Date 3-26-57 FILING
By (SAA)

IN RE: PETITION FOR SPECIAL HEARING * B

E/S Hereford Road, 280' N c/line

York Road

(824 East Piney Hill Road)

7th Election District

3rd Council District

Premelia Decorse, et al Petitioners **BEFORE THE**

ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* BALTIMORE COUNTY

* Case No. 07-305-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Premelia E. Decorse, her son, Robert E. Decorse, Sr., and granddaughter, Christine Ann Lando. The Petitioners request a special hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an amendment (lot line adjustment, non-density transfer) of a previous subdivision and to approve the reconfiguration of two existing contiguous parcels by first transferring 8.14 acres from Parcel 306 to Parcel 278, and then transferring 28.99 acres from Parcel 278 to Parcel 306. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the request were Robert E. Decorse, Sr. and his daughter, Christine Lando, property owners. Also appearing in support of the requests were Bruce E. Doak, the surveyor who prepared the site plan for this property, and Wallace Lippincott, Land Preservation Manager, with the Department of Environmental Protection and Resource Management (DEPRM). There were no Protestants or other interested parties present.

Testimony and evidence presented revealed that the subject property consists of two

adjoining irregularly shaped parcels situated at the intersection of Piney Hill and Hereford Roads in Monkton and is one of the quintessential farms in Baltimore County. As shown on the site plan, the two parcels, both in agricultural use, are identified as Parcel 306 and 278 and contain a combined gross area of 99.84 acres, more or less, zoned R.C.2. Parcel 278 is presently improved with the Decorse family two-story home, barn and accessory agricultural buildings and Parcel 306 is unimproved. As noted above, the Petitioners propose a reconfiguration of the parcels which will be discussed following a brief history of the Decorse property as presented by Mr. Decorse.

In 1955, a 132.19-acre parcel of land was purchased by Elsworth B. Decorse and Premelia E. Decorse, which lies north and south of Piney Hill Road that bisects the property. Two parcels of land were sold to Robert E. Decorse (son of Elsworth and Premelia) in 1972 and 1988 from the original parcel. Robert E. Decorse currently resides on these two parcels of land. In 1990, Karen Decorse-Snyder (granddaughter of Premelia) and her husband Eugene J. Snyder, Jr. were conveyed as tenants by the entireties a 10.5-acre parcel of land by Premelia Decorse. Ms. Snyder currently resides on this 10.5-acre parcel of land. In 1989 and 1993, Christine Ann Lando (granddaughter of Premelia) was conveyed a similar 10.0 acre parcel of land by her grandmother. Both of these parcels were approved for subdivision by the Baltimore County Department of Environmental Protection and Resource Management (DEPRM) on November 18, 1993.

As noted above, Ms. Lando's 10-acre parcel (Parcel 306) is unimproved and is utilized for the agricultural needs of the family farm. An agreement has been made to reinstate most of the 10 acres back into the family farm by way of a conveyance from Christine Lando to Premelia Decorse and, in return, a parcel of approximately 28 acres (from Parcel 278) would be conveyed to Christine Lando by Premelia Decorse. The 28 acres being conveyed is that area shown on the site plan as

south of Piney Hill Road and is entirely wooded. This simultaneous conveyance would allow for the continuation of agricultural use on most of the 10-acre parcel and non-disturbance of a scenic vista and also allow a dwelling to be constructed by Christine Lando on the wooded parcel. Mr. Wallace Lippincott confirmed that under present existing conditions Parcel 306 contains prime and productive agricultural soils and is part of a larger field that has a high value for agricultural production. This property is also part of the valley that is a well-known scenic view shed stretching from I-83 east to the end of the adjacent property. He supports the proposal to move the building unit off this important agricultural resource and onto the alternative site. As a condition of his full support, he asks the Petitioners to agree to place the subject 10-acre parcel into a permanent conservation easement which will allow for the continued farming and restrict development which is permitted at this time. Mr. Decorse agreed and will contact Ned Halle at the Land Preservation Trust about placing the 10-acre parcel into a protective easement which will be recorded at the same time as the newly created lot is recorded. By that time, the Petitioners will have been afforded the opportunity to perform perk tests and meet all of the County's requirements to build a dwelling on the new configured Parcel 306.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. There were no adverse comments submitted by any County reviewing agency and no one appeared in opposition to the requests. As noted above, the proposal is for a non-density transfer and as such, Petitioners will not acquire any rights of subdivision. In my judgment, the conveyance will not be detrimental to the health, safety, or general welfare of the locale and entirely consistent with the R.C.2 zoning and agricultural use of the subject and adjacent properties.

Pursuant to the adverstisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this day of March, 2007, that the Petition for Special Hearing seeking approval to allow the amendment (lot line adjustment, non-density transfer) of a previous subdivision and to transfer 8.14 acres from Parcel 306 to Parcel 278 and transfer 28.99 acres from Parcel 278 to Parcel 306, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The acreage being transferred from Parcel 306 to Parcel 278 is to be placed in a permanent conservation easement with the restriction that no dwelling is to be located in the area being transferred, consistent with the agreements reached between Robert E. Decorse, Sr. and Wallace S. Lippincott, Jr.
- Within 180 days of the date of this Order, new deeds shall be recorded in the Land Records of Baltimore County referring to this case and incorporating the conditions and restrictions of this Order.
- The Petitioners shall be required to comply with the requirements of the Development Review Committee concerning the lot line adjustments under B.C.C. Section 32-4-106(a)(1)(viii).
- When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be entered within thirty (30) days of

the date hereof.

WJW:dlw

PACET MEDEL

WILMAM L WISEMAN, III

Zoning Commissioner for

Baltimore County



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

March 26, 2006

Ms. Premelia Decorse 824 East Piney Hill Road Monkton, Maryland 21111

RE: PETITION FOR SPECIAL HEARING
E/S Hereford Road, 280' N c/line York Road
(824 East Piney Hill Road)
7th Election District - 3rd Council District
Premelia Decorse, et al - Petitioners
Case No. 07-305-SPH

Dear Ms. Decorse:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Department of Permits and Development Management office at 887-3391.

Very trally yours,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw

c: Mr. Robert E. Decorse, Sr., 901 Maplehurst Lane, Monkton, Md. 21111

Ms. Christine Lando, 512 Chestwood, Red Lion, Pa. 17356

Mr. Bruce Doak, Gerhold, Cross & Etzel, Ltd.,

320 E. Towsontown Blvd., Towson, Md. 21286

People's Counsel; Wallace Lippincott, DEPRM; Case File

County Courts Building | 401 Bosley Avenue, Suite 405 | Towson, Maryland 21204 | Phone 410-887-3868 | Fax 410-887-3468 | www.baltimorecountymd.gov



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

IWe do solemnly declare and affirm, under the penalties of

for the property located at_	824	E. PINE	EY HILL	RA
which is				

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

SEE ATTACHED

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

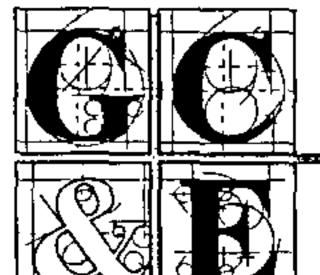
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
_Contract-Purchaser	<u>/Lessee:</u>		Legal Owner(s):
Name - Type or Print			PREMELIA DECORSE Name - Type or Print Suproduic & Delovee
Signature	_ 		Signature Wettore
Address	<u> </u>	Telephone No.	Name - Type or Print
City	State	Zip Code	Signature
Attorney For Petition	<u>ner:</u>		824 E. PINEY HILL ROAD Address Telephone No.
Name - Type or Print		<u> </u>	MONKTON, MD 2111 215-1608 City State Zip Code
Signature		<u> </u>	Representative to be Contacted:
Company	y	-	BRUCE DOAK Name
Address		Telephone No.	320 E. TOWSCHTOWN BLYD Address Telephone No.
City	State	Zip Code	TOWSOH , MD 21286 823-4470 City State Zip Code
			OFFICE USE ONLY
			ESTIMATED LENGTH OF HEARING
Case No 07-	305-SPH		UNAVAILABLE FOR HEARING
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R2V 9115198 \ate_	3-26-6		
3 V			

SPECIAL HEARING REQUESTED 824 E. PINEY HILL ROAD

TO ALLOW THE AMENDMENT (LOT LINE ADJUSTMENT, NON-DENSITY TRANSFER) OF A PREVIOUS SUBDIVISION

TRANSFER 8.14 ACRES FROM PARCEL 306 TO PARCEL 278 TRANSFER 28.99 ACRES FROM PARCEL 278 TO PARCEL 306



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

December 19, 2006

ZONING DESCRIPTION DECORSE PROPERTY 824 Piney Hill Road Baltimore County, Maryland

All that piece or parcel of land situate, lying and being in the Seventh Election District, Third Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at the intersection of the centerlines of Piney Hill Road and Hereford Road, thence 63 feet southwesterly, thence North 88°48'00" East 557.34 feet, running thence,

- 1) North 18 degrees 30 minutes 00 East 883.42 feet,
- 2) North 18 degrees 30 minutes 00 East 1054.67 feet,
- 3) North 71 degrees 11 minutes 30 West 473.08 feet,
- 4) North 47 degrees 10 minutes 00 West 205.45 feet,
- 5) South 14 degrees 53 minutes 30 West 356.30 feet,
- 6) North 78 degrees 00 minutes 18 West 1237.78 feet,
- 7) North 08 degrees 54 minutes 00 East 2320.13 feet,
- 8) South 78 degrees 04 minutes 00 East 58.00 feet,
- 9) South 41 degrees 49 minutes 00 East 910.60 feet,
- 10) North 88 degrees 48 minutes 00 East 1492.59 feet, to the point of beginning.

Containing 87.88 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

12/15/06



Gerhold, Cross & Etzel, Ltd.

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Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

December 19, 2006

ZONING DESCRIPTION DECORSE PROPERTY Piney Hill Road Baltimore County, Maryland

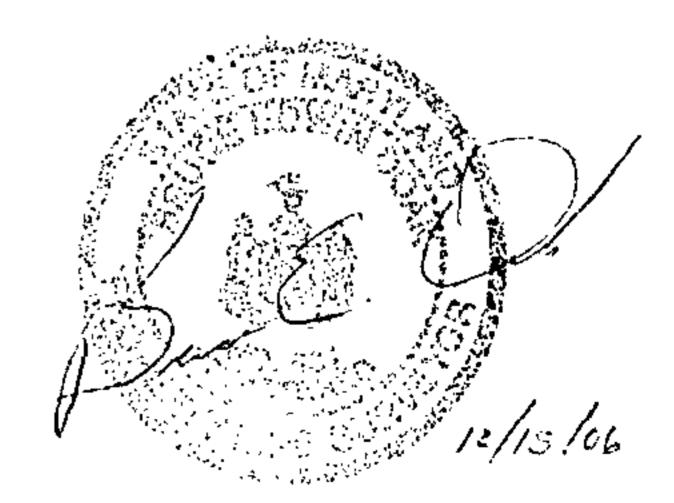
All that piece or parcel of land situate, lying and being in the Seventh Election District, Third Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at the intersection of the centerlines of Piney Hill Road and Hereford Road, thence 63 feet southwesterly, running thence,

- 1) North 88 degrees 48 minutes 00 seconds East 557.34 feet,
- 2) North 18 degrees 30 minutes 00 seconds East 883.42 feet,
- 3) North 71 degrees 30 minutes 00 seconds West 432.08 feet,
- 4) South 18 degrees 30 minutes 00 seconds West 568.46 feet,
- 5) South 26 degrees 49 minutes 00 seconds West 200.00 feet,
- 6) South 29 degrees 54 minutes 00 seconds West 266.00 feet,
- 7) South 31 degrees 28 minutes 00 seconds West 46.00 feet, to the point of beginning.

Containing 10.00 acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.



WOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore Coumty, 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: # 07-305-SPH

824 E. Piney Hiif Road,
East side Hereford Road, 280 feet north centerline York
Road

7th Election District - 3rd Councilmanic District
Legal Owner(s): Premelia Decorse
Special Hearing: to allow the amendment (lot line adjustment, non-density transfer) of a previous subdivision; transfer 8.14 acres from parcel 306 to parcel 306.
Hearing: Thursday, March 1, 2007 at 10:00 e.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

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that the annexed advertisement was published ccessive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., S THIS IS TO CERTIFY once in each of

The Jeffersonian

Arbutus Times

Times Catonsville

Towson Times

Owings Mills Times

NE Booster/Reporter

North County News

Mulling

LEGAL ADVERTISING

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CERTIFICATE OF POSTING

RE: CASE# 07-305-SPH PETITIONER/DEVELOPER: Premelia Decorse DATE OF HEARING: Thursday, March 1, 2007

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

2007

23

POSTED ON: February

LOCATION:
E. Pinev Hill

824 E. Piney Hill Road

(see page 2 for full size photo)

SIGNATURE OF SIGN POSTER

John Dill

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

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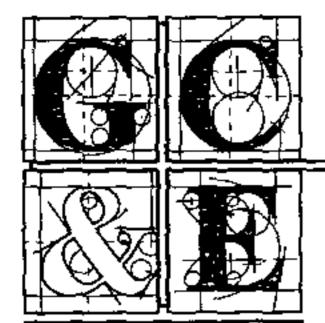
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Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE# 07-305-SPH
PETITIONER/DEVELOPER:
Premelia Decorse

DATE OF HEARING: March 1, 2007

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

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LOCATION:

824 E. Piney Hill Road

(see page 2 for full size photo)

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

POSTED ON: 2/07/07



CASE # 107-305-SPH

A PUBLIC HEARING WII

Building Room 407 County Courts

401 Bosley Avenue, Towson, MD PLACE

10:00 am Friday,

March 1

transfer from parcel 306 to parcel 278 and Special Fearing: To allow the amendment (lot line adjustment, non-density transf previous subdivision; transfer 28.99 acres from parcel 278 to



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 Newspaper Advertising:						
Item Number or Case Number: 07-305-59H						
Petitioner: Premelia Decorse						
Address or Location: 824 E. Pincy-Hill Road						
PLEASE FORWARD ADVERTISING BILL TO:						
Name: <u>Premelia De Corse</u>						
Address: 824 E. Piner Hill Read						
Monkton, MD 21111						
Telephone Number: 410-823-4470						
Name: Premelia De Corse Address: 824 E. Piney H. II Road Monkfon, MD 21111						

Jour Towsont

PLOASE PREPARE SIGHT



JAMES T. SMITH, JR. County Executive

January Mother M. Kotroco, Director

Department of Permits and

Development Management

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: 07-305-SPH

824 E. Piney Hill Road

East side Hereford Road, 280 feet north centerline York Road.

7th Election District – 3rd Councilmanic District

Legal Owner(s): Premelia Decorse

Special Hearing To allow the amendment (lot line adjustment, non-density transfer) of a previous subdivision; transfer 8.14 acres from parcel 306 to parcel 278 and transfer 28.99 acres from parcel 278 to parcel 306.

Hearing: Thursday, March 1, 2007 at 10:00 a.m. in Room 407 in the County Courts Building, 401 Bosley Avenue, Towson 21204.

July roma

Timothy Kotroco Director

TK:amf

C: Premelia Decorse 824 E. Piney Hill Road Monkton 21111

Bruce Doak Gerhold, Cross & Etzel, Ltd 320 E. Towsontowne Boulevard Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, FEBRUARY 8, 2007.

- (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.



JAMES T. SMITH, JR. County Executive

January Mort Pont Kotroco, Director
Department of Permits and
Development Management

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Timothy Kotroco Director

TK:amf

C: Premelia Decorse 824 E. Piney Hill Road Monkton 21111

Bruce Doak Gerhold, Cross & Etzel, Ltd 320 E. Towsontowne Boulevard Towson 21286

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TO: PATUXENT PUBLISHING COMPANY

Thursday, February 8, 2007 Issue - Jeffersonian

Please forward billing to:

Premelia Decorse 824 E. Piney Hill Road Monkton, MD 21111 410-823-4470

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WILLIAM J. WISEMAN III ZONING COMMISSIONER FOR BALTIMORE COUNTY

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JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

February 22, 2007

Premelia Decorse 824 E. Piney Hill Road Monkton, MD 21111

Dear Ms. Decorse:

RE: Case Number: 07-305-SPH, 824 E. Piney Hill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 3, 2007.

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:amf

Enclosures

c: People's Counsel Bruce Doak Gerhold, Cross & Etzel 320 E. Towsontowne Blvd Towson 21204

BALTIMORE COUNTY, MARYLAND

ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Inter-Office Correspondence

TO:

Development Coordination

DATE: February 28, 2007

FROM:

Wally Lippincott, Jr.

SUBJECT:

Hereford and Piney Hill Roads – 07-305 SpH

Parcel 306 contains prime and productive agricultural soils and is part of a larger field that has a high value for agricultural production. It is also part of valley that is a well known scenic viewshed stretching from I-83 east to the end of the adjacent property. A proposal to move the building unit off this important agricultural resources onto an alternative site is supported, however, the value would be short-lived if later the same land was developed. For this reason this request can be fully supported if the landowner agrees to place Parcel 278 and Lot 3 under an easement that restricts development to that which is permitted at this time.

I will make every attempt to attend the hearing to provide elaboration on these comments.

RECEIVED

FEB 2 8 2007

ZONING COMMISSIONER

Fire Department

700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 January 12, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 15, 2007-

Item Number: 296 through 299 and 301 through 306

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File

43W

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-305- Special Hearing

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

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

Prepared By

Division Chief:

CM/LL

2.7.1 3 . 2007

DATE: January 22, 2007

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: January 11, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 15, 2007 Item No. 07-305

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

We have no objection to granting the request; however, the proposed subdivision must comply with all development regulations.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 07-305-01112007.doc



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: January 8, 2007

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

RE: Baltimore County

Item No. 7-305-5PH 824 E. PINEY HILRD DECORSE PROPERTY

SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No.7-305 SPA.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours

Engineering Access Permits

Division

SDF/MB

RE: PETITION FOR SPECIAL HEARING
824 E. Piney Hill Road; E/S Hereford Road,
280' N c/line York Road
7th Election & 3td Councilmanic Districts
Legal Owner(s): Premelia Decorse
Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-305-SPH

ENTRY OF APPEARANCE

*

*

Please enter the appearance of People's Counsel 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

People's Counsel for Baltimore County

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 10th day of January, 2007, a copy of the foregoing Entry of Appearance was mailed to, Bruce E. Doak, Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

JAN 10 2007

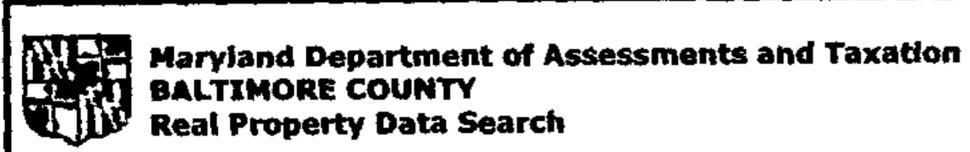
PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....



Click here for a plain text ADA compliant screen.



Go Back View Map **New Search Ground Rent**

STR

Account Identifier:

District - 07 Account Number - 0704020100

Owner Information

Owner Name:

DECORSE PREMELIA E

Sub District

Use:

AGRICULTURAL

Mailing Address:

824 E PINEY HILL RD

MONKTON MD 21111-1410

Deed Reference:

Principal Residence:

1) / 2718/ 452

YES

Location & Structure Information

Section

Premises Address

824 E PINEY HILL RD

278

Primary Structure Built

Legal Description

87.8818 AC

NS PINEY HILL RD

600 FT E HEREFORD RD

Plat No: Assessment Area Plat Ref:

Special Tax Areas

28

Map Grid Parcel

Town **Ad Valorem**

> **Tax Class Enclosed Area**

Subdivision

Property Land Area 87.88 AC

County Use

1852 **Stories**

Basement

YES

Type

Block Lot

Exterior

STANDARD UNIT

FRAME

Value Information

	Base	Value	Phase-in Ass	essments	
	Value	As Of 01/01/2005	As Of 07/01/2006	As Of 07/01/2007	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land:	50,860	130,860			INCEODED IN TAIND ANDOR
Improvements:	103,070	123,810			
Total:	153,930	254,670	221,090	254,670	
Preferential Land:	10,860	10,860	10,860	10,860	

2,816 SF

Transfer Information

Price: \$0 06/20/1955 Seller: AG USE 83-84 Date: Type: NOT ARMS-LENGTH Deed1: / 2718/ 452 Deed2:

Seiler: Date: Price: Deed2: Type: Deed1: Seller: Price: Date: Type: Deed1: Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipai	000	0	O

Tax Exempt: **Exempt Class:** NO

Special Tax Recapture: **AGRICULTURAL TRANSFER TAX**



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

September 20, 2007

William B. Dulany
Dulany Leahy & Curtis LLP
Attorneys at Law
127 East Main Street
Westminster MD 21157-5012

RE: Petition for Special Haring (824 East Piney Hill Road)
Premelia Decorse, et al - Petitioners
Case No. 07-305-SPH

Dear Mr. Dulany:

Thank you for your letter of September 17, 2007 and its attachments. In my opinion, you are living up to the spirit and intent of my Order dated March 26, 2007. I do not, however, have any statutory authority to change an Order after a 30-day period.

By copy of this letter to the Department of Permits and Development Management, where the file is kept, I am informing them that I have no objection to allowing you and your clients the time needed for final preparation and recording of the Conservation Easement Deed to satisfactorily consummate the transactions in the above-referenced matter.

Very truly yours,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:pz

c: Department of Permits and Development Management Case File

DULANY LEAHY & CURTIS LLP

ATTORNEYS AT LAW

WILLIAM B. DULANY J. BROOKS LEAHY AMBER DAHLGREEN CURTIS

127 EAST MAIN STREET WESTMINSTER, MARYLAND 21157-5012 WESTMINSTER 410-848-3333 BALTO LINE 410-876-2117 FAX LINE 410-876-0747

September 17, 2007

Mr. Bruce Doak Gerhold, Cross & Etzel, Ltd. 320 East Towsontown Boulevard, Suite 100 Towson, Maryland 21286

Re: DeCorse Property

Seventh District, Baltimore County

Piney Hill Road

Dear Bruce:

Please send copy of Plat of the properties and copy of the tax map with the property outlined to Ned Halle:

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

Thank you for your assistance in this matter.

Sincerely yours,

DULANY LEARY & CURTIS LLP

William \B. Dulany

WBD/dbe_

CC: Edward A. Halle, Jr., Esquire Mr. Robert E. DeCorsé

3/1/07

DULANY LEAHY & CURTIS LLP

ATTORNEYS AT LAW

WILLIAM B. DULANY J. BROOKS LEAHY AMBER DAHLGREEN CURTIS

127 EAST MAIN STREET WESTMINSTER, MARYLAND 21157-5012

September 17, 2007

Westminster 410-848-3333 BALTO LINE 410-876-2117 FAX LINE 410-876-0747

Mr. William J. Wiseman, III Zoning Commissioner for Baltimore County 401 Bosley Avenue, Room 405 Towson, Maryland 21204

SEP 2 0 2007

Re: Case No. 07-305-SPH - Order of March 26, 2007 <u>DeCorse Property</u>

Dear Mr. Wiseman:

The Order in the above case provides that new deeds to the above property be prepared and recorded within 180 days of your Order of March 26, 2007.

The surveys have now been completed and the land owners have executed and are prepared to record all deeds, excepting that the Deed of Conservation Easement has not yet been completed because of some requirements of the Land Preservation Trust for the document that are not yet available.

All parties have agreed to your Order, and there were no protestants and no opposition to the Petition and Order.

It is therefore respectfully requested that your Order be amended to extend for sixty (60) days the time for final preparation and recording of the Conservation Easement Deed to satisfactorily consummate the transactions.

At the time of execution of the deeds, I also had Premelia E. DeCorse, who is the owner of the subject parcel, to execute the attached "Statement-Affidavit" to confirm that she will execute the Deed of Conservation Easement when completed.

Thank you for your consideration.

Sincerely youts

Tiam B. Dulany

WBD/dbe Enc.

Edward A. Halle, Jr., Esquire CC:

Mr. Robert E. DeCorse

STATEMENT - AFFIDAVIT

THE UNDERSIGNED, PREMELIA E. DeCORSE, does hereby covenant and agree to execute a Deed of Conservation Easement when properly completed, to the 8.188 acres of land in the Seventh Election District of Baltimore County, in accordance with the provisions of the Order of the Zoning Commission of Baltimore County dated March 26, 2007 in Case No. 07-305-SPH, which land was deeded to her this 17th day of September, 2007, by her granddaughter, Christine DeCorse Lando.

In her absence or inability to execute the completed Deed of Conservation Easement, Premelia E. DeCorse does hereby authorize her son, Robert E. DeCorse, to whom she has given a Durable Power of Attorney, to execute the Deed in her behalf.

> WITNESS the hand and seal of PREMELIA E. DeCORSE day of September 2007.

this

WITNES

(SEAL)

STATE OF MARYLAND)

TO WIT:

COUNTY OF CARROLL)

ON THIS, the //th day of September, 2007, before me, a Notary Public, the undersigned officer, personally appeared PREMELIA E. DeCORSE, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained

IN WITNESS WHEREOF I/ hereunto set my

texa D. Cide

official seal.

Notary Public

My Commission expires:

PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

PETITIONER'S SICK-IN SHEET

E-MAIL	None		15/2 CAND 20181	John man of	1.			
CITY, STATE, ZIP	ROWLTON, MA 1756	10 west	Led Salman - Lot All	Dra Retuckon Boun	and while of Becomes			
ADDRESS	901 MAPLEHURSTLA	320 E. Towson 70um Bus	the appear					
NAME	Labert e. Decassis	Bauce E. Done Erest	Me Li Man					

Case No.: 07-305 - SPH 824 E. PINEY HILL RIS

Exhibit Sheet

Petitioner/Developer

Protestant

	· 	·
No. 1	Sité Plan.	
No. 2	GIS PLAT	
No. 3	ZONING MAP	
No. 4	4A-4E PHOTO Snupers	
No. 5	1-10000011	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		
		,

