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Date 4/2/ro
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T. Church

IN RE: PETITION FOR SPECIAL HEARING 1470' SW of intersection Priceville Road and Hunt Farms Court 8th Election District

3rd Councilmanic District
(West side Priceville Road,
north of Thornton Mill Road)

William G. Cumberland, Legal Owner and Christopher Goelet, Contract Purchaser

Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 01-060-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, William Cumberland. The Petitioner is requesting a special hearing request from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a non-density transfer of 12.32684 acres of land to Mr. Christopher Goelet, adjacent property owner, for property located at the west side of Priceville Road, north of Thornton Mill Road, which property is zoned RC 2.

Appearing at the hearing on behalf of the special hearing request were Christopher Goelet, the recipient of the non-density transfer and Ed Halle, Jr., attorney at law, representing the Petitioner. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 12.32684 acres and is part of a larger 84 acre tract of land owned by Mr. William Cumberland. Mr. Cumberland has negotiated with Mr. Christopher Goelet to transfer to him this 12.32684 acre parcel of property. The transfer in question will further agricultural purposes and will in no way be used to increase density for Mr. Goelet. Furthermore, Mr. Halle represented and submitted into evidence as Petitioner's Exhibit No. 2

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evidence that the property to be transferred pursuant to this request shall be placed into the Land Preservation Trust easement. In order for this transfer to occur, the special hearing is necessary. After considering the testimony and evidence offered at the hearing, I find that the special hearing request should be granted.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R. Therefore, permission for a non-density transfer of the 12.32684 acre parcel of land zoned RC 2 is granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13 day of September, 2000, that the Petitioner's Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a non-density transfer of 12.32684 acres of land to Mr. Christopher Goelet, adjacent property owner, for property located at the west side of Priceville Road, north of Thornton Mill Road, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case and the terms and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order and a copy of the recorded deed shall be forwarded to the Department of Permits and Development Management (PDM) for inclusion in the case file.
- 2. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

DONE 9/3/KU FOR FILING
BY F. Spara

IT IS FURTHER ORDERED, that any appeal of this decision must be filed within thirty (30) days from the date of this Order.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



Suite 405, County Courts Bldg. 401 Boslev Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

September 14, 2000

Edward A. Halle, Jr., Esquire Fowley & Beckley, P.A. Executive Plaza I, Suite 502 11350 McCormick Road Hunt Valley, Maryland 21030

> Re: Petition for Special Hearing Case No 01-060-SPH Property: West side Priceville Road,

north of Thornton Mill Road

Dear Mr. Halle:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

> Very truly yours, husty lotroes

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure







For You, For Baltimore County



Census 2000



Copies to:

Mr. William G. Cumberland 3550 Cross Creek Lane Malibu, CA 90265

Mr. Christopher Goelet 15115 Wheeler Lane Sparks, MD 21152

James Wright, Esquire Mercantile Bank Building 2 Hopkins Plaza, Suite 1800 Baltimore, MD 21202



Petition for Special Hearing to the Zoning Commissioner of Baltimore County,

The state of the s	the property located at Priceville Road RC 2
for	the property located at Priceville Road of The Priceville
	which is presently zoned RC 2
made a part hereof, hereby petition for a Spe County, to determine whether or not the Zoning	tent of Permits and Development Management. The undersigned, legal bunty and which is described in the description and plat attached hereto and social Hearing under Section 500.7 of the Zoning Regulations of Baltimore Commissioner should approve A NON Devesity Parcel (RC-2) Cumberland To Goeler (12.32694 Acres)
Property is to be posted and advertised as pres I, or we, agree to pay expenses of above Special He zoning regulations and restrictions of Baltimore Cour	earing, advertising, posting, etc. and further agree to and are to be bounded by the nty 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:	<u>Legal Owner(s):</u>
	Nilliam G. Cumberland Name - Type or Print Signature Name - Type or Print Signature Signature Signature Signature
Attorney For Petitioner:	3550 Cross Creek Lane
Adward A. Halle, Jr. Wane - Type of Print Character S	Address Malibu CA 90265 City State Zip Code Representative to be Contacted:
Bowley Beckley, P.A.	James Wright, Esquire
Address) Tele	Name
E vy	OFFICE USE ONLY
State State	ESTIMATED LENGTH OF HEARING 12HR
Case No. 01-060 -SPH	UNAVAILABLE FOR HEARING
PON GITSIAN	Reviewed By 14 Date 8/08/00

Hearbeth 059

A. L. Snyder Surveyor, Inc. 1911 Hanover Pike

Hampstead, Maryland 21074

(410) 239-7744

(410) 374-9695 phone/fax

Zoning Description Non-Density-Parcel No. 1 12.32684 Acres August 4, 2000

Starting at a point at the intersection of the centerline of Priceville Road and Hunt Farms Court, thence a bearing and distance of South 58 degrees West 1470 feet from said intersection to the point of beginning of proposed Parcel Number One; thence the following courses and distances,

- 1.) North 73 degrees 01 minutes 02 seconds West 115.47 feet,
- 2.) North 83 degrees 07 minutes 10 seconds West 241.60 feet,
- 3.) South 80 degrees 38 minutes 28 seconds West 297.62 feet,
- 4.) North 03 degrees 05 minutes 16 seconds West 607.50 feet,
- 5.) North 87 degrees 11 minutes 38 seconds East 907.55 feet,
- 6.) South 03 degrees 54 minutes 21 seconds East 486.76 feet,
- 7.) North 60 degrees 13 minutes 28 seconds West 8.84 feet.
- 8.) South 54 degrees 12 minutes 04 seconds West 314.72 feet to the point of beginning.

Containing 12,32684 acres of land, more or less.

Being a part of that parcel of land conveyed by Belfast Farms Company to William G. Cumberland by deed dated December 28, 1978 and recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 5975 folio 426 etc. Located in the Eighth Election District and Third Councilmanic District of Baltimore County, Maryland.

OI-060-SPH

FOR RECEIVED FROM: DISTRIBUTION WHITE - CASHIER DATE MISCELLANEOUS RECEIPT JLL 060 No. 083590 BALTIMORE COUNTY, MARYLAND PINK - AGENCY ACCOUNT AMOUNT \$ YELLOW - CUSTOMER K0016150 8-090-10 Receipt # 26 - 16 M CASHIER'S VALIDATION 100.00 CK .00
Daltimore bounty, Maryland 50 ZINIW URIFICATION 000%/3000 130 GS 130 GS 130 GS 7

CERTIFICATE OF POSTING

RE Case No	01-0	60 S	PH
Petitioner/Dev FowLEY	veloper. GBECKLE	Y, P.A	ES0
Date of Hearin	a	/11/00)

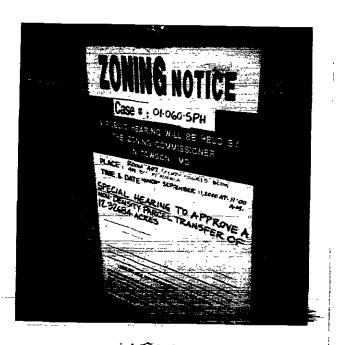
Baltimore County Department of Permits and Development Management County Office Building, Room III III West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

	•	
This letter is to certify under the pena	lties of perjury that the necessary sign(s) red	quired by law
were posted conspicuously on the pro	pperty located at	
		·
The sign(s) were posted on	8/26/00	
•	(Month, Day, Year)	

Sincerely,



PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

(Signature of Sign Poster and Date)

(City, State, Zip Code) 410-666-5366 ; CELL-410-905-8571 (Telephone Number)

HOTICE OF ZONING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in <u>Invison</u> Macyland on the property identified herein as follows:

Contract Furchaser: Christopher Goelet
topher Goelet
Special Hearing: to approve a non-density parcel
transfer of 12,32684 acres
Hearing: Monday, September 11, 2000 et 11,00
a.m. in Room 407, County
Courts Building, 401 Bos-Case: 101060-SPH 1170-SW-070-SW-070-SW-070-Intersection Priceville Road and Hunt-Farms Court Sit Election District 3rd Councilmanic District Legal Owner(s): William G. Cumberland ley Avenue

LAWRENCE E. SCHMIDT Zonling Commissioner for Battimore County
NOTES: (1) Hearings are Handlcapped Accessible; for special accommodations Please Contact the Zonling Commissioner's Office at (410) 887-4388.

(2) For information concerning the Fife and/or Hearing, Contact the Zonling Review Office at (410) 883-

8/252 Aug. 24 C414301

CERTIFICATE OF PUBLICATION

TOWSON, MD,	
8/25	
, 2000	

Towson, Baltimore County, Md., once in each of published in THE JEFFERSONIAN, a weekly newspaper published in THIS IS TO CERTIFY, that the annexed advertisement was successive

weeks, the first publication appearing on _

HE JEFFERSONIAN,

RE: PETITION FOR SPECIAL HEARING West side Priceville Road, 1470' SW of intersection Priceville Rd and Hunt Farms Ct 8th Election District, 3rd Councilmanic

Legal Owner: William G. Cumberland Contract Purchaser: Christopher Goelet Petitioner(s)

- BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 01-60-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

avole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

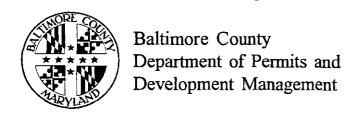
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of September, 2000 a copy of the foregoing Entry of Appearance was mailed to Edward A. Halle, Jr., Esq., Fowley & Beckley, 11350 McCormick Road, Suite 502, Hunt Valley, MD 21031, and to James Wright, Esq., 2 Hopkins Plaza, Baltimore, MD 21202, attorneys for Petitioner(s).

Peter Mary Zimmeinen
PETER MAX ZIMMERMAN



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

August 10, 2000

NOTICE OF ZONING HEARING

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

CASE NUMBER: 01-060-SPH

1470' SW of intersection Priceville Road and Hunt Farms Court

8th Election District – 3rd Councilmanic District

Legal Owner: William G. Cumberland Contract Purchaser: Christopher Goelet

Special Hearing to approve a non-density parcel transfer of 12.32684 acres.

HEARING: Monday, September 11, 2000 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon

Director

C: Edward A. Halle, Jr., Esquire, Fowley & Beckley, P.A., Executive Plaza I, Suite 502, 11350 McCormick Road, Hunt Valley, MD 21031 William G. Cumberland, 3550 Cross Creek Lane, Malibu, CA 90265 Christopher Goelet, 15115 Wheeler Lane, Baltimore, MD 21152 . James Wright, Esquire, Mercantile Bank Building, 2 Hopkins Plaza, Suite 1800, Baltimore, MD 21202

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 27, 2000.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE, FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

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

TO: PATUXENT PUBLISHING COMPANY

Thursday, August 24, 2000 Issue - Jeffersonian

Please forward billing to:

Fowley & Beckley, P.A. Executive Plaza I 11350 McCormick Road Suite 502

Hunt Valley, MD 21031

410-771-9900, ext. 106 (Edward Halle, Jr.)

NOTICE OF ZONING HEARING

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

CASE NUMBER: 01-060-SPH

1470' SW of intersection Priceville Road and Hunt Farms Court

8th Election District – 3rd Councilmanic District

Legal Owner: William G. Cumberland Contract Purchaser: Christopher Goelet

Special Hearing to approve a non-density parcel transfer of 12.32684 acres.

HEARING: Monday, September 11, 2000 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For News	paper Advertising:
Item Numb	per or Case Number: <u>01-060-874</u>
Petitioner:	Election & Cumberesad
Address or	Location: west Stok Properille Rd 1006 N. 0F Thorton Mill Rd.
PLEASE F	ORWARD ADVERTISING BILL TO:
Name:	FOWLEY & BECKLEY, P.A.
Address: _	Altorneys at Lew Executive Plaza I 11350 McCormick Fload, Suite 502 HUNT VALLEY, MD 21031
Telephone	Number: (410) 771-9900 ert 106 - Edward A. HALLE

Revised 2/20/98 - SCJ



Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

September 6, 2000

Edward A. Halle, Jr., Esquire Fowley & Beckley, PA Executive Plaza I, Suite 502 11350 McCormick Road Hunt Valley, MD 21031

Dear Mr. Halle, Jr.:

RE: Case Number: 01-060-SPH, Priceville Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 8, 2000

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.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: gdz

Enclosures

C: William G. Cumberland, 3550 Cross Creek Lane, Malibu, CA 90265 Christopher Goelet, 15115 Wheeler Lane, Baltimore 21252 James Wright, Esquire, Mercantile Bank Building, 2 Hopkins Plaza, Suite 1800, Baltimore 21202 People's Counsel



Census 2000



For You, For Baltimore County Census 2000





BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

DATE: August 30, 2000

FROM:

Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 28, 2000

Item Nos. 058, 059, 060, 061, 062, 063,

064, 065, 066, 067, 068, 069,

and

Item No. 551 (Zoning Case 00-551-A)

318 Wye Road by TAG

and

Item No. 057 (2601 Old Court Road)

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

RWB:HJO:jrb

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

August 22, 2000

Department of Permits and Development Management (PDM) County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Gwen Stephens

Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 21, 2000

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time, 8. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

058, 059, 060, 061, 064, 065, 066, 067, 068, 069,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon
FROM:	R. Bruce Seeley
DATE:	September 8, 2000
SUBJECT:	Zoning Item #060 Priceville Road/ Hunt Farms Court
Zonin	ng Advisory Committee Meeting of August 21, 2000
	Department of Environmental Protection and Resource Management has no nents on the above-referenced zoning item.
an ext	Department of Environmental Protection and Resource Management requests tension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
·	Department of Environmental Protection and Resource Management offers llowing comments on the above-referenced zoning item:
	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
	Development of this property may need to comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
_X	Agricultural Preservation: This petition can be supported. Mr. Goelet owns a large property which is under an Agricultural Easement. The addition of this acreage may be useful for the farm property.

Reviewer: Wally Lippincott Date: August 24, 2000

for all

DATE: August 21, 2000

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and' Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director; Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-058, 01-059, 01-060, 01-062 and 01-066

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief: (

AFK/JL:MAČ



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 8.21.00

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

RE:

Baltimore County

Item No. 060-

7 --

Dear, Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

P. J. Dredle

1 Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

LAND PRESERVATION TRUST, INC.

C/O MICHAEL D. HANKIN 19 SOUTH STREET BALTIMORE, MD 21202

August 15, 2000

Peter#J

Edward A. Halle, Jr., Esquire Executive Plaza I 11350 McCormick Road, Suite 502 Hunt Valley, MD 21031-1002

Re: William Cumberland Property: 12.3 acres and 4.10 acres

Dear Ned:

This is to confirm that the Board of Directors of the Land Preservation Trust, Inc. has approved acceptance of easements from Mr. Christopher Goelet and Ms. Lynn Macfarlane on the above referenced parcels should the non-density transfer be approved by Baltimore County.

Very truly yours,

Land Preservation Trust, Inc.

y: <u>/////</u>

Michael D. Hankin, Vice President

MDH/rll

