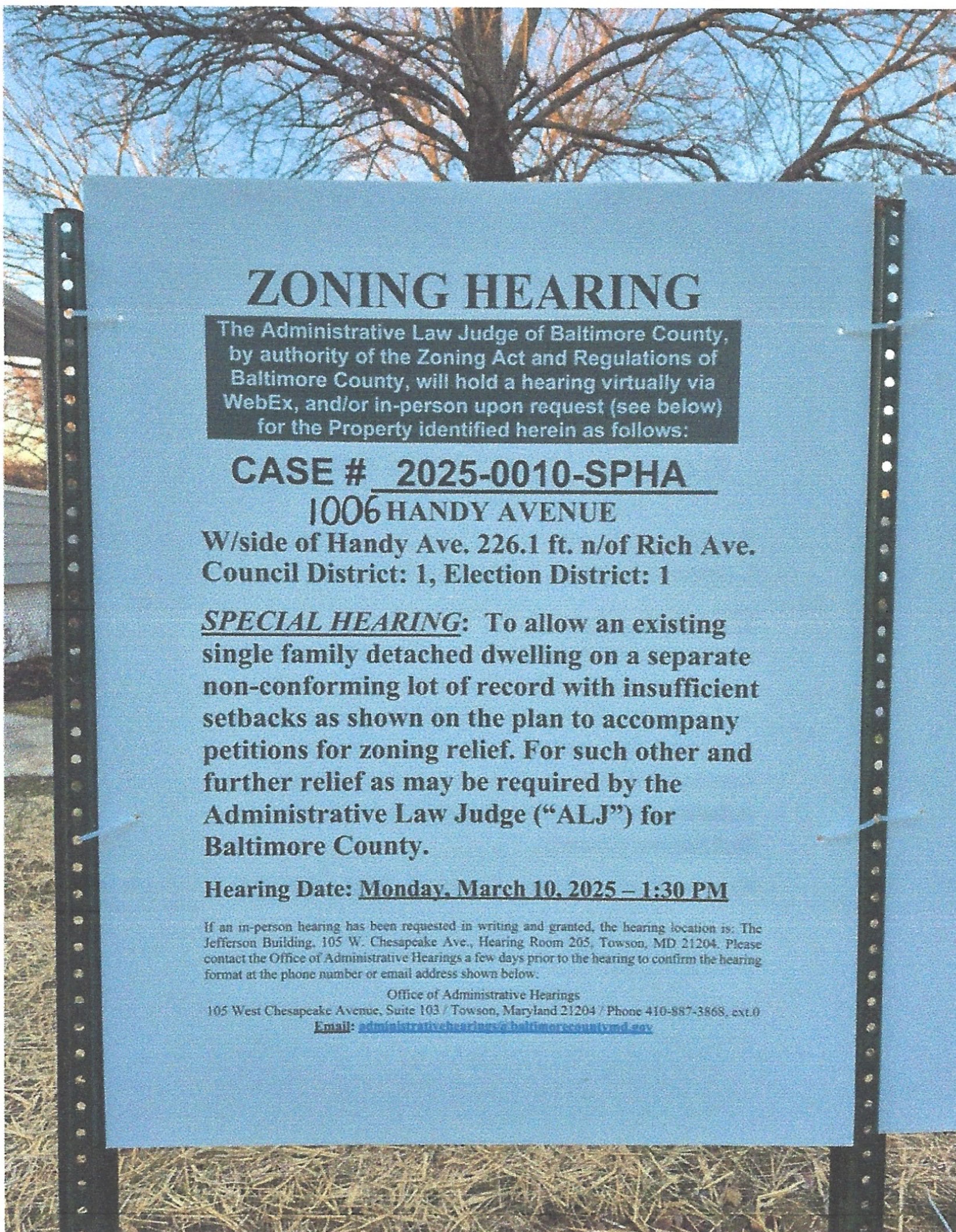
**Case Number:** 2025-0010-SPHA

**Petitioner / Developer:** SMITH, GILDEA & SCHMIDT, LLC ~  
BHG VENTURES, LLC

**Date of Hearing:** MARCH 10, 2025

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:  
1006 HANDY AVENUE

**The sign(s) were posted on:** FEBRUARY 17, 2025



Linda O'Keefe  
(Signature of Sign Poster)

Linda O'Keefe  
(Printed Name of Sign Poster)

523 Penny Lane  
(Street Address of Sign Poster)

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

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

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

**TO:** C. Pete Gutwald  
Director, Department of Permits, Approvals and Inspections

**DATE:** 2/3/2025

**FROM:** Steve Lafferty  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 2025-0010-SPHA

**INFORMATION:**

**Property Address:** 1006 Handy Avenue  
**Petitioner:** BHG Ventures LLC  
**Zoning:** DR 5.5  
**Requested Action:** Special Hearing/Variance

The Department of Planning has reviewed the petition for the following:

*Variance(s) from BCZR Sec. 1B02.3.C.(small lot table) -*

1. To allow a lot width of 50 feet in lieu of the required 55 feet.
2. To allow a side yard setback as little as 9 feet in lieu of the required 10 feet.
3. To allow a front yard setback of 19 feet in lieu of the required 25 feet.
4. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

*Special Hearing -*

1. To allow an existing single family detached dwelling on a separate non-conforming lot of record with insufficient setbacks as shown on the plan to accompany these petitions for zoning relief.
2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

The proposed site is a 0.1722-acre property zoned DR 5.5. The site is located in a predominately residential area. The applicant proposes have an undersized lot approved that is deficient in setbacks and lot width.

This site is currently improved with a residential dwelling and an accessory structure (garage that encroaches upon the neighboring property. The access is from Handy Avenue. Zoning has requested that a ruling be made to determine if the two properties, Handy Ave and 1006 handy Ave (Tax No's. 0108001781 and 0108000950), have been merged due to the garage and driveway built over the property line, thus combining the properties into one. In addition, the existing dwelling at 1006 Handy Avenue is using 5 ft of the Handy Avenue vacant lot to meet the 55 ft lot width requirement. A deficiency in the existing lot may not be created when creating a new lot for the purpose of construction. The submitted site plans for ZAC # 2025-0010-SPHA and 2025-0011-SPHA show the correction of 1006 Handy Avenue using 5ft of the adjacent property which ultimately left both properties in need of relief.

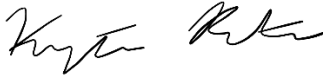
The subject property is not in contrast to the existing character of the neighborhood. All the surrounding lots are narrow and mildly deep. The existing lots create a defined, uniformed street edge and do not appear to disrupt the defined community character. If/when it is determined whether a merger has occurred, if deemed not, Planning has no issue with the continuance of a separate non-conforming lot of record coupled with the requested zoning relief. The Department of Planning does not oppose the above requests conditioned upon the following:

The Department of Planning does not oppose the above requests conditioned upon the following:

1. All required easements for encroachment of the existing garage and possibly the driveway on to the neighboring property is established and recorded unless the petitioner has plans to raze the accessory structure or alter driveway location.
2. All other Baltimore County Zoning Regulations for DR 5.5 zoned property are met.
3. Any additional relief deemed necessary by the Administrative Law Judge.

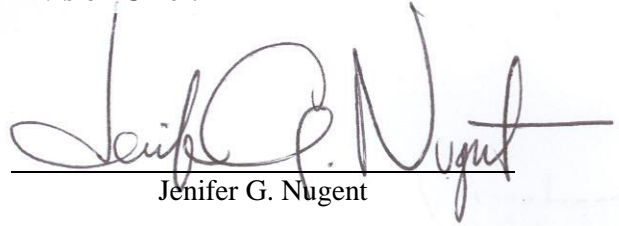
For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

**Prepared by:**



Krystle Patchak

**Division Chief:**



Jenifer G. Nugent

SL/JGN/KP

c: Lawrence E. Schmidt  
Abigail Rogers, Community Planner  
Jeff Perlow, Zoning Review  
Kristen Lewis, Zoning Review  
Office of Administrative Hearings  
People's Counsel for Baltimore County

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

**TO:** Peter Gutwald, Director  
Department of Permits, Approvals

**DATE:** January 27, 2025

**FROM:** Vishnu Desai, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
Case 2025-0010-A

*The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.*

**DPR:** No Comment.

**DPW-T:** No Exception taken.

**Landscaping:** No comment.

**Recreations & Parks:** No comment LOS & No Greenways affected.

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge  
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and  
Sustainability (EPS) - Development Coordination

DATE: January 31, 2025

SUBJECT: DEPS Comment for Zoning Item # 2025-0010-SPHA  
Address: 1006 HANDY AVENUE  
Legal Owner: BHG Ventures, LLC

Zoning Advisory Committee Meeting of January 31, 2025.

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

Additional Comments:

Reviewer: Earl D Wrenn

Real Property Data Search ( )  
 Search Result for BALTIMORE COUNTY

[View Map](#)      [View GroundRent Redemption](#)      [View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: **District - 01 Account Number - 0108000950**

**Owner Information**

Owner Name: **BHG VENTURES LLC**      Use: **RESIDENTIAL**  
 Mailing Address: **SUITE 310**      Principal Residence: **NO**  
**3919 NATIONAL DRIVE**      Deed Reference: **/49124/ 00483**  
**BURTONSVILLE MD 20866**

**Location & Structure Information**

Premises Address: **1006 HANDY AVE**      Legal Description: **LT 139 PT 138**  
**BALTIMORE 21228**      **1006 HANDY AVE**  
**DOUGLAS PARK**

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:  
 0094 0024 0096 1050082.04 0000 139 2025 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use  
 1922 1,298 SF 11,250 SF 04

StoriesBasementType ExteriorQualityFull/Half BathGarage Last Notice of Major Improvements  
 2 YES STANDARD UNITSIDING/3 1 full 1 Detached

**Value Information**

	Base Value	Value		
		As of 01/01/2025	Phase-in Assessments As of 07/01/2024	As of 07/01/2025
Land:	92,800	138,200		
Improvements	112,400	130,100		
Total:	205,200	268,300	205,200	226,233
Preferential Land:	0	0		

**Transfer Information**

Seller: HALLMON HERBERT M      Date: 06/17/2024      Price: \$269,000  
 Type: NON-ARMS LENGTH OTHER      Deed1: /49124/ 00483      Deed2:  
 Seller: HALLMAN VIOLET      Date: 12/30/1994      Price: \$0  
 Type: NON-ARMS LENGTH OTHER      Deed1: /10888/ 00224      Deed2:  
 Seller:      Date:      Price:  
 Type:      Deed1:      Deed2:

**Exemption Information**

Partial Exempt Assessments: Class      07/01/2024      07/01/2025  
 County: 000      0.00  
 State: 000      0.00  
 Municipal: 000      0.00|0.00      0.00|0.00

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:

2025-0010-SAAA

Lot # 145 0113007931

Lot # 135

0103231432

0113007930

Lot # 144

Lot # 137

2010-0257-A

0103232390

0104501012

Lot # 143

Lot # 138 Pt. Bk. 0000007, Folio 0170

0108001781

1 CD

1 ED

SW 2-G

PAI # 018018

0108001780

Lot # 142

Pt. Bk./Folio # 007170

09403 DR 5.5

Lot # 139

0108000950

PAI # 018018

Lot # 141

0125000260

Lot # 140

0102571110

1004

HANDY AVE

Lot # 37 0125000120

Lot # 38 0106451370

Lot # 39 0106451371

225-001-88A



© 2025 Google

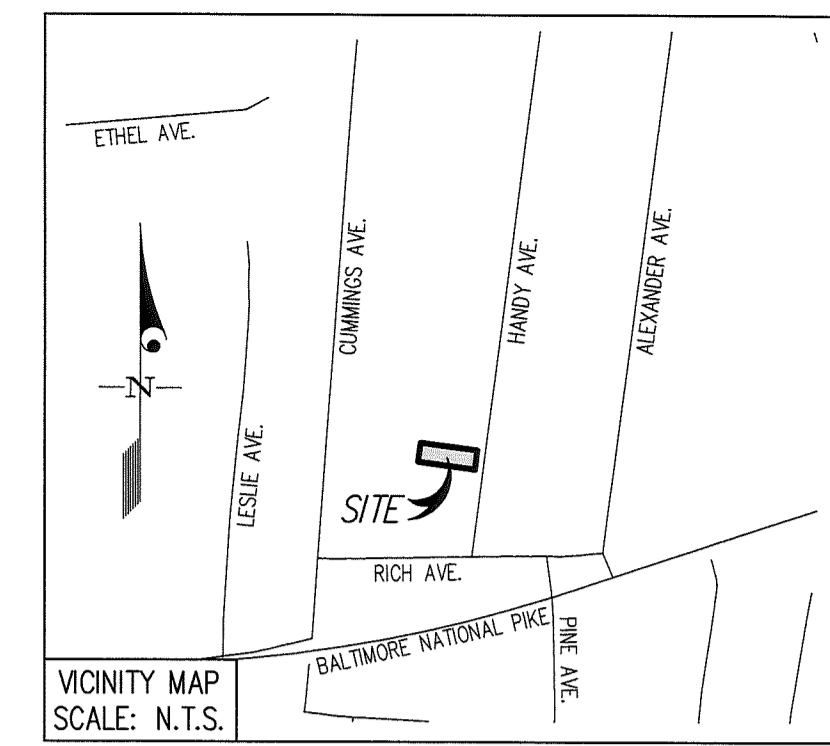
2025-0010-SAH A

Zoning Hearing Plan for Variance (X) for Special Hearing (X) Mark Type Required with (X)

Address 1006 Handy Avenue Owner(s) Name(s) BHG Ventures, LLC

Subdivision Name Douglas Park Lot# 139 Block# N/A Section# N/A

Plat Book# WPC 7 Folio# 170 10 Digit Tax# 0108000950 Deed Reference# 49830-124



Zoning Map # 094C3

Zoning DR 5.5

Election District 1st

Council District 1st

Lot Area Acreage 0.1722 ac.

Lot Square Footage 7,500 sq.ft.

Historic (Yes or No) No

CBCA (Yes or No) No

Flood Plain (Yes or No) No

Utilities - Mark with (X)

Water is:

Public  Private

Sewer is:

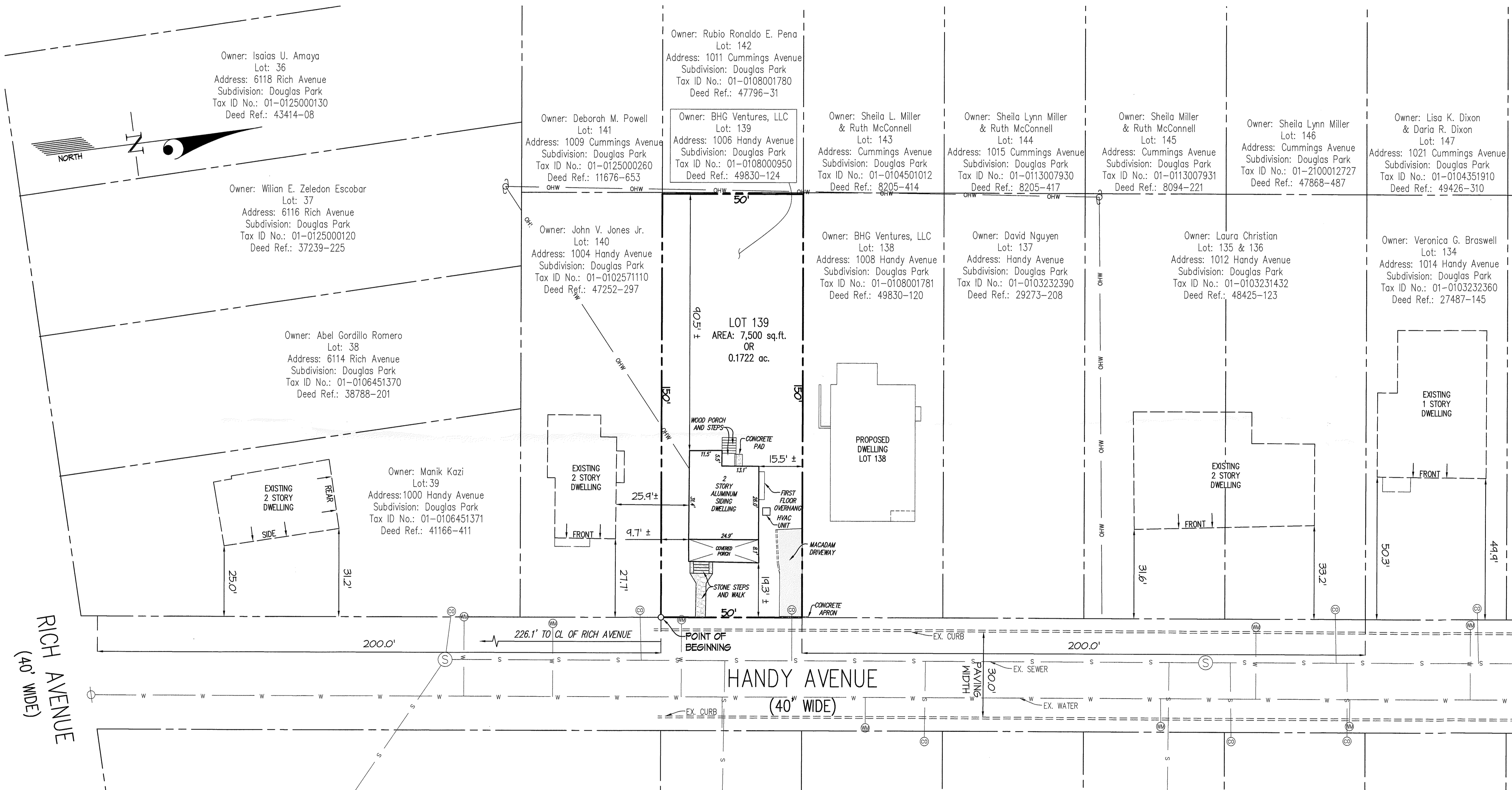
Public  Private

Prior Hearing (Yes or No) No

If (Yes) list Case Number(s)

and order result(s) below:

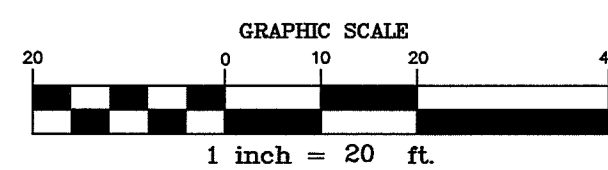
Violation Case Number(s)



S:\Survey Drawings\24100\EXHIBITS\24100 Hearing Plan.dwg  
PLOTED: 2/7/2025 11:20 AM, LAST SAVED: 2/7/2025 11:27 AM, PLOTTED BY: BBI Greening



3809 NATIONAL DRIVE | SUITE 250 | BURTONSVILLE, MD 20986 | GLWPA.COM  
PHONE: 301-421-4024 | BAL: 410-880-1820 | DC&VA: 301-889-2524 | FAX: 301-421-4186



PLAN TO ACCOMPANY  
ZONING PETITIONS  
LOT 139  
"DOUGLAS PARK"  
DATE: JANUARY 31, 2025

2025-0010-SP4A