

M E M O R A N D U M

DATE: March 19, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0100-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on March 18, 2021. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

/dlw

IN RE: **PETITION FOR SPECIAL HEARING** *

(15605 Dark Hollow Road)

5th Election District *

3rd Council District *

PTL RE Cor. c/o Jim Finnerty *

Legal Owner *

Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2020-0100-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of a Petition for Special Hearing filed on behalf of PTL RE corp. c/o Jim Finnerty, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 304 of the Baltimore County Zoning Regulations ("BCZR") to determine whether or not to approve an undersigned RC2 zoned lot with an area of .057 acres in lieu of the minimum required 1 acre. At the hearing, counsel for the Petitioner moved to amend the Petition by withdrawing the request for relief under BCZR § 304 and asking to proceed under BCZR § 500.7.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Jim Finnerty, Petitioner, did not appear in support of the petition. Timothy Kotroco, Esq. appeared and represented the Petitioner. Land use consultant, R. Craig Rodgers, also appeared and the site plan that he prepared was marked and accepted into evidence as Petitioner's Exhibit 1. Michael McCann, Esquire represented Meriwether Morris, an adjacent neighbor and opponent of the requested relief. Several other neighboring property owners testified in opposition.

Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP"), dated June 5, 2020, which did not oppose the requested relief.

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Date 2-16-21

By kw

Mr. Rodgers explained the site plan. He testified that the subject parcel is .57 acres and that it is zoned RC 2, which requires a minimum of 1 acre for a buildable lot. He testified that the lot was created by a metes and bounds deed in 1959. He also testified that the RC 2 zoning classification was enacted in 1979. Mr. Rodgers further testified that a septic plan was approved by the County in 1996 and that the approval was confirmed in 2020. Letters to this effect were admitted as Petitioner's Exhibit 2. He further identified Petitioner's Exhibit 3, a Memo from the Department of Planning dated June 5, 2020, which states in relevant part that "the department has no objection to this request," because "the property is an existing lot of record prior to 1979." Mr. Rodgers also identified Petitioner's Exhibit 4 as the deed chain tracing title back to 1959. The exhibit shows that the Petitioner, PTL RE Corp., purchased the parcel at tax sale for \$6,720.00. He further identified Petitioner's Exhibits 6 and 7 as charts he created on "My Neighborhood" maps that show residences in the general vicinity of this parcel that were built on lots of less than 1 acre. Only one such property on these charts was built after 1979, and it was not explained how that was permitted. Finally, Mr. Rodgers testified that he has never applied for relief under BCZR § 304 for a parcel in an RC 2 zone, but that he was told by the Zoning office that this was what was required in order to obtain a building permit.

On cross-examination Mr. Rodgers was asked if the zoning in force at the time the lot was created in 1959 was RDP (Rural Deferred Plan). He stated that he believes it was Residual R 6, which he said required a lot of only 6000 sq. ft. in order to build a residence. He acknowledged that he did not know whether the county had authorized the construction of any of the residences on Petitioner's Exhibits 6 and 7. He stated that he believes that the subject parcel is a buildable lot because it was in existence prior to the adoption of the RC 2 zone in 1979. He could not cite any provision of the BCZR to support that opinion. Mr. Rodgers also acknowledged that this parcel is

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By [Signature]

not eligible for relief under BCZR § 304 as an undersized lot because it was not created prior to 1955, as required by this regulation.

Ms. Morris and several other adjoining neighbors and community members strenuously objected to the requested relief. They stressed that the RC 2 zone is meant to protect the county's agricultural areas and that approval of this undersized lot would run contrary to that legislative intent and would be unlawful. Mr. McCann argued that the requested relief is not authorized by the grandfathering provisions of BCZR § 103.1, which requires that a parcel be a "development, subdivision or parcel of land, the preliminary plan for which was originally submitted to the (then) Baltimore County Planning Commission (now Planning Board) and approved or tentatively approved or tentatively approved (including any approval made subject to any condition or conditions) under the then existing official procedure in Baltimore County, prior to the adoption of these regulations." He further stressed that BCZR § 103.3 is also not applicable because this parcel is not a "property covered by a recorded subdivision plat which was approved by the Baltimore County Planning Commission or Board before the effective date of this subsection, and which remains in effect."

Based on the record evidence it is unclear whether the subject parcel was zoned RDP or Residual R 6 at the time it was created in 1959. However, that is not relevant because the parcel does not fit within the provisions of BCZR §§103.1, 103.3 or 304.1. In short, the parcel was rezoned RC 2 in 1979 and there were no vested rights associated with the parcel. In *Powell v. Calvert County*, 368 Md. 400 (2002) the court of appeals explained these principles as follows:

In Maryland it is established that in order to obtain a "vested right" in the existing zoning use which will be constitutionally protected against a subsequent change in the zoning ordinance prohibiting or limiting that use, the owner must (1) obtain a permit or occupancy certificate where required by the applicable ordinance and (2) must proceed under that permit or certificate to exercise it on the land involved so that the neighborhood may be advised that the land is being devoted to that

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By 120

use...In *Rockville Fuel & Feed Co. v. Gaithersburg*, 266 Md. 117, 291 A.2d 672 (1972), we said that 'such a "vested right" could only result when a lawful permit was obtained and the owner, in good faith, has proceeded with such construction under it as will advise the public that the owner has made a substantial beginning to construct the building and commit the use of the land to the permission granted.' *Id.* at 127, 291 A.2d at 677; *see also County Council for Montgomery County v. District Land Corp.*, 274 Md. 691, 337 A.2d 712 (1975)."

Marzullo at 192-93, 783 A.2d at 188-89 (alterations in original). Furthermore, in *O'Donnell v. Bassler*, 289 Md. 501, 508, 425 A.2d 1003, 1007 (1981), we stated: "Generally, in order to obtain a vested right in an existing zoning use that will be protected against a subsequent change in a zoning ordinance prohibiting that use, the owner must initially obtain a valid permit. Additionally, in reliance upon the valid permit, the owner must make a substantial beginning in construction and in committing the land to the permitted use before the change in the zoning ordinance has occurred."

Powell, 368 Md. at 411-12.

In this case the very first requirement was not satisfied because a valid building permit was never issued prior to the change in zoning. Petitioner's Exhibit 2 shows that a septic plan was approved in 1996; and Petitioner's Exhibit 3 shows that the DOP does not oppose the requested relief (which had been filed under BCZR § 304.1) because "the property is an existing lot of record prior to 1979." But neither of these facts provides any legal basis to grant the requested relief, i.e., to allow the construction of a residence on a parcel of .57 acres in the RC 2 zone.

Finally, this "downzoning" did not amount to a constitutional "taking" that would require compensation by the county because it did not deprive the property owner of all reasonable uses of the property. Again, the law is clear:

Zoning is an exercise of the police power and, to be valid, must be in the general public interest for promotion of health, safety or general welfare of the community. *County Comm'rs of Queen Anne's County v. Miles*, 246 Md. 355, 228 A.2d 450 (1967). It is an exercise of the police power which takes away, for public good, some rights of individuals to use their property as they please while giving them rights to restrict injurious uses of others' property. *Mayor and City Council of Baltimore v. Byrd*, 191 Md. 632, 62 A.2d 588 (1949). As valid as it may be under the police power, however, it has long been established that a zoning ordinance, which permanently restricts the use of property so extensively that it cannot be used

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By [Signature]

for any reasonable purpose and goes beyond permissible regulation, must be regarded as a taking of property without compensation. *Congressional School of Aeronautics, Inc. v. State Roads Commission*, 218 Md. 236, 146 A.2d 558 (1958); *Marino v. City of Baltimore*, 215 Md. 206, 137 A.2d 198 (1955); *Walker v. Board of County Comm'rs of Talbot County*, 208 Md. 72, 116 A.2d 393 cert. denied, 350 U.S. 902, 76 S.Ct. 180, 100 L.Ed. 792 (1955); *City of Baltimore v. Cohn*, 204 Md. 523, 105 A.2d 482 (1954). As such, zoning cannot be used as a substitute for eminent domain proceedings so as to defeat or circumvent the constitutional requirement for the payment of just compensation. *Congressional School of Aeronautics, Inc. v. State Roads Commission*, 218 Md. 236, 146 A.2d 558 (1958).

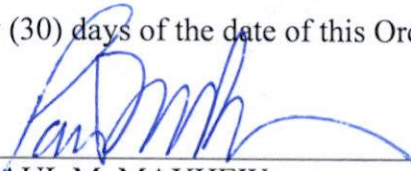
Accordingly, the Court of Appeals, in *City of Salisbury*, 240 Md. at 567 said: "It is an accurate statement to say that every restriction upon the use and enjoyment of property is a 'taking' to the extent of such restriction; but every 'taking' is not a 'taking' in a constitutional sense for which compensation need be paid." (Citation omitted.) See also *Village of Euclid v. Ambler Realty Co.*, 272 U.S. 365, 47 S.Ct. 114, 71 L.Ed. 303 (1926); *Allied American Mutual Fire Insurance Co. v. Comm'r of Motor Vehicles*, 219 Md. 607, 150 A.2d 421 (1959).

Lone v. Montgomery County, 85 Md. App. 477, 495-96 (1991).

There is no constitutional taking here because the parcel could be leased or sold for use as farmland. In fact, Ms. Morris, an adjoining property owner, testified that she would be interested in purchasing the property. Having paid only \$6,720.00 for the property, the Petitioner will certainly be able to realize a reasonable return on investment.

THEREFORE, IT IS ORDERED this 16th day of **February, 2021** by this Administrative Law Judge, that the Petition for Special Hearing seeking relief under BCZR § 500.7 to approve an undersigned RC2 zoned lot with an area of .057 acres in lieu of the minimum required 1 acre be and is hereby DENIED.

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


PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm

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By 150



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 15605 DARK HOLLOW RD which is presently zoned RC2
 Deed References: 423651246 10 Digit Tax Account # 0503077410
 Property Owner(s) Printed Name(s) PTL RE CORP c/o JIM FINNERTY

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve **AN UNDERSIZED RC2 ZONED LOT WITH AN AREA OF 0.57 ACRES IN LIEU OF THE MINIMUM REQUIRED 1 ACRE, PURSUANT TO SECTION 304, BCZR**

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

3. a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

TIM KOTROCO

Name- Type or Print

Signature

305 WASHINGTON AVE TOWSON MD
 Mailing Address City State

21204 / 410-299-2943 / tketroco@gmail.com
 Zip Code Telephone # Email Address

Legal Owners (Petitioners): FOR: PTL RE CORP

c/o JIM FINNERTY

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

STE. 1220, 120 N. LASALLE ST. CHICAGO, ILL
 Mailing Address City State

60602 / /
 Zip Code Telephone # Email Address

Representative to be contacted:

R. CRAIG RODGERS

Name - Type or Print

Signature

7024 GREENBANK RD. BALTIMORE MD
 Mailing Address City State

21220 / 443-677-2007 / craigrodgers200@gmail.com
 Zip Code Telephone # Email Address

CASE NUMBER 2020-0100-SPH Filing Date 4/14/2020 Do Not Schedule Dates: Reviewer JNP

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date 2-16-21

By [Signature]

ZONING DESCRIPTION FOR:
15605 DARK HOLLOW ROAD
(TAX ACCT. NO. 0503077410)

BEGINNING AT A POINT ON THE EAST SIDE OF DARK HOLLOW ROAD WHICH IS 50 FEET WIDE AT A DISTANCE OF 225 FEET NORTH OF THE CENTER LINE OF DOVER ROAD WHICH IS 50 FEET WIDE, THENCE THE FOLLOWING COURSES AND DISTANCES: 1) N32°55'W 125.00', 2) S55°20'30"E 200.00', 3) S32°55'E 125.00', 4) N55°20'30"W 200.00' TO THE POINT OF BEGINNING AS RECORDED IN DEED LIBER 42,365, FOLIO 246, CONTAINING 0.573 ACRE, MORE OR LESS. LOCATED IN THE FIFTH ELECTION DISTRICT AND THIRD COUNCIL DISTRICT.

2020-0100-SPH

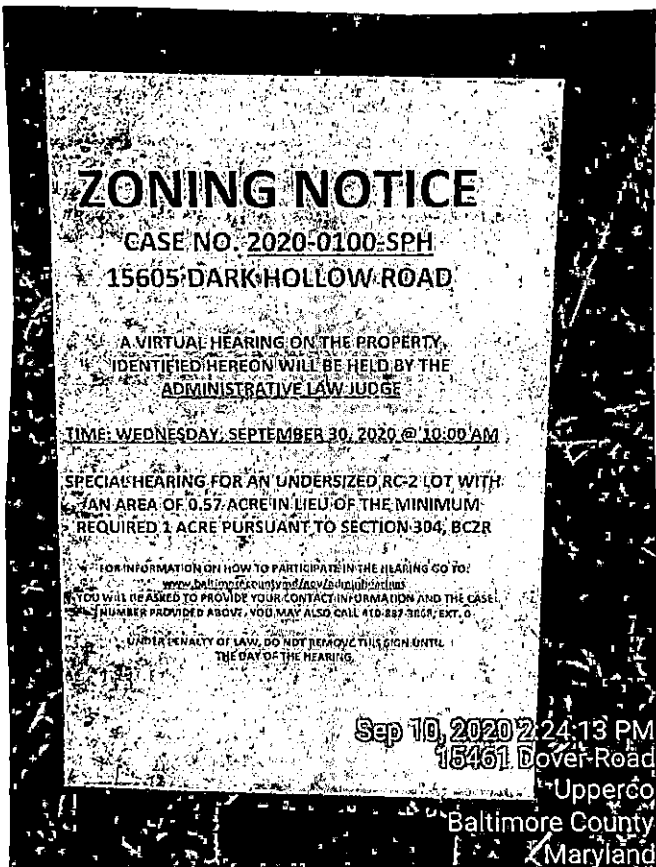
CERTIFICATE OF POSTING

Date: SEPTEMBER 10, 2020

RE: Project Name: 15605 DARK HOLLOW ROAD #1
Case Number /PAI Number: 2020-0100-SPH
Petitioner/Developer: PTL RE CORP
Date of Hearing/Closing: SEPTEMBER 30, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 15605 DARK HOLLOW ROAD

The sign(s) were posted on SEPTEMBER 10, 2020
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

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

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

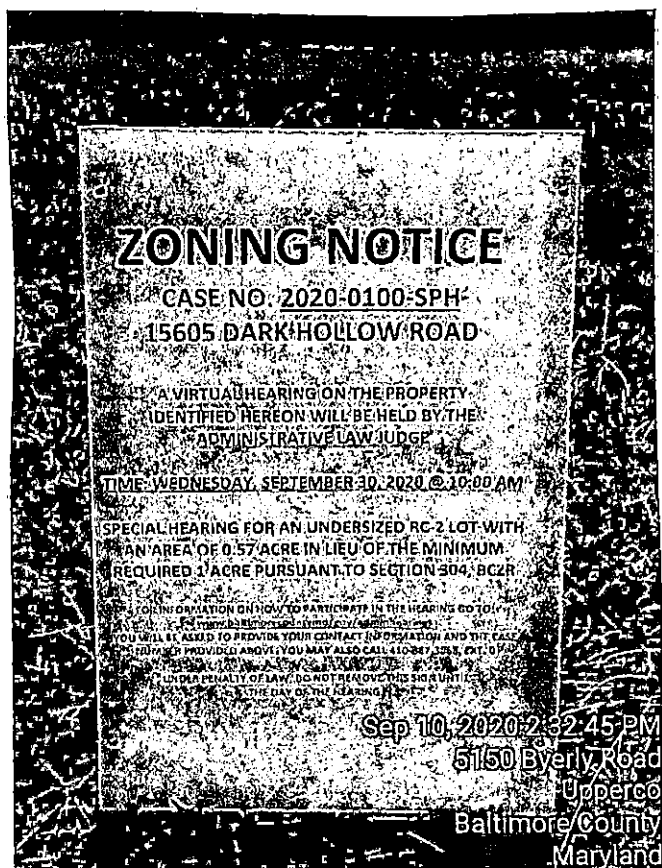
CERTIFICATE OF POSTING

Date: SEPTEMBER 10, 2020

RE: Project Name: 15605 DARK HOLLOW ROAD #2
Case Number /PAI Number: 2020-0100-SPH
Petitioner/Developer: PTL RE CORP
Date of Hearing/Closing: SEPTEMBER 30, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 15605 DARK HOLLOW ROAD

The sign(s) were posted on SEPTEMBER 10, 2020
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

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

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



ZAC AGENDA



*See Misc. Note
Below*

Case Number: 2020-0100-SPH

Reviewer: Jeffrey Perlow

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: SPECIAL HEARING

Legal Owner: PTL RE CORP C/O Jim Finnerty

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 5 **Council Dist:** 3

Property Address: 15605 DARK HOLLOW RD

Location: South East side of Dark Hollow Road 225' North East of Dover Road.

Existing Zoning: RC 2

Area: .57 AC

Proposed Zoning:

SPECIAL HEARING:

An undersized RC2 Zoned lot with an area of 0.57 acres in lieu of the minimum required 1 acre, pursuant to section 304, BCZR.

Attorney: Timothy M. Kotroco

Prior Zoning Cases: AA-2020-0002-UL

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Formal demand for hearing Case AA 2020-0002-UL

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: April 28, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0100-SPH
Address 15605 Dark Hollow Road
(PTL RE Corp. Property)

Zoning Advisory Committee Meeting of **April 20, 2020.**

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

Reviewer: Steve Ford

Search Result for BALTIMORE COUNTY



paid

FORMAL DEMAND FOR HEARING

CASE NUMBER: AA-2020-0002-UL

Address: 15605 Dark Hollow Rd

Petitioner(s): R. Craig Rodgers

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We JEFFREY WELLING
Name - Type or Print

☒ Legal Owner OR ☐ Resident of
15461 DOVER RD
Address

UPPERCO MD 21155
City State Zip Code

410-206-4526
Telephone Number

which is located approximately ADJOINS feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter.**
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.

[Signature]
Signature

3/20/2020
Date



FORMAL DEMAND FOR HEARING

CASE NUMBER: AA-2020-0062-UL

Address: 15605 Dark Hollow Rd

Petitioner(s): R. Craig Rodgers

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We JEFFREY WELLING
Name - Type or Print

☒ Legal Owner OR ☐ Resident of
15461 DOVER RD
Address

UPPERCO MD 21155
City State Zip Code

410-206-4526
Telephone Number

which is located approximately ADJOINS feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter.**
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.

[Signature] 3/20/2020
Signature Date

The Daily Record

200 St. Paul Place Suite 2480
Baltimore, Maryland 21202
1 (443) 524-8100
www.thedailyrecord.com

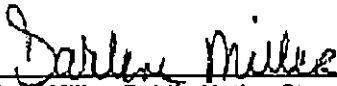
PUBLISHER'S AFFIDAVIT

Order #: 11915764
Case #: 2020-0100-SPH
Description:

ZONING HEARING - CASE NUMBER: 2020-0100-SPH

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

9/10/2020



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County NOTICE OF ZONING HEARING The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing the property identified herein as follows: CASE NUMBER: 2020-0100-SPH 15605 Dark Hollow Road S/east side of Dark Hollow Road, n/east of Dover Road 5th Election District - 3rd Councilmanic District Legal Owners: PTL RE Corp. c/o Jim Finnerly Special Hearing for an undersized RC-2 zoned lot with an area of 0.57 acres in lieu of the minimum required 1 acre pursuant to section 304, BCZR Hearing: Wednesday, September 30, 2020 at 10:00 a.m. For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0. Michael Mallinoff Director of Permits, Approvals and Inspections for Baltimore County s10



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 3, 2020

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0100-SPH

15605 Dark Hollow Road
S/east side of Dark Hollow Road, n/east of Dover Road
5th Election District – 3rd Councilmanic District
Legal Owners: PTL RE Corp. c/o Jim Finnerty

Special Hearing for an undersized RC-2 zoned lot with an area of 0.57 acres in lieu of the minimum required 1 acre pursuant to section 304, BCZR.

Hearing: Wednesday, September 30, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Tim Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Craig Rodgers, 7024 Greenbank Road, Baltimore 21220
Jim Finnerty, 120 N. Lasalle Street, Chicago IL 60602

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURS., SEPTEMBER 10, 2020.

TO: THE DAILY RECORD
Thursday, September 10, 2020 - Issue

Please forward billing to:

Timothy Kotroco
305 Washington Avenue, Ste. 502
Towson, MD 21204

410-299-2943

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0100-SPH

15605 Dark Hollow Road

S/east side of Dark Hollow Road, n/east of Dover Road

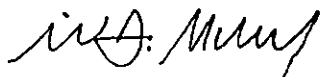
5th Election District – 3rd Councilmanic District

Legal Owners: PTL RE Corp. c/o Jim Finnerty

Special Hearing for an undersized RC-2 zoned lot with an area of 0.57 acres in lieu of the minimum required 1 acre pursuant to section 304, BCZR.

Hearing: Wednesday, September 30, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2020-0100-SP4

Property Address: 15605 Dark Hollow Road

Property Description: }

Legal Owners (Petitioners): PTL RE Corp

Contract Purchaser/Lessee: n/a

PLEASE FORWARD ADVERTISING BILL TO:

Name: Timothy Kotrco

Company/Firm (if applicable): _____

Address: 305 Washington Ave, Ste 502
Towson MD 21204

Telephone Number: 410-299-2943

Carl Richards Jr

From: Michael Sonnenfeld <mjsonnenfeld@gmail.com>
Sent: Monday, October 05, 2020 12:06 PM
To: Lloyd Moxley; Carl Richards Jr
Subject: Re: SPH case 2020-0100 // 15605 Dark Hollow Road

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

Hi Messrs. Moxley and Richards:

The above-referenced hearing was postponed from last week: has there been a new date scheduled for the hearing?

I sent an email to the ALJ in opposition to the requested variance, for what it's worth. See below.

Thanks.

Michael

I am writing to oppose the request for a variance to allow a building on a lot in RC-2 that is less than the required one acre.

The case number is 2020-0100-SPH.

The property is located at 15605 Dark Hollow Road Upperco MD 21155.

The lot is 0.57 acres and was acquired by its current owner in a tax lien foreclosure sale for \$6,720, extinguishing the ownership of its prior owner, a widow who was quite old at the time...

I have lived in Rural Conservation zones since 1983 and believe strongly in protecting the integrity of the County's rural conservation zones for the protection and benefit of all of the County's residents, to preserve agricultural use in the rural conservation zones and to maintain the value of all of the County's rural lands by enforcing the zoning rules in the rural conservation zones.

In the case of the specific lot for which the variance has been requested, there are technical arguments against granting a variance:

- the half acre lot was created in 1959, after the county adopted a statute limiting the right to build on lots regardless of the current zoning of the lot to only those lots that were created prior to March 30, 1955 (section 304.1)
- Courts have found there is no "vested right" to a density prior to the initiation of construction
 - the County has an interest in maintaining the integrity of RC-2 in which building lots are required to be 1 acre or more
 - there is no "equitable right" to have a density on this lot because its current owner acquired the lot at a tax foreclosure sale, and the tax foreclosure sale extinguished the prior equitable interests in the lot

Please confirm you received this note and let me know if you have any questions.

Thanks in advance.

Michael J. Sonnenfeld
mjsonnenfeld@gmail.com
410 804 6121

This communication may contain confidential and/or privileged information. If you are not the intended recipient (or have received this communication in error) please notify me immediately and destroy this communication. Any unauthorized copying, disclosure or distribution of the material in this communication is strictly forbidden.



JOHN A. OLSZEWSKI, JR.
County Executive

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

Date, February 2, 2021

Tim Kotroco
305 Washington Ave
Towson MD 21204

RE: Case Number: 2020-0100-SPH, 15605 Dark Hollow Road

Dear: Tim Kotroco

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspections (PAI) on April 14, 2020.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

A handwritten signature in black ink that reads "Jeffrey Perlow".

Jeff Perlow
Acting Supervisor,
Department of Zoning Review

C: People's Counsel

Michael R. McCann, P.A.

118 W. Pennsylvania Avenue
Towson, Maryland 21204
Phone: (410) 825-2150
Facsimile: (410) 825-2149
michael@mmccannlaw.net

September 14, 2020

Michael D. Mallinoff, Director
Baltimore County Department of
Permits, Approvals and Inspections
111 W. Chesapeake Ave., Ste. 123
Towson, Maryland 21204

Via email and US Mail

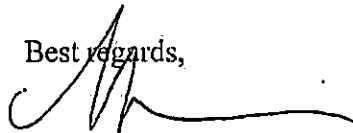
Re: Postponement request
15605 Dark Hollow Road
Case no. 2020-0100-SPH

Dear Mr. Mallinoff:

I have been retained to represent James and Meriwether Morris, who own property adjacent to the property that is the subject of this zoning case. I write to request a postponement of the hearing, which is presently scheduled for September 30, 2020. I have a deposition on that date, which was scheduled some time ago in the matter of *Gerber v. Goodman*, pending in the Circuit Court for Baltimore County (case no. C-03-CV-20-002560).

Thank you for your consideration. Please contact me if you have any questions.

Best regards,



Michael R. McCann

cc: Tim Kotroco, Esq. (via email)

Date: May 12, 2020

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

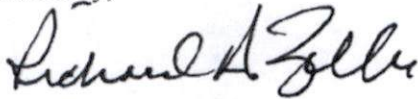
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. **2020-0100-SPH**

Special Hearing
PTL RE Corp. c/o Jim Finnerty
15605 Dark Hollow Road

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@mdot.maryland.gov).

Sincerely,



For Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

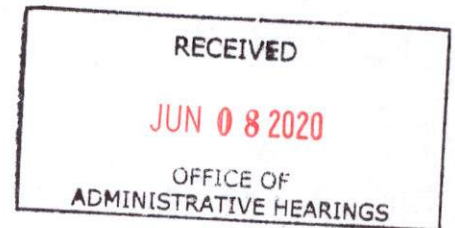
INTER-OFFICE MEMORANDUM

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

DATE: 6/5/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-100



INFORMATION:

Property Address: 15606 Dark Hollow Road
Petitioner: PTL RE Corp. c/o Jim Finnerty
Zoning: RC 2
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the administrative law judge should approve an undersized RC2 zoned lot with an area of .057 acres in lieu of the minimum required 1 acre, pursuant to section 304 of the Baltimore County Zoning Regulations (BCZR).

The lot is located on Dark Hollow Road just north of Dover Road. The property is in a primarily agricultural area. The property is an existing lot of record prior to 1979. The developers are proposing to locate the house within the required setbacks and are seeking no further relief.

The department has no objections to this request with the following condition:

1. Add note to plan from Section 1A01.5 of the Baltimore County Zoning regulations regarding Inconveniences arising from agricultural operations.

For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:

Krystle Patchak

Division Chief:

Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Wiley
R. Craig Rodgers
Timothy Kotroco
Office of the Administrative Hearings
People's Counsel for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 3, 2020

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0100-SPH

15605 Dark Hollow Road

S/east side of Dark Hollow Road, n/east of Dover Road

5th Election District – 3rd Councilmanic District

Legal Owners: PTL RE Corp. c/o Jim Finnerty

Special Hearing for an undersized RC-2 zoned lot with an area of 0.57 acres in lieu of the minimum required 1 acre pursuant to section 304, BCZR.

Hearing: Wednesday, September 30, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

A handwritten signature in cursive script, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Tim Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Craig Rodgers, 7024 Greenbank Road, Baltimore 21220
Jim Finnerty, 120 N. Lasalle Street, Chicago IL 60602

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURS., SEPTEMBER 10, 2020.



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 15605 PARK HOLLOW RD which is presently zoned RC2
 Deed References: 423651246 10 Digit Tax Account # 0502077410
 Property Owner(s) Printed Name(s) PTL RE CORP c/o JIM FINNERTY

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN UNDERSIZED RC2 ZONED LOT WITH AN AREA OF 0.57 ACRES IN LIEU OF THE MINIMUM REQUIRED 1 ACRE, PURSUANT TO SECTION 304, BCZR

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

3. a Variance from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Legal Owners (Petitioners): FOR: PTL RE CORP

Name- Type or Print

c/o JIM FINNERTY

Signature

Signature #1

Name #2 - Type or Print

Signature #2

Mailing Address

City

State

STE. 1220, 120 N. LASALLE ST. CHICAGO, ILL

Mailing Address

City

State

Zip Code

Telephone #

Email Address

60602

Telephone #

Email Address

Attorney for Petitioner:

Representative to be contacted:

TIM KOTROCO

R. CRAIG RODGERS

Name- Type or Print

Name - Type or Print

Signature

Signature

305 WASHINGTON AVE. TOWSON MD

7024 GREENBANK RD. BALTIMORE MD

Mailing Address

City

State

Mailing Address

City

State

Zip Code

Telephone #

Email Address

21204

Telephone #

Email Address

CASE NUMBER 2020-0100-SPL

Filing Date 4/14/2020

Do Not Schedule Dates:

Reviewer JNP

REV. 10/4/11

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 15605 Dark Hollow Road - Case No: 2020-0100-SPH

Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ef37b6388ca718889f6a7d9b984c456f2>

Start: Wed 9/30/2020 10:00 AM

End: Wed 9/30/2020 11:00 AM

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: webex

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

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 172 897 5924

Wednesday, September 30, 2020 10:00 am, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ef37b6388ca718889f6a7d9b984>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e2b324a5d29d81afab15ca8270f>

Start event

Audio conference information

+1-415-655-0001 US Toll

[Global call-in numbers](#)

Join from a video system or application

1. Name of the person: [Name]
2. Address: [Address]
3. Date of birth: [Date]
4. Sex: [Sex]
5. Marital status: [Status]

6. Occupation: [Occupation]
7. Education: [Education]
8. Religion: [Religion]

9. Signature: [Signature]
10. Date: [Date]
11. Place: [Place]

12. Remarks: [Remarks]

13. Signature of the official: [Signature]

14. Date: [Date]
15. Place: [Place]

16. Signature of the official: [Signature]

17. Date: [Date]
18. Place: [Place]

19. Signature of the official: [Signature]

Dial [1728975924@baltimorecountymd.webex.com](tel:1728975924)

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 302451

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=ed8ce6512034d766fa4f1e6d0530f418a>

Need help? Go to <http://help.webex.com>

Paul Mayhew

From: Michael Sonnenfeld <mjsonnenfeld@gmail.com>
Sent: Wednesday, February 10, 2021 2:16 PM
To: Paul Mayhew
Subject: Fwd: OPPOSE a variance in Case Number 2020-0100-SPH // 15605 Dark Hollow Road Upperco MD 21155

Importance: High

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

Judge Mayhew:

Thanks very much for providing an opportunity for residents of the community to participate in the above-referenced case.

I spoke during the hearing, basically reiterating what I had said in an email sent in relative to this case in September: I am not sure if you had access to this email and have copied it below.

I would like to add one thing, in response to the final lament made by Mr. Timothy Kotroco at the end of the hearing today: Mr. Kotroco asserted that a decision against allowing a variance in this case would undermine the equitable ownership interests of many, many property holders in Northern Baltimore County who own lots that do not meet the requirements of the current zoning.

I believe Mr. Kotroco was wrong for two reasons:

- the County Code specifically identifies exactly which properties are exempt from the requirements of the County Code; in other words, not every non-conforming lot is affected.
 - Lots created before 1955 and lots created by recorded plats prior to 1975 are examples of specific allowed exceptions.
 - Neither these exceptions nor any other exception identified by Mr. Kotroco applies to this property.
- the “equitable interest” of the owners of non-conforming lots referred to by Mr. Kotroco was extinguished in this case by the tax lien foreclosure sale.
 - This is not the case of a long-time owner of a non-conforming lot that has relied on (or paid for) the expectation of being able to build on a non-conforming lot.
 - This case relates to a property purchased at a tax lien foreclosure sale by the tax lien investor who took advantage of the antiquated notice provisions of the tax lien foreclosure system, which do not require (to my knowledge) any effective public posting of the property or notice to the neighbors.

Thanks again for your consideration: I hope you do not grant a variance in this case.

Michael

Michael J. Sonnenfeld
mjsonnenfeld@gmail.com
410 804 6121

This communication may contain confidential and/or privileged information. If you are not the intended recipient (or have received this communication in error) please notify me immediately and destroy this

communication. Any unauthorized copying, disclosure or distribution of the material in this communication is strictly forbidden.

Begin forwarded message:

From: Michael Sonnenfeld <mjsonnenfeld@gmail.com>

Subject: **OPPOSE a variance in Case Number 2020-0100-SPH // 15605 Dark Hollow Road Upperco MD 21155**

Date: September 21, 2020 at 3:19:46 PM EDT

To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>

I am writing to oppose the request for a variance to allow a building on a lot in RC-2 that is less than the required one acre.

The case number is 2020-0100-SPH.

The property is located at 15605 Dark Hollow Road Upperco MD 21155.

The lot is 0.57 acres and was acquired by its current owner in a tax lien foreclosure sale for \$6,720, extinguishing the ownership of its prior owner, a widow who was quite old at the time...

I have lived in Rural Conservation zones since 1983 and believe strongly in protecting the integrity of the County's rural conservation zones for the protection and benefit of all of the County's residents, to preserve agricultural use in the rural conservation zones and to maintain the value of all of the County's rural lands by enforcing the zoning rules in the rural conservation zones.

In the case of the specific lot for which the variance has been requested, there are technical arguments against granting a variance:

- the half acre lot was created in 1959, after the county adopted a statute limiting the right to build on lots regardless of the current zoning of the lot to only those lots that were created prior to March 30, 1955 (section 304.1)
- Courts have found there is no "vested right" to a density prior to the initiation of construction
 - the County has an interest in maintaining the integrity of RC-2 in which building lots are required to be 1 acre or more
 - there is no "equitable right" to have a density on this lot because its current owner acquired the lot at a tax foreclosure sale, and the tax foreclosure sale extinguished the prior equitable interests in the lot

Please confirm you received this note and let me know if you have any questions.

Thanks in advance.

Michael

Michael J. Sonnenfeld
mjsonnenfeld@gmail.com
410 804 6121

• This communication may contain confidential and/or privileged information. If you are not the intended recipient (or have received this communication in error) please notify me immediately and destroy this communication. Any unauthorized copying, disclosure or distribution of the material in this communication is strictly forbidden.

Donna Mignon

From: Paul Mayhew
Sent: Wednesday, February 10, 2021 9:48 AM
To: Donna Mignon
Subject: FW: Case Number 2020-0100-SPH Upperco Md (Lot)

Please print

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

From: Leigh Finney <leigh.finney67@gmail.com>
Sent: Tuesday, February 9, 2021 8:41 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Subject: Case Number 2020-0100-SPH Upperco Md (Lot)

CAUTION: This message from leigh.finney67@gmail.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Please print

Paul M. Mayhew
Managing Administrative Law Judge
101 West Chesapeake Ave., Suite 102
Towson, Maryland 21204
(410) 337-1900
p.mayhew@baltimorecountymd.gov

Paul M. Mayhew, Managing Administrative Law Judge
Baltimore County, Maryland
The Paul M. Mayhew Administrative Law Judge
Baltimore County, Maryland 21204

LANDSLIDE FARM

15601 Dover Road, Upperco, MD

February 8, 2021

pmayhew@baltimorecountymd.gov

The Honorable Paul M. Mayhew
Managing Administrative Law Judge
Historic Courthouse
400 Washington Avenue
Towson, MD 21204

**Re: Opposition to Variance, Case Number 2020-0100-SPH // 15605 Dark Hollow Road
Upperco MD 21155 ("Lot")**

Dear Judge Mayhew:

We write as extremely interested parties to the matter about to come before you on February 10th. We are nearly 40-year residents on the property known as Landslide Farm, which abuts Dark Hollow Road and faces the Lot in question. Landslide Farm has been owned by our family (Jean and Redmond Finney) since 1983.

In our view, an allowance of the variance request would be an affront to the Baltimore County Comprehensive Zoning Plan and those who have lived by it for decades. Many of us have committed our properties to the Land Preservation and Rural Legacy programs in reliance on the Zoning Plan. We are aware of no compelling reason to deviate from the RC-2 zoning restrictions for the convenience of the current Lot owner, whom we gather took title through a forced tax sale. Moreover, we are concerned about the potential environmental damage that could occur from this variance and then others. As you may know, the zoning plan since the 1980's has been in furtherance of preserving the Piney Run Watershed, which leads to the Loch Raven Reservoir that supplies much of Baltimore's water supply.

Given its significance, it is hard to imagine a circumstance that would justify the construction of a residence on the undersized Lot. Indeed the accompanying issues of well and septic setbacks takes the variance request to a whole other level.

We join our many neighbors and The Valley Planning Council in opposing this variance. We trust that your sound judgement will prevent such a dangerous precedent from occurring.

Sincerely,

Jean B. Finney

Jean B. Finney

Edward B. Finney

Edward B. Finney

Leigh Finney

Leigh Finney

Paul Mayhew

From: Welling, Jeffrey L CIV <Jeffrey.L.Welling@uscg.mil>
Sent: Tuesday, February 9, 2021 1:07 PM
To: Paul Mayhew
Subject: RE: Oppose a Variance in Case Number 2020-0100-SPH// 15605 Dark Hollow Rd. Upperco, MD 21155

CAUTION: This message from Jeffrey.L.Welling@uscg.mil originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Dear Judge Mayhew,

I am writing to express my opinion that the undersized lot at 15605 Dark Hollow Road in Upperco, MD should not be deemed a buildable lot. The property has an area of 0.57 acres in lieu of the minimum 1 acre requirement, pursuant to section 304, BCZR. Lots in the RC2 zone require a minimum size for a number of reasons, and the regulations regarding lot size should be adhered to .

That is a legal reason why I feel that the lot in question should not be buildable, but I have personal ones as well. If that is not appropriate, I apologize and understand if you read no further.

Twenty two years ago my wife and I purchased what was our dream. An existing home for our family in a beautiful section of Baltimore County surrounded by farms and woodlands.

Over the last 5 years, my wife has had a number of physical setbacks that have left her partially disabled. She is still somewhat ambulatory, but every movement comes with pain and great difficulty. She now spends the bulk of her time at home. Her joy now comes from watching the wildlife that visit from the woods and fields behind our house. If allowed, there will now be a large 2 story house directly behind us taking away the view, the wildlife and one of the few highlights of her days.

Very Respectfully,

Jeffrey Welling

Donna Mignon

From: Paul Mayhew
Sent: Wednesday, February 3, 2021 5:54 PM
To: Donna Mignon
Subject: FW: OPPOSE a variance in Case Number 2020-0100-SPH // 15605 Dark Hollow Road Upperco MD 21155

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

From: Mack Pfeiffer <mpfeiffe423@gmail.com>
Sent: Wednesday, February 3, 2021 5:31 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Subject: OPPOSE a variance in Case Number 2020-0100-SPH // 15605 Dark Hollow Road Upperco MD 21155

CAUTION: This message from mpfeiffe423@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.
--

Judge Mayhew,

I am writing to express my opinion that the undersized lot at 15605 Dark Hollow Road in Upperco should not be deemed a buildable lot. The property has an area of 0.57 acres in lieu of the minimum required 1 acre, pursuant to section 304, BCZR. Lots in the RC2 zone require a minimum size for a variety of reasons, and the regulations regarding lot size should be adhered to.

All the best,

Mackenzie Pfeiffer
16001 Dark Hollow Rd
Upperco, MD 21155

Donna Mignon

From: Michael Sonnenfeld <mjsonnenfeld@gmail.com>
Sent: Monday, September 21, 2020 3:20 PM
To: Administrative Hearings
Subject: OPPOSE a variance in Case Number 2020-0100-SPH // 15605 Dark Hollow Road Upperco MD 21155

Importance: High

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

I am writing to oppose the request for a variance to allow a building on a lot in RC-2 that is less than the required one acre.

The case number is 2020-0100-SPH.

The property is located at 15605 Dark Hollow Road Upperco MD 21155.

The lot is 0.57 acres and was acquired by its current owner in a tax lien foreclosure sale for \$6,720, extinguishing the ownership of its prior owner, a widow who was quite old at the time...

I have lived in Rural Conservation zones since 1983 and believe strongly in protecting the integrity of the County's rural conservation zones for the protection and benefit of all of the County's residents, to preserve agricultural use in the rural conservation zones and to maintain the value of all of the County's rural lands by enforcing the zoning rules in the rural conservation zones.

In the case of the specific lot for which the variance has been requested, there are technical arguments against granting a variance:

- the half acre lot was created in 1959, after the county adopted a statute limiting the right to build on lots regardless of the current zoning of the lot to only those lots that were created prior to March 30, 1955 (section 304.1)
- Courts have found there is no "vested right" to a density prior to the initiation of construction
 - the County has an interest in maintaining the integrity of RC-2 in which building lots are required to be 1 acre or more
 - there is no "equitable right" to have a density on this lot because its current owner acquired the lot at a tax foreclosure sale, and the tax foreclosure sale extinguished the prior equitable interests in the lot

Please confirm you received this note and let me know if you have any questions.

Thanks in advance.

Michael

Michael J. Sonnenfeld
mjsonnenfeld@gmail.com
410 804 6121

This communication may contain confidential and/or privileged information. If you are not the intended recipient (or have received this communication in error) please notify me immediately and destroy this communication. Any unauthorized copying, disclosure or distribution of the material in this communication is strictly forbidden.

Donna Mignon

From: Paul Mayhew
Sent: Wednesday, February 3, 2021 2:37 PM
To: Donna Mignon
Subject: FW: 15605Dark Hollow Roar , Upperco, Md.21155

For file

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

-----Original Message-----

From: Achsah ODonovan <achsahod@aol.com>
Sent: Wednesday, February 3, 2021 1:41 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Cc: Teresa Moore <teresa@thevpc.org>; Meriwether Morris <meriwethermorris@me.com>
Subject: 15605Dark Hollow Roar , Upperco, Md.21155

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

Dear Judge Mathew,

I am writing as a resident of Upperco and a neighbor to request that 15605 Dark Hollow Road in Upperco not be considered a buildable lot. This lot is only 0.57 acre whereas according to section 304 BCZR the minimum building lot size is one full acre.

I would hope that current regulations would stand.

Thank you for upholding the law.

Sincerely, Achsah S. O'Donovan
4247 Mount Zion Road
Upperco, Md. 21155

Sent from my iPad Achsah ODonovan
4257 Mt Zion Rd.
Upperco, md 21155

Donna Mignon

From: Paul Mayhew
Sent: Wednesday, February 3, 2021 1:17 PM
To: Donna Mignon
Subject: FW: Opposing the request for variance on 15605 dark Hollow road . Case number 2020-0100-SPH.

Please print and put in file

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

From: Anette Goelet <anette@yogatherapyconnect.com>
Sent: Wednesday, February 3, 2021 11:57 AM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Subject: Opposing the request for variance on 15605 dark Hollow road . Case number 2020-0100-SPH.

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

Dear Judge Mayhew.

I am writing to express my opinion that the undersized lot at 15605 Dark Hollow Road in Upperco should not be deemed a buildable lot. The property has an area of 0.57 acres in lieu of the minimum required 1 acre, pursuant to section 304, BCZR. Lots in the RC2 zone require a minimum size for a variety of reasons, and the regulations regarding lot size should be adhered to. We do not want more building, than already allowed, in this rural area. Traffic is already hazardous for bikers, farm equipment, and horses.

Sincerely,

Anette Goelet
4000 Millender Mill road
Reisterstown, MD 21136

Donna Mignon

From: Paul Mayhew
Sent: Wednesday, February 3, 2021 10:25 AM
To: Donna Mignon
Subject: FW: OPPOSE a variance in Case # 2020-0100-SPH//15605 Dark Hollow Rd Upperco MD 21155

Please print this and put in the file.

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

-----Original Message-----

From: Carrie Montague <cfarm47@gmail.com>
Sent: Wednesday, February 3, 2021 9:29 AM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Subject: OPPOSE a variance in Case # 2020-0100-SPH//15605 Dark Hollow Rd Upperco MD 21155

CAUTION: This message from cfarm47@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Dear Judge Mayhew,

I am writing to express my opposition to a variance in this case. The property is not zoned to permit the construction of a house on such a small lot. Defying the zoning in this case would set a terrible precedent for other rural zoning. Thank you for giving this matter your attention.

Respectfully,

Carrie Montague
2234 Stringtown Rd.
Sparks, MD 21152

Debra Wiley

From: Debra Wiley
Sent: Tuesday, February 16, 2021 12:12 PM
To: 'Tim Kotroco'
Cc: 'Michael McCann'; Carl Dwyer(CT) Dwyer Built, LLC(MHBR@8444)
Subject: Decision - Case No. 2020-0100-SPH - 15605 Dark Hollow Road
Attachments: 20210216121310780.pdf

Good Afternoon Tim,

Attached please find a copy of ALJ Mayhew's decision regarding the above-referenced matter.

Have a great and safe day.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Tuesday, February 16, 2021 12:13 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 02.16.2021 12:13:10 (-0500)
Queries to: adminhearingscpr@baltimorecountymd.gov



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

February 16, 2021

Timothy Kotroco, Esquire
305 Washington Avenue, Suite 502
Towson, MD 21204

(Via Email):
tkotroco@gmail.com

RE: Petition for Special Hearing
Case No. 2020-0100-SPH
Property: 15605 Dark Hollow Road

Dear Mr. Kotroco:

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

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

Sincerely,

A blue ink signature of Paul M. Mayhew, written in a cursive style.

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm
Enclosure

c: **See Email Addresses Below**

michael@mmcannlaw.net
dwyerbuilt65@gmail.com

Ex #12



FORMAL DEMAND FOR HEARING

CASE NUMBER: AA-2020-0062-UL

Address: 15605 Dark Hollow Rd

Petitioner(s): R Craig Rodgers

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We JEFFREY WELLING
Name - Type or Print

☒ Legal Owner OR ☐ Resident of

15461 DOVER RD
Address

UPPERCO MD 21155
City State Zip Code

410-206-4526
Telephone Number

which is located approximately ADJOINS feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter.**
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.

[Signature] 3/20/2020
Signature Date

Signature Date
Revised 9/18/98 - wcr/scj

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

[View Map](#)[View GroundRent Redemption](#)[View GroundRent Registration](#)**Special Tax Recapture: None****Account Identifier:** District - 05 Account Number - 0508001190

Owner Information

Owner Name:	BEYER JAMES T BEYER BETTIE J	Use:	RESIDENTIAL
Mailing Address:	15401 DOVER ROAD UPPERCO MD 21155-	Principal Residence:	YES
		Deed Reference:	/39783/ 00216

Location & Structure Information

Premises Address:	15401 DOVER RD UPPERCO 21155-9517	Legal Description:	0.871 AC 15401 DOVER RD NE COR MT ZION RD
--------------------------	--------------------------------------	---------------------------	---

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0026	0019	0088	5040004.04	0000				2020	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1911	1,491 SF		37,940 SF	04

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1 1/2	YES	STANDARD UNIT	WOOD SHINGLE/ FRAME	4	1 full	1 Detached	

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2020	As of 07/01/2020	As of 07/01/2021
Land:	80,400	80,400		
Improvements	140,400	149,300		
Total:	220,800	229,700	223,767	226,733
Preferential Land:	0	0		

Transfer Information

Seller: MASLEN ERIC H TRUSTEE	Date: 12/22/2017	Price: \$274,000
Type: ARMS LENGTH MULTIPLE	Deed1: /39783/ 00216	Deed2:
Seller: MASLEN STEPHEN PAUL	Date: 11/17/2015	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /36890/ 00144	Deed2:
Seller: HARVEY EULA FRANCES	Date: 05/06/2005	Price: \$256,000
Type: ARMS LENGTH IMPROVED	Deed1: /21824/ 00342	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2020	07/01/2021
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 04 Account Number - 0413013570		
Owner Information		
Owner Name:	KEARNS DALE RUCH GRETCHEN	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	4508 PLEASANT GROVE RD REISTERSTOWN MD 21136-3905	Deed Reference: /00000/ 00000
Location & Structure Information		
Premises Address:	4508 PLEASANT GROVE RD REISTERSTOWN 21136-3905	Legal Description: .918 AC WS 4508 PLEASANT GROVE RD 390 S DOVER ROAD
Map: 0032	Grid: 0001	Parcel: 0097
Neighborhood: 4020022.04	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2019
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built 1953	Above Grade Living Area 1,340 SF	Finished Basement Area 600 SF
Property Land Area 39,988 SF	County Use 04	
Stories 1	Basement YES	Type STANDARD UNIT
Exterior STUCCO/	Quality 4	Full/Half Bath 2 full
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value As of 01/01/2019
		Phase-in Assessments As of 07/01/2020
		As of 07/01/2021
Land:	76,700	76,700
Improvements	118,900	150,200
Total:	195,600	226,900
Preferential Land:	0	0
		216,467
		226,900
Transfer Information		
Seller: MARKLEY D KIEFFER	Date: 04/28/2005	Price: \$282,900
Type: ARMS LENGTH IMPROVED	Deed1: /00000/ 00000	Deed2:
Seller: SMITH RICHARD O	Date: 02/01/1996	Price: \$150,000
Type: ARMS LENGTH IMPROVED	Deed1: /11412/ 00632	Deed2:
Seller: MCLENNAN CHARLES J, JR	Date: 08/24/1971	Price: \$32,000
Type: ARMS LENGTH IMPROVED	Deed1: /05212/ 00128	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	07/01/2020 07/01/2021
State:	000	0.00 0.00
Municipal:	000	0.00 0.00 0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 08/28/2012		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:		District - 05 Account Number - 1900003332
Owner Information		
Owner Name:	SHARBAUGH ANTONY J SHARBAUGH DENISE J	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	15257 DOVER RD REISTERSTOWN MD 21136-3829	Deed Reference: /28531/ 00297
Location & Structure Information		
Premises Address:	15257 DOVER RD REISTERSTOWN 21136-3829	Legal Description: 40510 SQ FT 0.930 AC 15257 DOVER RD RIMBY PROPERTY
Map: 0037	Grid: 0001	Parcel: 0016
Neighborhood: 5040004.04	Subdivision: 0000	Section:
Block:	Lot: 1	Assessment Year: 2020
Plat No:		Plat Ref: 0048/ 0052
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1894	2,377 SF	0.9300 AC
County Use	04	
Stories	Basement	Type
2	NO	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	3	2 full/ 1 half
Garage	Last Notice of Major Improvements	
1 Detached		
Value Information		
	Base Value	Value
		As of 01/01/2020
Land:	87,800	87,800
Improvements	225,800	255,700
Total:	313,600	343,500
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2020
		As of 07/01/2021
		323,567
		333,533
Transfer Information		
Seller: SAYAN PAUL D	Date: 08/17/2009	Price: \$343,000
Type: ARMS LENGTH IMPROVED	Deed1: /28531/ 00297	Deed2:
Seller: CALVERT GREGORY W	Date: 11/21/2000	Price: \$174,000
Type: ARMS LENGTH IMPROVED	Deed1: /14821/ 00048	Deed2:
Seller: LAWSON J DAVID	Date: 02/15/1983	Price: \$56,500
Type: ARMS LENGTH IMPROVED	Deed1: /06488/ 00351	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	07/01/2020
State:	000	0.00
Municipal:	000	0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 09/01/2009		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

1. This screen allows you to search the Real Property database and display property records.
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3. Deleted accounts can only be selected by Property Account Identifier.

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 05 Account Number - 1900003333		
Owner Information		
Owner Name:	BINEBRINK LIISA A	Use: RESIDENTIAL
Mailing Address:	15261 DOVER RD REISTERSTOWN MD 21136-3829	Principal Residence: YES Deed Reference: /16968/ 00742
Location & Structure Information		
Premises Address:	15261 DOVER RD REISTERSTOWN 21136-3829	Legal Description: .982 AC 15261 DOVER RD RIMBY PROPERTY
Map: 0037	Grid: 0001	Parcel: 0016
Neighborhood: 5040004.04	Subdivision: 0000	Section: 2
Block: 2	Lot: 2020	Assessment Year: 2020
Plat No:	Plat Ref: 0048/ 0052	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1983	966 SF	700 SF
Property Land Area	County Use	
42,775 SF	04	
Stories	Basement	Type
Split Foyer	YES	SPLIT FOYER
Exterior	Quality	Full/Half Bath
SIDING/	4	1 full
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of 01/01/2020
Land:	81,600	81,600
Improvements	147,000	164,200
Total:	228,600	245,800
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2020
		As of 07/01/2021
		234,333
		240,067
Transfer Information		
Seller: BINEBRINK BRIAN L	Date: 10/21/2002	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /16968/ 00742	Deed2:
Seller: LAWSON J DAVID	Date: 06/15/1983	Price: \$16,000
Type: ARMS LENGTH IMPROVED	Deed1: /06540/ 00764	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	07/01/2020
State:	000	0.00
Municipal:	000	0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 11/11/2008		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:		District - 05 Account Number - 0518072025
Owner Information		
Owner Name:	MORRIS THOMAS D	Use: RESIDENTIAL
Mailing Address:	14001 MILLENDER RD REISTERSTOWN MD 21136	Principal Residence: NO Deed Reference: /24368/ 00518
Location & Structure Information		
Premises Address:	15109 DOVER RD 0-0000	Legal Description: * 15109 DOVER RD 800FT SE MILLENDER RD
Map:	Grid:	Parcel:
0032	0002	0019
Neighborhood:	Subdivision:	Section:
5040004.04	0000	
Block:	Lot:	Assessment Year:
		2020
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1954	1,248 SF	
Property Land Area	County Use	
36,590 SF	04	
Stories	Basement	Type
1 1/2	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	3	1 full
Garage	Last Notice of Major Improvements	
1 Detached		
Value Information		
	Base Value	Value
		As of
		01/01/2020
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
Land:	80,100	80,100
Improvements	146,100	148,300
Total:	226,200	228,400
Preferential Land:	0	0
		226,933
		227,667
Transfer Information		
Seller: EARP STANLEY SCOTT	Date: 08/25/2006	Price: \$295,000
Type: ARMS LENGTH IMPROVED	Deed1: /24368/ 00518	Deed2:
Seller: COOPER RABETH LOUISE	Date: 05/19/2006	Price: \$240,000
Type: ARMS LENGTH IMPROVED	Deed1: /23867/ 00303	Deed2:
Seller: RUSSELL DORIS E	Date: 04/02/2002	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /16268/ 00405	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	07/01/2020
State:	000	0.00
Municipal:	000	0.00
		0.00 0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

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Ex #8 Distance to Neighbor



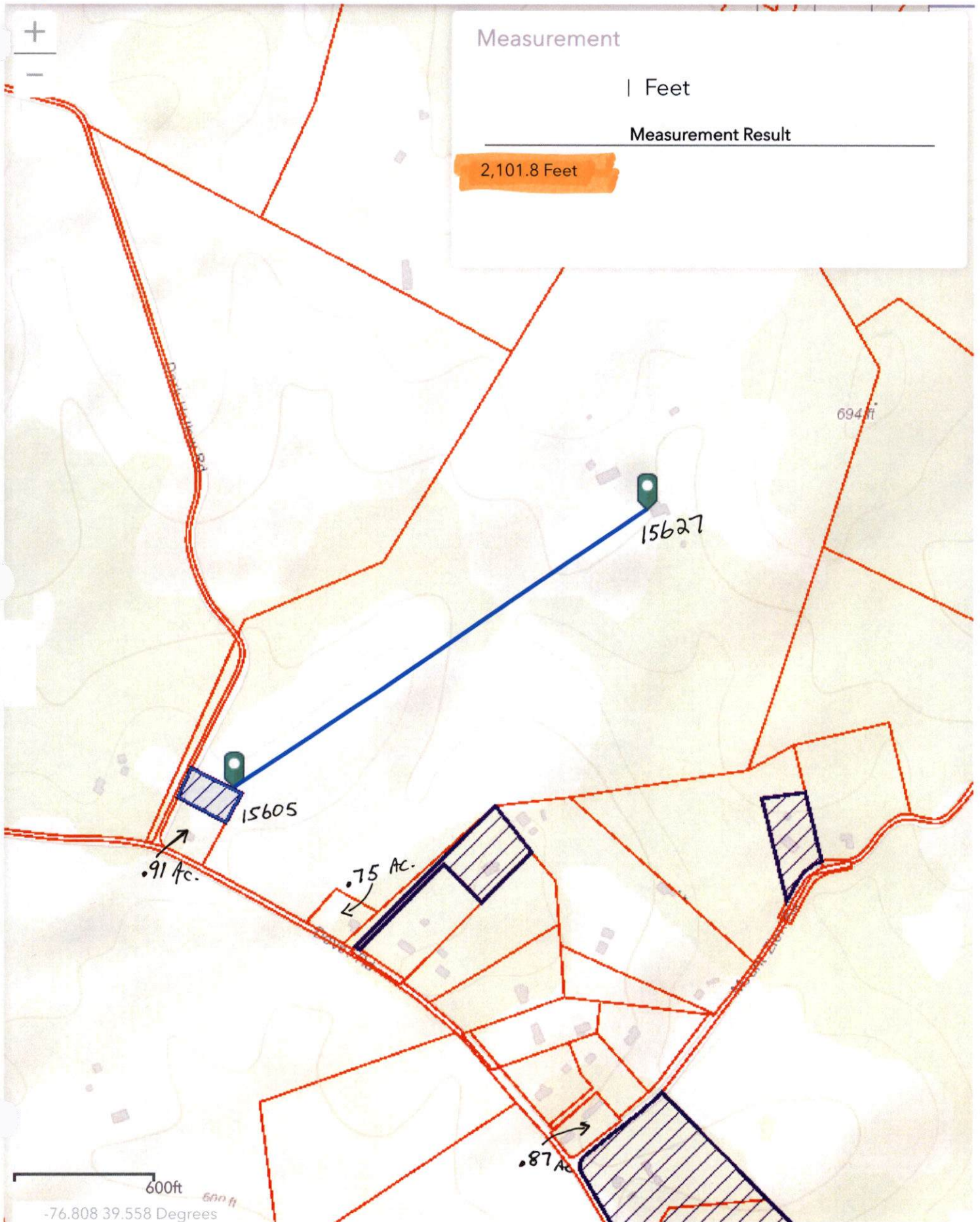
Baltimore County - My Neighborhood

Measurement

| Feet

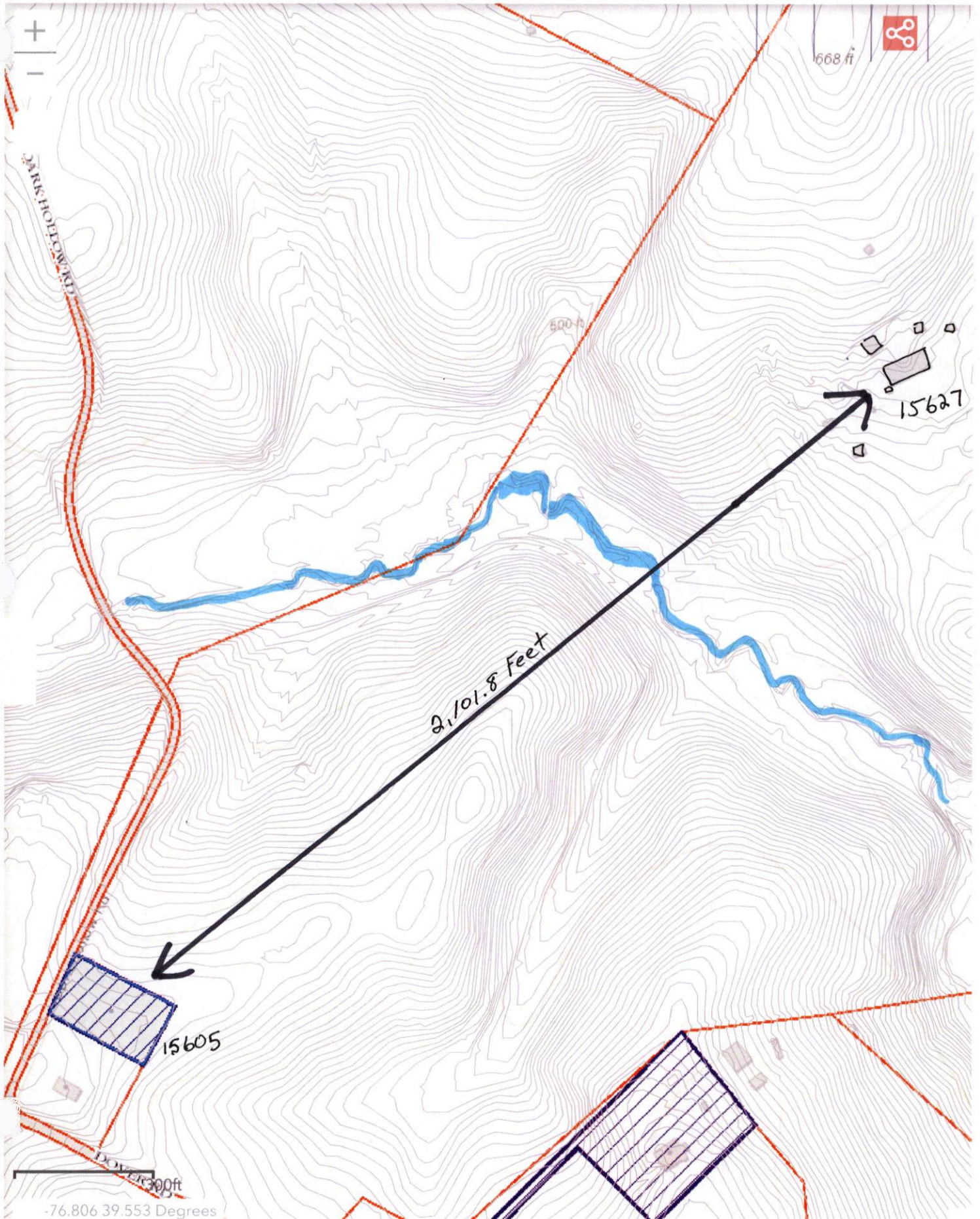
Measurement Result

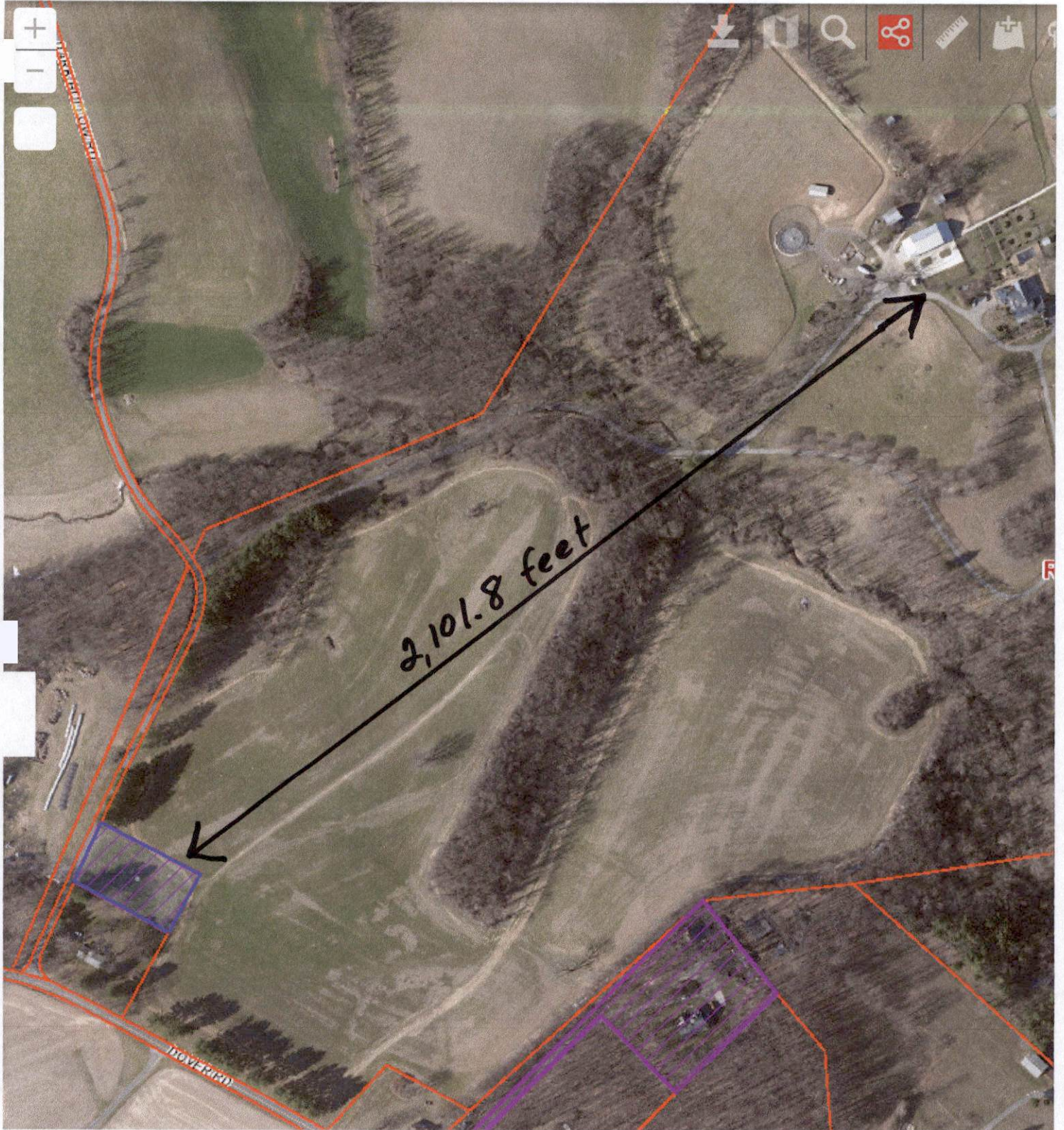
2,101.8 Feet





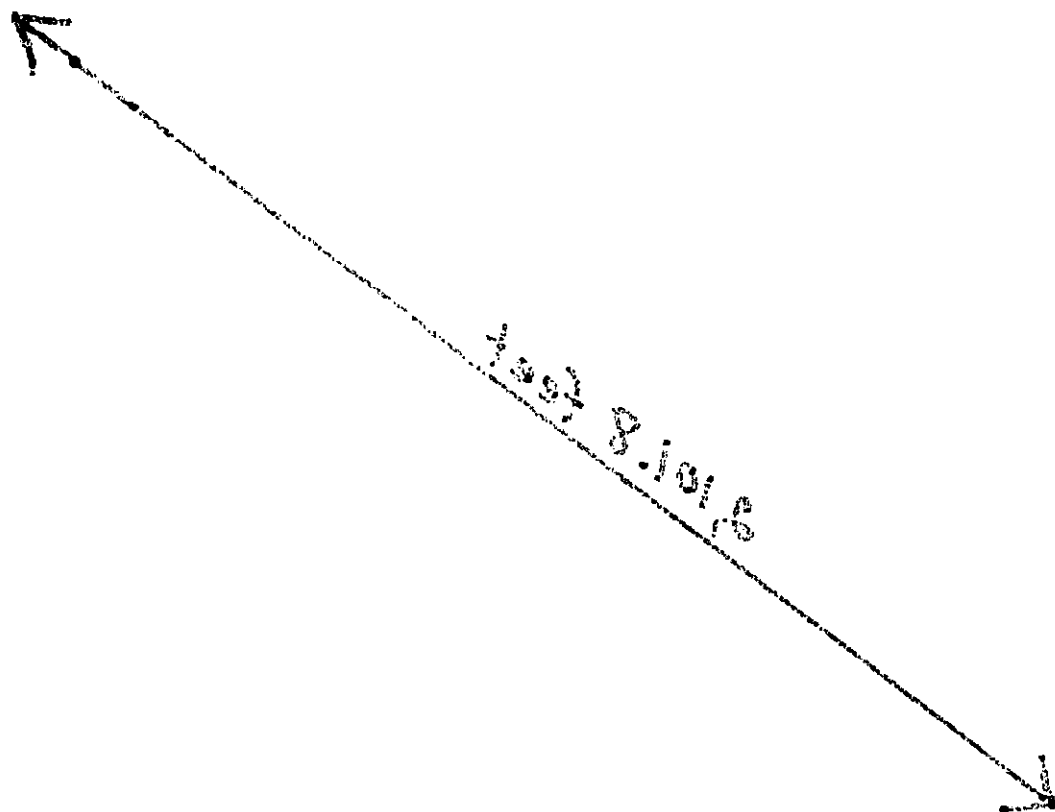
Baltimore County - My Neighborhood





300ft

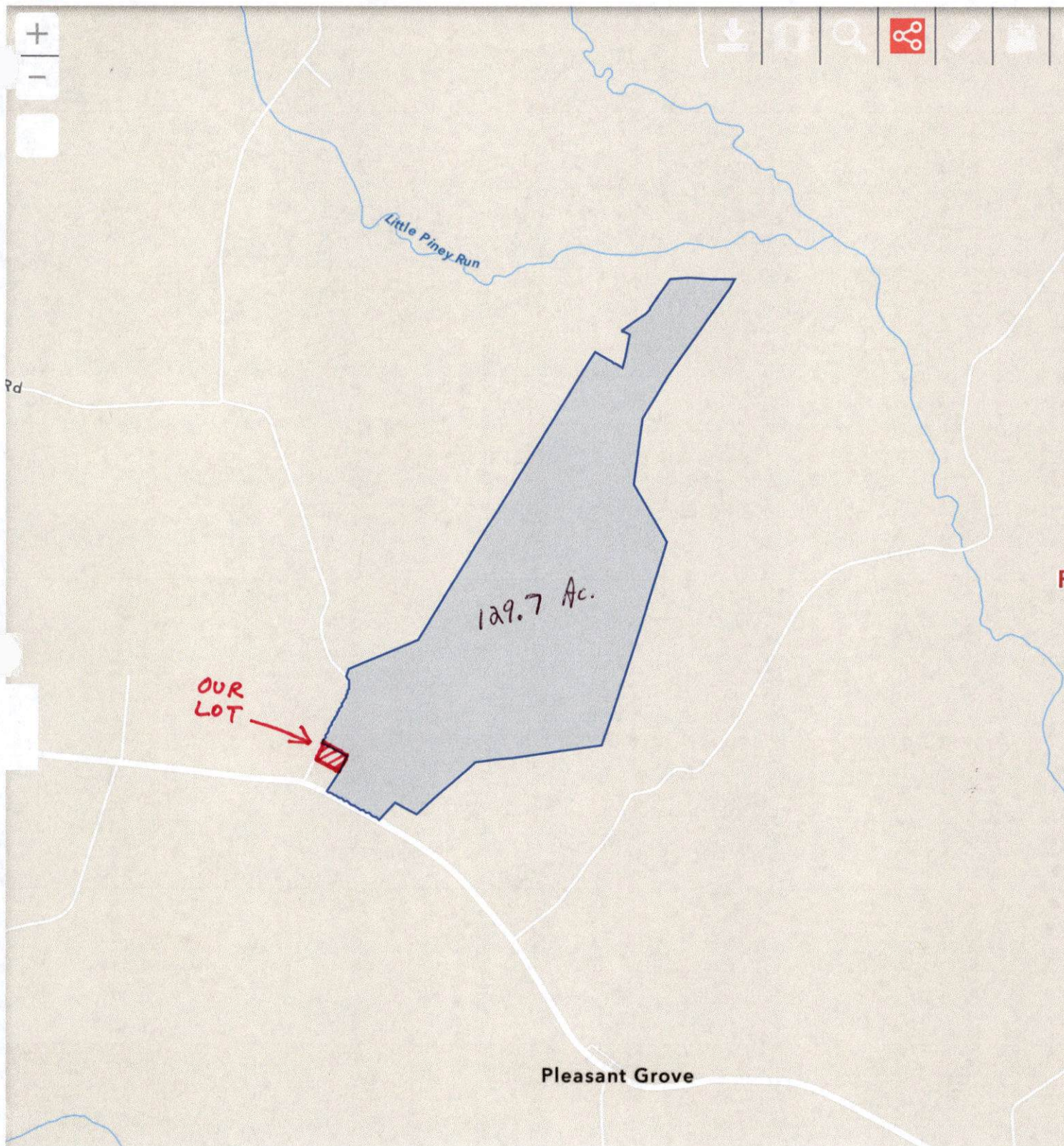
-76.807 39.554 Degrees



Ex #9



Baltimore County - My Neighborhood



0.2mi

-76.793 39.560 Degrees

TIMOTHY M. KOTROCO, Esq.

305 Washington Avenue, Suite 502

Towson, Maryland 21204

410-299-2943

Tkotroco@gmail.com

RECEIVED

FEB 08 2021

OFFICE OF
ADMINISTRATIVE HEARINGS

EXHIBIT LIST #1 FOR: CASE NO. 2020-0100-SPH

Pet Ex #1:	Site Plan of the Property showing house location
Pet Ex #2:	Septic System Approval by Balto. Co. in 1996 & 2020
Pet Ex #3	Planning Office Approval of Lot
Pet Ex #4	Deeds, Chain of Title to 1945
Pet Ex #5	Photos of Property
Pet Ex #6	Map Showing Other Undersized Lots in Neighborhood (West)
Pet Ex#6A	Supporting Documents for Undersized Lots for Ex #6
Pet Ex #7	Map Showing Other Undersized Lots in Neighborhood (East)
Pet Ex #7A	Supporting Documents for Undersized Lots for Ex. #7
Pet Ex. #8	Map of Distance & Topography to Neighbor's House
Pet Ex. #9	My Neighborhood Map showing protestant's Farm
Pet Ex. #10	Aerial Map Showing Protestant's Farm in Relation to Our Lot
Pet Ex. #11	Aerial View of Improvements on Protestant's Lot
Pet Ex. #12	Formal Demand for Hearing

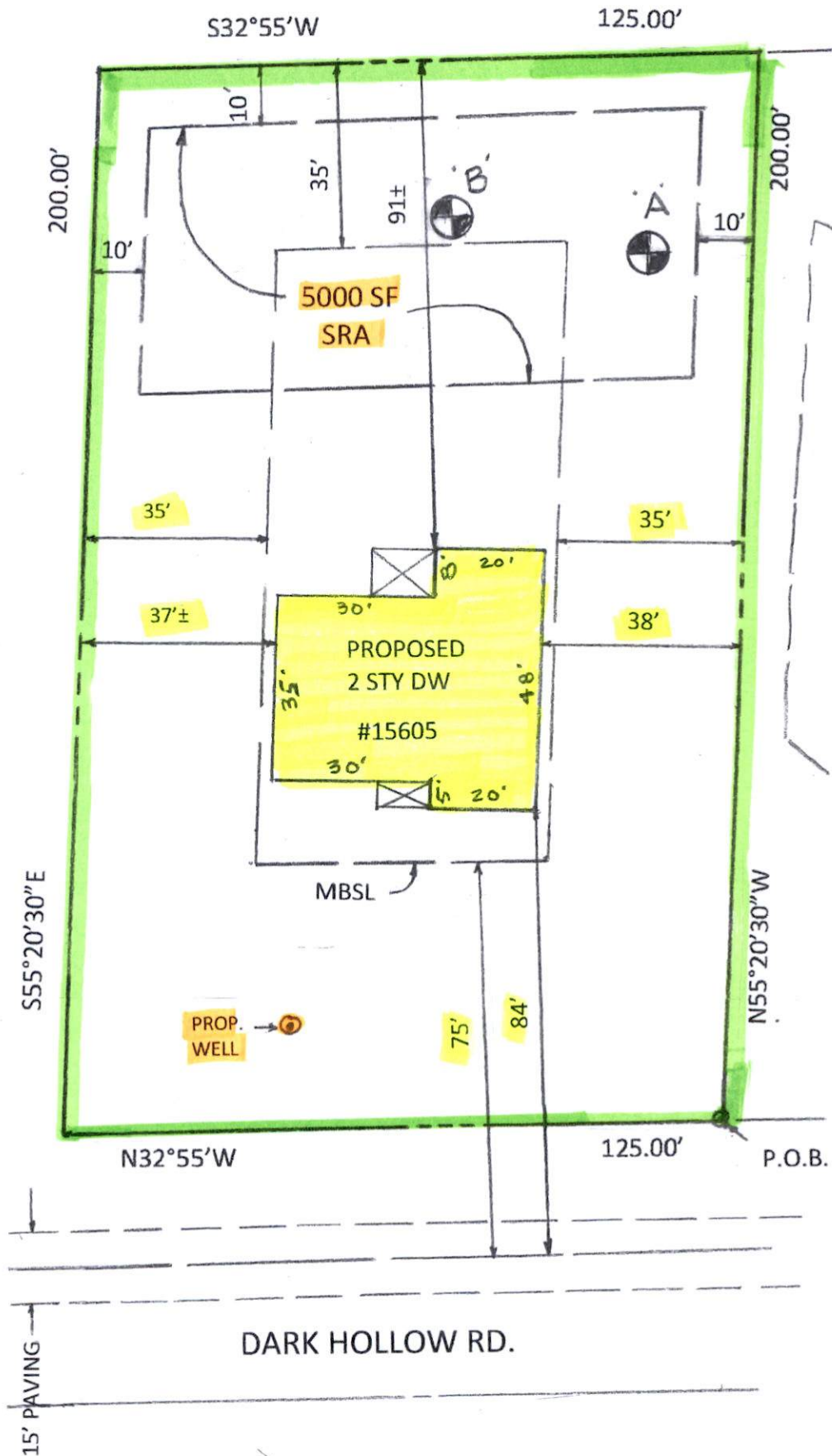
MORRIS
T.A.#0501074325
DEED REF: 12058/534
#15627 DARK HOLLOW RD.

AG.

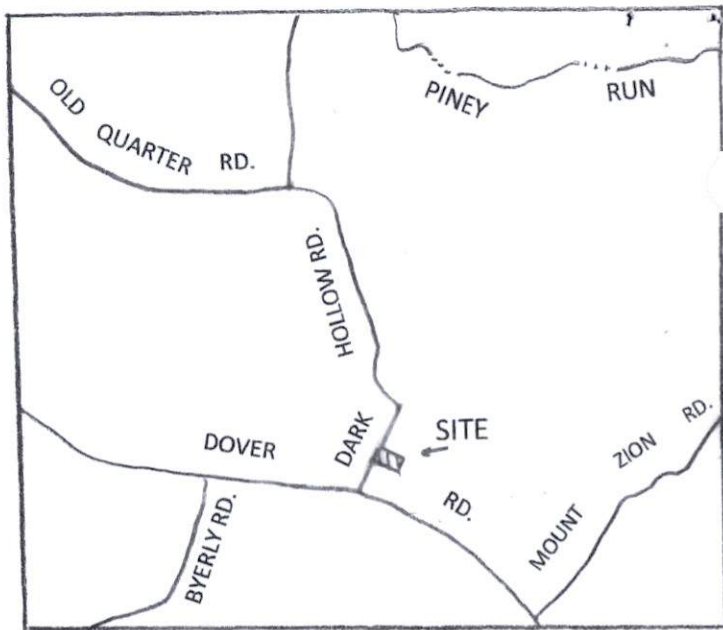
Ex #1 Site Plan

MORRIS
T.A.#0501074325
DEED REF: 12058/534
#15627 DARK HOLLOW RD.

AG.



PREPARED BY:
CRAIG CONSULTING, LLC
7024 GREENBANK RD.
BALTIMORE, MD 21220



VICINITY MAP
SCALE: 1"= 2000'

GENERAL NOTES

ZONING MAP# 025C3
 SITE ZONED: RC2
 LOT AREA ACREAGE: 0.57± S.F.
 OR SQUARE FEET: 24829±
 HISTORIC: NO
 IN CBCA: NO
 IN FLOOD NO
 PLAIN:
 WATER IS: PRIVATE
 SEWER IS: PRIVATE
 PRIOR NO
 HEARING?
 PRIOR NO
 VIOLATIONS?
 NO WELLS, DWELLING, SRAS OR UGT'S
 WITHIN 200' OF SITE UNLESS SHOWN.

**PLAN TO ACCOMPANY
 ZONING HEARING FOR:
 15605 DARK HOLLOW RD.
 ELECTION DISTRICT 5C3
 BALTIMORE COUNTY, MD
 TAX ACCT No. 0503077410
 DEED REF: 42365/246
 TAX MAP #25, PARCEL # 145**

OWNER:
 PTL RE CORP
 STE 1220
 C/O JIM FINNERTY 120 N. LASALLE ST.
 CHICAGO, IL 60602

SCALE: 1"=30' 04/2/2020

Ex #2 Prior Approval 1996



Baltimore County
Department of Environmental Protection
and Resource Management

BUREAU OF WATER QUALITY
AND RESOURCE MANAGEMENT
Ground Water Management
401 Bosley Avenue, Suite 416
Towson, Maryland 21204
(410) 887-2762
Fax: (410) 887-4804

April 2, 1996

FILE COPY

Mr. John Nischwitz
103 Fitz Court, T2
Reisterstown, MD 21136

Re: 15605 Dark Hollow Road
05-03-077410

Dear Mr. Nischwitz:

A representative of this office, Ms. Clare Brunner, R.S. conducted soil evaluations on November 2, 1995 regarding the above-referenced lot(s). The results are as follows:

<u>TEST PIT</u>	<u>DRAWDOWN</u>	<u>DEPTH</u>	<u>SOIL DESCRIPTION</u>
A	6 min	4'	Clay 0-4' PBS 4-16' Rock
B			Clay 0-4' PBS 4-16' Rock

PBS=Loch Pretty Boy Schist

Based on the evaluations and the plot plan dated, March 21, 1996, APPROVAL will be granted for the installation of a private sewage disposal system. Soil Percolation tests will be valid for a period of five (5) years from the date of tests, approval letter or record plat, whichever is most recent. At the expiration of this period of time, the results will become void without notice to that effect having been given by the Approving Authority.

It should be noted, there is an area designated on the site plan for the sewage disposal system and expansion thereof. Under no circumstances shall any permanent structures above or below ground, be permitted within this area. Also, no underground electric lines, water pipes, gas lines, etc., shall be permitted in the disposal system area.

The following are comments which concern persons developing property:

Where water wells are to be used as a source of water supply, Article XI, Section 13-118(g), of the Baltimore County Code requires that a well meeting the minimum recovery rate of one gallon per minute be drilled prior to issuance of a building permit.



Mr. John Nischwitz

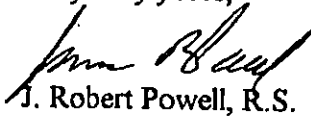
April 2, 1996

Page 2

In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. Questions regarding the subdivision process should be directed to Mr. Bruce Seeley, Development Coordination, Bureau of Engineering Services at (410) 887-3980.

If you have any questions regarding this matter, please contact Ms. Clare Brunner at 887-2762 between 8:30 - 9:30 a.m.

Very truly yours,



J. Robert Powell, R.S.

Program Supervisor

GROUND WATER MANAGEMENT

JRP:pj



JOHN A. OLSZEWSKI, JR.
County Executive

DAVID V. LYKENS, Director
Department of Environmental Protection
and Sustainability

February 12, 2020

Carl Dwyer
310 Mary Ave
Westminster, MD 21157

RE: 15605 Dark Hollow Rd, Election District 5

Dear Mr. Dwyer,

At your request, this office reviewed the information on file for the above-referenced property to determine if the prior approval to install an onsite sewage disposal system (OSDS) can be revalidated.

Our records indicate this property was initially approved in 1996 with the Master Plan dated April 2, 1996. Please note that these prior tests have expired. Upon further review, this previously approved plan is not signed and sealed by a licensed surveyor, engineer or landscape architect.

Prior to re-validation of the percolation tests, a revised site plan drawn to scale no greater than 1"= 60', signed and sealed by a licensed engineer, surveyor or landscape architect, must be submitted to this office for review and include the following:

- All wells and septic systems within 100 ft. of the subject property
- Septic reserve area and percolation test locations
- Well area
- Proposed house location
- Proposed driveway
- Topography at 5' intervals or less
- Soil types and soil boundaries

Enclosed is a copy of the master plan.

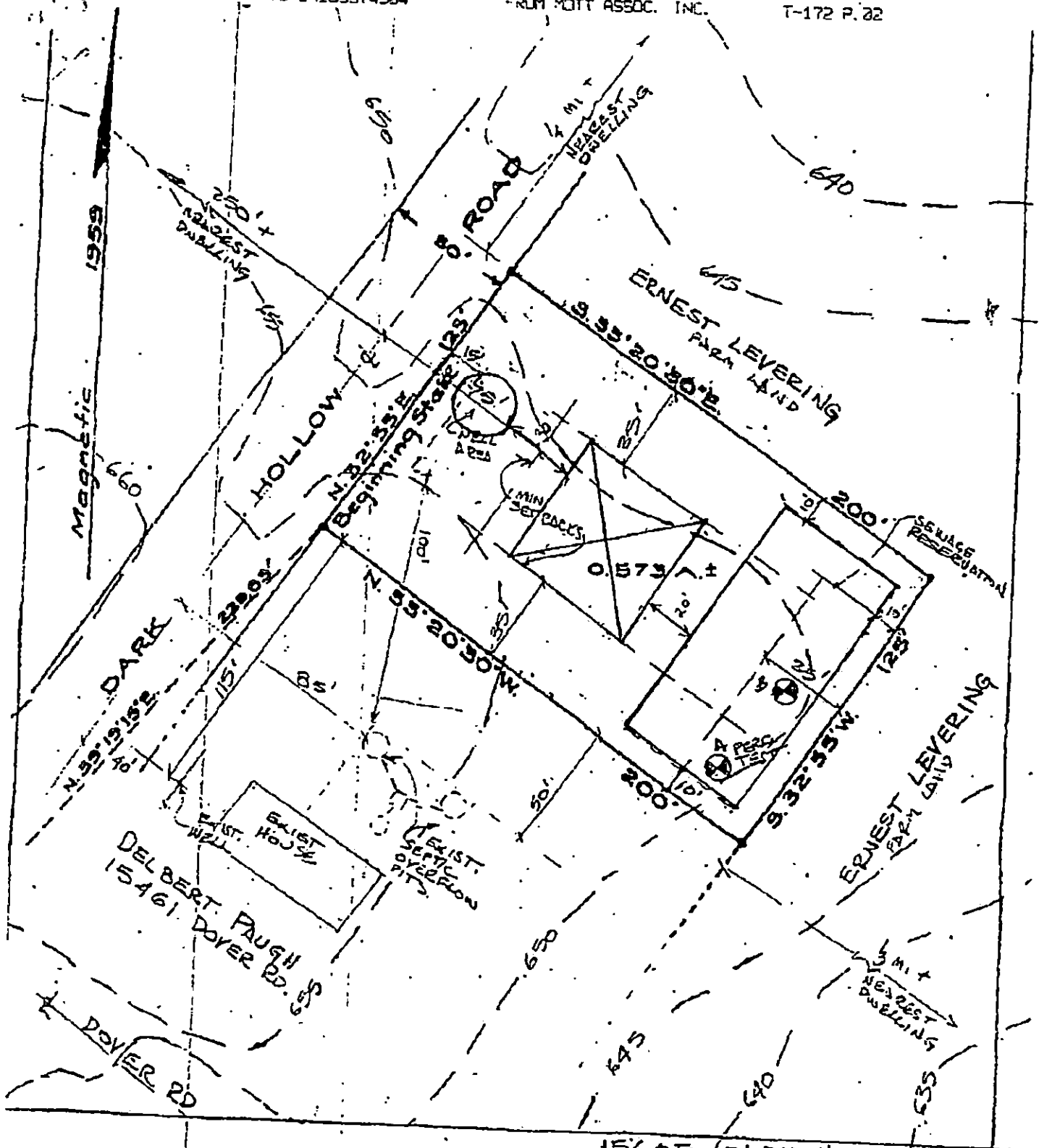
Please contact this office for any further information or questions at 410-887-2762.

Sincerely,

Miranda Clifford

Miranda Clifford, L.E.H.S.
Soil Evaluation Program
Ground Water Management-EPS

CC: PTL RE CORP, C/O JIM FINNERTY, 120 N LASALLE ST, STE 1220, CHICAGO, IL 60602



MASTER

156 05 / PARK HOLLOW RD
UPPER CO, BALT CO, MD.
Sche 1st = 50' -
District 5



FILE COPY

JOHN A. OLSZEWSKI, JR.
County Executive

February 28, 2020

DAVID V. LYKENS, Director
Department of Environmental Protection
and Sustainability

Mr. Carl Dwyer
310 MARY AVE
WESTMINSTER MD 21157

RE: 15605 Dark Hollow Road, Election District - 5

Dear Mr. Dwyer,

At your request, this office reviewed the information on file for the above-referenced property to determine if the prior approval to install an onsite sewage disposal system (OSDS) can be revalidated.

Based on our review, approval to install an OSDS on the lot(s) referenced above will be granted and no additional soil evaluations will be required provided there is no alteration to the Master Plan dated 02/27/2020 and Building Permit Application(s) are submitted within 5 years from the date of this letter. This approval will become void without notice at the expiration of this time period, after which revalidation must be obtained in writing from this office. If a Building Permit is submitted, the following information should be considered:

- It should be noted, that septic reserve area(s) are depicted on the Master Plan for the installation of an initial OSDS and future repairs. Under no circumstance shall any easements, rights-of-way, buildings, any other permanent or physical structures above or below ground, be permitted within this area and it may not be disturbed by earth moving, compaction, tree removal or grading. Also, no underground electric lines, water pipes, gas lines, etc., shall be permitted in the septic reserve area.

These lots are approved for a # bedroom home. Proposed dwellings with more bedrooms and/or commercial uses require further evaluation

Soil Evaluation Results:

A 6 min @ 4' C 0-4' PBS 4-16'

B C 0-4' PBS 4-16'

Mr. Carl Dwyer
February 28, 2020
Page 2

FILE COPY

If you have any questions regarding this matter, please contact this office at 410-887-2762.

Sincerely,

MP Clifford

Miranda P. Clifford, L.E.H.S.
Soil Evaluation Program
Ground Water Management-EPS

Cc: Jim Finnerty – PTL Re Corp, 120 N. LaSalle St, Suite 1220, Chicago, IL 60602
Craig Consulting, 7024 Greenbank Rd., Baltimore, MD 21220

S:\EPS\GWM\GWM TEMPLATES\Revalidation Letters-without BAT\Dark Hollow Rd.,15605,2-28-20.doc

Ex #3 Planning ZAC

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 6/5/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-100

INFORMATION:

Property Address: 15606 Dark Hollow Road
Petitioner: PTL RE Corp. c/o Jim Finnerty
Zoning: RC 2
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the administrative law judge should approve an undersized RC2 zoned lot with an area of .057 acres in lieu of the minimum required 1 acre, pursuant to section 304 of the Baltimore County Zoning Regulations (BCZR).

The lot is located on Dark Hollow Road just north of Dover Road. The property is in a primarily agricultural area. The property is an existing lot of record prior to 1979. The developers are proposing to locate the house within the required setbacks and are seeking no further relief.

The department has no objections to this request with the following condition:

1. Add note to plan from Section 1A01.5 of the Baltimore County Zoning regulations regarding Inconveniences arising from agricultural operations.

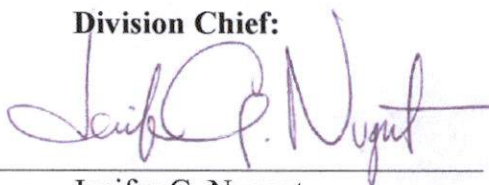
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Wiley
R. Craig Rodgers
Timothy Kotroco
Office of the Administrative Hearings
People's Counsel for Baltimore County

BOOK: 42365 PAGE: 246

Account Number 05-0503077410
15605 Dark Hollow Road
Baltimore County

LR - Deed (w Taxes)
Recording only \$120.00
Name: PTL RE CORP.
Ref:
LR - Deed (with Taxes)
Surcharge 40.00
LR - Deed State
Transfer Tax 33.60
LR - NR Tax - 1kd 0.00
SubTotal: 93.60
Total: 93.60
01/17/2020 12:32
#13268494 CC0301 -
Baltimore
County/CC03.01.03 -
Register 03

TAX SALE DEED

THIS TAX SALE DEED, made this 15th day of JANUARY, 2020 by and between Edward P. Blades, Director of Office of Budget and Finance for Baltimore County and Collector of State and County Taxes, party of the first part and PTL RE Corp., party of the second part.

WHEREAS, heretofore, the State and County taxes on the lot of ground hereinafter described, having been due and unpaid, the Director of the Office of Budget and Finance for Baltimore County and Collector of State and county Taxes, after having given due notice and having complied with all the prerequisites provided by law, did sell the hereinafter referred to property on the 4th day of June, 2014, to PTL Partners, LLC who assigned all of its rights, title and interest to PTL RE Corp., party of the second part herein, in accordance with the provisions of law; and the said property having not been redeemed; and the purchase money and all taxes and other municipal liens, and interest and penalty thereon accruing since the date of sale having been paid; and

WHEREAS, by Decree of the Circuit Court for Baltimore County dated the 6th day of September, 2019, and absolute and indefeasible title in fee simple to said property vested in said party of the second part as will more fully appear from the proceedings related thereto entitled, PTL RE Corp. v. R. Jean Curtis, et al. Case No. 03-C-16-005762.

NOW, THEREFORE, THIS DEED WITNESSETH, that in consideration of Six Thousand Seven Hundred Twenty Dollars and Zero Cents (\$6,720.00), the receipt whereof is hereby acknowledged, the said Edward P. Blades, Director of Office of Budget and Finance for Baltimore County and collector of State and County Taxes, as foresaid, by virtue of and in pursuance of the power and authority vested in him, does hereby grant and convey to the said party of the second part, their personal representatives, heirs, successors and assigns, forever, in fee simple, all that lot of ground situate and lying the 5th District of Baltimore County, State of Maryland, as hereinafter described:

Address:	15605 Dark Hollow Road
Parcel:	#05-0503077410
Description:	.573 Acres
Previously Assessed to:	R. Jean Curtis

attached

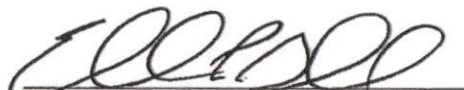
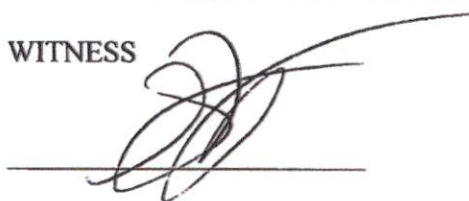
BEING the same lot of ground which by Deed dated September 14, 1988 and recorded among the Land Records of Baltimore County in Liber 7988 folio 403 was granted and conveyed by R. Jean Curtis, Personal Representative of the Estate of William Donald Curtis unto R. Jean Curtis, for life with powers, and the remainder to Margaret Jean Bennett, Patricia Lynn Curtis, and William Donald Curtis, III .

Together with the improvements thereupon and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or otherwise appertaining;

TO HAVE AND TO HOLD the described lot of ground and premises to PTL RE Corp., its successors and assigns, forever, in fee simple.

WITNESS, the hand of the said grantor.

WITNESS


Edward P. Blades

STATE OF MARYLAND, COUNTY OF _____, to wit:

I HEREBY CERTIFY that on this 15th day of JANUARY, 2020, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Edward P. Blades, the herein named Grantor, known to me, or satisfactorily proven to be the person whose name is subscribed to the within instrument and he acknowledged the foregoing Deed to be his act in the capacity therein stated.

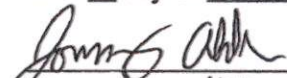
AS WITNESS my hand and Notarial Seal:

My Commission Expires: Jan 7, 2022


Notary Public

Approved as to form and legal sufficiency

This 13th day of January, 2020.

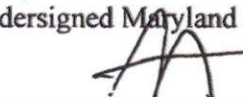


Name: Jonny Akchin

Title: Assl. County Attorney



Pursuant to Article 3, Section 104 of the Real Property Article, the within instrument has been prepared by or under the supervision of the undersigned Maryland attorney.


Stephen L. Harker

THIS DEED, made this 14th day of September, in the year nineteen hundred and eighty-eight, by and between R. JEAN CURTIS, Personal Representative of the Estate of William Donald Curtis, Jr., late of Baltimore County, party of the first part, R. JEAN CURTIS, individually, and MARGARET JEAN BENNETT, PATRICIA LYNN CURTIS and WILLIAM DONALD CURTIS, III, all of Baltimore County, Maryland, parties of the second part, and R. JEAN CURTIS, of Baltimore County, Maryland, party of the third part.

WHEREAS, William Donald Curtis, Jr. died intestate on June 17, 1987, a resident of Baltimore County, leaving surviving him as his heirs at law and next of kin, his widow, R. Jean Curtis, and his three children, Margaret Jean Bennett, Patricia Lynn Curtis and William Donald Curtis, III, all being parties of the second part herein; and

WHEREAS, William Donald Curtis, Jr. died seized and possessed of a fee simple title in and to the hereinafter described parcel of land, which, by virtue of Section 1-301 of the Estates and Trust Article of the Annotated Code of Maryland (1974 edition) vested in the said R. Jean Curtis as Personal Representative; and

WHEREAS, the parties of the second part are entitled to a deed of the hereinafter described parcel of land from the party of the firstpart, but have requested the party of the first part to join in this deed with them to have the hereinafter described parcel of land vest in R. Jean Curtis, for the term of her natural life with powers hereinafter set out, and upon her death to vest in Margaret Jean Bennett, Patricia Lynn Curtis and William Curtis, III, as Tenants in Common.

NOW, THEREFORE, THIS DEED WITNESSETH that for and in consideration of the sum of One Dollar (\$1.00), there being no actual monetary consideration, and the premises aforesaid, the said R. Jean Curtis, Personal Representative of the Estate of William Donald Curtis, Jr. does hereby grant and convey unto R. JEAN CURTIS

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE RJ DATE 10/3/88

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

RJ 10/3/88

TRANSFER TAX NOT REQUIRED
Baltimore County, Maryland
Authorized Signature
Date 10/3/88 Sec. 11-85

BALTIMORE COUNTY / CIRCUIT COURT - CLERK'S OFFICE - 1100 N. E. ST. BALTIMORE, MD 21202-1000. Page 4 of 5 - 10/27/1988. Printed 10/27/1988.

for and during the term of her natural life, in fee simple, with the powers hereinafter set out and with remainder over as herein- after provided, all that lot or parcel of land situate, lying and being in the Fifth Election District of Baltimore County, Maryland, and described as follows, in accordance with a survey made by C. A. Myers, State Registered Surveyor, on April 21, 1959, that is to say:

BEGINNING for the outlines to include the same at a stake 25 feet Southeast of the centerline of the present road-bed of Dark Hollow Road, said stake also being North 39 degrees 19 minutes 15 seconds East 229.83 feet from the end of the South 26 degrees West 61-1/4 perches line as described in a Deed from Thomas J. Curtis, single man, to Charles N. Armacost and wife, dated December 15, 1945, recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1424 folio 348, etc., said stake also being at the Northernmost corner of that parcel of land now laid out for conveyance from Charles N. Armacost, widower, to Thomas J. Curtis and wife, running thence along the Southeast side of Dark Hollow Road as now surveyed by mag- netic bearings of 1959, North 32 degrees 55 minutes East 125.00 feet to a stake, thence by a line of division, South 55 degrees 20 minutes 30 seconds East 200.00 feet to a stake, thence by another line of division and parallel with the first line of the parcel being described herein, South 32 degrees 55 minutes West 125.00 feet to a stake at the Easternmost corner of the above mentioned parcel now laid out for conveyance to Thomas J. Curtis, running thence binding on the North- easternmost line of that parcel as now surveyed, North 55 degrees 20 minutes 30 seconds West 200.00 feet to the place of beginning. Con- taining 0.573 of an acre of land, more or less.

BEING all and the same land described and conveyed in a deed from Charles N. Armacost, widower, to William Donald Curtis, Jr., dated June 13, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3545, folio 167. The said William Donald Curtis, Jr. died on June 17, 1987, intestate, and Letters of Adminis- tration were granted to his widow, R. Jean Curtis, as shown in Estate No. 62154 in the Office of the Register of Wills for Baltimore County.

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 anyway appertaining.

TO HAVE AND TO HOLD the said lot 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 R. JEAN CURTIS, for and during the term of her natural life, with full power in her to sell, mortgage, lease or otherwise dispose of said lot of ground (but without the power to will) and any and

all interest therein both life estate and remainder, and to use and consume the proceeds of sale, mortgage, lease or other disposition for her own use, without obligation on the part of the purchaser, mortgagee or lessee to see to the proper application of the purchase money, and from and immediately after the death of the said R. Jean Curtis, then as to so much of said property as may not have been disposed of by the said R. Jean Curtis in her lifetime under the aforesaid power, unto MARGARET JEAN BENNETT, PATRICIA LYNN CURTIS, and WILLIAM DONALD CURTIS, III, as tenants in common, their personal representatives and assigns, in fee simple.

AND the said party of the first part hereby covenants that she will execute such further assurances of the same as may be requisite; and the said parties of the second part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the said parties of the first and second parts herein.

WITNESS:

William M. Manko
William M. Manko

R. Jean Curtis (SEAL)
R. Jean Curtis, Personal Representative of William Donald Curtis, Jr.

William M. Manko
William M. Manko

R. Jean Curtis (SEAL)
R. Jean Curtis, individually

Notary Public, Fayette County, Georgia
My Commission Expires Dec. 2, 1989

Margaret Jean Bennett (SEAL)
Margaret Jean Bennett

William M. Manko (as to both)

Patricia Lynn Curtis (SEAL)
Patricia Lynn Curtis

William M. Manko
William M. Manko

William Donald Curtis, III (SEAL)
William Donald Curtis, III

BALTIMORE COUNTY CLERK COURT, 18th Records, Bk. 788's & 844's NSA C182, 7441 Date Rec'd 10-22-89, 10-22-89, 10-22-89

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I hereby certify that on this 19th day of September, 1988, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared R. JEAN CURTIS, Personal Representative of the Estate of William Donald Curtis, Jr., R. JEAN CURTIS; individually, and WILLIAM DONALD CURTIS, III, known to me to be the persons whose names are subscribed to the within instrument, and they severally acknowledged that they executed the same for the purposes therein contained, in the capacity therein set forth, and in my presence, signed and sealed the same.

Witness my hand and Official Seal.

William M. Manko
William M. Manko, Notary Public.

My Commission expires: 7/1/1990

✓ STATE OF GEORGIA,

COUNTY, to wit:

I hereby certify that on this 27th day of September, 1988, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared MARGARET JEAN BENNETT and PATRICIA LYNN CURTIS, known to me (or satisfactorily proven) to be two of the persons whose names are subscribed to the within instrument, and they severally acknowledged that they executed the same for the purposes therein contained, in the capacity therein set forth, and in my presence, signed and sealed the same.

Witness my hand and Official Seal.

Dorothy A. Collier
Notary Public.

My Commission expires: _____

Notary Public, Fayette County, Georgia
My Commission Expires Dec. 2, 1989

MAIL 10:

William M. Manko
Masonic Temple Bldg.
Reisterstown, Md. 21136

BALTIMORE COUNTY CIRCUIT COURT LIBER 7988 p. 406, MSA CE92 743 Case No. 88-1012720-1, Filed 11/06/2012.

Hoffers and



THIS DEED, Made this 17th day of June, in the year one thousand nine hundred and fifty-nine, by and between CHARLES N. ARMACOST, widower, of Baltimore County, State of Maryland, party of the first part, and WILLIAM DONALD CURTIS, JR., of the County and State aforesaid, party of the second part.

WITNESSETH, That for and in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Charles N. Armacost does hereby grant and convey unto the said William Donald Curtis, Jr., his heirs and assigns, forever, in fee simple, all that lot or parcel of land situate, lying and being in the Fifth Election District of Baltimore County, State aforesaid, and described as follows, in accordance with a survey may by C. A. Myers, State Registered Surveyor, on April 21, 1959, that is to say:

BEGINNING for the outlines to include the same at a stake 25 feet Southeast of the centerline of the present road-bed of Dark Hollow Road, said stake also being North 39 degrees 19 minutes 15 seconds East 229.83 feet from the end of the South 26 degrees West 61-1/4 perches line as described in a Deed from Thomas J. Curtis, single man, to Charles N. Armacost and wife, dated December 15, 1945, recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1424 folio 348, etc., said stake also being at the Northernmost corner of that parcel of land now laid out for conveyance from Charles N. Armacost, widower, to Thomas J. Curtis and wife, running thence along the Southeast side of Dark Hollow Road as now surveyed by magnetic bearings of 1959, North 32 degrees 55 minutes East 125.00 feet to a stake, thence by a line of division, South 55 degrees 20 minutes 30 seconds East 200.00 feet to a stake, thence by another line of division and parallel with the first line of the parcel being described herein, South 32 degrees 55 minutes West 125.00 feet to a stake at the Easternmost corner of the above mentioned parcel now laid out for conveyance to Thomas J. Curtis, running thence binding on the Northeasternmost line of that parcel as now surveyed, North 55 degrees 20 minutes 30 seconds West 200.00 feet to the place of beginning. Containing five hundred seventy-three thousandths of an acre (0.573) of land more or less.

BEING a part of the same land which by Deed dated December 15, 1945, and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1424 folio 348, etc., was granted and conveyed by Thomas J. Curtis, single man, to Charles N. Armacost and Anna P. Armacost, his wife, as tenants by the entireties. The said Anna P. Armacost being now deceased leaving the said Charles N. Armacost as sole owner.

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 lot 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 William Donald Curtis, Jr., his heirs and assigns, forever, in fee simple.

AND the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that he will warrant specially the property granted and that he will execute such further assurances of the same as may be requisite.

AS WITNESS the hand and seal of said Grantor.

TEST:

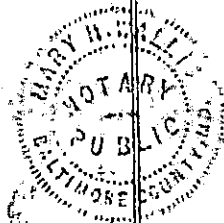
Charles N. Armacost (SEAL)
Charles N. Armacost

Mary H. Wallis
Mary H. Wallis

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, That on this 10th day of June, 1959, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared CHARLES N. ARMACOST, the within named Grantor, and he acknowledged the foregoing Deed to be his act and deed.

AS WITNESS my hand and Notarial Seal.



Mary H. Wallis
Mary H. Wallis Notary Public

Rec'd for record JUN 18 1959 at 10¹² AM
Per Walter J. Rasmussen, Clerk
Mail to Martin & Taylor
Receipt No. 39428 3 500

and Anna P Armacost his wife the Grantors: named in the foregoing Deed and severally acknowledged the above Deed to be their respective act

As Witness my hand and Notarial Seal

(Notarial Seal)

Albert A Phillips

Notary Public

Recorded Dec 26 1945 at 3 P M & Exd per

Robert J Spittel - Clerk

(Rec MP)

(Examiners G & V

96843

Thomas J Curtis

Deed to

Charles N Armacost & Wife

This Deed Made this 15th day of

December in the year nineteen hundred

and forty-five by and between Thomas J

Curtis Single Man of Baltimore County

State of Maryland party of the first part

hereinafter called the Grantor and Charles N Armacost and Anna P Armacost his wife of the County and State aforesaid parties of the second part

Witnesseth That in consideration of the sum of five dollars and other valuable considerations the receipt whereof is hereby acknowledged the said Thomas J Curtis does grant and convey unto the said Charles N Armacost and Anna P Armacost his wife as tenants by the entireties their assigns the survivor of them his or her heirs and assigns in fee simple all their right title and interest in and to all that lot or parcel of land including part of a tract of land called "Petticoats Loose" and part of a tract called "Pleasant Fields" situate lying and being in the fifth Election District of Baltimore County in the State of Maryland aforesaid and described as follows that is to say

Beginning for the outlines to include the same at the end of the ninth line of "Petticoats Loose" and running thence north eighty-four and one-half degrees West twenty-four perches South fifty-six degrees West fifty perches south fifty-nine and one-half degrees east nine perches south twenty-one degrees West sixteen perches North sixty-seven degrees West sixteen perches until it intersects a line heretofore agreed upon by the parties interested thence bounding on said line south thirty-five degrees West one hundred sixty-four and three-fourths perches to a stone marked F S No 4 thence South sixty-nine degrees West thirty-three perches south twenty-six degrees west sixty-one and one-fourth perches to the middle of the Dover Road thence bounding on said road south fifty-seven and three-fourths degrees East fifty-four perches to a stone standing in the north fifty-one degrees East ninety perches line of that part of Petticoats Loose heretofore conveyed by Martin Snyder to Frederick Snyder thence bounding on said line North fifty-one degrees East fifty-one and one-fourth perches to the end thereof thence North eighty-six degrees East sixty-five perches to a stone marked A standing at the end of eleven and

RECEIVED MAR 18 1946

one fourth perches on the north twenty degrees East one hundred twenty perches line of that part of Petticoats Loose conveyed by Martin Snider to Frederick Snyder as aforesaid thence bounding on said line north twenty degrees East one hundred eight and three-fourths perches thence still bounding on the outlines of the said part the three following courses North thirty degrees West thirty-two perches North ten degrees East thirty-four perches north thirty-two degrees east twenty - six perches and thence by a straight line to the place of beginning containing one hundred thirty-two acres (132) of land more or less

Excepting however a lot of land known as the grave yard Beginning for the same at the end of a line drawn South twelve and one-half degrees West eleven perches distance from the beginning stone of a tract of land called "Petticoats Hall" and running thence south seventy and one-half degrees West eight perches south nineteen and one-half degrees east ten perches North seventy degrees east eight perches and thence by a straight line to the first place of beginning containing one-half of an acre (1/2) of land more or less with the right of ingress and egress to and from the same

Being the same land that was conveyed unto the said Thomas J Curtis by deed from Charles N Armacost and wife dated December 15 1945 and to be recorded among the Land Records of Baltimore County prior hereto

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 otherwise appertaining

To have and to hold the land 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 Charles N Armacost and Anna P Armacost his wife as tenants by the entirety their assigns the survivor of them his or her heirs and assigns in fee simple

And the said grantor hereby covenants that he will warrant specially the property hereby granted and conveyed and that he will execute such further assurances of said land and premises as may be requisite

Witness the hand and seal of said grantor

Test:

Albert A Phillips

Thomas J Curtis

(Seal)

State of Maryland Carroll County to wit:

I Hereby Certify that on this 15th day of December in the year nineteen hundred and forty-five before me the subscriber a Notary Public of the State of Maryland in and for Carroll county aforesaid personally appeared Thomas J Curtis Single Man the Grantor named in the foregoing Deed and acknowledged the above deed to be his act

As Witness my hand and Notarial Seal

(Notarial Seal)

Albert A Phillips

Notary Public

Ex 5A



Baltimore County - My Neighborhood



A. C. x-3

other physical
+ some other things





Image capture: Aug 2019 © 2021 Google

Upperco, Maryland



Street View



Ex 5B



Baltimore County - My Neighborhood



Ex 28

looking into
your mind

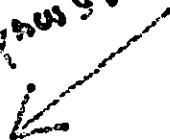




Image capture: Aug 2019 © 2021 Google

Upperco, Maryland



Street View



Ex 5c



Baltimore County - My Neighborhood



20 20

to find out
what is the
→



Google

Image capture: Aug 2019 © 2021 Google

Upperco, Maryland

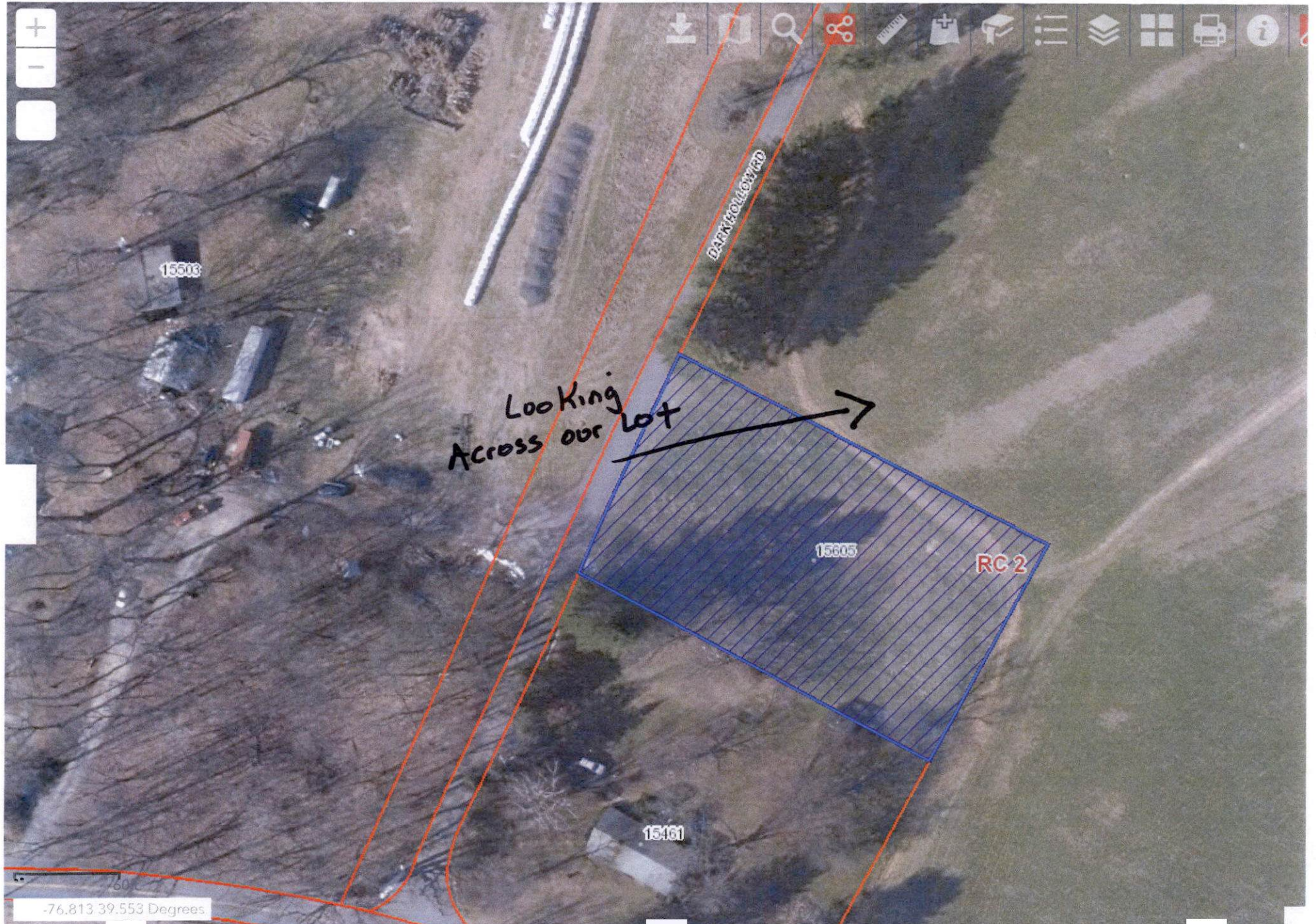


Street View





Ex 5D



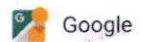
42 x 3

parking
for 100 cars



Image capture: Aug 2019 © 2021 Google

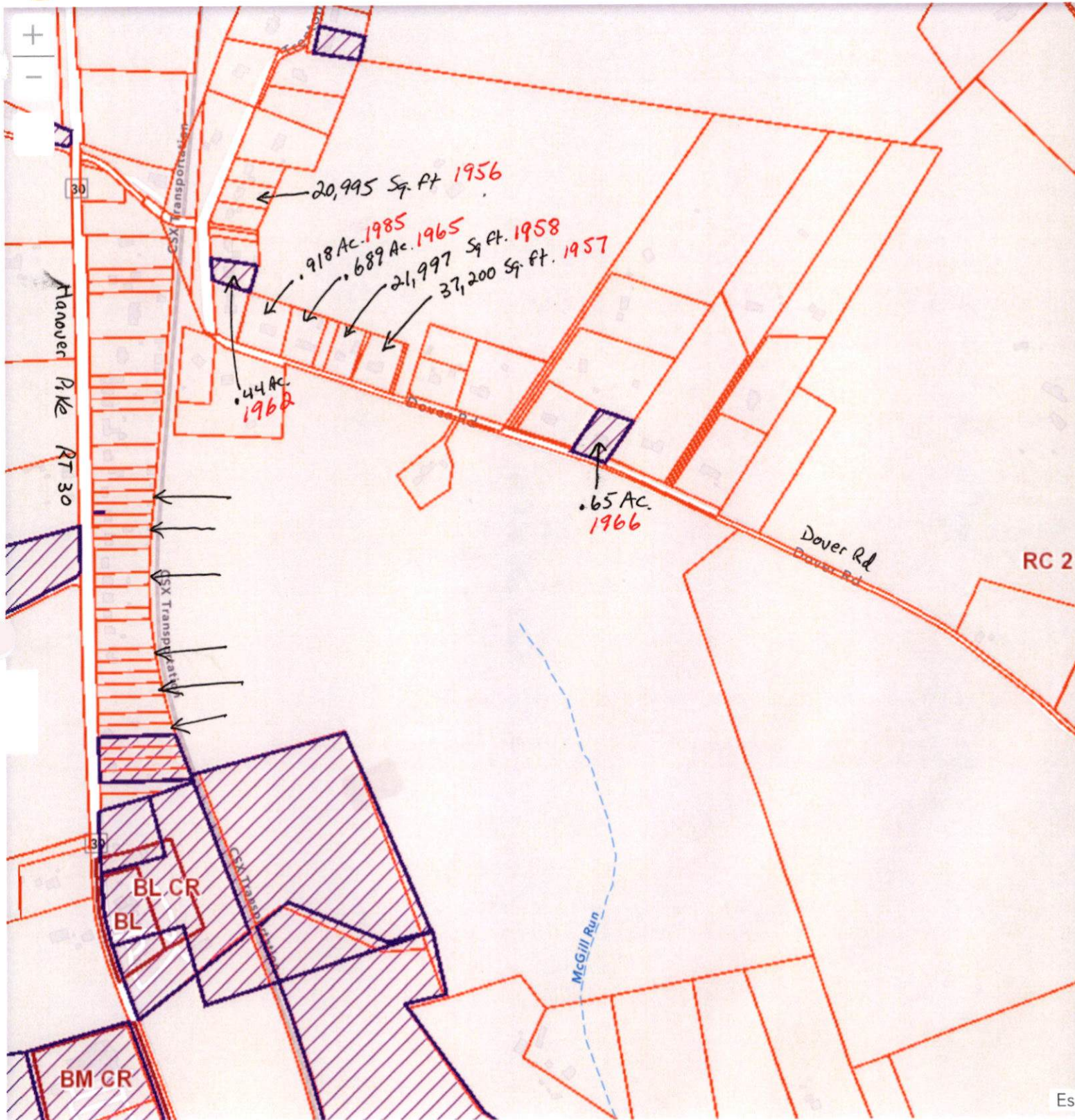
Upperco, Maryland



Street View



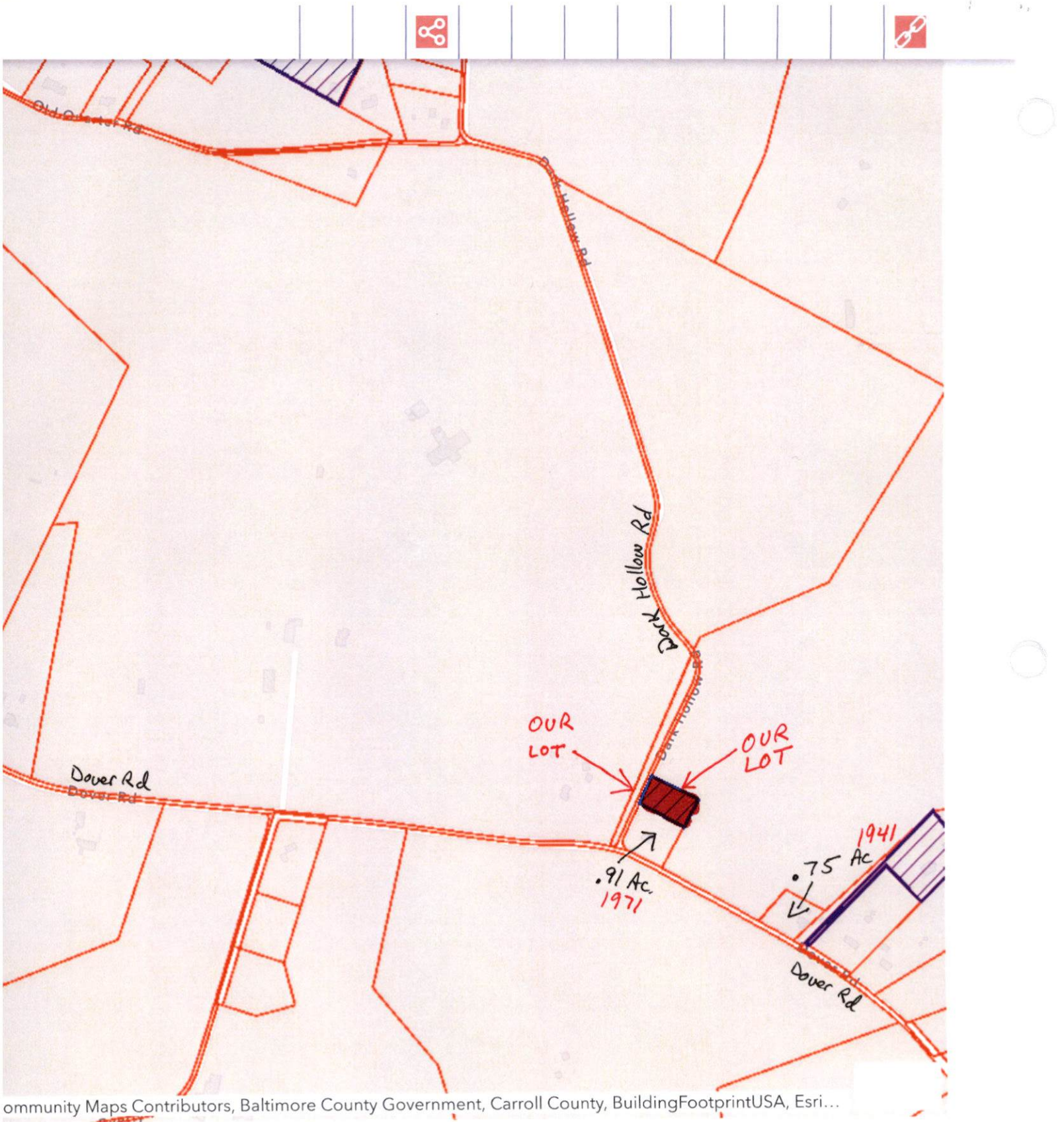
400
704



600ft

-76.822 39.556 Degrees

d LOTS



Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 05 Account Number - 0503077025		
Owner Information		
Owner Name:	CASANAS JULIO D CASANAS NANCY	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	15437 DOVER RD UPPERCO MD 21155-9517	Deed Reference: /42898/ 00345
Location & Structure Information		
Premises Address:	15437 DOVER RD UPPERCO 21155-9517	Legal Description: .75 AC NES 15437 DOVER RD 600FT SE DARK HOLLOW RD
Map:	Grid:	Parcel:
0025	0024	0128
Neighborhood:	Subdivision:	Section:
5040004.04	0000	
Block:	Lot:	Assessment Year:
		2020
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1941	1,416 SF	
Property Land Area	County Use	
34,238 SF	04	
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	3	1 full/ 1 half
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of
		01/01/2020
Land:	79,500	79,500
Improvements	121,000	149,600
Total:	200,500	229,100
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
		210,033
		219,567
Transfer Information		
Seller: CASANAS JULIO D	Date: 05/28/2020	Price: \$0
Type: ARMS LENGTH MULTIPLE	Deed1: /42898/ 00345	Deed2:
Seller: CURTIS R JEAN	Date: 07/12/1996	Price: \$118,000
Type: ARMS LENGTH MULTIPLE	Deed1: /11696/ 00018	Deed2:
Seller: CURTIS WILLIAM DONALD	Date: 08/18/1987	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07643/ 00701	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:		District - 05 Account Number - 0503077420
Owner Information		
Owner Name:	WELLING JEFFREY L WELLING MARY KATHLEEN	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	15461 DOVER RD UPPERCO MD 21155-9501	Deed Reference: /13825/ 00552
Location & Structure Information		
Premises Address:	15461 DOVER RD UPPERCO 21155-9501	Legal Description: .917 AC 15461 DOVER RD NE COR DOVER RD
Map:	Grid:	Parcel:
0025	0024	0144
Neighborhood:	Subdivision:	Section:
5040004.04	0000	
Block:	Lot:	Assessment Year:
		2020
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1971	1,248 SF	
Property Land Area	County Use	
39,944 SF	04	
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	3	1 full/ 1 half
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of
		01/01/2020
Land:	80,900	80,900
Improvements	139,100	172,300
Total:	220,000	253,200
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
		231,067
		242,133
Transfer Information		
Seller: PAUGH DELBERT W	Date: 06/16/1999	Price: \$140,000
Type: ARMS LENGTH IMPROVED	Deed1: /13825/ 00552	Deed2:
Seller: WEIBE WILLARD W	Date: 09/19/1984	Price: \$67,900
Type: ARMS LENGTH IMPROVED	Deed1: /06787/ 00314	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 08/26/2008		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 05 Account Number - 0525045090		
Owner Information		
Owner Name:	YOUNG ERNEST C JR YOUNG GEORGIA L	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	15705 DOVER RD UPPERCO MD 21155-9516	Deed Reference: /04311/ 00278
Location & Structure Information		
Premises Address:	15705 DOVER RD UPPERCO 21155-9516	Legal Description: .659 AC NES DOVER RD 2600FT SE HANOVER RD
Map:	Grid:	Parcel:
0025	0016	0177
Neighborhood:	Subdivision:	Section:
5040004.04	0000	
Block:	Lot:	Assessment Year:
		2020
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1966	1,392 SF	350 SF
Property Land Area	County Use	
28,706 SF	04	
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
BRICK/	3	1 full
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of
		01/01/2020
Land:	78,100	78,100
Improvements	179,400	234,000
Total:	257,500	312,100
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
		275,700
		293,900
Transfer Information		
Seller: HALE JOSHUA M	Date: 06/11/1964	Price: \$1,500
Type: ARMS LENGTH IMPROVED	Deed1: /04311/ 00278	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 08/12/2008		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

1. This screen allows you to search the Real Property database and display property records.
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3. Deleted accounts can only be selected by Property Account Identifier.

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:		District - 05 Account Number - 0508055130
Owner Information		
Owner Name:	DILLON EDWARD L DILLON ELIZABETH A	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	15729 DOVER RD UPPERCO MD 21155-9516	Deed Reference: /10246/ 00573
Location & Structure Information		
Premises Address:	15729 DOVER RD UPPERCO 21155-9516	Legal Description: LT NES DOVER RD 1320 E ST PAULS CHURCH
Map:	Grid:	Parcel:
0025	0016	0172
Neighborhood:	Subdivision:	Section:
5040004.04	0000	
Block:	Lot:	Assessment Year:
		2020
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1957	1,546 SF	
Property Land Area	County Use	
37,200 SF	04	
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
ASBESTOS SHINGLE/	4	1 full/ 1 half
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of 01/01/2020
Land:	80,300	80,300
Improvements	159,700	191,100
Total:	240,000	271,400
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2020
		As of 07/01/2021
		250,467
		260,933
Transfer Information		
Seller: BRANSFIELD D JOSEPH	Date: 12/29/1993	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /10246/ 00573	Deed2:
Seller: HINKINS ROBERT S	Date: 05/01/1979	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /06015/ 00183	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 06/26/2008		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 05 Account Number - 0508001060		
Owner Information		
Owner Name:	HARRIS HARE JULIE	Use: RESIDENTIAL
Mailing Address:	5216 BYERLY RD UPPERCO MD 21155-9516	Principal Residence: NO Deed Reference: /37257/ 00262
Location & Structure Information		
Premises Address:	15733 DOVER RD 0-0000	Legal Description: * NES DOVER RD 1320FT E ST PAULS CHRCH
Map:	Grid:	Parcel:
0025	0016	0171
Neighborhood:	Subdivision:	Section:
5040004.04	0000	
Block:	Lot:	Assessment Year:
		2020
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1958	1,120 SF	350 SF
Property Land Area	County Use	
21,997 SF	04	
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	3	1 full
Garage	Last Notice of Major Improvements	
1 Detached		
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2020	07/01/2020
Land:	76,400	76,400
Improvements	129,700	156,000
Total:	206,100	232,400
Preferential Land:	0	0
		214,867
		223,633
Transfer Information		
Seller: HALE WILLIAM R	Date: 03/08/2016	Price: \$197,000
Type: NON-ARMS LENGTH OTHER	Deed1: /37257/ 00262	Deed2:
Seller: HALE JOSHUA MITCHELL	Date: 10/05/1956	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /03027/ 00122	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
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Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 05 Account Number - 0508001180		
Owner Information		
Owner Name:	PROPER RICHARD E JR PROPER BRENDA P	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	15737 DOVER RD UPPERCO MD 21155-9516	Deed Reference: /25710/ 00173
Location & Structure Information		
Premises Address:	15737 DOVER RD UPPERCO 21155-9516	Legal Description: .689 AC NES DOVER RD 1320 E ST PAULS CHURCH
Map:	Grid:	Parcel:
0025	0016	0169
Neighborhood:	Subdivision:	Section:
5040004.04	0000	
Block:	Lot:	Assessment Year:
		2020
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1965	1,104 SF	
Property Land Area	County Use	
30,012 SF	04	
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	3	1 full/ 1 half
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of
		01/01/2020
Land:	78,500	78,500
Improvements	144,200	178,100
Total:	222,700	256,600
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
		234,000
		245,300
Transfer Information		
Seller: HALE DONALD H	Date: 05/15/1986	Price: \$86,500
Type: ARMS LENGTH IMPROVED	Deed1: /25710/ 00173	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 05/07/2008		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

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3. Deleted accounts can only be selected by Property Account Identifier.

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 05 Account Number - 0512020240		
Owner Information		
Owner Name:	MYERS DENNIS L MYERS LINDA K	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	15743 DOVER RD UPPERCO MD 21155-9516	Deed Reference: /06685/ 00128
Location & Structure Information		
Premises Address:	15743 DOVER RD UPPERCO 21155-9516	Legal Description: .918 AC NES DOVER RD 1300FT E HANOVER RD
Map:	Grid:	Parcel:
0025	0016	0168
Neighborhood:	Subdivision:	Section:
5040004.04	0000	
Block:	Lot:	Assessment Year:
		2020
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1985	1,589 SF	
Property Land Area	County Use	
39,988 SF	04	
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
FRAME/	4	2 full
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of
		01/01/2020
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
Land:	80,900	80,900
Improvements	201,400	242,100
Total:	282,300	323,000
Preferential Land:	0	0
		295,867
		309,433
Transfer Information		
Seller: LEHMAN JAMES L	Date: 03/28/1984	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /06685/ 00128	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 05/14/2008		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 05 Account Number - 0512020220		
Owner Information		
Owner Name:	CARBERRY ROBERT DEAN	Use: RESIDENTIAL
Mailing Address:	15745 DOVER RD UPPERCO MD 21155-9516	Principal Residence: YES
		Deed Reference: /43495/ 00303
Location & Structure Information		
Premises Address:	15745 DOVER RD UPPERCO 21155-9516	Legal Description: * ES DOVER RD 251FT S TRENTON RD
Map:	Grid:	Parcel:
0025	0016	0150
Neighborhood:	Subdivision:	Section:
5040004.04	0000	
Block:	Lot:	Assessment Year:
		2020
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1962	1,337 SF	500 SF
Property Land Area	County Use	
28,618 SF	04	
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
BRICK/	4	1 full/ 1 half
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of
		01/01/2020
Land:	78,100	78,100
Improvements	192,700	253,800
Total:	270,800	331,900
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
		291,167
		311,533
Transfer Information		
Seller: LEHMAN JAMES L	Date: 10/20/2020	Price: \$275,000
Type: ARMS LENGTH IMPROVED	Deed1: /43495/ 00303	Deed2:
Seller: LIPPY H JOSEPH	Date: 11/18/1960	Price: \$2,000
Type: ARMS LENGTH IMPROVED	Deed1: /03781/ 00190	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	07/01/2020
State:	000	0.00
Municipal:	000	0.00
		0.00 0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Application received		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:		District - 05 Account Number - 0522089925
Owner Information		
Owner Name:	DALLAM RICHARD M	Use: RESIDENTIAL
Mailing Address:	16303 DARK HOLLOW RD UPPERCO MD 21155-9358	Principal Residence: NO
		Deed Reference: /30067/ 00226
Location & Structure Information		
Premises Address:	15803 TRENTON RD UPPERCO 21155-	Legal Description: 15803 TRENTON RD RANCH HILL
Map:	Grid:	Parcel:
0025	0016	0185
Neighborhood:	Subdivision:	Section:
5040004.04	0000	
Block:	Lot:	Assessment Year:
	2	2020
		Plat No:
		Plat Ref: 0019/ 0054
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1956	1,242 SF	
Property Land Area	County Use	
20,995 SF	04	
Stories	Basement	Type
2	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
BRICK/ SIDING	3	1 full
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of
		01/01/2020
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
Land:	76,200	76,200
Improvements	123,900	141,700
Total:	200,100	217,900
Preferential Land:	0	0
		206,033
		211,967
Transfer Information		
Seller: FEDERAL NATIONAL	Date: 10/29/2010	Price: \$115,000
Type: ARMS LENGTH IMPROVED	Deed1: /30067/ 00226	Deed2:
Seller: VINK-HOOD LESLIE A	Date: 06/21/2010	Price: \$170,000
Type: NON-ARMS LENGTH OTHER	Deed1: /29594/ 00009	Deed2:
Seller: VINK-HOOD LESLIE A	Date: 01/10/2008	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /26562/ 00635	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	07/01/2020
State:	000	0.00
Municipal:	000	0.00
		0.00 0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 03/01/2011		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:



Baltimore County - My Neighborhood

Ex #7

Other Unde

91 Ac.
1971

OUR LOT

75 Ac 1941

871 Ac
1911

91 Ac
1953

Pleasant Grove

982 Ac
1983

RC 2

93 Ac
1894

600ft
-76.800 39.547 Degrees

Baltimore County Government, Carro

1940 1# x3
Sized Lots



Ill County, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NAS...

Protestants' Exhibit List

193
3-19-21

1. Deed (42365/246)
2. Deed (7988/403)
3. Deed (3545/167)
4. Deed (1424/348)
5. ~~_Email correspondence with Jeff Perlow~~
6. RDP zoning regulations

Protestants' Ex. 1

Account Number 05-0503077410
 15605 Dark Hollow Road
 Baltimore County

LR - Deed (w Taxes) 246
 Recording only \$1200.00
 Name: PTL RE CORP.
 Ref:
 LR - Deed (with Taxes)
 Surcharge 40.00
 LR - Deed State
 Transfer Tax 33.60
 LR - NR Tax - 1kd 0.00
 SubTotal: 93.60
 Total: 93.60
 01/17/2020 12:32
 #13268494 CC03-56
 Baltimore
 County/CC03.01.03 -
 Register 03

TAX SALE DEED

THIS TAX SALE DEED, made this 15th day of JANUARY, 2020 by and between Edward P. Blades, Director of Office of Budget and Finance for Baltimore County and Collector of State and County Taxes, party of the first part and PTL RE Corp., party of the second part.

WHEREAS, heretofore, the State and County taxes on the lot of ground hereinafter described, having been due and unpaid, the Director of the Office of Budget and Finance for Baltimore County and Collector of State and county Taxes, after having given due notice and having complied with all the prerequisites provided by law, did sell the hereinafter referred to property on the 4th day of June, 2014, to PTL Partners, LLC who assigned all of its rights, title and interest to PTL RE Corp., party of the second part herein, in accordance with the provisions of law; and the said property having not been redeemed; and the purchase money and all taxes and other municipal liens, and interest and penalty thereon accruing since the date of sale having been paid; and

WHEREAS, by Decree of the Circuit Court for Baltimore County dated the 6th day of September, 2019, and absolute and indefeasible title in fee simple to said property vested in said party of the second part as will more fully appear from the proceedings related thereto entitled, PTL RE Corp. v. R. Jean Curtis, et al. Case No. 03-C-16-005762.

NOW, THEREFORE, THIS DEED WITNESSETH, that in consideration of Six Thousand Seven Hundred Twenty Dollars and Zero Cents (\$6,720.00), the receipt whereof is hereby acknowledged, the said Edward P. Blades, Director of Office of Budget and Finance for Baltimore County and collector of State and County Taxes, as foresaid, by virtue of and in pursuance of the power and authority vested in him, does hereby grant and convey to the said party of the second part, their personal representatives, heirs, successors and assigns, forever, in fee simple, all that lot of ground situate and lying the 5th District of Baltimore County, State of Maryland, as hereinafter described:

Address: 15605 Dark Hollow Road
 Parcel: #05-0503077410
 Description: .573 Acres
 Previously Assessed to: R. Jean Curtis

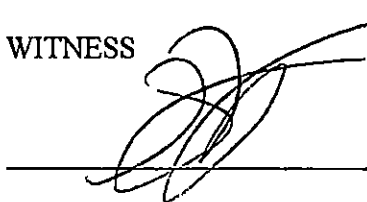
BEING the same lot of ground which by Deed dated September 14, 1988 and recorded among the Land Records of Baltimore County in Liber 7988 folio 403 was granted and conveyed by R. Jean Curtis, Personal Representative of the Estate of William Donald Curtis unto R. Jean Curtis, for life with powers, and the remainder to Margaret Jean Bennett, Patricia Lynn Curtis, and William Donald Curtis, III.

Together with the improvements thereupon and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or otherwise appertaining;

TO HAVE AND TO HOLD the described lot of ground and premises to PTL RE Corp., its successors and assigns, forever, in fee simple.

WITNESS, the hand of the said grantor.

WITNESS


Edward P. Blades

STATE OF MARYLAND, COUNTY OF _____, to wit:

I HEREBY CERTIFY that on this 15th day of JANUARY, 2000, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Edward P. Blades, the herein named Grantor, known to me, or satisfactorily proven to be the person whose name is subscribed to the within instrument and he acknowledged the foregoing Deed to be his act in the capacity therein stated.

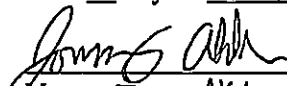
AS WITNESS my hand and Notarial Seal:

My Commission Expires: Jan 7, 2022


Notary Public

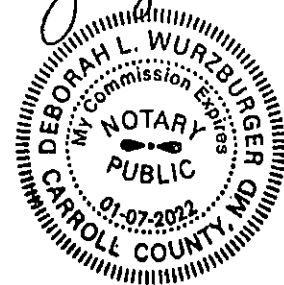
Approved as to form and legal sufficiency

This 13th day of January, 2000.

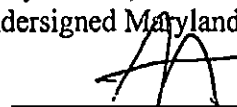


Name: Jomy Akchin

Title: Assl. County Attorney



Pursuant to Article 3, Section 104 of the Real Property Article, the within instrument has been prepared by or under the supervision of the undersigned Maryland attorney.


Stephen L. Harker



BALTIMORE COUNTY, MARYLAND

CERTIFICATE OF TAX SALE

I, Keith Dorsey, Director of the Office of Budget and Finance for Baltimore County and Collector of State and County Taxes for said County, hereby certifies that on 6/4/2014, I sold to PTL Partners, LLC

at public auction, for the sum of \$6,720.00 of which \$1,083.45 has been paid.

Said property having been assessed to CURTIS R JEAN located in the District 05 of Baltimore County, described as follows, that is to say:

Parcel No.: 0503077410 Known as: 15605 DARK HOLLOW RD
.573 AC

The amount paid represents the total amount of taxes due on the property sold at the time of sale, together with interest and penalties thereon and expenses incurred in making the sale. The property described herein is subject to redemption. Upon redemption, the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of twelve (12) percent per annum from the date of payment to the date of redemption together with all other amounts specified by The Tax Property Article, Annotated Code of Maryland. The balance due on account of the purchase price and all taxes together with interest and penalties thereon accruing subsequent to the date of sale must be paid to the Collector before a deed can be delivered to the purchaser.

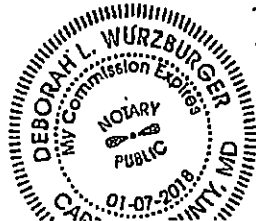
After December 4, 2014, a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such proceeding is brought within two years from the date of this certificate.

WITNESS my hand and seal, this 4th day of December 2014.

Keith Dorsey
Director of the Office of Budget and Finance and Collector of State and County Taxes for Baltimore County

State of Maryland, County of Baltimore, To Wit:

I, HEREBY CERTIFY that on this 4th day of December in the year 2014, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County of Baltimore aforesaid, personally appeared Keith Dorsey, Director of the Office of Budget and Finance for Baltimore County and Collector of State and County Taxes for said County, and he did acknowledge the foregoing Certificate of Tax Sale to be his act.



Deborah L. Wurzbarger
Notary Public

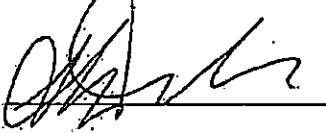
"Exhibit"

ASSIGNMENT OF CERTIFICATE OF TAX SALE

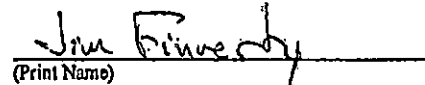
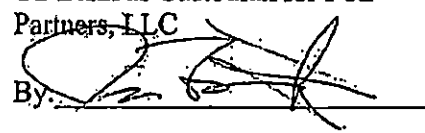
For value received and without recourse, this th 20 day of November, 2017, the below described grantor does transfer, sell, assign, or otherwise convey to PTL RE Corp., all of its right, title, and interest including the proceeds of redemption in the following Certificate of Tax Sale:

County : Baltimore County
State : Maryland
Date of Certificate : 6/4/2014
Property Address : 15605 Dark Hollow Road
Description : .573 AC
Tax Account Number : 05 0503077410
Assessed To : R. Jean Curtis

Witness:

US Bank as Custodian for PTL
Partners, LLC

By:


(Print Name)

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

DUPLICATE PAID RECEIPT

Protestants' Ex. 2

THIS DEED, made this 14th day of September, in the year nineteen hundred and eighty-eight, by and between R. JEAN CURTIS, Personal Representative of the Estate of William Donald Curtis, Jr., late of Baltimore County, party of the first part, R. JEAN CURTIS, individually, and MARGARET JEAN BENNETT, PATRICIA LYNN CURTIS and WILLIAM DONALD CURTIS, III, all of Baltimore County, Maryland, parties of the second part, and R. JEAN CURTIS, of Baltimore County, Maryland, party of the third part.

WHEREAS, William Donald Curtis, Jr. died intestate on June 17, 1987, a resident of Baltimore County, leaving surviving him as his heirs at law and next of kin, his widow, R. Jean Curtis, and his three children, Margaret Jean Bennett, Patricia Lynn Curtis and William Donald Curtis, III, all being parties of the second part herein; and

WHEREAS, William Donald Curtis, Jr. died seized and possessed of a fee simple title in and to the hereinafter described parcel of land, which, by virtue of Section 1-301 of the Estates and Trust Article of the Annotated Code of Maryland (1974 edition) vested in the said R. Jean Curtis as Personal Representative; and

WHEREAS, the parties of the second part are entitled to a deed of the hereinafter described parcel of land from the party of the first part, but have requested the party of the first part to join in this deed with them to have the hereinafter described parcel of land vest in R. Jean Curtis, for the term of her natural life with powers hereinafter set out, and upon her death to vest in Margaret Jean Bennett, Patricia Lynn Curtis and William Donald Curtis, III, as Tenants in Common.

3 RC/F 23.00
0 #
23.00
478324 CCCC R02 114:41

NOW, THEREFORE, THIS DEED WITNESSETH that for and in consideration of the sum of One Dollar (\$1.00); there being no actual monetary consideration, and the premises aforesaid, the said R. Jean Curtis, Personal Representative of the Estate of William Donald Curtis, Jr. does hereby grant and convey unto R. JEAN CURTIS

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE RJ DATE 10/3/88

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

10/3/88

TRANSFER TAX NOT REQUIRED
Director of Assessments
BALTIMORE COUNTY, MARYLAND
For Public Use
Authorized Signature
Date 10/3/88 Sec. 11-85

for and during the term of her natural life, in fee simple, with the powers hereinafter set out and with remainder over as herein-after provided, all that lot or parcel of land situate, lying and being in the Fifth Election District of Baltimore County, Maryland, and described as follows, in accordance with a survey made by C. A. Myers, State Registered Surveyor, on April 21, 1959, that is to say:

BEGINNING for the outlines to include the same at a stake 25 feet Southeast of the centerline of the present road-bed of Dark Hollow Road, said stake also being North 39 degrees 19 minutes 15 seconds East 229.83 feet from the end of the South 26 degrees West 61-1/4 perches line as described in a Deed from Thomas J. Curtis, single man, to Charles N. Armacost and wife, dated December 15, 1945, recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1424 folio 348, etc., said stake also being at the Northernmost corner of that parcel of land now laid out for conveyance from Charles N. Armacost, widower, to Thomas J. Curtis and wife, running thence along the Southeast side of Dark Hollow Road as now surveyed by magnetic bearings of 1959, North 32 degrees 55 minutes East 125.00 feet to a stake, thence by a line of division, South 55 degrees 20 minutes 30 seconds East 200.00 feet to a stake, thence by another line of division and parallel with the first line of the parcel being described herein, South 32 degrees 55 minutes West 125.00 feet to a stake at the Easternmost corner of the above mentioned parcel now laid out for conveyance to Thomas J. Curtis, running thence binding on the North-easternmost line of that parcel as now surveyed, North 55 degrees 20 minutes 30 seconds West 200.00 feet to the place of beginning. Containing 0.573 of an acre of land, more or less.

BEING all and the same land described and conveyed in a deed from Charles N. Armacost, widower, to William Donald Curtis, Jr., dated June 13, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3545, folio 167. The said William Donald Curtis, Jr. died on June 17, 1987, intestate, and Letters of Administration were granted to his widow, R. Jean Curtis, as shown in Estate No. 62154 in the Office of the Register of Wills for Baltimore County.

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 anyway appertaining.

TO HAVE AND TO HOLD the said lot 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 R. JEAN CURTIS, for and during the term of her natural life, with full power in her to sell, mortgage, lease or otherwise dispose of said lot of ground (but without the power to will) and any and

all interest therein both life estate and remainder, and to use and consume the proceeds of sale, mortgage, lease or other disposition for her own use, without obligation on the part of the purchaser, mortgagee or lessee to see to the proper application of the purchase money, and from and immediately after the death of the said R. Jean Curtis, then as to so much of said property as may not have been disposed of by the said R. Jean Curtis in her lifetime under the afore-said power, unto MARGARET JEAN BENNETT, PATRICIA LYNN CURTIS, and WILLIAM DONALD CURTIS, III, as tenants in common, their personal representatives and assigns, in fee simple.

AND the said party of the first part hereby covenants that she will execute such further assurances of the same as may be requisite; and the said parties of the second part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the said parties of the first and second parts herein.

WITNESS:

William M. Manko
William M. Manko

William M. Manko
William M. Manko

Notary Public, Fayette County, Georgia
My Commission Expires Dec. 2, 1989

Joseph M. Carter (as to both)

William M. Manko
William M. Manko

R. Jean Curtis (SEAL)
R. Jean Curtis, Personal
Representative of William Donald
Curtis, Jr.

R. Jean Curtis (SEAL)
R. Jean Curtis, individually

Margaret Jean Bennett (SEAL)
Margaret Jean Bennett

Patricia L. Curtis (SEAL)
Patricia Lynn Curtis

William Donald Curtis, III (SEAL)
William Donald Curtis, III

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I hereby certify that on this 19th day of September, 1988, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared R. JEAN CURTIS, Personal Representative of the Estate of William Donald Curtis, Jr., R. JEAN CURTIS, individually, and WILLIAM DONALD CURTIS, III, known to me to be the persons whose names are subscribed to the within instrument, and they severally acknowledged that they executed the same for the purposes therein contained, in the capacity therein set forth, and in my presence, signed and sealed the same.

Witness my hand and Official Seal.

William M. Manko
William M. Manko, Notary Public.

My Commission expires: 7/1/1990

✓ STATE OF GEORGIA,

COUNTY, to wit:

I hereby certify that on this 27th day of September, 1988, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared MARGARET JEAN BENNETT and PATRICIA LYNN CURTIS, known to me (or satisfactorily proven) to be two of the persons whose names are subscribed to the within instrument, and they severally acknowledged that they executed the same for the purposes therein contained, in the capacity therein set forth, and in my presence, signed and sealed the same.

Witness my hand and Official Seal.

Dorothy A. Collins
Notary Public.

My Commission expires: _____

Notary Public, Fayette County, Georgia
My Commission Expires Dec. 2, 1989

MAIL TO:

William M. Manko
Masonic Temple Bldg.
Reisterstown, Md. 21136

Protestants' Ex. 3

W. Myers, Jr.



THIS DEED, Made this 13th day of June, in the year one thousand nine hundred and fifty-nine, by and between CHARLES N. ARMACOST, widower, of Baltimore County, State of Maryland, party of the first part, and WILLIAM DONALD CURTIS, JR., of the County and State aforesaid, party of the second part.

WITNESSETH, That for and in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Charles N. Armacost does hereby grant and convey unto the said William Donald Curtis, Jr., his heirs and assigns, forever, in fee simple, all that lot or parcel of land situate, lying and being in the Fifth Election District of Baltimore County, State aforesaid, and described as follows, in accordance with a survey may by C. A. Myers, State Registered Surveyor, on April 21, 1959, that is to say:

BEGINNING for the outlines to include the same at a stake 25 feet Southeast of the centerline of the present road-bed of Dark Hollow Road, said stake also being North 39 degrees 19 minutes 15 seconds East 229.83 feet from the end of the South 26 degrees West 61-1/4 parcels line as described in a Deed from Thomas J. Curtis, single man, to Charles N. Armacost and wife, dated December 15, 1945, recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1424 folio 348, etc., said stake also being at the North-easternmost corner of that parcel of land now laid out for conveyance from Charles N. Armacost, widower, to Thomas J. Curtis and wife, running thence along the Southeast side of Dark Hollow Road as now surveyed by magnetic bearings of 1959, North 32 degrees 55 minutes East 125.00 feet to a stake, thence by a line of division, South 55 degrees 20 minutes 30 seconds East 200.00 feet to a stake, thence by another line of division and parallel with the first line of the parcel being described herein, South 32 degrees 55 minutes West 125.00 feet to a stake at the Easternmost corner of the above mentioned parcel now laid out for conveyance to Thomas J. Curtis, running thence binding on the North-easternmost line of that parcel as now surveyed, North 55 degrees 20 minutes 30 seconds West 200.00 feet to the place of beginning. Containing five hundred seventy-three thousandths of an acre (0.573) of land more or less.

BEING a part of the same land which by Deed dated December 15, 1945, and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1424 folio 348, etc., was granted and conveyed by Thomas J. Curtis, single man, to Charles N. Armacost and Anna P. Armacost, his wife, as tenants by the entireties, The said Anna P. Armacost being now deceased leaving the said Charles N. Armacost as sole owner.

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.

FILED IN LIBRARY OF THE COURT CLERK OF BALTIMORE COUNTY, MARYLAND, DECEMBER 15, 1959, 10:00 AM

LIBER 3546 PAGE 100

TO HAVE AND TO HOLD the said lot 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 William Donald Curtin, Jr., his heirs and assigns, forever, in fee simple.

AND the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that he will warrant specially the property granted and that he will execute such further assurances of the same as may be required.

AS WITNESS the hand and seal of said Grantor.

TEST:

Charles N. Armacost (SEAL)
Charles N. Armacost

Mary H. Wallis
Mary H. Wallis

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, That on this 10th day of June, 1959, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared CHARLES N. ARMACOST, the within named Grantor, and he acknowledged the foregoing Deed to be his act and deed.

AS WITNESS my hand and Notarial Seal.



Mary H. Wallis
Mary H. Wallis, Notary Public

Rec'd for record JUN 18 1959 at 10¹² AM
Per Walter J. Rasmussen, Clerk
Mail to Martin & Taylor
Receipt No. 37428-V-5

Protestants' Ex. 4

As Witness my hand and Notarial Seal

(Notarial Seal)

Albert A Phillips

Notary Public

Recorded Dec 26 1945 at 3 P M & Exd per

Robert J Spittel - Clerk

(Rec MP)

(Examiners G & V

96843

Thomas J Curtis

Dead to

Charles N Armacost & Wife

This Doed Made this 15th day of

December in the year nineteen hundred

and forty-five by and between Thomas J

Curtis Single Man of Baltimore County

State of Maryland party of the first part

hereinafter called the Grantor and Charles N Armcoast and Anna P Armcoast his wife of the County and State aforesaid parties of the second part

Witnesseth That in consideration of the sum of five dollars and other valuable considerations the receipt whereof is hereby acknowledged the said Thomas J Curtis does grant and convey unto the said Charles N Armcoast and Anna F Armcoast his wife as tenants by the entireties their assigns the survivor of them his or her heirs and assigns in fee simple all their right title and interest in and to all that lot or parcel of land including part of a tract of land called "Petticoats Loose" and part of a tract called "Pleasant Fields" situate lying and being in the fifth Election District of Baltimore County in the State of Maryland aforesaid and described as follows that is to say

Beginning for the outlines to include the same at the end of the ninth line of "Petticoats Loose" and running thence north eighty-four and one-half degrees West twenty-four perches South fifty-six degrees West fifty perches south fifty-nine and one-half degrees east nine perches south twenty-one degrees West sixteen perches North sixty-seven degrees West sixteen perches until it intersects a line heretofore agreed upon by the parties interested thence bounding on said line south thirty-five degrees West one hundred sixty-four and three-fourths perches to a stone marked F B No 4 thence South sixty-nine degrees West thirty-three perches south twenty-six degrees west sixty-one and one-fourth perches to the middle of the Dover Road thence bounding on said road south fifty-seven and three-fourths degrees East fifty-four perches to a stone standing in the north fifty-one degrees East ninety perches line of that part of Petticoats Loose heretofore conveyed by Martin Snyder to Frederick Snyder thence bounding on said line North fifty-one degrees East fifty-one and one-fourth perches to the end thereof thence North eighty-six degrees East sixty-five perches to a stone marked A standing at the end of eleven and

one fourth perches on the north twenty degrees East one hundred twenty perches line of that part of Petticoats Loose conveyed by Martin Snider to Frederick Snyder as aforesaid thence bounding on said line north twenty degrees East one hundred eight and three-fourths perches thence still bounding on the outlines of the said part the three following courses North thirty degrees West thirty-two perches North ten degrees East thirty-four perches north thirty-two degrees east twenty - six perches and thence by a straight line to the place of beginning containing one hundred thirty-two acres (132) of land more or less

Excepting however a lot of land known as the grave yard Beginning for the same at the end of a line drawn South twelve and one-half degrees West eleven perches distance from the beginning stone of a tract of land called "Petticoats Hall" and running thence south seventy and one-half degrees West eight perches south nineteen and one-half degrees east ten perches North seventy degrees east eight perches and thence by a straight line to the first place of beginning containing one-half of an acre (1/2) of land more or less with the right of ingress and egress to and from the same

Being the same land that was conveyed unto the said Thomas J Curtis by deed from Charles N Armacost and wife dated December 15 1945 and to be recorded among the Land Records of Baltimore County prior hereto

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 anyway appertaining

To have and to hold the land 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 Charles N Armacost and Anna P Armacost his wife as tenants by the entirety their assigns the survivor of them his or her heirs and assigns in fee simple

And the said grantor hereby covenants that he will warrant specially the property hereby granted and conveyed and that he will execute such further assurances of said land and premises as may be requisite

Witness the hand and seal of said grantor

Test:

Albert A Phillips

Thomas J Curtis

(Seal)

State of Maryland Carroll County to wit:

I Hereby Certify that on this 15th day of December in the year nineteen hundred and forty-five before me the subscriber a Notary Public of the State of Maryland in and for Carroll county aforesaid personally appeared Thomas J Curtis Single Man the Grantor named in the foregoing Deed and acknowledged the above deed to be his act

As Witness my hand and Notarial Seal

(Notarial Seal)

Albert A Phillips

Notary Public

Recorded Dec 26 1945 at 3 P M & Exd per

Robert J Spittel - Clerk

(Rec MP)

(Examiners G & V

DBL FEB NINETEEN FEB 26 1946

96846	This Lease Made this 26th day of December
Charlotte M Herbst	in the year one thousand nine hundred and forty-
Lease to	five between Charlotte M Herbst Widow of
Sue M Whitney	Baltimore County of the first part and
Sts \$1.30	Sue M Whitney of Baltimore City of the second
-----)	part

Witnesseth That the said Charlotte M Herbst in consideration of the rent hereinafter expressed to be paid does lease unto the said Sue M Whitney her executors administrators and assigns all that lot of ground and premises situate lying and being in the County of Baltimore aforesaid and described as follows to wit Beginning for the same on the northwest side of Chestnut Avenue 225 feet southwesterly from the intersection of the northwest side of Chestnut Avenue with the southwest side of Park Avenue southwest and at the southwest corner of Lot No 40 running thence northwesterly binding on Lot No 40 180 feet to Lot No 73 thence southwesterly binding on Lot No 73 45 feet to Lot No 38 thence southeasterly binding on Lot No 38 180 feet to Chestnut Avenue thence northeasterly binding on the northwest side of Chestnut Avenue 45 feet to the place of beginning Being lot No 39 on the Plat of Parkville now improved by a two story dwelling and known as #7702 Chestnut Avenue

Being the same lot of ground which by deed dated June 15 1942 and recorded among the Land Records of Baltimore County in Liber C H K No 1231 folio 348 was granted and conveyed to the said Charlotte M Herbst by Michael Stachelek and wife

Together with all improvements thereon made lanes alleys ways waters easements emoluments and advantages to the said ground belonging or in anywise appertaining

To be held by the said lessee her executors administrators and assigns for the term of ninety-nine years beginning on the day of the date of these presents she the said lessee her executors administrators or assigns yielding and paying unto the said lessor her heirs and assigns the rent or yearly sum of seventy-eight dollars and that in even and equal half-yearly instalments accounting from the 1st day of January one thousand nine hundred and fortysix over and above all deductions for taxes and assessments of every kind levied or assessed or hereafter to be levied or assessed on said demised premises or the rent issuing therefrom Provided that if the said rent shall be in arrear in whole or in part at any time then it shall be lawful for the said lessor her heirs or assigns to make distress therefor

And provided also that if the said rent shall be in arrear in whole or in part for sixty days then it shall be lawful for the said lessor her heirs or assigns to re-enter upon the hereby demised premises and hold the same until all the arrearages of

Protestants' Ex. 5

Michael McCann

From: Jeffrey N Perlow <JPerlow@baltimorecountymd.gov>
Sent: Friday, January 29, 2021 11:37 AM
To: Michael McCann
Cc: Lloyd Moxley
Subject: Re: 15605 Dark Hollow (2020-100-SPH)

No, we do not have access to Health Masters (other than what OIT has already digitized) and there does not appear to be a Planning Commission plan.

Jeffrey N Perlow
Acting Zoning Supervisor
Baltimore County Zoning Review Office
Phone: 410-887-3391

From: Michael McCann <michael@mmccannlaw.net>
Sent: Friday, January 29, 2021 11:06 AM
To: Jeffrey N Perlow; Lloyd Moxley
Subject: RE: 15605 Dark Hollow (2020-100-SPH)

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

Thanks Jeff. We will get a title search done to confirm what Land Records show (by deed or plat). Aside from Land Records, is there a way for you guys to confirm whether the County ever approved a Health Master Plan or a Planning Commission plan for this property (i.e., one that may not have been recorded?)

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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From: Jeffrey N Perlow [mailto:JPerlow@baltimorecountymd.gov]
Sent: Friday, January 29, 2021 11:02 AM

To: Michael McCann <michael@mmccannlaw.net>; Lloyd Moxley <lmoxley@baltimorecountymd.gov>
Subject: Re: 15605 Dark Hollow (2020-100-SPH)

Mike,

Zoning normally stays neutral and does not submit ZAC comments, but if the petition is filed counter to our checklist requirements or if we feel that there are other issues with the petition filing, we do occasionally add an interoffice memo to the case folder, explaining our concerns to the ALJ. Due process prevents us from refusing to accept their defective petition, if the petitioner insists on filing incorrectly.

I was unable to locate any County approved plans associated with the subject property, but it may have been subdivided by deed with or without County review or subdivided by a Health Master plan. Is thr Whether or not they met the requirements of subsection "A" of Section 304.1 as highlighted below, will be up to the Administrative Law Judge (ALJ) to decide.

A.

Such lot shall have been duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955;

Jeffrey N Perlow
Acting Zoning Supervisor
Baltimore County Zoning Review Office
Phone: 410-887-3391

From: Michael McCann <michael@mmccannlaw.net>
Sent: Friday, January 29, 2021 8:29 AM
To: Lloyd Moxley; Jeffrey N Perlow
Subject: RE: 15605 Dark Hollow (2020-100-SPH)

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

Thanks Lloyd.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Lloyd Moxley [<mailto:lmoxley@baltimorecountymd.gov>]
Sent: Thursday, January 28, 2021 9:50 PM
To: Michael McCann <michael@mmccannlaw.net>; Jeffrey N Perlow <JPerlow@baltimorecountymd.gov>

Subject: Re: 15605 Dark Hollow (2020-100-SPH)

Michael,

Development Management does not generate zoning advisory comments. Similarly, the office cannot confirm title integrity.
Lloyd

From: Michael McCann <michael@mmccannlaw.net>

Sent: Thursday, January 28, 2021 4:55:11 PM

To: Jeffrey N Perlow; Lloyd Moxley

Subject: 15605 Dark Hollow (2020-100-SPH)

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

Jeff/Lloyd: Hope you guys are doing well.

This is a special hearing case seeking approval of an undersized lot under 304.1. As you know, that section requires the lot to have been recorded by deed or subdivision prior to 1955. Not sure it applies but section 103.3 similarly states that a recorded subdivision plat approved by the Planning Commission or Board before 1975 could grandfather in lots.

My deed research reveals that the lot in question (.573 acres) was created in after 1955, in 1959. The deeds are attached

I have two questions:

1. Will your offices be submitting agency comments for this hearing, which is Feb 10?
2. Can you confirm that there was no subdivision involving this property?

Thanks, Be safe!

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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[<http://www.baltimorecountymd.gov/sebin/g/i/signature-covid-mask.gif>]<https://www.baltimorecountymd.gov/news/coronavirus.html>>

<<http://www.baltimorecountymd.gov>>

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<<https://www.youtube.com/user/BaltimoreCounty>> [<http://www.baltimorecountymd.gov/sebin/l/y/social-icon>

11. Golf driving ranges, miniature-golf ranges, or baseball-batting ranges.
12. Helistops.
13. Marinas.
14. Public-utility uses not permitted as of right.
15. Residential art salons (see Section 402C).
16. Riding stables (commercial or noncommercial).
17. Sanitary landfills (see Section 412).
18. Shooting ranges.
19. Volunteer-fire-company facilities.
20. Wireless transmitting and receiving structures, except that a radio antenna in conjunction with transmitting and receiving facilities used by a resident amateur radio operator possessing an amateur radio operator's license issued by the Federal Communications Commission shall be considered an accessory structure or, if attached to another structure, an accessory use, and, as such, is permitted without a special exception, provided: (a) that if it is an accessory structure, it shall be subject to the provisions of Section 400; (b) that if it is a rigid-structure antenna, it shall be no higher than 100 feet or the horizontal distance to the nearest property line, whichever is less, above grade level, and no supporting structure thereof shall be closer than 50 feet to any property line; and, further, (c) that it does not extend closer to the street on which the lot fronts than the front building line
21. Large-scale unit developments, as provided in Section 430

1A00.3—Height and Area Regulations. [Bill No. 100, 1970.]

- A. Height. No structure in an R.D.P. zone shall exceed a height of 35 feet, except as otherwise specifically provided in these Zoning Regulations (see Section 300). [Bill No. 100, 1970.]
- B. Area Regulations. [Bill No. 100, 1970.]
 1. Lot Area. No lot less than 1 acre in net area shall be hereafter created in an R.D.P. zone, subject to attaining percolation tests satisfactory to the Baltimore County Department of Health and conforming to the applicable health requirements. [Bill No. 100, 1970.]
 2. Minimum Linear Dimension. Except as otherwise provided in Subparagraph 3, below, the minimum linear dimension of any lot hereafter created in an R.D.P. zone shall be 150 feet. For the purposes of these regulations, the minimum linear dimension of any lot shall be the diameter of the largest circle in a horizontal plane which may be inscribed within the lot boundaries. [Bill No. 100, 1970.]
 3. The minimum distance between any building in an R.D.P. zone and any lot line other than a street line shall be 50 feet; the minimum distance between the building and the center line of any street shall be 75 feet. [Bill No. 100, 1970.]

Edit Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

[Select Contacts...](#) [Import Contacts...](#)

Panelists to Invite

Name	Email address	Phone number	Language	Time Zone	Locale
☐ <u>Donna Mignon</u> (Alternate Host)	dmignon@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Henry Ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Maureen Murphy</u> (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Craig Rodgers</u>	craigrodgers200@gmail.com	1-	English	New York Time	U.S.
☐ <u>Michael McCann, Esq.</u>	michael@mmccannlaw.net	1-	English	New York Time	U.S.
☐ <u>Mr. and Mrs. Carl Dwyer</u>	dwyerbuilt65@gmail.com	1-	English	New York Time	U.S.
☐ <u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Timothy M. Kotroco, Esq.</u>	tkotroco@gmail.com	1-	English	New York Time	U.S.

[Invite](#) [Select All](#) [Clear All](#) [Delete](#) [Cancel](#)

New Panelist

Full name: (required)

Email address: (required)

Phone number: Country/Region Number (with area/city code)

Time Zone: ▼

Language: ▼

Locale: ▼

☐ Add new panelist in my address book

☐ Invite as alternate host

[Add to Invitation List](#)

C H E C K L I S T

**Comment
Received**

Department

**Support/Oppose/
Conditions/
Comments/
No Comment**

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

DEPS

(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent _____)

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING (1st)

Date: _____ by _____

SIGN POSTING (2nd)

Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE

Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any:

Neighbor opposes
See email

2-10-21 10AM
2020-0100-SPH

Edit Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

Select Contacts...

Import Contacts...

Panelists to Invite

Name	Email address	Phone number	Language	Time Zone	Locale
☐ <u>Donna Mignon</u> (Alternate Host)	dmignon@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Henry Ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Maureen Murphy</u> (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Craig Rodgers</u>	craigrodgers200@gmail.com	1-	English	New York Time	U.S.
☐ <u>Michael McCann, Esq.</u>	michael@mmccannlaw.net	1-	English	New York Time	U.S.
☐ <u>Mr. and Mrs. Carl Dwyer</u>	dwyerbuilt65@gmail.com	1-	English	New York Time	U.S.
☐ <u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Timothy M. Kotroco, Esq.</u>	tkotroco@gmail.com	1-	English	New York Time	U.S.

Invite

Select All

Clear All

Delete

Cancel

New Panelist

Full name: (required)Email address: (required)

Country/Region Number (with area/city code)

Phone number:

Time Zone: New York (Eastern Standard Time, GMT-05:00) ▼Language: English ▼Locale: U.S. ▼☐ Add new panelist in my address book☐ Invite as alternate host

Add to Invitation List

Debra Wiley

From: Administrative Hearings
Sent: Tuesday, February 9, 2021 7:39 AM
To: Tim Kotroco; Donna Mignon
Cc: Administrative Hearings; crodgers200@gmail.com; Carl Dwyer(CT) Dwyer Built, LLC(MHBR@8444); Mr. Michael R. McCann, Esq.
Subject: RE: Invitation to join Web seminar as a panelist: Zoning Hearing - 15605 Dark Hollow Road - Case No: 2020-0100-SPH

Good Morning Tim,

All of the above email addresses, including you, were invited when the event was created.

I will re-invite again today.

From: Tim Kotroco <tkotroco@gmail.com>
Sent: Monday, February 8, 2021 4:21 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Cc: Administrative Hearings <administrativehearings@baltimorecountymd.gov>; crodgers200@gmail.com; Carl Dwyer(CT) Dwyer Built, LLC(MHBR@8444) <dwyerbuilt65@gmail.com>; Mr. Michael R. McCann, Esq. <michael@mmccannlaw.net>
Subject: Re: Invitation to join Web seminar as a panelist: Zoning Hearing - 15605 Dark Hollow Road - Case No: 2020-0100-SPH

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

Donna,

I am not sure we received an invitation for this webex hearing scheduled for Wednesday at 10am? This case has been postponed due to Covid and the last invitation was about 5 months ago? Also, Mike McCann is involved and would need an invitation as well? Are we good? This invitation was the last one I received dated Sept 3, 2020. Thanks.

Tim K.
Timothy M. Kotroco, Esq.
Kotroco & Associates, LLC
305 Washington Ave, Suite 502
Towson, Maryland 21204
Cell: 410-299-2943

This communication is from a law firm and may contain confidential or privileged information. Unauthorized retention, disclosure, or use of this information is prohibited and may be unlawful under 18 U.S.C. §§ 2510-2521. Accordingly, if this email has been sent to you in error, please contact the sender by reply email or by phone at 410-299-2943.

On Thu, Sep 3, 2020 at 12:03 PM <messenger@webex.com> wrote:

You're a panelist for this Webex event. When it's time, join the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 172 897 5924

Event password: 1234

Panelist password: The Event has no Panelist Password

Wednesday, September 30, 2020 10:00 am, Eastern Daylight Time (New York, GMT-04:00)



If you experience a problem joining the event as a panelist, you can join as an attendee.

Join as an attendee:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed223a781d8be5049b4eaca9ee9>

Join the audio conference only

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial [1728975924](tel:1728975924)@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 302451

Need help? Go to <http://help.webex.com>

Debra Wiley

From: Tim Kotroco <tkotroco@gmail.com>
Sent: Monday, February 8, 2021 4:21 PM
To: Donna Mignon
Cc: Administrative Hearings; crodgers200@gmail.com; Carl Dwyer(CT) Dwyer Built, LLC(MHBR@8444); Mr. Michael R. McCann, Esq.
Subject: Re: Invitation to join Web seminar as a panelist: Zoning Hearing - 15605 Dark Hollow Road - Case No: 2020-0100-SPH

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

Donna,

I am not sure we received an invitation for this webex hearing scheduled for Wednesday at 10am? This case has been postponed due to Covid and the last invitation was about 5 months ago? Also, Mike McCann is involved and would need an invitation as well? Are we good? This invitation was the last one I received dated Sept 3, 2020. Thanks.

Tim K.
Timothy M. Kotroco, Esq.
Kotroco & Associates, LLC
305 Washington Ave, Suite 502
Towson, Maryland 21204
Cell: 410-299-2943

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Event number (access code): 172 897 5924
Event password: 1234
Panelist password: The Event has no Panelist Password

Wednesday, September 30, 2020 10:00 am, Eastern Daylight Time (New York, GMT-04:00)



If you experience a problem joining the event as a panelist, you can join as an attendee.

Join as an attendee:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed223a781d8be5049b4eaca9ee9>

Join the audio conference only

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1728975924@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 302451

Need help? Go to <http://help.webex.com>

Donna Mignon

From: Donna Mignon
Sent: Wednesday, February 3, 2021 9:48 AM
To: 'Tim Kotroco'
Subject: 2020-0100-SPH - 2/10/21 at 10:00 a.m.

Good Morning,

As you are aware, a virtual webex hearing has been scheduled for February 10, 2021 at 10:00 a.m. You should have received an invitation in an email that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit. **Please bring a hard copy of all exhibits and drop them off in our lobby before the hearing date.**
Thank you.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Donna Mignon

From: Donna Mignon
Sent: Wednesday, February 3, 2021 9:49 AM
To: 'Michael McCann'
Subject: FW: 2020-0100-SPH - 2/10/21 at 10:00 a.m.

Good Morning,

As you are aware, a virtual webex hearing has been scheduled for February 10, 2021 at 10:00 a.m. You should have received an invitation in an email that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit. **Please bring a hard copy of all exhibits and drop them off in our lobby before the hearing date.**
Thank you.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

2-10-21
10Am

Debra Wiley

From: Kristen L Lewis
Sent: Thursday, January 7, 2021 11:17 AM
To: Debra Wiley; Donna Mignon
Subject: 2020-0100-SPH

Good morning,

Case 2020-0100-SPH (15605 Dark Hollow Road) has been set to continue on **Wednesday, February 10, 2021 at 10 a.m.**, should be **reserved for 2 hours**. Per previous discussion, **no sign posting and advertisements are required**, therefore no hearing notice will be done. Attorneys Timothy Kotroco and Michael McCann are will be sending a list of names and emails of participants (if any) to receive a webex link. Thank you,

Kristen Lewis-Coles
PAI - Zoning Review
410-887-3391

per K on 9-14
9-20-to be
rest

Legal owner:
PTL RE CORP 40 Jim Finnerty

Create Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

[Select Contacts...](#)
[Import Contacts...](#)

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☐	<u>Donna Mignon</u> (Alternate Host)	dmignon@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Maureen Murphy</u> (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Timothy M. Kotroco, Esq.</u>	tkotroco@gmail.com	1-	English	New York Time	U.S.
☐	<u>Michael McCann, Esq.</u>	michael@mmccannlaw.net	1-	English	New York Time	U.S.
☐	<u>Mr. and Mrs. Carl Dwyer</u>	dwyerbuilt65@gmail.com	1-	English	New York Time	U.S.
☐	<u>Craig Rodgers</u>	craigrodgers200@gmail.com	1-	English	New York Time	U.S.

[Invite](#)
[Select All](#)
[Clear All](#)
[Delete](#)
[Cancel](#)

New Panelist

Full name: (required)

Email address: (required)

Country/Region: Number (with area/city code):

Phone number:

Time Zone: ▼

Language: ▼

Locale: ▼

☐ Add new panelist in my address book

☐ Invite as alternate host

[Add to Invitation List](#)

Debra Wiley

From: Michael McCann <michael@mmccannlaw.net>
Sent: Thursday, January 7, 2021 12:50 PM
To: Debra Wiley
Subject: Accepted: Zoning Hearing - Case No. 2020-0100-SPH - 15605 Dark Hollow Rd. - PTL RE CORP c/o Jim Finnerty

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

Debra Wiley

From: messenger@webex.com
Sent: Thursday, January 7, 2021 12:30 PM
To: Debra Wiley
Subject: Email delivery status for Web seminar: Zoning Hearing - Case No. 2020-0100-SPH - 15605 Dark Hollow Rd. - PTL RE CORP c/o Jim Finnerty

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



Webex sent the email message "Panelist Invitation" for your event.

Number of email addresses the message was sent to successfully: 5

Number of email addresses the message could not be sent to: 0

Need help? Go to <https://help.webex.com>

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Debra Wiley

From: messenger@webex.com
Sent: Thursday, January 7, 2021 12:30 PM
To: Debra Wiley
Subject: Email delivery status for Web seminar: Zoning Hearing - Case No. 2020-0100-SPH - 15605 Dark Hollow Rd. - PTL RE CORP c/o Jim Finnerty

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



**Webex sent the email message
"Invitation for Alternate Host" for
your event.**

Number of email addresses the message was sent to successfully: 3

Number of email addresses the message could not be sent to: 0

Need help? Go to <https://help.webex.com>

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Donna Mignon

From: Kristen L Lewis
Sent: Thursday, January 7, 2021 12:24 PM
To: Debra Wiley; Donna Mignon
Subject: FW: Rescheduling of Dark Hollow Road

Good afternoon,

Below is the list of participants for Case 2020-0100-SPH, thank you.

Kristen Lewis-Coles
PAI - Zoning Review
410-887-3391

From: Tim Kotroco [mailto:tkotroco@gmail.com]
Sent: Thursday, January 07, 2021 12:15 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Cc: Carl Dwyer(CT) Dwyer Built, LLC(MHBR@8444) <dwyerbuilt65@gmail.com>; Craig Rodgers <craigrodgers200@gmail.com>
Subject: Re: Rescheduling of Dark Hollow Road

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

Kristen,

Thank you for setting this case in for a hearing. The following people will be attending the hearing on February 10th at 10am on behalf of the applicant:

Mr. & Mrs. Carl Dwyer, dwyerbuilt65@gmail.com
Craig Rodgers, craigrodgers200@gmail.com
Timothy Kotroco, Tkotroco@gmail.com

*done
1-7-21*

Thank you.

Tim K.
Timothy M. Kotroco, Esq.
Kotroco & Associates, LLC
305 Washington Ave, Suite 502
Towson, Maryland 21204
Cell: 410-299-2943

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On Thu, Jan 7, 2021 at 11:12 AM Kristen L Lewis <klewis@baltimorecountymd.gov> wrote:

Great, this email confirms the continuation of 2020-0100-SPH for 2/10 at 10 a.m. Please send names and email addresses of all participants so that they can receive a webex link. Thank you,

Kristen Lewis-Coles

PAI - Zoning Review

410-887-3391

From: Michael McCann [mailto:michael@mmccannlaw.net]

Sent: Thursday, January 07, 2021 10:50 AM

To: Kristen L Lewis <klewis@baltimorecountymd.gov>

Cc: Tim Kotroco <tkotroco@gmail.com>

Subject: RE: Rescheduling of Dark Hollow Road

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

Kristen: That day is good for us. Thank you.

Michael

Michael R. McCann

Michael R. McCann, PA

118 W. Pennsylvania Avenue

Towson, Maryland 21204

(p) 410-825-2150

(f) 410-825-2149

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From: Kristen L Lewis [<mailto:klewis@baltimorecountymd.gov>]
Sent: Wednesday, January 6, 2021 10:00 AM
To: Michael McCann <michael@mmccannlaw.net>
Cc: Tim Kotroco <tkotroco@gmail.com>
Subject: RE: Rescheduling of Dark Hollow Road

Good morning,

I can hold Wed., February 10th from 10 a.m. to 12 p.m. Please let me know if that date and time works. Thank you,

Kristen Lewis-Coles

PAI – Zoning Review

410-887-3391

From: Michael McCann [<mailto:michael@mmccannlaw.net>]
Sent: Monday, January 04, 2021 2:15 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Cc: Tim Kotroco <tkotroco@gmail.com>
Subject: FW: Rescheduling of Dark Hollow Road

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

Kristen: Those days are not good for us, unfortunately. Are there dates the second week of February?

Thanks.

Michael

Michael R. McCann

Michael R. McCann, PA

118 W. Pennsylvania Avenue

Towson, Maryland 21204

(p) 410-825-2150

(f) 410-825-2149

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From: Tim Kotroco [<mailto:tkotroco@gmail.com>]
Sent: Monday, January 4, 2021 10:42 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Cc: Michael McCann <michael@mmccannlaw.net>
Subject: Re: Rescheduling of Dark Hollow Road

Kristen,

The 27th at 10am works for me. Thank you.

Tim K.

Timothy M. Kotroco, Esq.

Kotroco & Associates, LLC

305 Washington Ave, Suite 502

Towson, Maryland 21204

Cell: 410-299-2943

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On Mon, Jan 4, 2021 at 9:05 AM Kristen L Lewis <klewis@baltimorecountymd.gov> wrote:

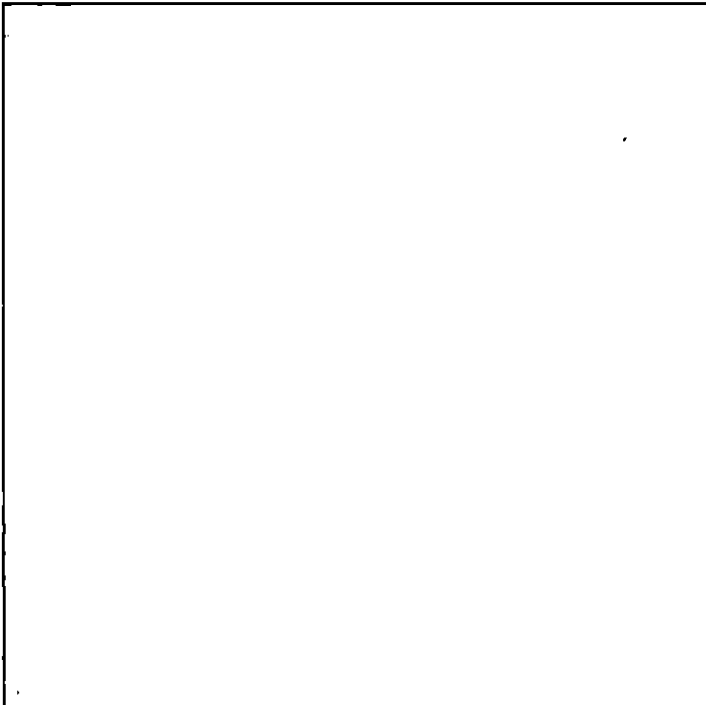
Good morning,

I am in the process of rescheduling Case 2020-0100-SPH (Dark Hollow Road). I only have 2 *half* days available in January (January 25th at 1:30 and January 27th at 10). Per the Administrative Law Judges office, this case does not need to be re-advertised or reposted. If neither of those days work, we can look into a couple of days in February. Thank you,

Kristen Lewis-Colts

PAI – Zoning Review

410-887-3391



CONNECT WITH BALTIMORE COUNTY

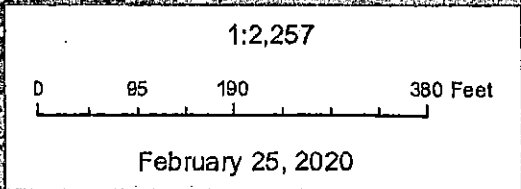
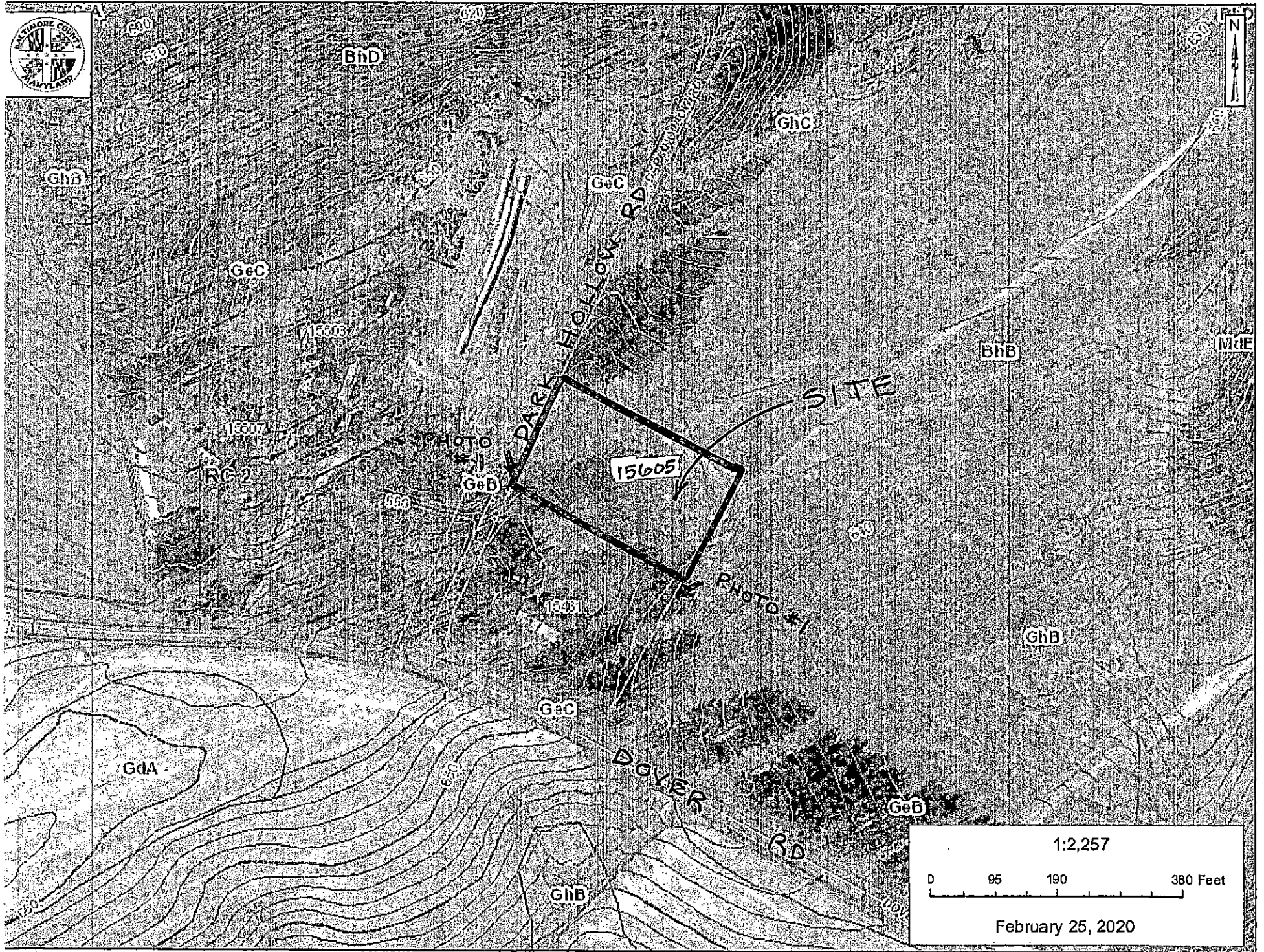
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www.baltimorecountymd.gov

Baltimore County - My Neighborhood

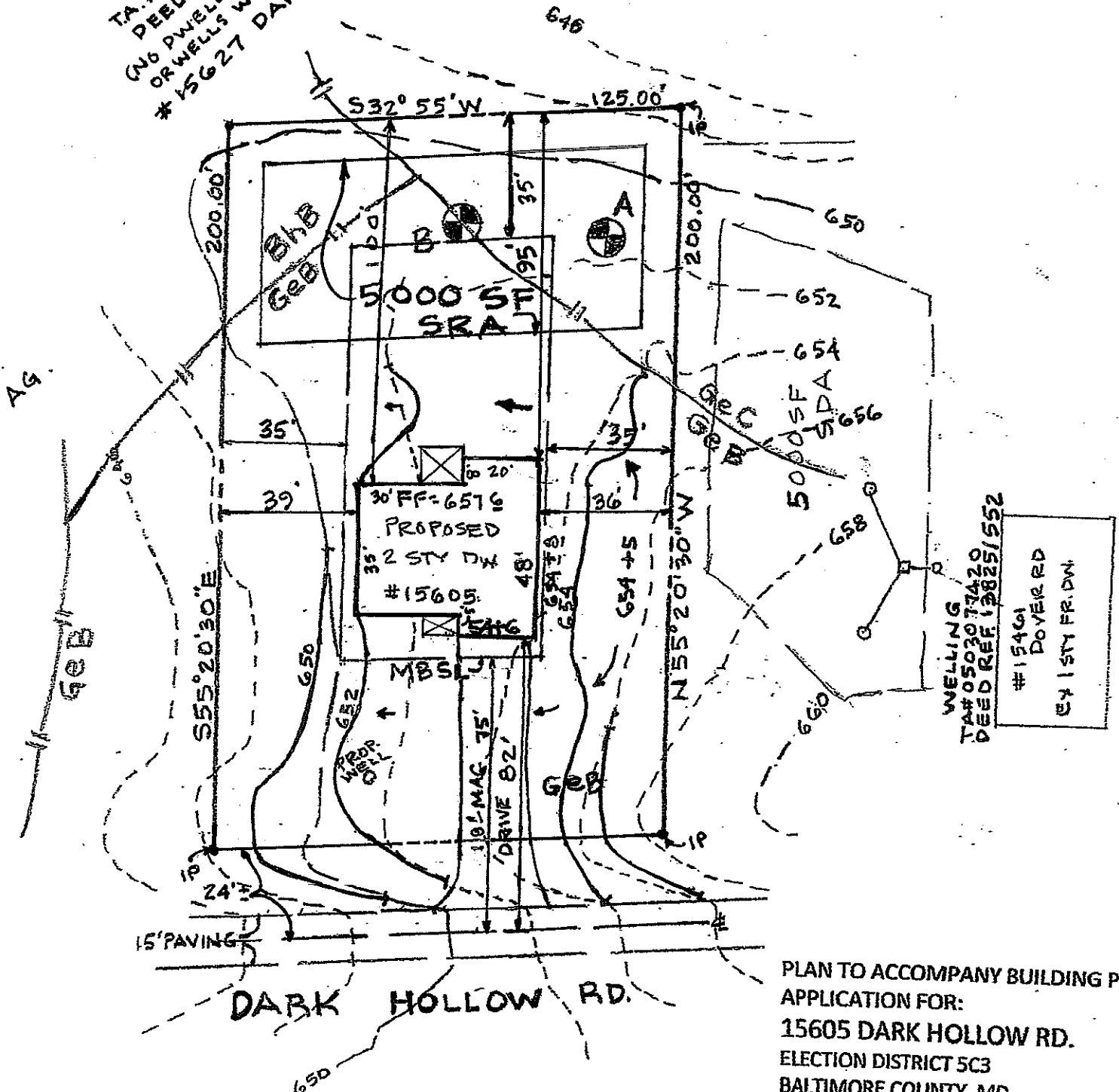


PHOTOS



MORRIS
TA # 0501074325
DEED REF: 12058/534
(NO DWELLINGS, SRA's
OR WELLS WITHIN 200')
#15627 DARK HOLLOW RD

AG.



PLAN TO ACCOMPANY BUILDING PERMIT
APPLICATION FOR:

15605 DARK HOLLOW RD.

ELECTION DISTRICT 5C3

BALTIMORE COUNTY, MD

TAX ACCT No. 0503077410

DEED REF: 42365/246

TAX MAP #25, PARCEL # 145

ZONED: RC2 0.57AC.±

SCALE: 1"=40' DATE: 2/25/2010

PREPARED BY:
CRAIG CONSULTING, LLC
7024 GREENBANK RD.
BALTIMORE, MD 21220

OWNER:
PTL RE CORP
STE 1220
C/O JIM FINNERTY 120 N. LASALLE ST.
CHICAGO, IL 60602

15605 DARK HOLLOW RD

PHOTO #1

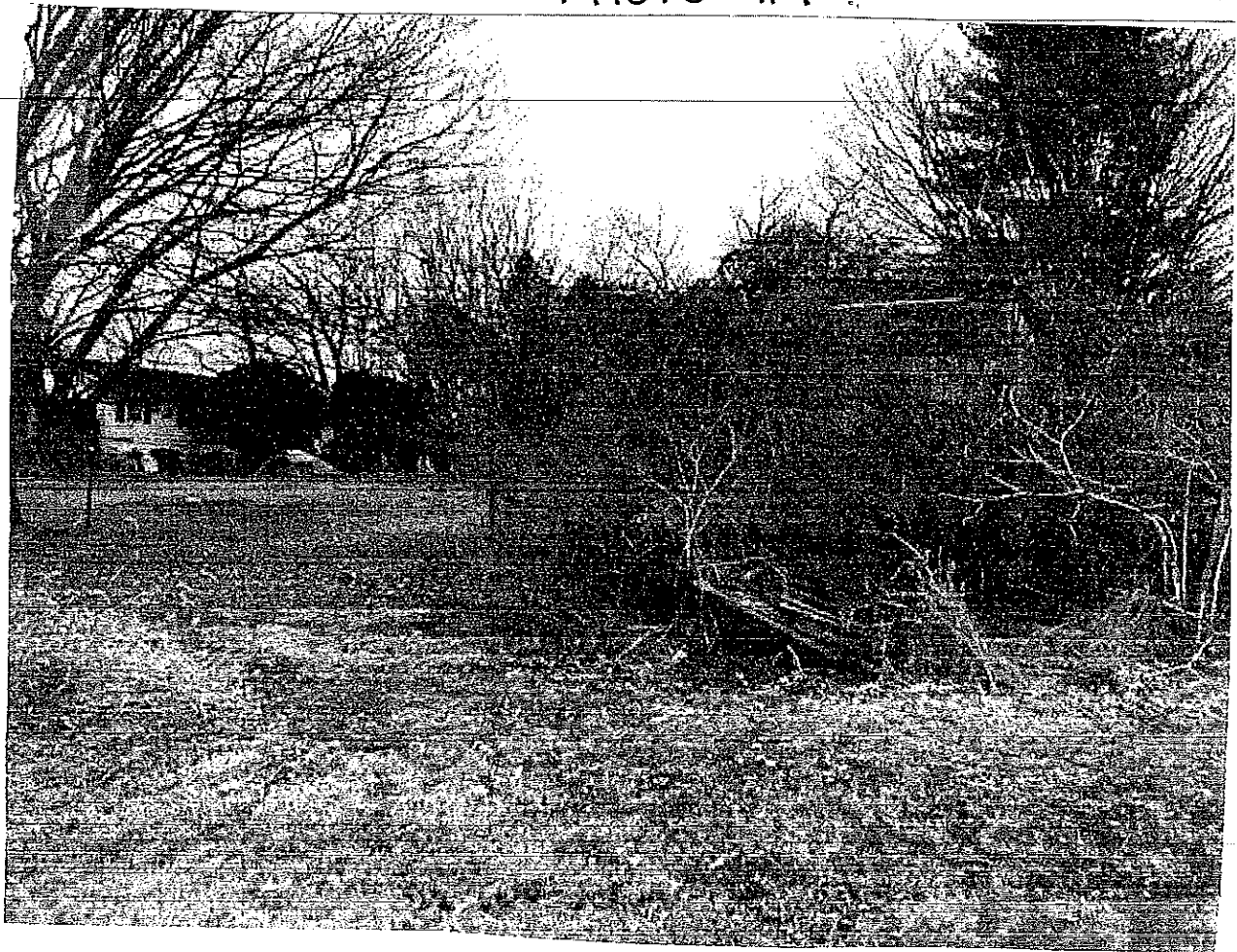
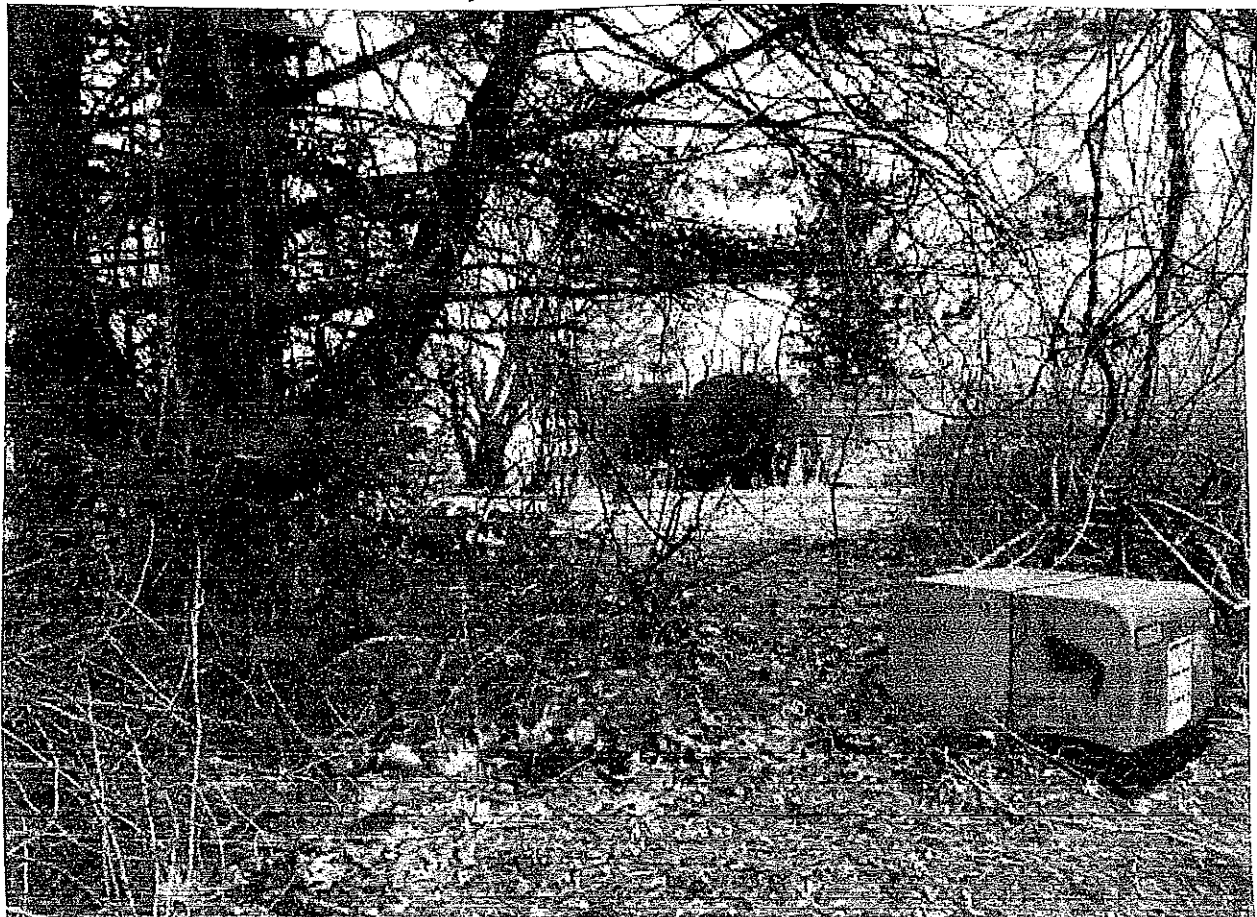


PHOTO #2



15605 DARK HOLLOW RD

PHOTO #1



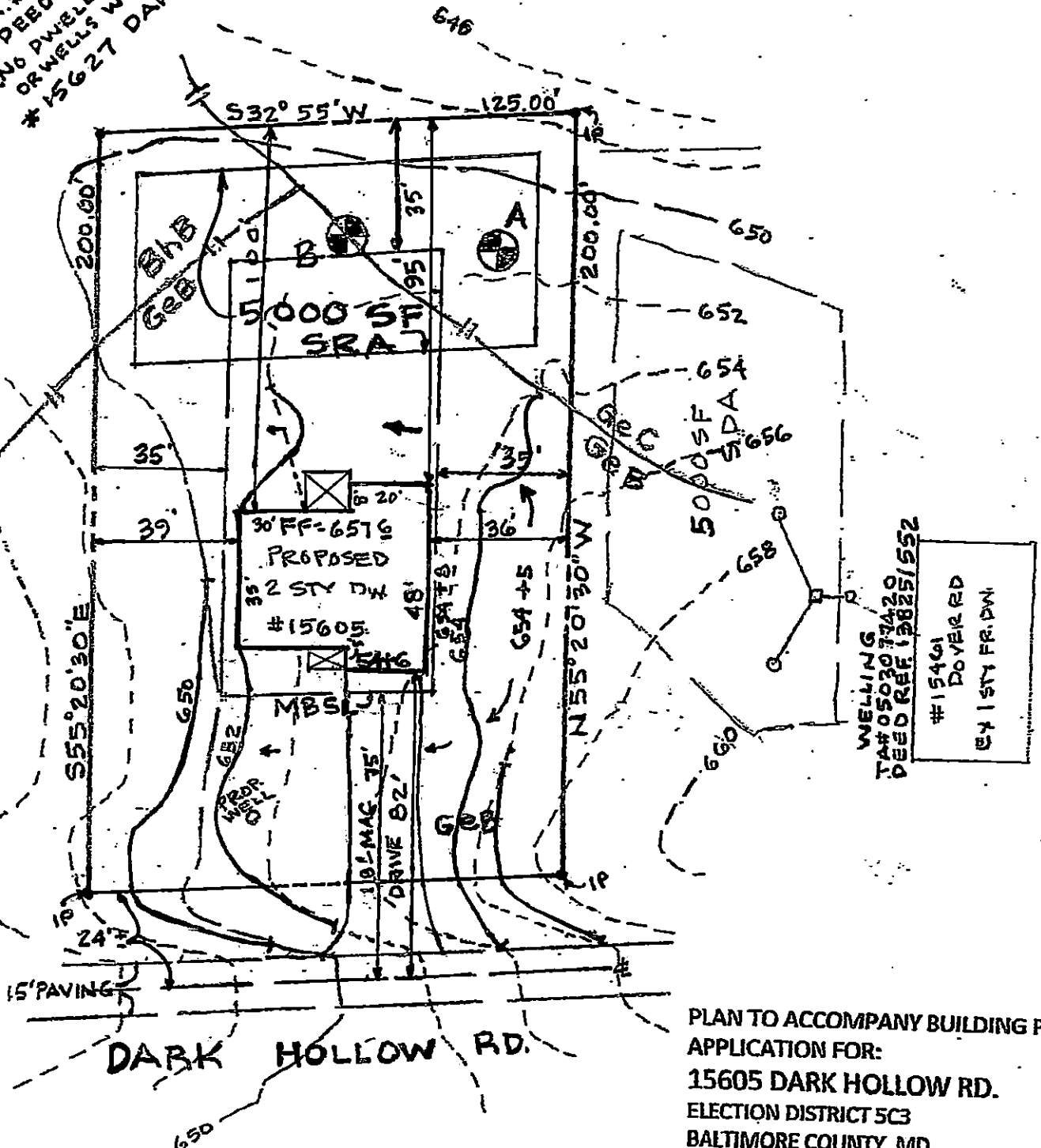
PHOTO #2



TA.#0501074325
DEED REF:12058/534
(NO DWELLINGS, SRA.)
OR WELLS WITHIN 200')
*15627 DARK HOL

AG.

AG



PREPARED BY:
CRAIG CONSULTING, LLC
7024 GREENBANK RD.
BALTIMORE, MD 21220

OWNER:
PTL RE CORP
STE 1220
C/O JIM FINNERTY 120 N. LASALLE ST.
CHICAGO, IL 60602

PLAN TO ACCOMPANY BUILDING PERMIT
APPLICATION FOR:
15605 DARK HOLLOW RD.
ELECTION DISTRICT 5C3
BALTIMORE COUNTY, MD
TAX ACCT No. 0503077410
DEED REF: 42365/246
TAX MAP #25, PARCEL # 145
ZONED: RC2 0.57AC.±
SCALE: 1"=40' DATE: 2/25/2010



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 15605 DARK HOLLOW RD which is presently zoned RC2
Deed References: 42365/246 10 Digit Tax Account # 0503077410
Property Owner(s) Printed Name(s) PTL RE CORP c/o JIM FINNERTY

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve **AN UNDERSIZED RCZ ZONED LOT WITH AN AREA OF 0.57 ACRES IN LIEU OF THE MINIMUM REQUIRED 1 ACRE, PURSUANT TO SECTION 304, BCZR**

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

3. ☐ a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

TIM KOTROCO

Name- Type or Print

Signature

305 WASHINGTON AVE. TOWSON MD

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners): FOR: PTL RE CORP

c/o JIM FINNERTY

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

STE. 1220, 120 N. LASALLE ST. CHICAGO, ILL

Zip Code

Telephone #

Email Address

Representative to be contacted:

R. CRAIG RODGERS

Name - Type or Print

Signature

7024 GREENBANK RD. BALTIMORE MD

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0100-SPH Filing Date 4/14/2020

Do Not Schedule Dates: _____

Reviewer JA

REV. 10/4/11

ZONING DESCRIPTION FOR:
15605 DARK HOLLOW ROAD
(TAX ACCT. NO. 0503077410)

BEGINNING AT A POINT ON THE EAST SIDE OF DARK HOLLOW ROAD WHICH IS 50 FEET WIDE AT A DISTANCE OF 225 FEET NORTH OF THE CENTER LINE OF DOVER ROAD WHICH IS 50 FEET WIDE, THENCE THE FOLLOWING COURSES AND DISTANCES: 1) N32°55'W 125.00', 2) S55°20'30"E 200.00', 3) S32°55'E 125.00', 4) N55°20'30"W 200.00' TO THE POINT OF BEGINNING AS RECORDED IN DEED LIBER 42,365, FOLIO 246, CONTAINING 0.573 ACRE, MORE OR LESS. LOCATED IN THE FIFTH ELECTION DISTRICT AND THIRD COUNCIL DISTRICT.

2020-0100-



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 15605 DARK HOLLOW RD which is presently zoned RC2
 Deed References: 42365/246 10 Digit Tax Account # 0502077410
 Property Owner(s) Printed Name(s) PTL RE CORP c/o JIM FINNERTY

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN UNDERSIZED RC2 ZONED LOT WITH AN AREA OF 0.57 ACRES IN LIEU OF THE MINIMUM REQUIRED 1 ACRE, PURSUANT TO SECTION 304, BCZR

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

3. ☐ a Variance from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

TIM KOTROCO

Name- Type or Print

Signature

305 WASHINGTON AVE. TOWSON MD
 Mailing Address City State

21204 / 410-299-2943 / tketroco@gmail.com
 Zip Code Telephone # Email Address

Legal Owners (Petitioners): FOR: PTL RE CORP

c/o JIM FINNERTY

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

STE. 1220, 120 N. LASALLE ST. CHICAGO, ILL
 Mailing Address City State

60602 / /
 Zip Code Telephone # Email Address

Representative to be contacted:

R. CRAIG RODGERS

Name - Type or Print

Signature

7024 GREENBANK RD. BALTIMORE MD
 Mailing Address City State

21220 / 443-677-2007 / craigrodgers200@gmail.com
 Zip Code Telephone # Email Address

CASE NUMBER 2020-0100-SPH Filing Date 4/14/2020 Do Not Schedule Dates: Reviewer JN

REV. 10/4/11

**ZONING DESCRIPTION FOR:
15605 DARK HOLLOW ROAD
(TAX ACCT. NO. 0503077410)**

BEGINNING AT A POINT ON THE EAST SIDE OF DARK HOLLOW ROAD WHICH IS 50 FEET WIDE AT A DISTANCE OF 225 FEET NORTH OF THE CENTER LINE OF DOVER ROAD WHICH IS 50 FEET WIDE, THENCE THE FOLLOWING COURSES AND DISTANCES: 1) N32°55'W 125.00', 2) S55°20'30"E 200.00', 3) S32°55'E 125.00', 4) N55°20'30"W 200.00' TO THE POINT OF BEGINNING AS RECORDED IN DEED LIBER 42,365, FOLIO 246, CONTAINING 0.573 ACRE, MORE OR LESS. LOCATED IN THE FIFTH ELECTION DISTRICT AND THIRD COUNCIL DISTRICT.

2020-0100-3

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

No. **1 281**

Date: **4/14/2020**

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

Total: **75.00**

Rec From: **Craig Consulting, LLC**

For: **Special Hearing - 15605 Dark Hollow Road**
2020-0100-SPH (PTL RE CORP.)

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CRAIG CONSULTING LLC 7024 GREENBANK RD BALTIMORE, MD 21220		2964 66-21/530 10131
Date 4/10/2020		
Pay to the Order of BALTIMORE COUNTY		\$ 75.00
Seventy five and 7/100		Dollars
 Wells Fargo Bank, N.A. North Carolina wells Fargo.com		 Security Features Details on Back.
For 15605 DARK HOLLOW RD - Sp. Hrg.		R Li Rly 
⑆053000219⑆2000054273001⑆02964		



FORMAL DEMAND FOR HEARING

CASE NUMBER: AA-2020-0062-UL

Address: 15605 Dark Hollow Rd

Petitioner(s): R. Craig Rodgers

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We JEFFREY WELLING
Name - Type or Print

☒ Legal Owner OR ☐ Resident of
15461 DOVER RD
Address

UPPERCO MD 21155
City State Zip Code

410-206-4526
Telephone Number

which is located approximately ADJOINS feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter.**
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.

[Signature] 3/20/2020
Signature Date

Signature Date
Revised 9/18/98 - wcr/scj

No
hearing
dates in
database
4/27

2020-0100-SPH
No hearing set in
database.

Administrative Hearings
Thursday, April 2, 2020 9:49 AM
Michael Sonnenfeld
Re: Schedule of Zoning Variance Request Hearings

Good Morning,

Yes, all public hearings before our office have been postponed. However, you can send any comments via this email and we will place in the case file when it gets rescheduled for a hearing.

Unfortunately, at this time, we do not know the time frame for cases to be rescheduled.

Thank you for contacting the Office of Administrative Hearings.

From: Michael Sonnenfeld <mjsonnenfeld@gmail.com>
Sent: Thursday, April 2, 2020 9:23:15 AM
To: Administrative Hearings
Subject: Schedule of Zoning Variance Request Hearings

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

Hi:
Please let me know the schedule for zoning variance hearings: I presume that all hearings are suspended during the covid-19 lock-down, but wonder about deadlines for submitting comments.
I would like to comment in opposition to a zoning variance request for a property located at at 15605 Dark Hollow Road, Upperco, Maryland (parcel number 0503077410).
Thanks.
Michael

Michael J. Sonnenfeld
mjsonnenfeld@gmail.com
410 804 6121

This communication may contain confidential and/or privileged information. If you are not the intended recipient (or have received this communication in error) please notify me immediately and destroy this communication. Any unauthorized copying, disclosure or distribution of the material in this communication is strictly forbidden.

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: April 24, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0066-A
9106 Hinton Avenue
(Kurek Property)

Zoning Advisory Committee Meeting of March 16, 2020.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA), and is subject to Critical Area lot coverage requirements. Critical Area lot coverage differs from BCZR lot coverage and is defined in Natural Resources Article §8-1802(a)(17), as follows:

(17) (i) "Lot coverage" means that percentage of total lot or parcel that is:

- 1. Occupied by a structure, parking area, driveway, walkway, or roadway; or*
- 2. Covered with gravel, stone, shell impermeable decking, a paver, permeable pavement, or any manmade material*

(ii) "Lot coverage" includes the ground area covered or occupied by a stairway or impermeable deck.

(iii) "Lot coverage" does not include:

1. A fence or wall that is less than 1 foot in width that has not been constructed with a footer;
2. A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier;
3. A wood mulch pathway; or
4. A deck with gaps to allow the water to pass freely.

The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) of the Chesapeake Bay Critical Area, and comprises an area of approximately 8,225 square feet (sf). The petitioner is requesting to permit an existing dwelling on a lot of record 50 feet wide in lieu of the required 55 feet. In order to minimize impacts on water quality, the property may require compliance with the LDA lot coverage limits of 31 ¼%, and/or any other LDA relevant regulations, if plans, permits or lot coverage were proposed. If the property is currently in compliance with the Critical Area regulations, then according to the plan with this petition, none are proposed and impacts to water quality will not occur. The MBA requirements further restrict lot coverage and structures within the Critical Area Buffer, which on this property is measured 100 feet landward of mean high water. According to the plan, buffer impacts are not currently proposed, and these regulations are not applicable, therefore, by allowing the item requested by the petitioner, no impacts on water quality will occur.

2. Conserve fish, wildlife, and plant habitat; and

The current request, if granted, to permit an existing dwelling on a lot of record 50 feet wide in lieu of the required 55 feet, will not adversely affect buffer functions, and will have no adverse impact on fish conservation, wildlife and plant habitat in nearby Back River and the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The items requested by the petitioner will be consistent with established land use policies, provided that the applicants meet any LDA/MBA regulations, if applicable. The request, if granted, will avoid environmental impacts.

Reviewer: Thomas Panzarella
Environmental Impact Review

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: April 24, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0067-SPHA
Lot 45 Adjacent to 9106 Hinton
Avenue
(Kurek Property)

Zoning Advisory Committee Meeting of **March 16, 2020.**

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA), and is subject to Critical Area lot coverage requirements. Critical Area lot coverage differs from BCZR lot coverage and is defined in Natural Resources Article §8-1802(a)(17), as follows:

(17) (i) "Lot coverage" means that percentage of total lot or parcel that is:

- 1. Occupied by a structure, parking area, driveway, walkway, or roadway; or*
- 2. Covered with gravel, stone, shell impermeable decking, a paver, permeable pavement, or any manmade material*

(ii) "Lot coverage" includes the ground area covered or occupied by a stairway or impermeable deck.

(iii) "Lot coverage" does not include:

1. A fence or wall that is less than 1 foot in width that has not been constructed with a footer;
2. A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier;
3. A wood mulch pathway; or
4. A deck with gaps to allow the water to pass freely.

The subject property is located within a Limited Development Area (LDA) and within a Modified Buffer Area (MBA) of the Chesapeake Bay Critical Area. Lot 45 and Lot 44 (9106 Hinton Avenue) comprise approximately 8,150 square feet (sf) and 8,225 sf, respectively. On Lot 45, the petitioner is requesting to permit a proposed dwelling on a lot of record 50 feet wide in lieu of the required 55 feet, and to determine whether the subject, vacant lot (45) is not merged with the adjacent lot 44, known as 9106 Hinton Avenue. Should Lot 45 be determined to not be merged with Lot 44, then Lot 45, in order to minimize impacts on water quality, must comply with the LDA lot coverage limits, which, for a property this size (8,150 sf), is 31 ¼% (2,547 sf) with mitigation for lot coverage between 25% (2,038 sf) and 31 ¼%. According to the plan submitted for this review, the total, proposed lot coverage is unclear. In addition, the LDA regulations require minimum afforestation of 15%, which equates to two trees for a property this size. The MBA requirements further restrict lot coverage and structures within the Critical Area Buffer, which on this property is calculated 100 feet landward of mean high water. According to the plan, buffer impacts are proposed, therefore, these regulations are applicable. As stated above, compliance with the LDA lot coverage limits and MBA regulations are required. By allowing the items requested by the petitioner, impacts on water quality will be minimized.

2. Conserve fish, wildlife, and plant habitat; and

The current development proposal for the property will be reviewed for application of the LDA and MBA requirements, which will improve buffer functions, and conserve fish, wildlife and plant habitat in nearby Back River and the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The items requested by the petitioner will be consistent with established land use policies, provided that the applicants meet any LDA and MBA requirements applicable to the proposal. The request, if granted, will minimize environmental impacts.

Reviewer: Thomas Panzarella;
Environmental Impact Review

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: April 24, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0090-SPHA
Address 13217 Cherwin Avenue
(Kestner Property)

Zoning Advisory Committee Meeting of **April 13, 2020**.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to permit a combined lot width less than permitted. The lot is not waterfront. Any proposed development must meet all LDA requirements, including lot coverage limits and afforestation requirements. Lot coverage is limited to a maximum of 2012 square feet, with mitigation required for any lot coverage between 1,512 square feet and 2012 square feet. Proposed lot coverage was not included on the plan. 15% afforestation (2 trees) is required. If the lot coverage and afforestation requirements are met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront and must meet all lot coverage and afforestation requirements. If lot coverage and afforestation requirements are met this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

This is a grandfathered lot. Provided that the applicants meet their lot coverage and afforestation requirements, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE MEMORANDUM

TO: Jenifer Nugent
Development Review Section

DATE: April 9, 2020

FROM: Wally Lippincott
Sector Planner, Community Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-090

INFORMATION:

Property Address: 13217 Cherwin Ave
Petitioner: Craig Kestner
Zoning: DR 5.5
Requested Action: Variance and Special Hearing

I have reviewed the petition for a Special Hearing to approve the construction of a single family detached dwelling on two lots with a combined width of 50 feet in lieu of the required 55 feet. Variance from Section 1B02.3 BCZR to permit a lot width of 50' in lieu of the required 55 feet.

The site is in a neighborhood of small lots however there is an abundance of trees and lawns and is at the mouth of Bird River. The single family dwellings are a mix of different architecture but maintain a fairly deep setback from the street.

The Eastern Baltimore County Revitalization Strategy was adopted on July 1, 1996. On Page 51 it states the "Special character and quality of life in the Outer Community Conservation Areas should be reinforced and enhanced."

The Petitioner has agreed to revise the submitted site plan to provide a 40' front yard setback in lieu of the 25' shown on the plan so that the placement of the new dwelling will be more consistent with the neighborhood.

The Department supports the request with the modification of the front setback to a minimum of 40'.

Prepared by:

Wally Lippincott

Subject: ZAC #[Click here to enter case number.](#)

Date: [Click here to enter a date.](#)

Page 2

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE MEMORANDUM

TO: Jenifer G. Nugent
Division Chief, Development Review Section

DATE: 4/16/2020

FROM: Joseph Wiley
Sector Planner, Community Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-064

INFORMATION:

Property Address: 18310 Gunpowder Road
Petitioner: Carol J. Santamaria
Zoning: RC 2
Requested Action: Special Exception; Variance

I have reviewed the petition for a Special Exception under section 1A01.2.C.2 of the BCZR to permit an animal boarding place and a commercial kennel; and a variance from section 421.1 of the BCZR to allow the animal boarding place and commercial kennel use (driveway) to be located 20 feet to the nearest property line in lieu of the required 200 feet.

The area is a mix of agriculture and rural residential. The property is a panhandle lot and surrounded by residential properties. Gunpowder Road is a Baltimore County Master Plan 2020 designated Scenic Route.

The department should not object to the requests with conditions. The conditions as follows:

- The landowner should provide screening along the proposed driveway from the neighboring properties. This should include a mix of vegetation and heights to block views of commercial traffic and sounds associated with the kennel.
- According to the Comprehensive Manual of Design Guidelines, Page 178, Development Guidelines for All scenic Routes and Significant Views, #5 states: Design and locate utilities, drainage structures, bridges, lighting, signage, fences, walls and street furniture to harmonize with the surroundings and to create the least visual impact." Signage shall be limited to a small advertising consisting of natural colors as to not distract from the scenic route.
- The plan does not note section 1A01.5 of the BCZR, "Any dwelling, business or use in or near an R.C.2 Zone may be subject to inconveniences or discomforts arising from agricultural operations, including but not limited to noise, odors, fumes, dust, the operations of machinery of any kind during any 24-hour period (including aircraft), the storage and disposal of manure and the application, by spraying or otherwise, of chemical fertilizers, soil amendments, herbicides and pesticides. The County shall not consider an agricultural operation to be a public or private nuisance if the operation complies with these regulations and all federal, state or County health or environmental requirements; except that during the period between 10:00 p.m. and sunrise as defined by the National Weather Service for sunrise on the particular day in the Baltimore area, an agricultural operation may not fire or otherwise discharge an air cannon or similar device that

releases a loud shotgun-like blast within 500 feet of an adjacent residential dwelling." A kennel is not considered an agricultural operation.

Prepared by:

Joseph Wiley

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Jenifer Nugent
Development Review Section
Department of Planning

DATE: April 8, 2020

FROM: Joseph Fraker
Eastern Sector Planner
Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number 2020-079-SPH

INFORMATION:

Property Address: 8611 McDaniel Avenue, Rosedale, MD 21237

Petitioner: John P. Fitts JR.

Zoning: D.R. 5.5, ML-IM

Requested Action: Special Hearing

The site is located on McDaniel Avenue is a small residential neighborhood near the Beltway and Philadelphia Road. The property is zoned D.R. 5.5 and ML-IM. The property is surrounded by D.R. 5.5 zoning to the west and north and ML-IM zoning to the east and south.

The applicant is requesting a Special Hearing from Section § 432A.1.A(2) of the BCZR to allow an 8 bed assisted-living facility II in lieu of the permitted 7 bed assisted-living facility II, without a frontage on an arterial street. Pursuant to § 32-4-402 of the Baltimore County Code a compatibility study is required for an assisted-living facility in a DR zone.

A site visit was conducted on 4/4/4020. The site is located at the end of a quiet residential street. There is an existing driveway for parking and the plan proposes additional parking in the rear. The plan meets the minimum parking and square footage requirements for an assisted-living facility and there are no other assisted-living facilities within 1,000 feet of this property, as is required in the regulations. Pursuant to § 32-4-402 of the Baltimore County Code a compatibility study is required for an assisted-living facility in a DR zone.

The Department of Planning has no objection to the request for Special Exception contingent on the completion of the compatibility study.

For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Joseph Fraker

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2020-0100-SPH

Property Address: 15605 DARK HOLLOW RD., 5TH ELECTION DISTRICT

Property Description: 0.57 ACRES, DEED REF: 42365/246

Legal Owners (Petitioners): PTL RE CORP / c/o JIM FINNERTY

Contract Purchaser/Lessee: CARL DWYER

PLEASE FORWARD ADVERTISING BILL TO:

Name: CARL DWYER

Company/Firm (if applicable): _____

Address: 310 MARY AVE

WESTMINSTER, MD 21157

Telephone Number: 443-852-0779

Revised 7/9/2015

2000000230

DARK HOLLOW RD

5 ED

025C3 RC 2

3 CD

NW 24-J

0503077410

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

0501074325

0503077420

15461

4 ED

2300000539

DOVER RD

2020-0100-SPH

LWR 3546 MAR 1959

6/13/59

THIS DEED, Made this 13th day of June, in the year one thousand nine hundred and fifty-nine, by and between CHARLES N. ARMACOST, widower, of Baltimore County, State of Maryland, party of the first part, and WILLIAM DONALD CURTIS, JR., of the County and State aforesaid, party of the second part.

WITNESSETH, That for and in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Charles N. Armacost does hereby grant and convey unto the said William Donald Curtis, Jr., his heirs and assigns, forever, in fee simple, all that lot or parcel of land situate, lying and being in the Fifth Election District of Baltimore County, State aforesaid, and described as follows, in accordance with a survey may by C. A. Myers, State Registered Surveyor, on April 21, 1959, that is to say:

BEGINNING for the outlines to include the same at a stake 25 feet Southeast of the centerline of the present road-bed of Dark Hollow Road, said stake also being North 39 degrees 19 minutes 15 seconds East 229.83 feet from the end of the South 26 degrees West 61-1/4 perches line as described in a Deed from Thomas J. Curtis, single man, to Charles N. Armacost and wife, dated December 15, 1945, recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1424 folio 348, etc., said stake also being at the Northernmost corner of that parcel of land now laid out for conveyance from Charles N. Armacost, widower, to Thomas J. Curtis and wife, running thence along the Southeast side of Dark Hollow Road as now surveyed by magnetic bearings of 1959, North 32 degrees 55 minutes East 125.00 feet to a stake, thence by a line of division, South 55 degrees 20 minutes 30 seconds East 200.00 feet to a stake, thence by another line of division and parallel with the first line of the parcel being described herein, South 32 degrees 55 minutes West 125.00 feet to a stake at the Easternmost corner of the above mentioned parcel now laid out for conveyance to Thomas J. Curtis, running thence binding on the Northernmost line of that parcel as now surveyed, North 55 degrees 20 minutes 30 seconds West 200.00 feet to the place of beginning. Containing five hundred seventy-three thousandths of an acre (0.573) of land more or less.

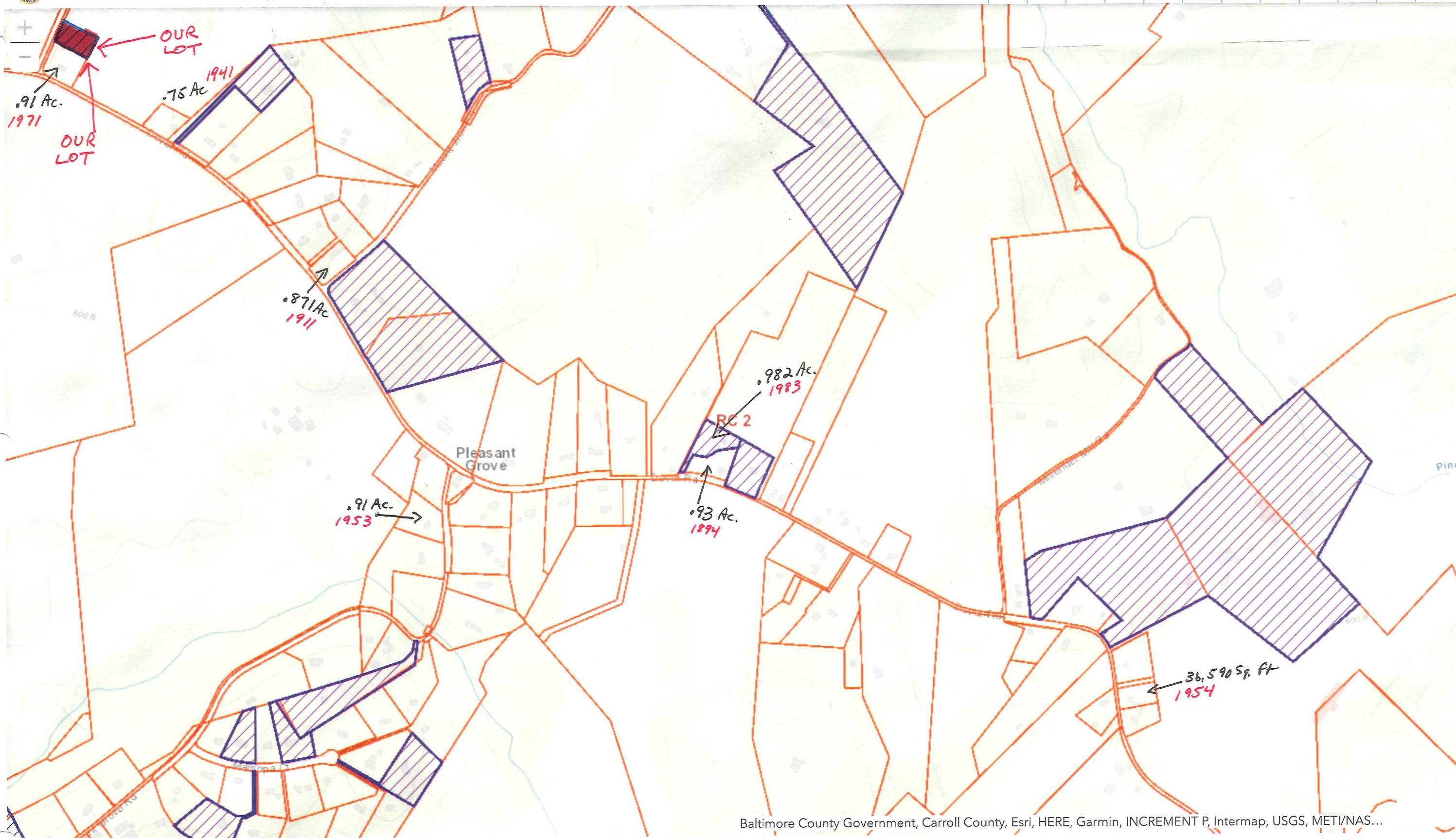
BEING a part of the same land which by Deed dated December 15, 1945, and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1424 folio 348, etc., was granted and conveyed by Thomas J. Curtis, single man, to Charles N. Armacost and Anna P. Armacost, his wife, as tenants by the entirety. The said Anna P. Armacost being now deceased leaving the said Charles N. Armacost as sole owner.

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.

Ex #7 Other Undersized Lots



Baltimore County - My Neighborhood



Baltimore County Government, Carroll County, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NAS...

600ft
-76.800 39.547 Degrees



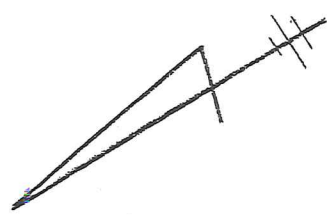
Ex #10





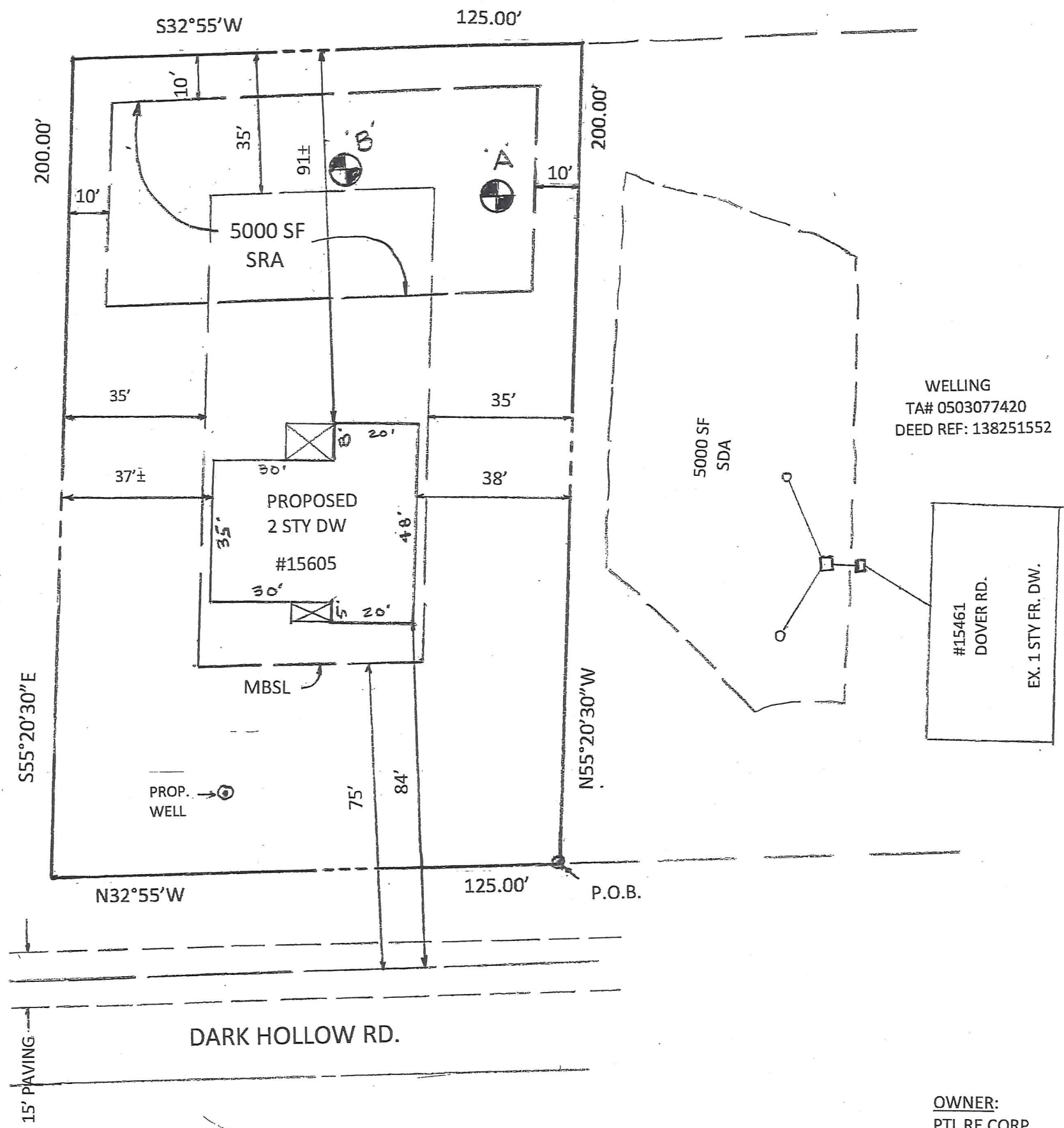
Ex #11





MORRIS
T.A.#0501074325
DEED REF: 12058/534
#15627 DARK HOLLOW RD.

AG.

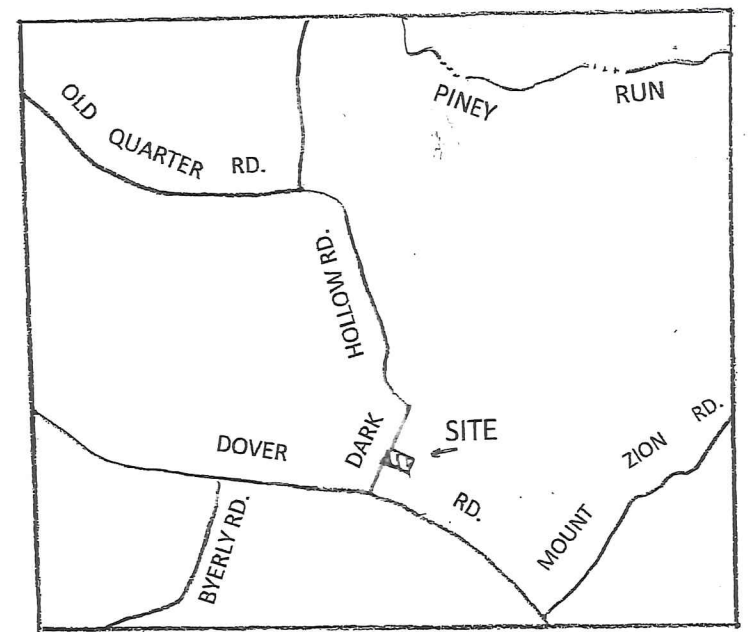
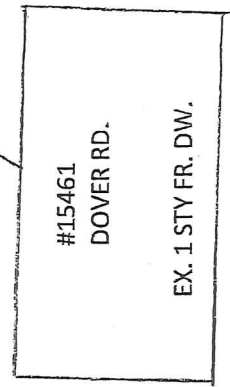


MORRIS
T.A.#0501074325
DEED REF: 12058/534
#15627 DARK HOLLOW RD.

AG.

PREPARED BY:
CRAIG CONSULTING, LLC
7024 GREENBANK RD.
BALTIMORE, MD 21220

WELLING
TA# 0503077420
DEED REF: 138251552



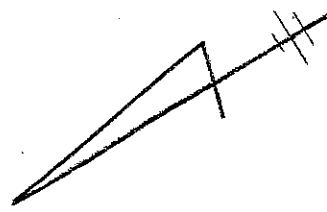
VICINITY MAP
SCALE: 1"= 2000'

GENERAL NOTES
ZONING MAP# 025C3
SITE ZONED: RC2
LOT AREA ACREAGE: 0.57± S.F.
OR SQUARE FEET: 24829±
HISTORIC: NO
IN CBCA: NO
IN FLOOD NO
PLAIN:
WATER IS: PRIVATE
SEWER IS: PRIVATE
PRIOR NO
HEARING?
PRIOR NO
VIOLATIONS?
NO WELLS, DWELLING, SRAS OR UGT'S
WITHIN 200' OF SITE UNLESS SHOWN.

**PLAN TO ACCOMPANY
ZONING HEARING FOR:
15605 DARK HOLLOW RD.
ELECTION DISTRICT 5C3
BALTIMORE COUNTY, MD
TAX ACCT No. 0503077410
DEED REF: 42365/246
TAX MAP #25, PARCEL # 145
SCALE: 1"=30' 04/2/2020**

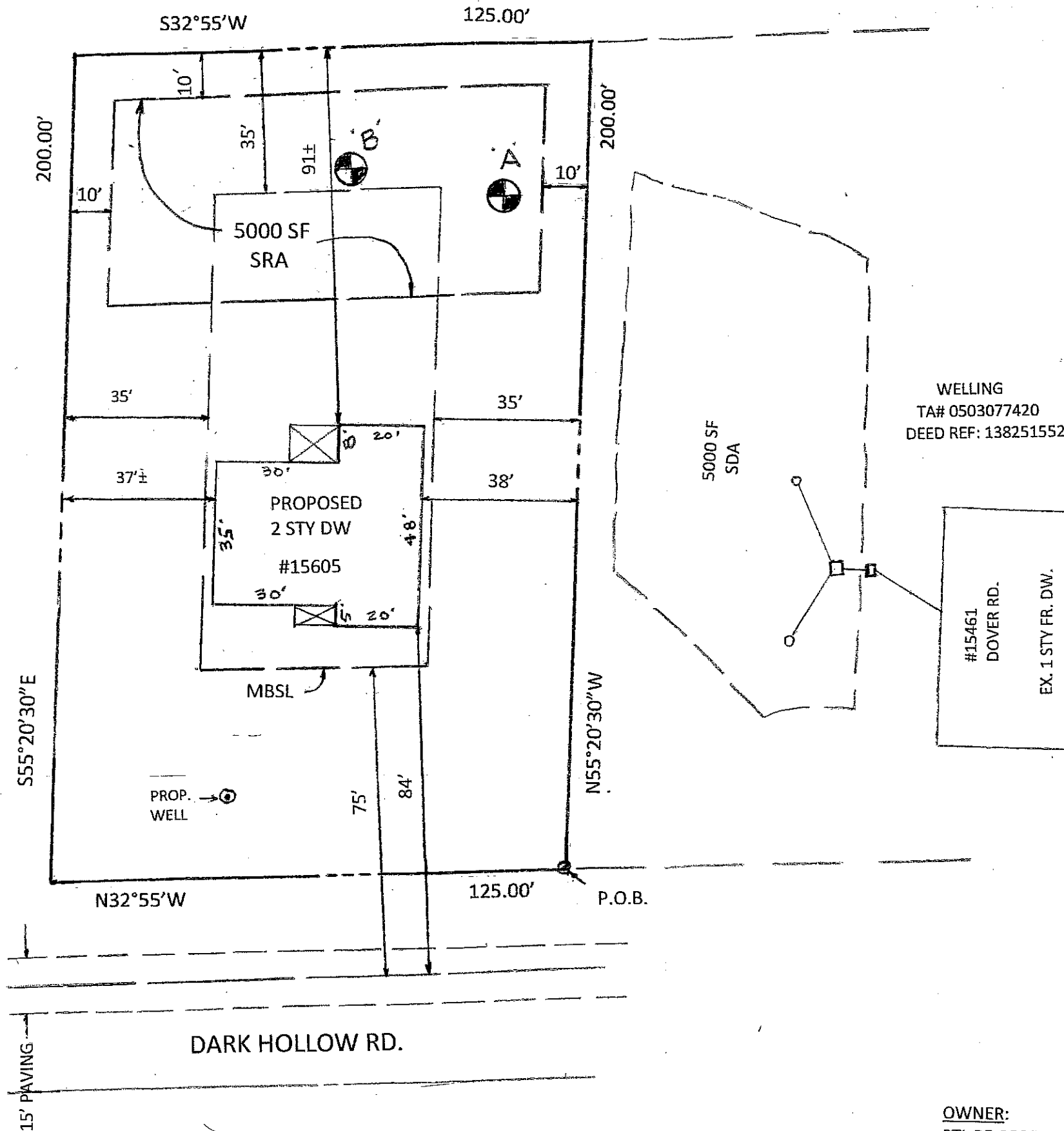
OWNER:
PTL RE CORP
STE 1220
C/O JIM FINNERTY 120 N. LASALLE ST.
CHICAGO, IL 60602

2020-0100-SP4



MORRIS
T.A.#0501074325
DEED REF: 12058/534
#15627 DARK HOLLOW RD.

AG.



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AG.

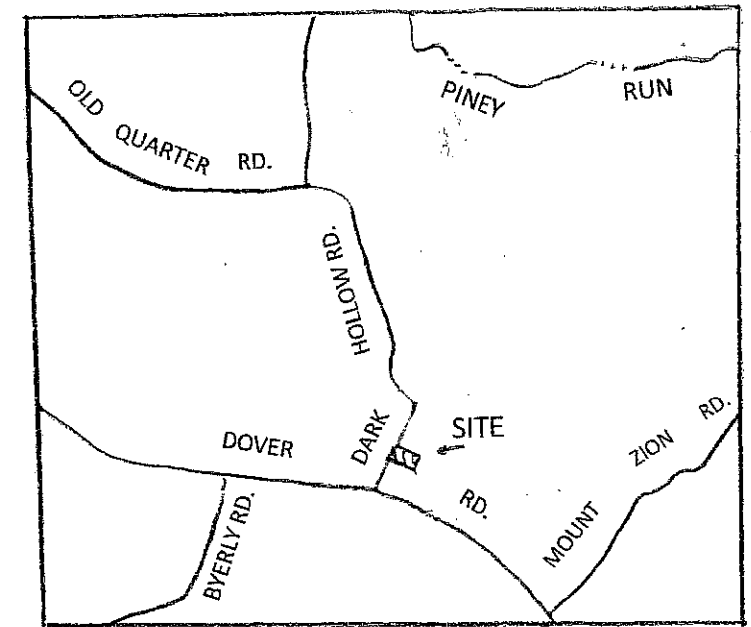
PREPARED BY:
CRAIG CONSULTING, LLC
7024 GREENBANK RD.
BALTIMORE, MD 21220

WELLING
TA# 0503077420
DEED REF: 138251552

#15461
DOVER RD.
EX. 1 STY FR. DW.

OWNER:
PTL RE CORP
STE 1220
C/O JIM FINNERTY 120 N. LASALLE ST.
CHICAGO, IL 60602

2020-0100-SP4



VICINITY MAP
SCALE: 1" = 2000'

GENERAL NOTES

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