

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
E side of Old York Road; 1550 feet S		
of the c/l of Markoe Road	*	DEPUTY ZONING
10 th Election District		
3 rd Councilmanic District	*	COMMISSIONER
(Old York Road, opposite Markoe)		
	*	FOR BALTIMORE COUNTY
Carole S. Demilio, trustee		
<i>Petitioner</i>	*	CASE NO. 2009-0301-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by Carole S. Demilio, trustee, on behalf of the Maher Marital Trust, the legal property owner. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for the non-density transfer of a 2.53 acre parcel to an adjoining owner (Parcel 59), and the non-density transfer of a 0.93 acre parcel to an adjoining owner (Parcel 149). The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing was Petitioner Carole S. Demilio. Resolution 29-09 concerning the public disclosure of Carole S. Demilio, Deputy People's Counsel, an employee of the Office of People's Counsel for Baltimore County, was introduced and approved at the County Council meeting held on May 4, 2009. A copy of the Resolution was marked and accepted into evidence as Petitioner's Exhibit 2. Also appearing in support of the requested relief was Bruce E. Doak with Gerhold, Cross & Etzel, Ltd., the registered property line surveyor who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

UPON RECEIVED FOR FILING
 Date 7-30-09
 By PJ

Testimony and evidence offered revealed that the subject property, as well as several properties referenced in this Order (hereinafter the "subject properties"), consist of a number of parcels that are located on the east side of Old York Road, north of Hess Road and Monkton Road, in the Monkton area of northern Baltimore County. As shown on the site plan, the subject properties are zoned R.C.2 and consist of: Parcel 59, which is an 11.76 acre parcel owned by Anne M.S. Maher. This parcel fronts on Old York Road and is improved with a 1½-story brick dwelling, a one-story brick garage, several sheds, and a block barn, along with fencing that effectively divides the property in half and separates the improved areas from pasture; Parcel 194, which is a 34.82 acre parcel owned by the Maher Marital Trust. This parcel also has frontage along Old York Road and is used entirely for farming. The parcel does have an existing gravel driveway, the importance of which will be explained in further detail, that runs from Old York Road and comes to a fork part of which veers to the right to serve as the driveway entrance for improved Parcel 59 owned by Ms. Maher, with the other part continuing straight in an easterly direction to other properties/parcels; Parcel 149, which is an 11.29 acre parcel owned by Anne M.S. Maher. This parcel is essentially unimproved and consists of a fairly dense wooded area surrounded by fencing and a large open area used for pasture.

Located within a notched area of Parcel 149 is a smaller property consisting of 1.72 acres and owned by Ms. Maher's son, Ronald L. Maher, Jr., and his wife, Margaret Howard Maher. This property is improved with a two-story wood framed dwelling and an accessory shed. Access to this property is via the aforementioned driveway. Finally, adjacent to Parcel 149 and the smaller property to the east is a large property consisting of 18.31 acres that is also owned by Ronald L. Maher, Jr. and his wife. This property is improved with a large one-story wood framed barn and an accessory shed. This property is used primarily for pasture and boarding

ORDER RECEIVED FOR FILING
Date 7-30-09
BY PZ

horses and, as such, is surrounded by fencing. These features are shown on an aerial photograph that was marked and accepted into evidence as Petitioner's Exhibit 4.

As previously indicated, the existing gravel driveway begins at Old York Road on Parcel 194. At a fork, it veers to the right onto Parcel 59 and provides access to Ms. Maher's primary residence. The driveway also proceeds east on Parcel 194 to the rear of that parcel where it again veers to the right and proceeds on each side of the property line between Parcel 149 and the 18 acre property, providing access to Parcel 149, the smaller property containing Mr. Maher's primary residence, and his 18 acre parcel that contains the horse barn and pasture. As was explained by Ms. Demilio and Mr. Doak, at this juncture, the property owners desire approval of a non-density transfer of 2.53 acres from Parcel 194 to Parcel 59, and a non-density transfer of 0.93 acre from Parcel 194 to Parcel 149. The proposed transfers are visually depicted by the large arrows on the site plan. This would enable the driveway entrance from Old York Road to Parcels 59 and 149 to be located on those parcels in fee ownership. It was further explained that with Ms. Maher getting on in years, she and her family desire to clear up any potential future ambiguities for the driveway access points by making the driveway part of each of the aforementioned parcels. These non-density transfers will achieve two particular results. First, they will confirm and better identify the farming and pasture uses of the property. Second, they will clarify and delineate ownership of the driveway access for Parcels 59 and 149, especially if the 34 acre Parcel 194 is eventually sold as a separate parcel from Ms. Maher's estate. It is also noteworthy that Mr. Doak indicated there would be no change in the uses or appearance of the parcels and there would be no transfer of density in any fashion.

The Zoning Advisory Committee comments were received and are made part of the record of this case. Comments received from the Department of Environmental Protection and

MAKER RECEIVED FOR FILING
Date 7-30-09
BY P3

Resource Management dated June 18, 2009 which indicates that development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floods. Development of the property must also comply with the Forest Conservation Regulations.

In the instant matter, I am persuaded to grant the special hearing relief. Section 1A01.1.B of the B.C.Z.R. states that the purpose of the R.C.2 zoning classification is to foster conditions favorable to a continued agricultural use of the productive agricultural areas of Baltimore County by preventing incompatible forms and degrees of urban uses. In addition, agricultural operations are afforded preferential treatment over and above all other permitted uses in R.C.2 zones. In this case, Petitioner desires to continue the current agricultural use of the subject properties, as well as horse boarding, and to keep the rural character of the entire tract, while also confirming the ownership and location of the driveway access for Parcels 59 and 149. Moreover, as noted above, there are no density or rights of subdivision being conveyed. Thus, there will be no alteration of the existing property rights of these owners or of adjacent property owners. Hence, in my judgment, Petitioner's plans are appropriate and will not be detrimental to the health, safety, or general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's request for special hearing should be granted.

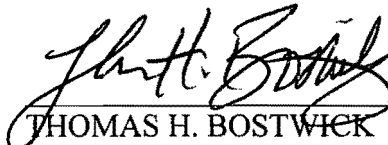
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 30th day of July, 2009 that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for the non-density transfer of a 2.53 acre parcel to an adjoining owner (Parcel 59), and the non-density

COPIES RECEIVED FOR FILING
Date 7-30-09
BY PZ

transfer of a 0.93 acre parcel to an adjoining owner (Parcel 149) be and is hereby GRANTED, subject to the following:

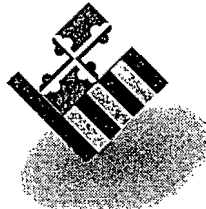
1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
3. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
4. Within one hundred twenty (120) days of the date of this Order, new deeds shall be recorded among the Land Records of Baltimore County referencing this case and incorporating the conditions and/or restrictions of this Order.
5. Petitioner shall comply with the requirements of the Development Review Committee concerning lot line adjustments under Section 32-4-106(a)(1)(viii).

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER APPROVED FOR FILING
Date 11-20-09
By PZ



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

July 30, 2009

CAROLE S. DEMILIO, TRUSTEE
301 WEST PENNSYLVANIA AVENUE
TOWSON MD 21209

Re: Petition for Special Hearing
Case No. 2009-0301-SPH
Property: Old York Road, opposite Markoe

Dear Ms. Demilio:

Enclosed please find the decision rendered in the above-captioned case.

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,

A handwritten signature in cursive script, reading "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Bruce E. Doak, Gerhold Cross & Etzel Ltd., 320 East Towsontowne Blvd., Towson MD 21286



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at OLD YORK ROAD OPPOSITE MARKOE ROAD
which is presently zoned RC2

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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

(This box to be completed by planner)

NON-DENSITY TRANSFER OF A 2.53 ACRE PARCEL TO AN ADJOINING OWNER (Parcel 59)

NON-DENSITY TRANSFER OF A 0.93 ACRE PARCEL TO AN ADJOINING OWNER (Parcel 149)

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.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Date

By

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

301 W. PENNSYLVANIA AVE. 410-825-6963
Address Telephone No.

TOWSON
City

MD
State

21209
Zip Code

Representative to be Contacted:

BRUCE E. DOAK

GERHOLD CROSS & ETZEL, LTD.
Name

320 E. TOWSONTOWN BLVD. 410-823-1470
Address Telephone No.

TOWSON
City

MD
State

21286
Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

Case No.

REV 9/15/98

2009-0301-SPH

5/18/09

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2009, Legislative Day No. 2

Resolution No. 29-09

Mr. T. Bryan McIntire, Councilman

By the County Council, May 4, 2009

A RESOLUTION concerning the public disclosure of Carole S. Demilio, an employee of the Office of People's Counsel.

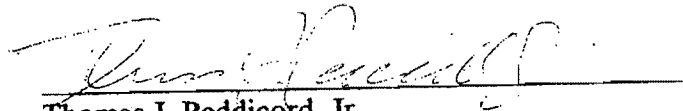
WHEREAS, Carole S. Demilio, an employee of the Office of People's Counsel, has filed a Petition for Special Hearing for a right-of-way transfer for the property at 16323 Old York Road, Monkton, Maryland 21111; and

WHEREAS, this Resolution is intended to provide full public disclosure under Section 32-1-102 of the Baltimore County Code.

NOW, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Petition for Special Hearing filed by Carole S. Demilio does not contravene the public welfare.

READ AND PASSED this 4TH day of MAY, 2009.

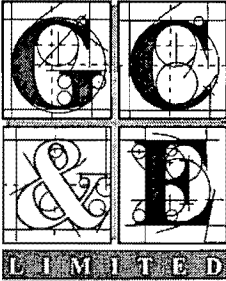
BY ORDER

A handwritten signature in cursive script, appearing to read "Tom Peddicord", is written over a horizontal line.

Thomas J. Peddicord, Jr.
Secretary

ITEM: RESOLUTION 29-09

Item #0301



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

February 27, 2009

ZONING DESCRIPTION

Ann Marie Maher, Barry Rosenthal, Carole Deilio, and Trustees Property

Tax ID: 10-13-021582

Old York Road

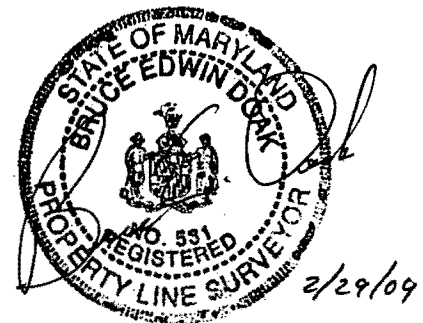
Baltimore County, Maryland

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

Beginning for the same at a point in the center of the Old York Road being Southwesterly 1550 feet more or less from the intersection of Old York Road with Markoe Road along the centerline of Old York Road and running thence,

- 1) South 71 degrees 15 minutes 00 seconds East 873.82 feet,
- 2) South 71 degrees 48 minutes 40 seconds East 731.43 feet,
- 3) South 73 degrees 46 minutes 00 seconds East 23.57 feet,
- 4) North 20 degrees 40 minutes 00 seconds East 908.40 feet,
- 5) North 70 degrees 03 minutes 40 seconds West 1,627.93 feet,
- 6) South 20 degrees 40 minutes 00 seconds West 950.59 feet to the point of beginning.

Containing 34.82 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.

Item #0301

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

No. **39807**

Date: **5/18/09**

Fund	Dept	Unit	Sub Unit	Rev	Sub	Obj	Sub Obj	Dept Obj	BS Acct	Amount
				Source/	Rev/					
001	806	0000				650				565

Total: **565**

Rec
From:

For: **Jouring hearing - case #2009-0301-SPH**

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DAY
 5/18/2009 5/18/2009 14:22:00 2
 REB WSCS WALKIN DOL DAD
 RECEIPT # 409102 5/18/2009 CFLH
 Dept 5 228 ZONING VERIFICATION
 NO. 039007
 Recpt Tot \$65.00
 \$65.00 OK \$65.00
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

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: # 2009-0301-SPH

Old York Road opposite Markoe Road

E/side of Old York Road, 1550 feet south of centerline of Markoe Road

10th Election District — 3rd Councilmanic District

Legal Owner(s): Carole Demillo, Trustee; Maher Marital Trust.

Special Hearing: to permit non-density transfer of a 2.53 acre parcel to an adjoining owner (Parcel 59) non-density transfer of a 0.93 acre parcel to an adjoining owner (Parcel 149).

Hearing: Tuesday, July 14, 2009 at 2:00 p.m. in Room 104, Jefferson Building, 105 West Chesapeake 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) 887-4386.

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

JT 6/963 June 30

204597

CERTIFICATE OF PUBLICATION

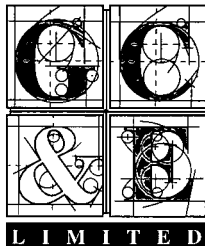
7/2, 2009

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/30, 2009.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING



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

CERTIFICATE OF POSTING

RE: CASE#2009-0301-SPH

OWNER/DEVELOPER:
Carole Demilio, Trustee, Maher
Marital Trust

DATE OF HEARING: July 14, 2009

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

(see page 2 for full size photo)

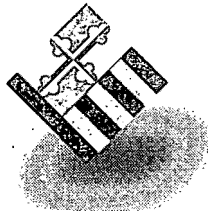
LOCATION:
Old York Road

SIGNATURE OF SIGN POSTER

Bruce E. Doak

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

POSTED ON: June 29, 2009



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

June 18, 2009
TIMOTHY 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: 2009-0301-SPH

Old York Road opposite Markoe Road

E/side of Old York Road, 1550 feet south of centerline of Markoe Road

10th Election District – 3rd Councilmanic District

Legal Owners: Carole Demilio, Trustee, Maher Marital Trust

Special Hearing to permit non-density transfer of a 2.53 acre panel to an adjoining owner (Parcel 59) non-density transfer of a 0.93 acre parcel to an adjoining owner (Parcel 149).

Hearing: Tuesday, July 14, 2009 at 2:00 p.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Carole Demilio, 301 W. Pennsylvania Avenue, Towson 21204
Bruce Doak, Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 30, 2009.**
- (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.

ZONING NOTICE

CASE # :2009-0301-SPH

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.**

PLACE: Room 104 Jefferson Building
105 W. Chesapeake Avenue, Towson 21204

TIME: Tuesday July 14, 2009

DATE : at 2:00 pm

Special Hearing to permit the non-density transfer of a 2.53 acre parcel to an adjoining owner (parcel 59) and the non-density transfer of a 0.93 acre parcel to an adjoining owner (parcel 149).

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING.
CALL 810.887.3333 THE DAY BEFORE THE SCHEDULED HEARING DATE.
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING. PENALTY OF \$100.
HEARINGS ARE HANDICAPPED ACCESSIBLE

ZONING NOTICE
This notice is posted on the property of the applicant for a zoning change. The applicant is requesting a change from the current zoning to a more appropriate zoning for the proposed use. The applicant is requesting a change from the current zoning to a more appropriate zoning for the proposed use. The applicant is requesting a change from the current zoning to a more appropriate zoning for the proposed use.

16345

16341

16339

16323

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

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 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: 2009-0301-SP4

Petitioner: CAROLE S. DEMILIO, TRUSTEE MAHER TRUST

Address or Location: Old York Road

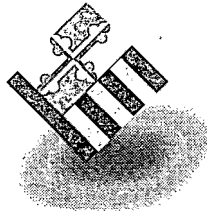
PLEASE FORWARD ADVERTISING BILL TO:

Name: CAROLE S. DEMILIO

Address: 301 W. PENNSYLVANIA AVE.

TOWSON MD 21204

Telephone Number: 410-825-6963



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

June 18, 2009
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

NOTICE OF ZONING HEARING

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E/side of Old York Road, 1550 feet south of centerline of Markoe Road

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Legal Owners: Carole Demilio, Trustee, Maher Marital Trust

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A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Carole Demilio, 301 W. Pennsylvania Avenue, Towson 21204
Bruce Doak, Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286

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TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 30, 2009 Issue - Jeffersonian

Please forward billing to:

Carole Demilio
301 W. Pennsylvania Avenue
Towson, MD 21204

410-825-6963

NOTICE OF ZONING HEARING

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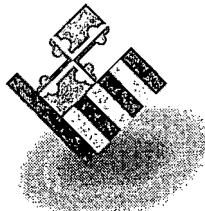
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WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
July 10, 2009
*Department of Permits and
Development Management*

Carole S. Demilio, Trustee
Maher Marital Trust
301 W. Pennsylvania Avenue
Towson, MD 21204

Dear Mrs. Demilio:

RE: Case Number 2009-0301-SPH, Old York Road opposite Markoe Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 18, 2009. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

C: Bruce Doak, GC&E, 320 E. Towsontown Blvd., Towson 21286



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

June 1, 2009

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

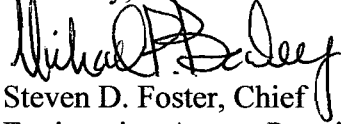
RE: Baltimore County
MD 562 (Old York RD)
Old York RD opposite Markoe RD
Carole Demilio Property
Item No. 2009-0301S-SPH

Dear Ms. Matthews:

Thank you for the opportunity to review the plan to accompany a petition for a Special Hearing for Non-Density Transfer, which was received on May 26, 2009. We have determined that the subject property has access to MD 562 (State roadway). And, as such its access does not appear to have a negative impact to the State road at this time. Therefore, based on available information this office has no objection to Baltimore County Zoning Advisory Committee approval for Item No. 2009-0301-SPH.

Should you have any questions regarding this matter, please feel free to contact Michael Bailey at 410-545-5593 or call our toll free number in Maryland only 1-800-876-4742 extension 5593. Also, you may e-mail (mbailey@sha.sate.md.us).

Sincerely,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

Cc: Mr. Dave Malkowski, Metropolitan District Engineer, SHA
Mr. Michael Pasquareillo, Utility Engineer, SHA

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



TB 7/14 2pm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: June 9, 2009

! RECEIVED

JUN 11 2009

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

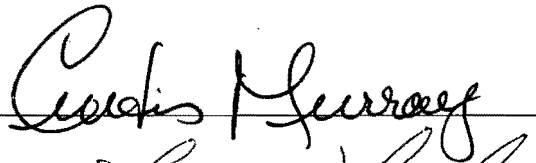
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-301- Special Hearing**

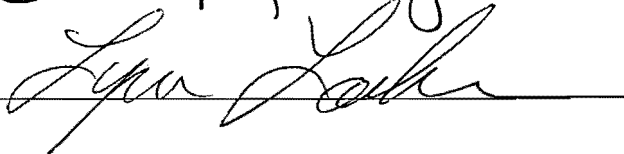
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:



Division Chief:
CM/LL



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

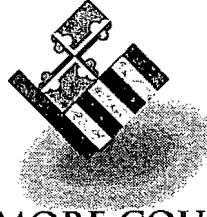
FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For June 1, 2009
Item Nos. 2009-293, 294, 295, 296,
297, 298, 299, 300 and 301

DATE: June 1, 2009

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

DAK:CEN:cab
cc: File
ZAC-06012009 -NO COMMENTS



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

June 4, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 26, 2009

Item Numbers 0293,0294,0295,0296,0297,0298,0299,0300 and 0301

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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

JUN 19 2009



ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: June 18, 2009

SUBJECT: Zoning Item # 09-301-SPH
Address Old York Road opposite Markoe Road
(Demilio Property)

Zoning Advisory Committee Meeting of May 26, 2009

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Future development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Future development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

- Thomas Panzarella; Environmental Impact Review

Additional Comments:

These properties are under a Maryland Agricultural Land Preservation Foundation easement. The County participates in the establishment, funding and inspection of these easements. Subdivision of easements is limited by the conservation easement. The request must go to the County Advisory Board and then the State Board of Trustees for approval.

-W. Lippincott, Jr.; Agricultural Preservation

Reviewer: Thomas Panzarella

Date: June 5, 2009

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
Old York Road, opposite Markoe; E/S Old		
York Road, 1,550' S c/line of Markoe Road	*	ZONING COMMISSIONER
10 th Election & 3 rd Councilmanic Districts		
Legal Owner(s): Mahor Marital Trust by	*	FOR
Carole S. Demilio		
Petitioner(s)	*	BALTIMORE COUNTY
	*	09-301-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.

RECEIVED

JUN 03 2009

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County
 Jefferson Building, Room 204
 105 West Chesapeake Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of June, 2009, 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).

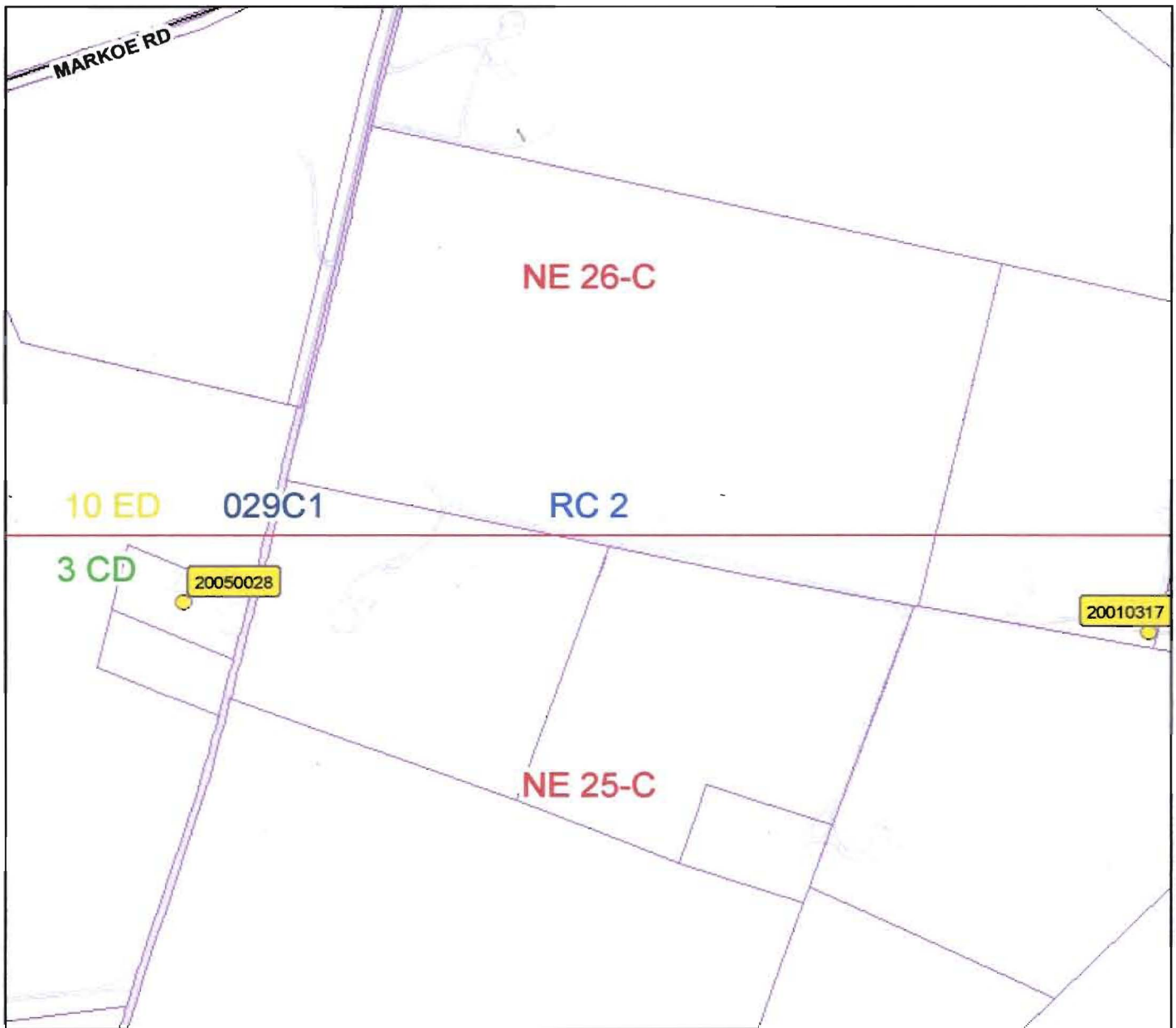
Peter Max Zimmerman

PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

CASE NAME MAJOR PROPERTY
CASE NUMBER 2009-0301-SPL
DATE 7/14/09

[illegible]

Old York Road



DQ Map Notes



Publication Date: May 18, 2009
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



400 0 400
Feet
1 inch equals 400 feet

Item #0301

Case No.:

2009-0301- A SRH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	Council Resolution for Ms. Daniels	
No. 3 A-C	Needs of the 3 properties subject of hearing	
No. 4	Aerial Photograph	
No. 5 A-V	photos of site	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



**County Council
of
Baltimore County**

Court House
Towson, Maryland 21204

410-887-3196
Fax: 410-887-5791

S.G. Samuel Moxley
FIRST DISTRICT

Kevin Kamenetz
SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

Kenneth N. Oliver
FOURTH DISTRICT

Vincent J. Gardina
FIFTH DISTRICT

Joseph Bartenfelder
SIXTH DISTRICT

John Olszewski, Sr.
SEVENTH DISTRICT

Thomas J. Peddicord, Jr.
LEGISLATIVE COUNSEL
SECRETARY

May 5, 2009

RECEIVED

MAY 06 2009

ZONING COMMISSIONER

William J. Wiseman, Esquire
Baltimore County Zoning Commissioner
The Jefferson Building
Towson, Maryland 21204

Dear Mr. Wiseman:

Attached please find a copy of Resolution 29-09 concerning the public disclosure of Carole S. Demilio, an employee of the Office of People's Counsel who has filed a Petition for Special Hearing for a right-of-way transfer for the property at 16323 Old York Road, Monkton, Maryland 21111.

This Resolution was approved by the County Council at its May 4, 2009 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
Enclosure

cc: Carole S. Demilio

PETITIONER'S

EXHIBIT NO.

2

TB 7/14
2 PM
2009-0301-
SPH

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2009, Legislative Day No. 9

Resolution No. 29-09

Mr. T. Bryan McIntire, Councilman

By the County Council, May 4, 2009

A RESOLUTION concerning the public disclosure of Carole S. Demilio, an employee of the Office of People's Counsel.

WHEREAS, Carole S. Demilio, an employee of the Office of People's Counsel, has filed a Petition for Special Hearing for a right-of-way transfer for the property at 16323 Old York Road, Monkton, Maryland 21111; and

WHEREAS, this Resolution is intended to provide full public disclosure under Section 32-1-102 of the Baltimore County Code.

NOW, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Petition for Special Hearing filed by Carole S. Demilio does not contravene the public welfare.

READ AND PASSED this **4TH** day of **MAY**, 2009.

BY ORDER

A handwritten signature in cursive script, appearing to read "Tom Peddicord, Jr.", written over a horizontal line.

Thomas J. Peddicord, Jr.
Secretary

ITEM: **RESOLUTION 29-09**



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 10 **Account Number -** 1013021582

Owner Information

Owner Name: ROSENTHAL BARRY MAHER ANNE S
 DEMILIO CAROLE S, TRUSTEES
Use: AGRICULTURAL
Principal Residence: NO
Mailing Address: 301 W PENNSYLVANIA AVE
 BALTIMORE MD 21204-4415
Deed Reference: 1) /13449/ 82
 2)

Location & Structure Information

Premises Address OLD YORK RD
Legal Description 34.82 AC SES
 OLD YORK RD
 5600 N MANOR RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
29	6	194						2	Plat Ref:

Special Tax Areas Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		34.82 AC	05

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2008	As Of 07/01/2009	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	13,050	13,050			
Improvements:	0	0			
Total:	13,050	13,050	13,050	13,050	
Preferential Land:	13,050	13,050	13,050	13,050	

Transfer Information

Seller: MAHER RONALD L	Date: 01/13/1999	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /13449/ 82	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 AGRICULTURAL TRANSFER TAX

PETITIONER'S

EXHIBIT NO.

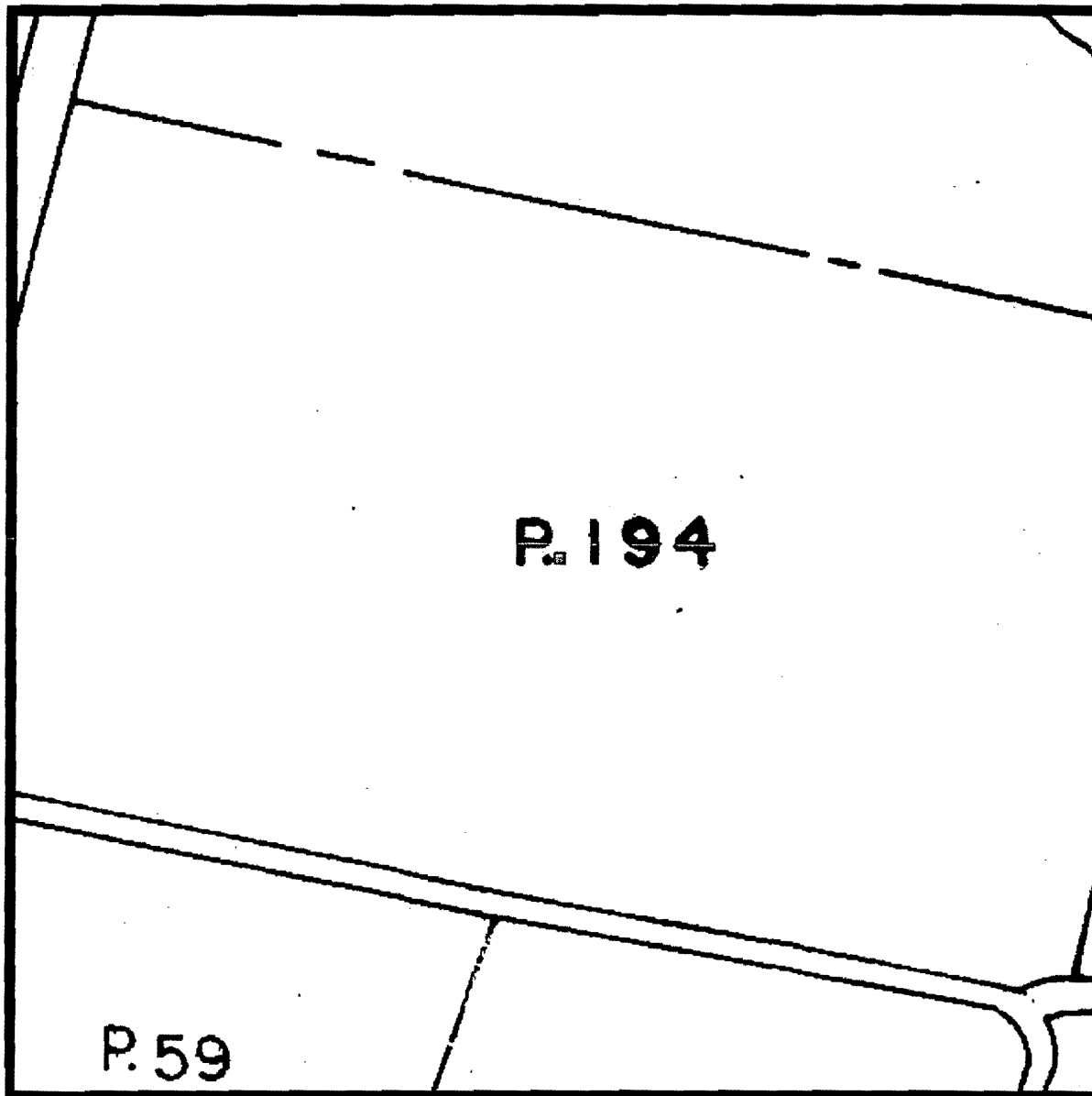
3A-C



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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District - 10 Account Number - 1013021582



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning
web site at www.mdp.state.md.us/webcom/index.html



0013449 082

No Title Search

34.82 Acres Old York Road

Map 29 Blocks 6&12 Parcel 194

THIS DEED, Made this 30th day of December, in the year one thousand nine hundred and ninety-eight, by and between Barry Rosenthal, Anne S. Maher and Carole S. Demilio, Personal Representatives of the Estate of Ronald L. Maher, late of Baltimore County, State of Maryland, of the first part, and Barry Rosenthal, Anne S. Maher and Carole S. Demilio, Trustees of the Marital Residuary Trust under the Last Will and Testament of Ronald L. Maher, of Baltimore County, State of Maryland, of the second part.

WHEREAS, Ronald L. Maher being seized of the property hereinafter described died July 31, 1997, leaving a Last Will and Testament probated in the Orphans' Court of Baltimore County in Estate No.9162 and recorded among the Wills Record of said Court in Liber 93 folio 297; and

WHEREAS, in the said Will, Ronald L. Maher appointed Barry Rosenthal, Anne S. Maher and Carole S. Demilio as Personal Representatives and they were appointed as such by the Orphans' Court;

WHEREAS, under the terms of said Will, the hereinafter described property, as part of the residuary estate, and in accordance with the decedent's express wishes in said Will, shall be distributed to the Marital Residuary Trust;

WHEREAS, the hereinafter described property was reported as so distributed in the First and Final Administration Account,

0013449 083

filed with the Orphans' Court for Baltimore County;

NOW THEREFORE THIS DEED WITNESSETH: That in consideration of Zero (\$-0-) Dollars, and pursuant to the distribution of the hereinafter described property from the Estate of Ronald L. Maher in accordance with his Will and as approved, and other good and valuable consideration, the receipt whereof is hereby acknowledged, the said Barry Rosenthal, Anne S. Maher and Carole S. Demilio, Personal Representatives as aforesaid, in execution of the power vested in them under said Will, does hereby grant and convey unto Barry Rosenthal, Anne. S. Maher and Carole S. Demilio, Trustees of the Marital Residuary Trust under the Will of Ronald L. Maher, the survivor of them, their successors and assigns, in fee simple, all that piece or parcel of land situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:

BEGINNING for the same at a point in the center of the Old York Road and at the beginning of the second line of a parcel of land which by a deed dated August 18, 1958, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3406 folio 168 was conveyed by William A. Sehlhorst, widower, to Anne Marie Sehlhorst Maher and husband and running thence with and binding on the second line of said parcel of land, ^① South 71 degrees 15 minutes East 873.82 feet to the beginning of a parcel of land which by a deed dated May 17, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R.No. 3843 folio 103 was conveyed by William A. Sehlhorst, widower, to Anne Marie Sehlhorst Maher,

② thence binding, reversely on the last line of said parcel of land, South 71 degrees 48 minutes 40 seconds East 731.43 feet to the beginning of the last line of a parcel of land which by a deed dated August 12, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4664 folio 61 was conveyed by William A. Sehlhorst and wife to Anne Marie Sehlhorst Maher and husband, thence running with and binding on a part of said last line ③ South 73 degrees 46 minutes East 23.57 feet to the beginning of the second line of a parcel of land which by a deed dated August 29, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4735 folio 10 was conveyed by William A. Sehlhorst and wife to Carol Schaffer Kees, thence running with and binding on said second line ④ North 20 degrees 40 minutes East 908.40 feet to intersect the last line of a parcel of land which by a deed dated August 19, 1966 and recorded among the Land Records of Baltimore County in Liber O.T. G. No. 4660 folio 527 was conveyed by William A. Sehlhorst and wife to Earl Alexander Welsh and wife, thence running with and binding on a part of said last line ⑤ North 70 degrees 03 minutes 40 seconds West 1627.93 feet to the beginning of said parcel of land and to the center of the Old York Road and thence binding in the center of said Road ⑥ South 20 degrees 40 minutes West 950.59 feet to the place of beginning.

Containing 34.82 Acres of Land more or less.

BEING the same property which by Deed dated December 1, 1967 and recorded among the Land Records of Baltimore County in Liber 4829 Page 182 which was conveyed by R. Carleton Sharrets, Jr.

0013449 085

Executor of the Last Will and Testament of William A. Sehlhorst to Ronald L. Maher, the said Ronald L. Maher having died on or about July 31, 1997 as aforesaid.

SUBJECT to the use of others entitled thereto of a 50 Foot Right of Way heretofore laid out adjacent to and north of the first, second and third lines of the hereinafter described parcel of land.

SUBJECT to a Right of Way 1 Rod wide for an underground cable heretofore granted by William A. Sehlhorst and wife to the American Telephone and Telegraph Company of Baltimore City by Deeds of right of way dated JANuary 4, 1944 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1324 folio 322 and 323.

SUBJECT to an agricultural easement recorded among the Land Records of Baltimore County in a deed dated December 4, 1989, in Liber 8340, folio 565.

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

TO HAVE AND TO HOLD the aforesaid property with its appurtenances, unto the said Barry Rosenthal, Anne S. Maher, Carole S. Demilio, Trustees of the Marital Residuary Trust under the Will of Ronald L. Maher, the survivor of them, their successors and assigns, in fee simple.

WITNESS the hand and seal of Barry Rosenthal, Anne S. Maher, Carole S. Demilio, Personal Representatives as aforesaid.

0013449 086

WITNESS:

Carole S. Demilio

Barry Rosenthal (seal)

Barry Rosenthal

Carole S. Demilio

Anne S. Maher (seal)

Anne S. Maher

Carole S. Demilio

Carole S. Demilio (seal)

Carole S. Demilio

Personal Representatives

of Estate of Ronald L. Maher

STATE OF Distict of Columbia COUNTY OF _____, TO WIT:

I HEREBY CERTIFY that on this 22nd day of December 1999, before me, a Notary Public for the state and city/county aforesaid, personally appeared Barry P. Rosenthal known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he/she executed the foregoing instrument and that the same is his/her act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the day and year first above written.

Linda S. Murphy
Notary Public

My Commission Expires: 11/14/99

0013449 087

STATE OF Maryland, COUNTY OF Baltimore, TO WIT:

I HEREBY CERTIFY that on this 29th day of Dec
1998, before me, a Notary Public for the state and city/county
aforesaid, personally appeared ANNE S. MAHER known to
me or satisfactorily proven to be the person whose name is
subscribed to the foregoing instrument, who acknowledged that
he/she executed the foregoing instrument and that the same is
his/her act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal,
the day and year first above written.

W. Christine Parrott

Notary Public

My Commission Expires: 5/01/01

STATE OF Maryland, COUNTY OF Baltimore, TO WIT:

I HEREBY CERTIFY that on this 31st day of Dec
1998, before me, a Notary Public for the state and city/county
aforesaid, personally appeared Carole S. Demilio known to
me or satisfactorily proven to be the person whose name is
subscribed to the foregoing instrument, who acknowledged that
he/she executed the foregoing instrument and that the same is

0013449 088

his/her act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal,
the day and year first above written.

Daniel J. Buschman

Notary Public

My Commission Expires:

June 22, 2012

ATTORNEY CERTIFICATION

THE UNDERSIGNED, an attorney admitted to practice before the
Court of Appeals of the State of Maryland, certifies that the
foregoing instrument was prepared by her or under her supervision.

Carole S. Demilio

Carole S. Demilio

State of Maryland Land Instrument Intake Sheet
Baltimore City **County:** _____

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

(Type or Print in Black Ink Only—All Copies Must Be Legible)
() Check Box if Addendum Intake Form is Attached.)

1	Type(s) of Instruments X Deed	Mortgage	Other	Other	LIN # Print or Stamp RECORDING FEE \$8.00 FILED \$0.00 KBSB DWG# POST \$ 01450 JAN 09 018 P 0100 JSA 131 1227 01450 PM
2	Conveyance Type Check Box X Improved Sale Arms-Length [1]	Lease	Unimproved Sale Arms-Length [2]	Multiple Accounts Arms-Length [3]	X Not an Arms-Length Sale [9]
3	Tax Exemptions (If Applicable) Cite or Explain Authority	Recordation State Transfer County Transfer	Distribution pursuant to will		
4	Consideration and Tax Calculations	Consideration Amount	Finance Office Use Only Transfer and Recordation Tax Consideration		
	Purchase Price/Consideration \$ -0-		Transfer Tax Consideration \$		
	Any New Mortgage \$ -0-		X() % = \$		
	Balance of Existing Mortgage \$ -0-		Less Exemption Amount = \$		
	Other: \$ -0-		Total Transfer Tax = \$		
	Other: \$ -0-		Recordation Tax Consideration \$		
	Full Cash Value \$ -0-		X() per \$500 = \$		
			TOTAL DUE \$		
5	Fees	Amount of Fees Dec. 1	Dec. 2	Agent:	
	Recording Charge \$ -0-	\$	\$	Tax Bill:	
	Surcharge \$	\$	\$	C.B. Credit:	
	State Recordation Tax \$	\$	\$	Ag. Tax/Other:	
	State Transfer Tax \$	\$	\$		
	County Transfer Tax \$	\$	\$		
	Other \$	\$	\$		
	Other \$	\$	\$		
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District 10 Property Tax ID No. (1) 10-13-02 1582 4829/152 Map 29 Parcel No. 194 Var. LOG (5)	Subdivision Name Lot (3a) Block (3b) Sect/Air(Jc) Plat Ref. SqFt/Acreage (4) 34,82 acres		
	Location/Address of Property Being Conveyed (2) S.E.S Old York Road Other Property Identifiers (if applicable)				
	Water Meter Account No.				
7	Transferred From	Residential ☒ or Non-Residential ☐ Fee Simple ☒ or Ground Rent ☐ Amount: Partial Conveyance? Yes ☒ No ☐ Description/Amnt. of SqFt/Acreage Transferred: 34.82 acres If Partial Conveyance, List Improvements Conveyed: Dec. 1 - Grantor(s) Name(s) Barry Rosenthal Anne S Maher Carol S Demilio PR representatives Dec. 2 - Owner(s) of Record, if Different from Grantor(s) Ronald L. Maher Dec. 1 - Grantor(s) Name(s) Barry Rosenthal Anne S Maher Carol S Demilio, Trustees New Owner's (Grantee) Mailing Address 206 Washington Ave Towson Md 21204 Dec. 2 - Additional Names to be Indexed (Optional) Ronald L Maher Marital Residuary Trust Dec. 3 - Additional Names to be Indexed (Optional)			
8	Transferred To				
9	Other Names to Be Indexed				
10	Contact/Mail Information	Name: Carol S Demilio Firm: Address: 206 Washington Ave Towson Md 21204 phone: (410) 825-6963 Return to Contact Person ☒ Hold for Pickup Return Address Provided			
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER				
	Assessment Information	Yes ☒ No Will the property being conveyed be the grantee's principal residence? Yes ☒ No Does 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			
	Transfer Number	Date Received			
	Year	Dec Reference			
	Land	Sq. Ft.			
	Buildings	Grid			
	Total	Parcel			
		Town Cd.			
		Sec. Bl.			
		Section			
		Occ. Cd.			
	REMARKS:				
	DISTRIBUTION: White - Clerk's Office Canary - SDAT Pink - Office of Finance Goldenrod - Preparer AOC-CC-390 (8/98)				

A CIRCUIT COURT (Land Records) [MSA CE 62-13304] SM 13449, p. 0089. Printed 02/20/2009. Online 03/08/2005.



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 10 Account Number - 1013040120

Owner Information

Owner Name: MAHER ANNE M S/A
 MAHER RONALD L **Use:** AGRICULTURAL
Mailing Address: 16323 OLD YORK RD **Principal Residence:** YES
 MONKTON MD 21111-1708 **Deed Reference:** 1) 3406/ 168
 2)

Location & Structure Information

Premises Address **Legal Description**
 16323 OLD YORK RD 11.76 AC
 ES OLD YORK RD
 5500FT N MANOR RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
29	6	59						2	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1958	3,759 SF	11.76 AC	05
Stories	Basement	Type	Exterior
2 1/2	NO	STANDARD UNIT	BRICK

Value Information

	Base Value	Value	Phase-in Assessments			
		As Of	As Of	As Of		
		01/01/2008	07/01/2008	07/01/2009		PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	122,890	152,890				
Improvements:	196,400	286,880				
Total:	319,290	439,770	359,450	399,610		
Preferential Land:	2,890	2,890	2,890	2,890		

Transfer Information

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

Exemption Information

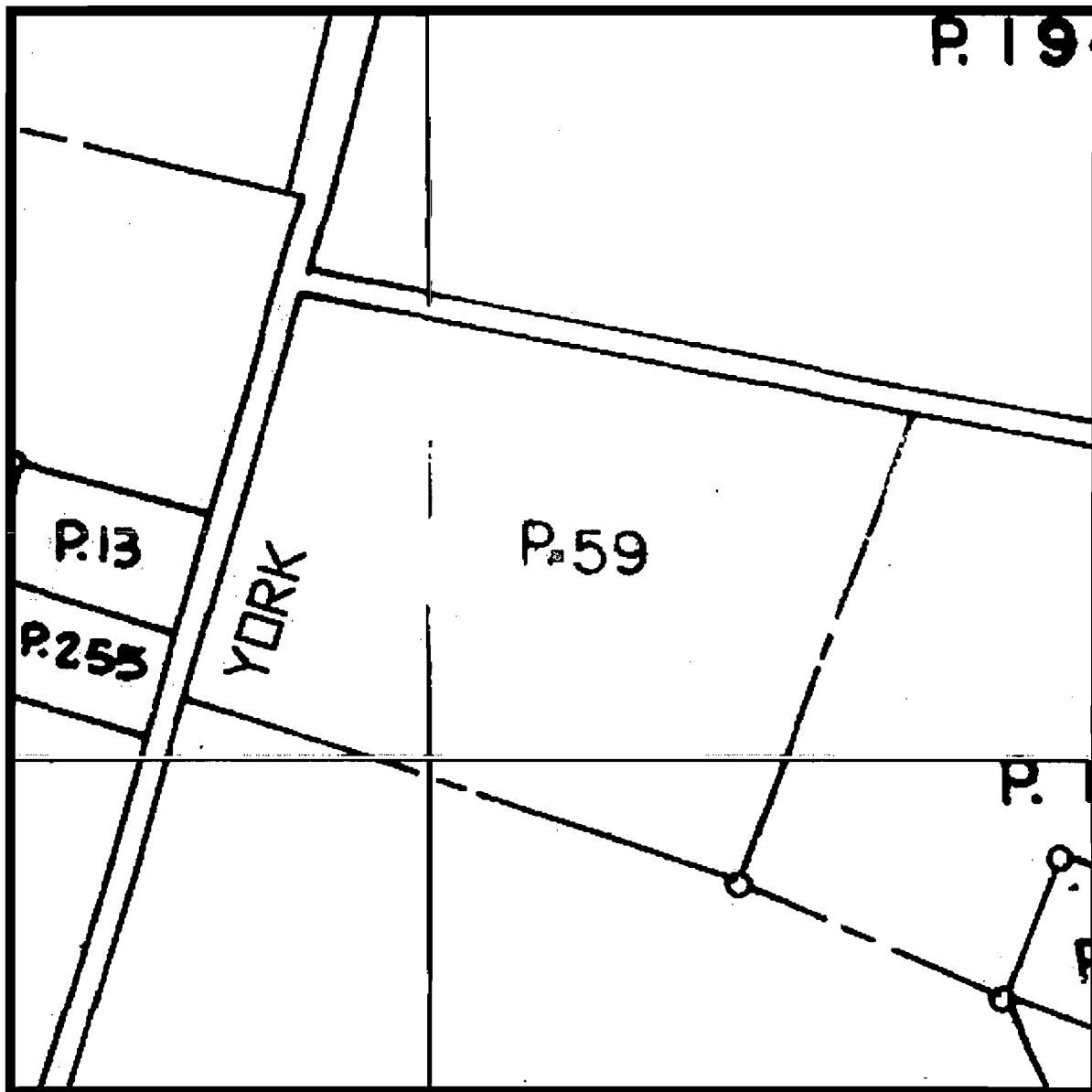
Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0
Tax Exempt:	NO	Special Tax Recapture:	
Exempt Class:		AGRICULTURAL TRANSFER TAX	



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BALTIMORE COUNTY
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District - 10 Account Number - 1013040120



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web site at www.mdp.state.md.us/webcom/index.html



THIS DEED, Made this 18th day of August, in the year one thousand nine hundred and fifty-eight, by and between WILLIAM A. SEHLHORST, Widower, of Baltimore County, State of Maryland, party of the first part, and ANNE MARIE SEHLHORST MAHER and RONALD L. MAHER, her husband, parties of the second part.

WITNESSETH, that for and in consideration of the natural love and affection which the within grantor bears for his daughter, Anne Marie Sehlhorst Maher, one of the within grantees, the sum of Five Dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said WILLIAM A. SEHLHORST, Widower, does grant and convey unto the said ANNE MARIE SEHLHORST MAHER and RONALD L. MAHER, her husband, as tenants by the entireties, their assigns, the survivor of them, the heirs and assigns of the survivor, in fee simple, all that tract or parcel of ground situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland, and described as follows:

BEGINNING for the same at a point in the center of the Old York Road distant the two following courses and distances measured along the center of said road from the end of the second line of a parcel of land which by a deed dated December 8, 1954, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2608 folio 63, was conveyed by William A. Sehlhorst, Widower, to George W. Constable and wife, namely North 25 degrees 13 minutes East 818-88/100 feet and North 21 degrees 34 minutes 20 seconds East 156-29/100 feet; and running thence from said place of beginning and binding in the center of the Old York Road, North 21 degrees 34 minutes 20 seconds East 565-42/100 feet; thence leaving said road and running for lines of division the three following courses and distances, viz: South 71 degrees 15

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minutes East 873-82/100 feet to a pipe, South 29 degrees 55 minutes West 684-95/100 feet to a pipe set in a fence and rose hedge there situate and North 63 degrees 18 minutes West binding for a part on said fence and hedge, 776-44/100 feet to the place of beginning; containing 11-76/100 acres of land, more or less, according to a survey made November 22, 1957, by Dollenberg Brothers, Registered Professional Engineers and Land Surveyors.

BEING a part of the parcel of land firstly described in a deed dated February 28, 1942, and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1215 folio 425, which was granted and conveyed by Elizabeth M. Schafer, unmarried, unto William A. Sehlhorst and Marie Stolpp Sehlhorst, his wife, as tenants by the entireties; the said Marie Stolpp Sehlhorst having since departed this life whereupon the title to said property became vested in the said William A. Sehlhorst, Widower, by right of survivorship.

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

TO HAVE AND TO HOLD the said parcel of ground and premises above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said ANNE MARIE SEHLHORST MAHER and RONALD L. MAHER, her husband, as tenants by the entireties, their assigns, the survivor of them, the heirs and assigns of the survivor, in fee simple.

AND the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or

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thing whatsoever to encumber the property hereby conveyed;
that he will warrant specially the property granted; and that
he will execute such further assurances of the same as may be
requisite.

WITNESS the hand and seal of the within grantor.

WITNESS:

William A. Sehlhorst (SEAL)
William A. Sehlhorst
Jean M. Picano

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, that on this 18th day of
August, 1958, before me, the subscriber, a Notary Public of
the State of Maryland, in and for the County aforesaid,
personally appeared WILLIAM A. SEHLHORST, Widower, the within
grantor, and he acknowledged the foregoing Deed to be his act.

AS WITNESS my hand and Notarial Seal.



William A. Sehlhorst
WITNESS
NOTARY PUBLIC

Rec'd for Record AUG 23 1958 at 11:15
Per George L. B. Clerk,
Mailed to THE TITLE GUARANTEE CO.



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
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Account Identifier: District - 10 **Account Number -** 1013021061

Owner Information

Owner Name: MAHER ANNE M SEHLHORST **Use:** AGRICULTURAL
Principal Residence: NO
Mailing Address: 16323 OLD YORK RD **Deed-Reference:** 1) / 3843/ 103
 MONKTON MD 21111 2)

Location & Structure Information

Premises Address **Legal Description**
 FARM RD 11.29 AC NWS FARM RD
 6950 N MANOR RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
29	12	149						2	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		11.29 AC	05

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments			
		As Of	As Of	As Of		
		01/01/2008	07/01/2008	07/01/2009		
Land	4,230	4,230				PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Improvements:	0	0				
Total:	4,230	4,230	4,230	4,230		
Preferential Land:	4,230	4,230	4,230	4,230		

Transfer Information

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

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

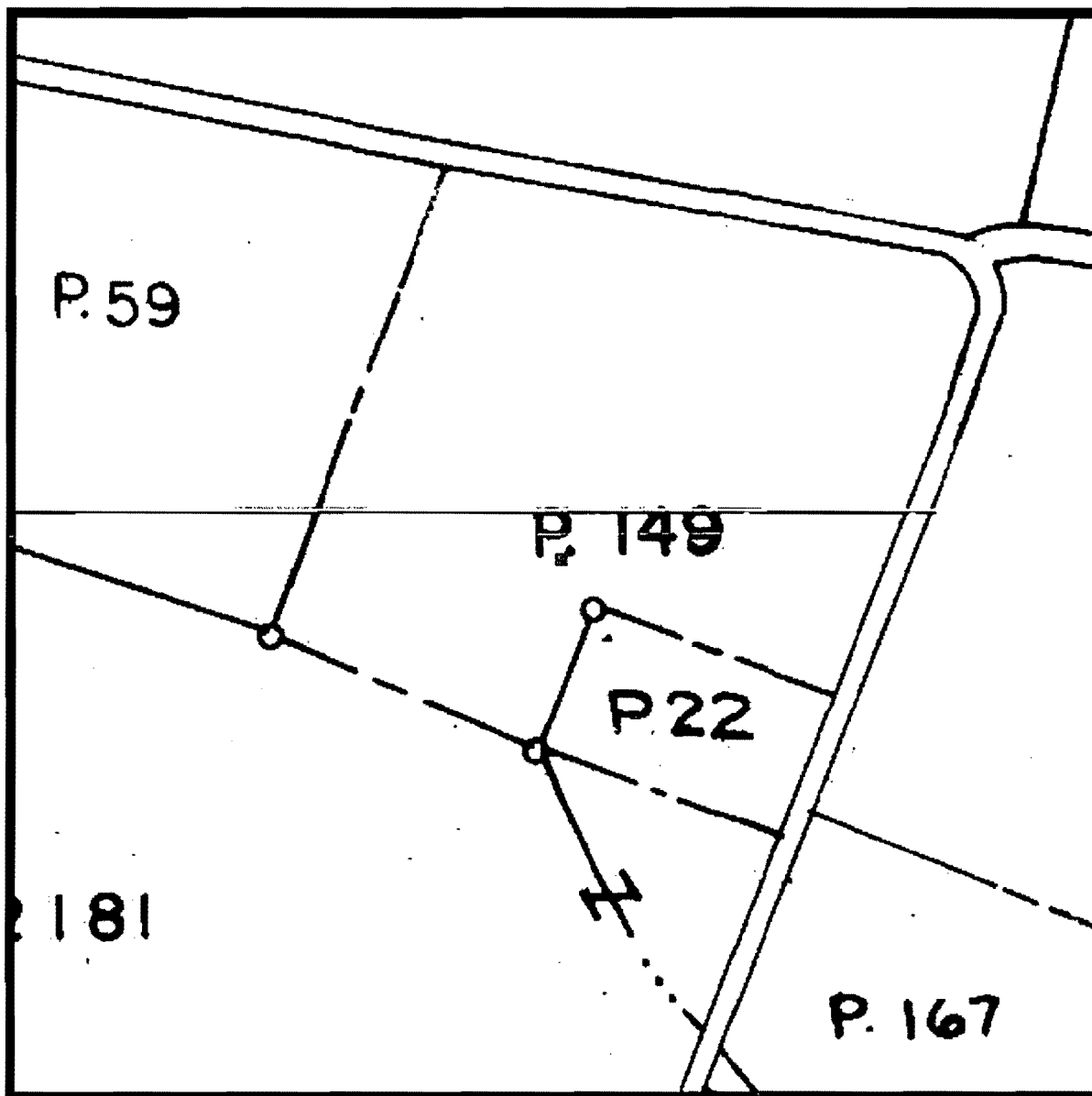
Special Tax Recapture:
 AGRICULTURAL TRANSFER TAX



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District - 10 Account Number - 1013021061



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THIS DEED, Made this 7th day of May, 1961, by and between
 WILLIAM A. SEHLHORST, Widower, of the first part, and ANNE MARIE
 SEHLHORST MAHER, of the second part, both of Baltimore County,
 State of Maryland.

WITNESSETH, That in consideration of the sum of Five (\$5.00)
 Dollars and other good and valuable considerations, receipt whereof is
 hereby acknowledged, the party of the first part does grant and convey
 unto the party of the second part for and during the term of her natural
 life, with remainder over upon her death as hereinafter provided, and
 subject to the powers and limitations hereinafter mentioned, all that lot of
 land situate, lying and being in the Tenth Election District of Baltimore
 County, State of Maryland and described as follows:

Beginning for the same at the beginning of the third line of a
 parcel of land which by a deed dated August 18, 1958 and recorded among
 the Land Records of Baltimore County in Liber G. L. B. No. 3406, folio
 168 was conveyed by William A. Sehlhorst, Widower, to Anne Marie
 Sehlhorst Maher and husband and running thence with and binding on said
 third line South 29 degrees 55 minutes West 684.95 feet, thence leaving
 said outline and running for a line of division South 59 degrees 05 minutes
 40 seconds East 384.54 feet to the end of the third line of a parcel of land
 which by a deed dated August 18, 1958 and recorded among the Land
 Records of Baltimore County in Liber W. J. R. No. 3653, folio 349 was con-
 veyed by William A. Sehlhorst, Widower, to Anne Marie Sehlhorst Maher,
 thence binding reversely on the third and second lines of said parcel of
 land the two following courses and distances, viz North 28 degrees 46
 minutes East 200 feet and South 61 degrees 14 minutes East 375.00 feet
 to the center of a farm road, thence leaving said outline and running for
 lines of division the two following courses and distances, viz: North 26
 degrees 22 minutes East, binding in or near the center of said farm road,
 634.02 feet and North 71 degrees 48 minutes 40 seconds West 731.43
 feet to the place of beginning, containing 11.29 acres of land, more or less,
 as surveyed by Dollenberg Brothers, Registered Professional Engineers and
 Land Surveyors, on March 24, 1961.

Being a part of a parcel of land firstly described in a deed dated
 February 28, 1942 and recorded among the Land Records of Baltimore
 County in Liber C. H. K. No. 1215, folio 425 which was conveyed by
 Elizabeth M. Schafer to William A. Sehlhorst and Marie Stolpp Sehlhorst,
 his wife; the said Marie Stolpp Sehlhorst having died on or about November
 15, 1953, leaving the said William A. Sehlhorst, Grantor herein, her
 surviving.

TOGETHER with the buildings and improvements thereupon erected,
 made or being and all and every the rights, alleys, ways, waters, privileges,
 appurtenances and advantages, to the same belonging, or anywise appertain-
 ing, and particularly all rights of ingress and egress as now or heretofore
 used or enjoyed and all rights of way of record.

TO HAVE AND TO HOLD the said lot of land and premises unto and to the use of the said Anne Marie Schlhorst Maher, party of the second part, for and during the term of her natural life, with full power and authority in the said Anne Marie Schlhorst Maher during her life to sell, lease, mortgage, encumber or otherwise dispose of said property, or any part thereof, or any interest therein, including the absolute estate therein and including the remainder as well as the life interest, and the proceeds of any sale or lease thereof, of money borrowed or secured by any mortgage or encumbrance thereof, and to take, expend, or dispose of in such manner as she may wish, or to consume for her own purpose without obligation on the part of the purchaser, mortgagee, lessee or grantee to see to the application of the purchase money or money so borrowed or any money which may be the proceeds of any sale, mortgage, lease or disposition of any part or any interest in said property but without the power to dispose of by Will, and from and immediately after the death of the said Anne Marie Schlhorst Maher as to so much thereof, or any interest therein, as may not have been disposed of, then to such of her children as may survive her, in equal shares, share and share alike and unto the child, children or descendants of any deceased child of hers, per stirpes and not per capita, in fee simple, subject to any rights of way now existing.

And the said party of the first part hereby covenants that he has not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted, that he will warrant specially the property hereby granted and conveyed, and that he will execute such further assurances of said land as may be requisite.

Witness the hand and seal of the party of the first part.

Witness:

Ronald Y. Maher

William A. Schlhorst (SEAL)
William A. Schlhorst

TRANSFER TAX NOT REQUIRED

Notary Public
Director of Finance

Per: *E. H. Schlhorst*
Authorized Signature

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, That on this 11th day of May, 1961,
before me, the subscriber, a Notary Public of the State of Maryland,
personally appeared William A. Sehlhorst, Widower, the above named
Grantor, and he acknowledged the foregoing Deed to be his act.

As Witness my hand and Notarial Seal.

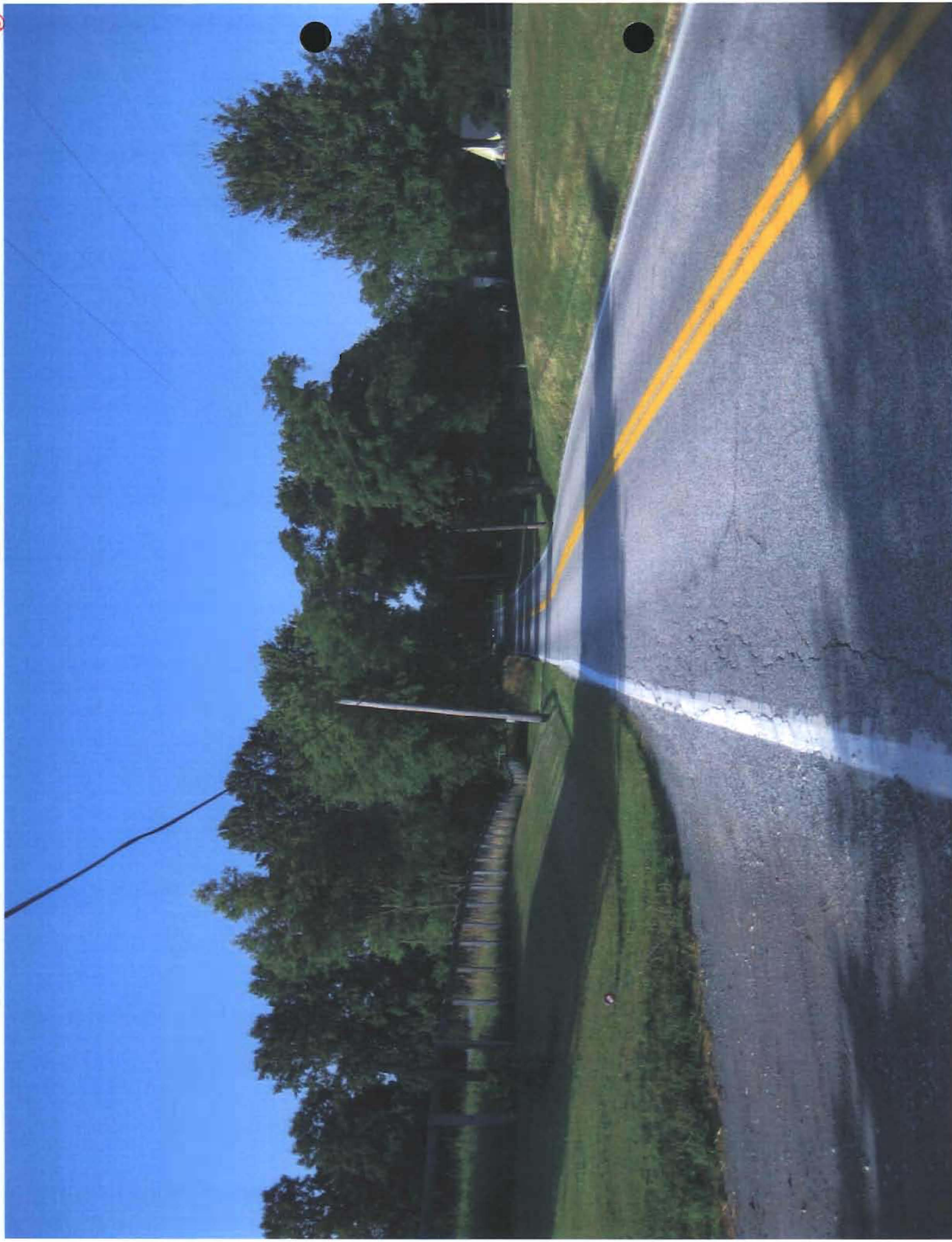
James E. Arnold
Notary Public

No Title Examination or
Judgment Search

Nelson R. Kerr
Nelson R. Kerr

for record MAY 22 1961 at 6404
County of Baltimore, Md.
R. F. Miller
Recorder No. 176570 2nd







































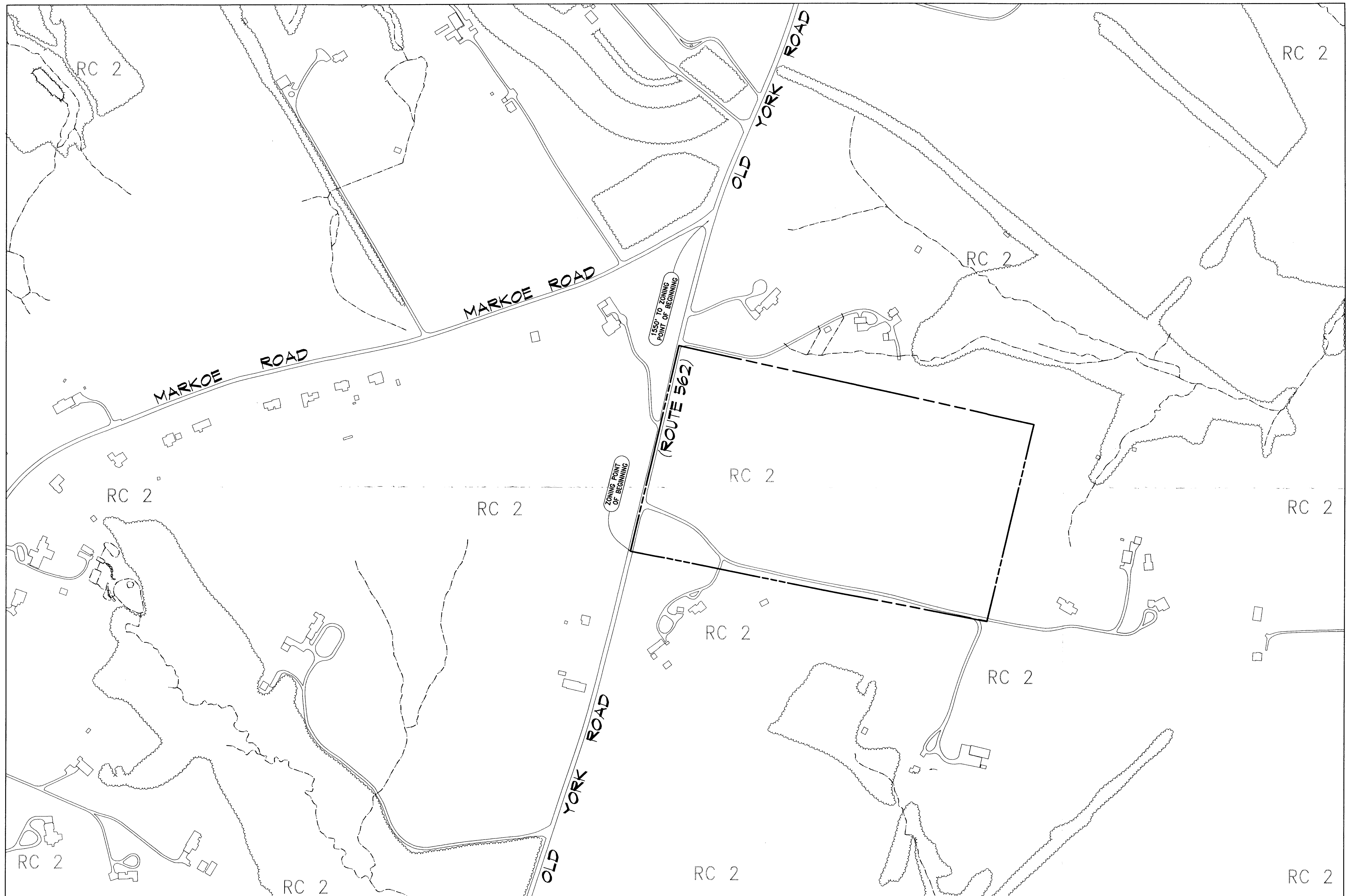








PETITIONER'S
EXHIBIT NO. 4



ZONING MAP

GIS TILE: 029C1

SCALE: 1" = 200'

Item #0301