

**PETITION FOR ZONING RE-CLASSIFICATION  
SPECIAL EXCEPTION AND/OR VARIANCE**

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part here by hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from RM and DR 3.5 zone to BR zone for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for \_\_\_\_\_

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

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BALTIMORE COUNTY  
MAY 7 12 24 PM '81  
COUNTY BOARD  
OF APPEALS  
BY: \_\_\_\_\_

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restriction of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: \_\_\_\_\_ Legal Owner(s):  
Emmett H. Brooks, Isola M. Brooks  
(Type or Print Name) (Type or Print Name)  
Signature: *Emmett H. Brooks, Isola M. Brooks*  
Robert H. Brooks, Susan Brooks  
(Type or Print Name) (Type or Print Name)  
Signature: *Robert H. Brooks, Susan Brooks*  
City and State: \_\_\_\_\_  
Baltimore Gas and Electric Company  
Name and telephone number of legal owner, contract purchaser or representative to be contacted  
James H. Cook  
Name  
823-4111  
Telephone No.

BANC-Form 1

**BALTIMORE COUNTY  
ZONING PLANS  
ADVISORY COMMITTEE**

**PETITION AND SITE PLAN  
EVALUATION COMMENTS**

EMMETT H. BROOKS, ET AL &  
BALTIMORE GAS & ELECTRIC CO.

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

April 29, 1981

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
TOWSON, MARYLAND 21284

James H. Cook and  
Herbert R. O'Connor, III, Esquires  
210 Allegheny Avenue  
P.O. Box 5517  
Towson, Maryland 21204

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

RE: Item No. 18 (Cycle 1 - April-Oct. 1981)  
Petitioner - Emmett H. Brooks, et al  
Reclassification Petition

Gentlemen:  
This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the 1st 1980-81 zoning cycle.

The petition has been reviewed by the Zoning Office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee.

The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, brief and/or the site plans be amended so as to reflect better compliance with the zoning regulations and commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office before May 29th. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

Located on the south side of Mt. Wilson Lane west of Reisterstown Road in the 3rd Election District, the subject property is presently improved with a number of dwellings and an electrical contractors yard. The property is partially zoned B.M. with the majority zoned D.R. 3.5 and it is your proposal to have this property rezoned to BR classification. Adjacent properties to the east are zoned B.M. and R-0 and are improved with stores and an individual dwelling, respectively, while dwellings exist along Pikesville Road to west and south of this site.

Item No. 18 Cycle No.  
Emmett H. Brooks, et al  
Reclassification Petition

As indicated in a number of my conversations with Mr. O'Connor, the brief must be changed or the site plan must be revised to comply in all respects with the requirements of Bill 46-79.

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-3391. Notice of the specific hearing date, which will be between September and December of 1981, will be forwarded to you in the future.

Very truly yours,  
*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

ENCLOSURE  
cc: Gerhold, Cross and Etsel  
412 Delaware Avenue  
Towson, Maryland 21204

**BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204**

HARRY J. PISTEL, R.E.  
DIRECTOR

April 3, 1981

Mr. Walter A. Reiter, Jr.  
Chairman, Board of Appeals  
Court House  
Towson, Maryland 21204

Re: Item #18 (Cycle I - April-October 1981)  
Property Owner: Emmett H. Brooks, Et al  
3/5 Mt. Wilson Lane 287' W. of Reisterstown Rd.  
Existing Zoning: BM & D.R. 3.5  
Proposed Zoning: BR  
Acres: 2.12 District: 3rd

Dear Mr. Reiter:  
The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

**General:**  
This overall site comprises in part, portions of Lots 1 and 2; Lots 3 and 4 of the plat "Pikesville Farms", recorded W.P.C. 7, Folio 7, plus an adjoining property to the east.

**Highways:**  
Mt. Wilson Lane (Md. 400) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Entrance locations are also subject to approval by the Baltimore County Department of Traffic Engineering.  
Pikesville Road, an existing public road, is proposed to be improved in the future, as a 30-foot closed section roadway on a 50-foot right-of-way.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

**Sediment Control:**  
Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #18 (Cycle I - April-October 1981)  
Property Owner: Emmett H. Brooks, Et al  
Page 2  
April 3, 1981

**Storm Drains:**

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

**Water and Sanitary Sewer:**

There are 8-inch public water mains in Mt. Wilson Lane and Pikesville Road. As indicated, there is 8-inch public sanitary sewerage in Pikesville Road and within Baltimore County utility easements through this site. The Petitioner is cautioned that no encroachment by construction of any structure, including footings, is permitted within Baltimore County rights-of-way and utility easements. During the course of any construction on this property, protection must be afforded by the Contractor for utilities within such rights-of-way and utility easements; and damage sustained would be the full responsibility of the Petitioner.

This property is tributary to the Gwynns Falls Sanitary Sewerage System, subject to State Health Department regulations and allocations.

Very truly yours,  
*Robert A. Morton*  
ROBERT A. MORTON, P.E., Chief  
Bureau of Public Services

RAM:EAM:FWR:ss  
cc: Jack Wimbley  
P-NE Key Sheet  
34 NW 24 & 25 Pos. Sheets  
NW 9 P & G Topo  
68 Tax Map

**Maryland Department of Transportation**  
State Highway Administration

James J. O'Donnell  
Secretary  
M. S. Caltrider  
Administrator

March 27, 1981

Mr. Walter Reiter  
Chairman Board of Appeals  
County Office Bldg.  
Towson Maryland 21204

Re: Cycle I-1981  
Z.A.C. meeting 3/16/81  
Item #18  
Owner: Emmett H. Brooks  
Location: 5/5 Mt. Wilson Lane (Rts 400) 287' W. of Reisterstown Rd. (Rte 140)  
Existing Zoning: BM and D.R. 3.5  
Proposed Zoning: BR  
Acres: 2.12  
District: 3rd

Dear Mr. Reiter,  
On review of the site plan and field inspection, the State Highway Administration will require improvements of the highway frontage with widening, paving and curbing on the south side of Mt. Wilson Road.

The existing right of way of 40' and the proposed right of way of 70' must be shown on the plan.

Very truly yours,  
Charles Lee, Chief  
Bureau of Engr. Access Permits  
*George Wittman*  
by: George Wittman

CL-GW/cs

RECEIVED  
BALTIMORE COUNTY  
MAY 31 1 58 PM '81  
COUNTY BOARD  
OF APPEALS  
BY: \_\_\_\_\_

My telephone number is 301-659-1350  
P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

**Baltimore County  
Department of Traffic Engineering  
TOWSON, MARYLAND 21204  
494-3550**

STEPHEN E. COLLINS  
DIRECTOR

March 30, 1981

Mr. Walter A. Reiter, Jr.  
Chairman, Board of Appeals  
Office of Law  
Court House  
Towson, Maryland 21204

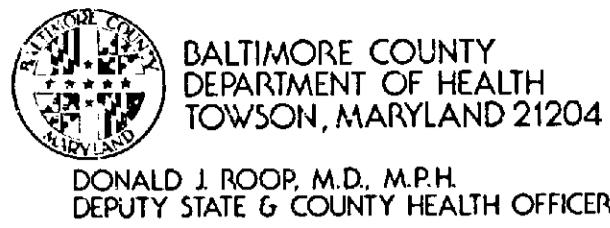
Item No. 18 - ZAC meeting of March 16, 1981  
Property Owner: Emmett H. Brooks, et al  
Location: 5/5 Mt. Wilson Lane 287' W. of Reisterstown Road  
Existing Zoning: BM & D.R. 3.5  
Proposed Zoning: BR  
Acres: 2.12  
District: 3rd

Dear Mr. Reiter:  
The existing zoning can be expected to generate approximately 80 trips per day and the proposed zoning can be expected to generate approximately 1,050 trips per day.

Mount Wilson Lane and Pikesville Road are very poor roads for commercial traffic.

Very truly yours,  
*Michael S. Flanigan*  
Michael S. Flanigan  
Eng'neer Associate II

MSE/bza



BALTIMORE COUNTY  
DEPARTMENT OF HEALTH  
TOWSON, MARYLAND 21204

DONALD J ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

April 6, 1981

Mr. Walter Reiter, Chairman  
Board of Appeals  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Reiter:  
Comments on Cycle I, #18, Zoning Advisory Committee Meeting of March 16, 1981, are as follows:

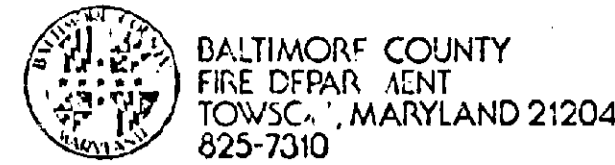
Property Owner: Emmett H. Brooks, Et al  
Location: S/S Mt. Wilson Lane 287' W. of Reisterstown Road  
Existing Zoning: BM & D.R. 3.5  
Proposed Zoning: BR  
Acres: 2.12  
District: 3rd

The existing building structures are served by metropolitan sewer and water.

The zoning plan as submitted, does not contain sufficient information; therefore, the Baltimore County Department of Health cannot make complete comments.

Very truly yours,  
*[Signature]*  
Ian J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

LJF/als



PAUL H. REINCKE  
CHIEF

March 19, 1981

Mr. William Hammond cc: Walter Reiter  
Zoning Commissioner Chairman of Board of Appeals  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RS: Property Owner: Emmett H. Brooks Et al  
Location: S/S Mt. Wilson Lane 287' W. of Reisterstown Road  
Item No.: 18 Zoning Agenda Meeting of March 16, 1981

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

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- XX) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *[Signature]* Noted and Approved: *[Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Walter Reiter  
Board of Appeals Chairman Date: March 27, 1981  
Mr. Charles E. Burnham  
Plans Review Chief - Permits and Licenses  
FROM: Cycle I - 1981  
SUBJECT: \_\_\_\_\_

RE: Cycle Zoning March 21, 1981

PROPERTY OWNER: Emmett H. Brooks, et al  
LOCATION: S/S Mt. Wilson Lane 287' W of Reisterstown Road  
EXISTING ZONING: EM & D.R. 3.5  
PROPOSED ZONING: BR  
ACRES: 2.12  
DISTRICT: 3rd  
ITEM NO. 18

Any proposed change in use of existing structures will require change of occupancy permits, alteration permits to upgrade the structures to the proposed uses, etc.. Should there be any relocation of property lines, compliances to the fire separation distances rating of walls as indicated in the Building Code, Table 21h and Section 303.2.

NOTE: All comments are based on data provided on site plans and data provided by the Zoning Advisory Committee. Comments in many cases cannot be more specific or advisory due to the listed information.

*[Signature]*  
Charles E. Burnham  
Plans Review Chief

CEB:rrj

CC: Nick Commodari

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Duber, Superintendent

Towson, Maryland - 21204

Date: March 23, 1981

Mr. Walter Reiter  
Chairman, Board of Appeals  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Zoning Cycle #1 March 16, 1981

RE: Item No: 18  
Property Owner: Emmett H. Brooks, Et al  
Location: S/S Mt. Wilson Lane 287' W. of Reisterstown Road  
Present Zoning: BM & DR 3.5  
Proposed Zoning: BR

School Situation

School	Enrollment	Capacity	Over/Under
Elementary			
Junior High			
Senior High			

Comment: Acreage too small to have an effect on student population.

Student Yield With: Existing Zoning And Proposed Zoning  
Elementary  
Junior High  
Senior High

Very truly yours,  
*[Signature]*  
Wm. Nick Petrovich, Assistant  
Department of Planning

WNP/bp

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS  
from BM & D.R. 3.5 to BR Zone  
S/S Mt. Wilson Lane 287'  
W of Reisterstown Rd., 3rd District : OF BALTIMORE COUNTY

EMMETT H. BROOKS, et al, : Item 18, Cycle I  
Petitioners

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

*[Signature]* Peter Max Zimmerman  
Deputy People's Counsel  
*[Signature]* John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 25th day of August, 1981, a copy of the foregoing Order was mailed to James H. Cook, Esquire and Herbert R. O'Connor, III, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204, Attorneys for Petitioners.

*[Signature]*  
John W. Hession, III

LAW OFFICES

COOK, HOWARD, DOWNES & TRACY

A PROFESSIONAL ASSOCIATION  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21204

April 3, 1981

JAMES H. COOK  
JOHN B. HOWARD  
DAVID D. DOWNES  
DANIEL O.C. TRACY, JR.  
JOHN W. ZIMMERMAN, III  
JOSEPH C. WICK, JR.  
HENRY B. PECK, JR.  
HERBERT R. O'CONNOR, III  
THOMAS L. HUDSON  
THOMAS W. EARLY  
FRANK A. LAFALCE, JR.  
C. CAREY DELEET, JR.

JAMES D.C. DOWNES  
(1908-1979)  
623 4111  
AREA CODE 301

Mr. William T. Hackett  
Acting Chairman in County Board of Appeals  
Court House  
Towson, Maryland 21204

Re: Petition for Re-Classification by  
Emmett and Leola Brooks and  
Robert and Susan Brooks  
Our File No. 1094/11480

Dear Mr. Hackett:

This will serve to confirm our discussion of April 2, 1981 regarding an Amendment to the Statement of Reasons supporting the above-referenced Petition. After the Petition and the Statements were filed, Mr. Commodari of the Zoning Office advised me that it was the policy of his office to require the filing of a detailed site plan and an environmental impact statement where the Statement refers to a proposed or existing use.

I disagree with this policy as it seems to conflict with Section 2-40.1(b) of the County Code. However, to resolve what appears to be a procedural impasse, I asked you if it would be acceptable to file an Amended Statement which satisfies the policy of the Zoning Office. You indicated that this would be an acceptable procedure.

Thank you for your attention to this matter.

Very truly yours,

*[Signature]*  
Herbert R. O'Connor, III

HRO/bg  
cc: Mr. and Mrs. Emmett H. Brooks, Jr.  
Mr. Nicholas B. Commodari  
Calhoun Bond, Esquire

RECEIVED  
BALTIMORE COUNTY  
AUG 12 11 53 AM '81  
BY: [Signature]

LAW OFFICES

COOK, HOWARD, DOWNES & TRACY

A PROFESSIONAL ASSOCIATION  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21204

August 21, 1981

JAMES H. COOK  
JOHN B. HOWARD  
DAVID D. DOWNES  
DANIEL O.C. TRACY, JR.  
JOHN W. ZIMMERMAN, III  
JOSEPH C. WICK, JR.  
HENRY B. PECK, JR.  
HERBERT R. O'CONNOR, III  
THOMAS L. HUDSON  
THOMAS W. EARLY  
FRANK A. LAFALCE, JR.  
C. CAREY DELEET, JR.

JAMES D.C. DOWNES  
(1908-1979)  
623 4111  
AREA CODE 301

HAND DELIVERED.

The Hon. William T. Hackett  
Chairman, County Board of Appeals  
Room 219  
Court House  
Towson, Maryland 21204

RE: Emmett H. Brooks, et al  
Item No. 18

Dear Mr. Hackett:

Thank you for your August 18 letter. I have consulted with my client and we wish to continue the above referenced matter until a final ruling has been made in each of the three suits mentioned in your letter.

Kind regards.

Very truly yours,

*[Signature]*  
Herbert R. O'Connor, III

HRO/mr  
cc: Emmett H. Brooks

RECEIVED  
BALTIMORE COUNTY  
AUG 21 11 53 AM '81  
BY: [Signature]

494-3160

County Board of Appeals

Room 219, Court House

Towson, Maryland 21204

August 26, 1981

James H. Cook, Esquire  
Herbert R. O'Connor, III, Esquire  
P. O. Box 5517  
210 Allegheny Avenue  
Towson, Md. 21204

Re: Item #18  
Emmett H. Brooks, et al

Dear Messrs. Cook and O'Connor:

Your request for postponement of this case will be granted by the County Board of Appeals. However, since the applicable provisions of the Charter require that the case and the assigned hearing date be advertised, both in the newspaper and by posting, it will be necessary that we continue with this procedure. Further, to make certain that all requirements are met, it will be necessary that on the morning of the day upon which the case is assigned, the record be opened and the fact of the postponement and the grounds therefore be read into the record, and the postponement be formally granted.

Accordingly, it is requested that you, or someone representing you, appear on the morning of the scheduled date so that we can complete this formality, which is necessary for the Petitioner's protection. You need not, of course, be accompanied by either parties or witnesses for this purpose. In addition to making certain that all legal requirements with regard to the scheduling, advertising, notification, and opening the record of the case, this procedure will also give the Board the opportunity to explain the facts concerning the postponement and the reasons therefore to any interested parties who appear on the scheduled day pursuant to the advertisement.

Very truly yours,

*[Signature]*  
William T. Hackett, Chairman

WTH:e

cc: Emmett H. Brooks, et al  
Vernon K. Evans  
John W. Hession, III, Esq.  
Mr. J. E. Dyer

LAW OFFICES  
COOK, HOWARD, DOWNES & TRACY  
A PROFESSIONAL ASSOCIATION  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21204  
September 8, 1981

Mrs. Edith T. Eisenhart, Secretary  
County Board of Appeals  
Room 219  
Court House  
Towson, Maryland 21204  
Re: Petition for Reclassification for  
Emmett H. Brooks, et al  
Item No. 18  
Our File No. 1094/11480

Dear Mrs. Eisenhart:  
I note that Mr. Hackett's letter of August 26, 1981 states that it will be necessary for me to appear and to state the reasons for the postponement. Of course, I will be happy to comply with this requirement. However, the only Notice of the hearing date is that which has been advertised in the Newspaper and it merely states that the hearing is to be held in the week of November 16.

Presently, I am scheduled to appear in the Circuit Court for Baltimore County in a two day jury trial beginning on November 1, 1981. It is therefore requested that you schedule the Brooks' matter for November 16, 17 or 18 and, to avoid the possibility of a conflict, it would be appreciated if you would select the date at your earliest convenience.

Kind regards.  
Very truly yours,  
*Herbert R. O'Connor, III*  
Herbert R. O'Connor, III

HRO/bg  
cc: Mr. Emmett H. Brooks

RECEIVED  
BALTIMORE COUNTY  
COUNTY BOARD OF APPEALS  
SEP 11 2 32 PM '81

LAW OFFICES  
COOK, HOWARD, DOWNES & TRACY  
A PROFESSIONAL ASSOCIATION  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21204  
April 3, 1981

Mr. William T. Hackett  
Acting Chairman in County Board of Appeals  
Court House  
Towson, Maryland 21204

Re: Petition for Re-Classification by  
Emmett and Leola Brooks and  
Robert and Susan Brooks  
Our File No. 1094/11480

Dear Mr. Hackett:  
This will serve to confirm our discussion of April 2, 1981 regarding an Amendment to the Statement of Reasons supporting the above-referenced Petition. After the Petition and the Statements were filed, Mr. Commodari of the Zoning Office advised me that it was the policy of his office to require the filing of a detailed site plan and an environmental impact statement where the Statement refers to a proposed or existing use.

I disagree with this policy as it seems to conflict with Section 2-40.1(b) of the County Code. However, to resolve what appears to be a procedural impasse, I asked you if it would be acceptable to file an Amended Statement which satisfies the policy of the Zoning Office. You indicated that this would be an acceptable procedure.

Thank you for your attention to this matter.

Very truly yours,  
*Herbert R. O'Connor, III*  
Herbert R. O'Connor, III

HRO/bg  
cc: Mr. and Mrs. Emmett H. Brooks, Jr.  
Mr. Nicholas B. Commodari  
Calhoun Bond, Esquire

APR 7 '81 AM  
ZONING DEPARTMENT

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353  
November 12, 1981  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER

Herbert R. O'Connor, III, Esquire  
P. O. Box 5517  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Petition for Re-classification  
S/S Mt. Wilson La., approx. 287' W of Reisterstown  
Road  
Emmett H. Brooks, et al - Petitioners  
Case #R-82-77 Item #18

Dear Mr. O'Connor:  
This is to advise you that \$56.65 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,  
*William E. Hammond*  
WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:klr  
BALTIMORE COUNTY MARYLAND  
OFFICE OF FINANCE - TOLLETT DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 101677  
DATE 10/19/81 ACCOUNT C1-662  
AMOUNT \$50.00  
RECEIVED FROM Herbert R. O'Connor, III  
FOR Filing Fee For Case #R-82-77 (Brooks)  
50.00  
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER

James H. Cook and  
Herbert R. O'Connor, III, Esquire  
210 Allegheny Avenue  
P.O. Box 5517  
Towson, Maryland 21204

June 20, 1981

RE: Item No. 18 - Cycle No. 1  
Petitioners - Emmett H. Brooks, et al  
Reclassification Petition

Gentlemen:  
This is to advise you that \$77.15 is due for the first advertising of the above property. Two additional bills will be forwarded to you in the near future. All bills must be paid before an order is issued.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,  
*William E. Hammond*  
WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:mch

COMMUNITY  
Office of The Carroll County Times

Westminster, Md., ...October, 29, 1981...

THIS IS TO CERTIFY that the annexed Baltimore Co., Md. (L-29958)

for ... successive weeks previous to the ...

... in The Carroll County Times a daily ...

... published in Westminster, Carroll County, Maryland.

... THE CARROLL COUNTY TIMES

... Per ...

... 4240

PETITION FOR RE-CLASSIFICATION  
3rd DISTRICT

ZONING: Petition for re-classification  
LOCATION: South side of Mt. Wilson Lane, approximately 287 ft. West of Reisterstown Road.  
DATE & TIME: Wednesday, November 18, 1981 at 10:00 a.m.  
PUBLIC HEARING: Room 218, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing on:

Present Zoning: B.M. and D.R. S.S.  
Proposed Zoning: B.R.

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

Beginning for the same at a point on the south side of Mt. Wilson Lane as shown on the Plat of Pikeville Farms, which plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7 folio 7, said point being distant South 77 degrees 29 minutes West 287.00 feet measured along the south side of Mt. Wilson Lane from the westernmost side of Reisterstown Road, 66 feet wide, running thence and binding on the south side of Mt. Wilson Lane South 77 degrees 29 minutes West 250.00 feet, thence leaving said Lane and binding on the outlines of the land of the petitioners herein, the two following courses and distances vtz: South 33 degrees 41 minutes 35 seconds East 222.53 feet and South 57 degrees 33 minutes West 108.24 feet to the easternmost side of Pikeville Road as shown on the heretofore mentioned Plat of Pikeville Farms, thence binding on the easternmost side of Pikeville Road, South 32 degrees 27 minutes East 200.00 feet to the division line between Lots 4 and 5 as shown on the Plat of Pikeville Farms, thence leaving said Pikeville Road and binding on the division line between lots 4 and 5, North 57 degrees 33 minutes East 208.89 feet to intersect the easternmost outline of Pikeville Farms, thence binding on the said easternmost outline, South 35 degrees 30 minutes East 9.66 feet and thence continuing to bind on the outlines of the land of the petitioners herein, the two following courses and distances vtz: North 47 degrees 15 minutes East 15.06 feet and North 12 degrees 31 minutes West 362.50 feet to the place of beginning.

Containing 2.12 Acres of land more or less.

Being the land of the petitioner herein as shown on a plat filed in the Office of the Baltimore County Zoning Commissioner.

Being the property Emmett H. Brooks, et al, as shown on plat plan filed with Zoning Department.  
Hearing Date: Wednesday, November 18, 1981 at 10:00 a.m.  
Public Hearing: Room 218, County Office Building, Towson, Maryland.  
By Order of  
William T. Hackett, Chairman  
County Board of Appeals  
Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., ...October 29, 1981...

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on ... day of ... 1981.

THE JEFFERSONIAN  
*Frank Struthers*  
Manager.

Cost of Advertisement, \$...

County Board of Appeals  
Room 219, Court House  
Towson, Maryland 21204  
August 26, 1981

James H. Cook, Esquire  
Herbert R. O'Connor, III, Esquire  
P. O. Box 5517  
210 Allegheny Avenue  
Towson, Md. 21204

Re: Item #18  
Emmett H. Brooks, et al

Dear Messrs. Cook and O'Connor:

Your request for postponement of this case will be granted by the County Board of Appeals. However, since the applicable provisions of the Charter require that the case and the assigned hearing date be advertised, both in the newspaper and by posting, it will be necessary that we continue with this procedure. Further, to make certain that all requirements are met, it will be necessary that on the morning of the day upon which the case is assigned, the record be opened and the fact of the postponement and the grounds therefore be read into the record, and the postponement be formally granted.

Accordingly, it is requested that you, or someone representing you, appear on the morning of the scheduled date so that we can complete this formality, which is necessary for the Petitioner's protection. You need not, of course, be accompanied by either parties or witnesses for this purpose. In addition to making certain that all legal requirements with regard to the scheduling, advertising, notification, and opening the record of the case, this procedure will also give the Board the opportunity to explain the facts concerning the postponement and the reasons therefore to any interested parties who appear on the scheduled day pursuant to the advertisement.

Very truly yours,  
*William T. Hackett*  
William T. Hackett, Chairman

WITH:  
cc: Emmett H. Brooks, et al  
Vernon R. Evans  
John W. Hession, III, Esq.  
Mr. J. E. Dyer

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 3rd Date of Posting: 10-31-81

Posted for: RECLASSIFICATION

Petitioner: EMMETT H. BROOKS, ET AL

Location of property: S/S MT. WILSON LANE, APPROX. 287' W OF REISTERSTOWN ROAD

Location of Signs: 4 SIGNS S/S OF MT. WILSON LANE, APPROX. 400' W OF REISTERSTOWN RD. 2 SIGNS EAST SIDE OF PIKEVILLE RD. APPROX. 750' SOUTH OF MT. WILSON LANE

Posted by: *William T. Hackett* Date of return: 11-6-81

Number of Signs: 2

Herbert R. O'Connor, III, Esquire  
P. O. Box 517  
210 Allegheny Avenue  
Towson, Maryland 21204

October 19, 1981

NOTICE OF HEARING

RE: Petition for Re-classification  
S/s Mt. Wilson Lane, approx. 287 ft.  
W of Reisterstown Road  
Emmett H. Brooks, et al - Petitioners  
Case #R-82-77 Item #18 - Cycle 1

TIME: 10:00 A.M.

DATE: Wednesday, November 18, 1981

PLACE: Room 218, Courthouse, Towson, Maryland

*William T. Hackett*  
William T. Hackett, Chairman  
County Board of Appeals

11-18-81- Cases continued waiting on decision on  
Court cases

494-3180

County Board of Appeals  
Room 219, Court House  
Towson, Maryland 21204  
March 11, 1982

James H. Cook, Esquire  
210 Allegheny Avenue  
Towson, Md. 21204

Re: Case No. R-82-77  
Emmett H. Brooks, et al

Dear Mr. Cook:

On August 18, 1981, we notified you that there were pending in the Circuit Court three cases that could possibly have serious impact on the petition for rezoning in the above entitled case which was pending before the Board of Appeals.

At that time it appeared that we could get a final judgment on these three cases in a matter of months. Since then the request for settlement of these cases by Summary Judgment has been denied, and there appears to be no movement toward a full trial or any final judgment.

In view of these developments, the Board wishes to advise you that we will entertain your request for re-scheduling of this case if you so desire.

Very truly yours,

*William T. Hackett*  
William T. Hackett, Chairman

WTH:ce

cc: Herbert R. O'Connor, III, Esquire  
Emmett H. Brooks, et al  
Vernon R. Evans

RE: ZONING VIOLATION  
S/S Mt. Wilson Lane;  
S/W of Reisterstown Road  
3rd Election District

DEFOR: THE  
ZONING COMMISSIONER  
OF  
BALTIMORE COUNTY

Charles A. Herndon, Jr.  
c/o Baltimore Gas and Electric  
Company  
P. O. Box 1475  
Baltimore, Maryland 21203  
Defendant

81-206-V, C-61-280

ORDER OF DISMISSAL

A complaint has been filed with the Zoning Office concerning an alleged violation of the Baltimore County Zoning Regulations at the above captioned location in Baltimore County.

Testimony presented at the hearing indicated that the subject property has been conveyed to Emmett H. Brooks, Jr. and Leola M. Brooks, his wife and is no longer owned by the Baltimore Gas and Electric Company.

As there appeared no apparent violation of the Baltimore County Zoning Regulations at the present time, the matter is DISMISSED.

*William T. Hackett*  
Zoning Commissioner of  
Baltimore County

Date: June 4, 1981

RECEIVED  
BALTIMORE COUNTY  
COUNTY BOARD  
OF APPEALS  
MAR 21 10 07 AM '82



CHARLES CENTER • P.O. BOX 1475 • BALTIMORE, MARYLAND 21203

CHARLES A. HERNDON, JR.  
ATTORNEY  
301-234-5605

March 22, 1982

Mr. William T. Hackett, Chairman  
Baltimore County Board of Appeals  
Room 219  
Court House  
Towson, Maryland 21204

Re: Case No. R-82-77  
Emmett H. Brooks, et al.

Dear Mr. Hackett:

The above-titled matter was dismissed by Order of the Zoning Commissioner of Baltimore County as to Baltimore Gas and Electric Company, one of the original Defendants, on June 4, 1981. There will, therefore, be no further need to copy to Mr. Bowmaker any letters directed to Mr. Brooks' attorneys, James H. Cook and Herbert R. O'Connor, III.

I am enclosing a copy of the Order of Dismissal for your records.

Very truly yours,

*Charles A. Herndon, Jr.*  
Charles A. Herndon, Jr.

CAH:jdb  
Enclosure

cc: Herbert R. O'Connor, III, Esq.

RECEIVED  
BALTIMORE COUNTY  
COUNTY BOARD  
OF APPEALS  
MAR 21 10 07 AM '82

Case # 82-77 - Brooks  
Persons in attendance - 11-18-81

Name	Address
Mr. Stephen Fox	8815 Pikesville Rd.
Mrs. Diane Powell	8819 Pikesville Rd.
Mrs. Winnie M. Taylor	Bay 477 - Pikesville Rd. Pikesville, Md.
Mrs. Marie A. Fox	8824 Pikesville Rd. Baltimore 21204
Mrs. Eric H. Spremer	8824 Pikesville Rd. Baltimore 21204
Mrs. George Dillon	8803 Pikesville Rd.
F. E. Engelmatt	8808 Pikesville Rd. Pikesville, Md. 21208
Mrs. George A. Dillon	8803 Pikesville Rd. Balt. Md. 21208
Mrs. Virginia M. Ireland	8828 Orchard Rd. Pikesville Md. 21208
Ch. Old. Nye	8827 Orchard Rd. 21208
William J. Doy	8822 Pikesville Rd. - 21208
Florem	8819 Pikesville Rd. 21208
R. L. Orem	

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

Michael J. Moran, Esquire  
Assistant County Attorney  
Office of Law

Date: January 31, 1985

FROM: Edith T. Eisenhart, Adm. Secretary  
County Board of Appeals

SUBJECT: Case No. R-82-193, Stephen Shores  
Case No. R-82-190, Louis T. Marzullo  
Case No. R-82-191, Jerome Weiner  
Case No. R-82-192, Jerome Weiner  
Case No. R-83-190, Kenneth Coleman  
Case No. R-82-77, Emmett H. Brooks

The above entitled cases were filed with the Board of Appeals petitioning for reclassification of properties. To date the bills rendered to them to cover the cost of advertising and posting of the properties remain unpaid. We have been advised to turn this matter over to you for collection. Attached hereto is a list of the amounts owed by each Petitioner which has been verified by the Zoning Office.

Very truly yours,  
*Edith T. Eisenhart*  
Edith T. Eisenhart, Adm. Secretary

LAW OFFICES  
COOK, HOWARD, DOWNES & TRACY  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21204

February 25, 1985

JAMES H. COOK  
JOHN B. HOWARD  
DAVID S. BROWN  
DANIEL C. TRACY, JR.  
JOHN H. DINK, III  
JOSEPH C. WICH, JR.  
HENRY B. PECK, JR.  
HERBERT R. O'CONNOR, III  
THOMAS L. HUDSON  
C. CAREY DELEY, JR.  
GEORGE E. REYNOLDS, III  
LAWRENCE L. HOOPER, JR.  
H. KING HILL, III  
ROBERT A. HOFFMAN  
DEBORAH C. DOPPIN  
CYNTHIA M. JARRE  
ANGUS E. FINNEY  
KEVIN H. SMITH  
H. BARNETT PETERSON, JR.

County Board of Appeals  
Room 200  
Court House  
Towson, Maryland 21204

Re: Emmett H. Brooks, et al. - Petitioners  
Case No: R-82-77  
Our File No: 1094-11480

Dear Sir or Madame:

Please find enclosed this firm's check of \$215.11 as payment for advertising in this matter.

Thank you.

Very truly yours,  
*Herbert R. O'Connor*  
Herbert R. O'Connor, III

HRO'c/kg  
Inc.

RECEIVED  
COUNTY BOARD OF APPEALS  
FEB 26 P 4 11

County Board of Appeals of Baltimore County  
Room 200 Court House  
Towson, Maryland 21204  
(301) 494-3180  
March 12, 1985

James H. Cook, Esquire  
Herbert R. O'Connor, III, Esquire  
P. O. Box 5517  
210 Allegheny Avenue  
Towson, MD 21204

Re: Case No. R-82-77  
Emmett H. Brooks, et al

Gentlemen:

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,  
*Edith T. Eisenhart*  
Edith T. Eisenhart, Adm. Secretary

Enclosure

cc: Emmett H. Brooks, et al  
David S. Brown  
Phyllis Cole Friedman  
Arnold Jablon  
Jean M. H. Jung  
James E. Dyer  
Norman E. Gerber  
James G. Hoswell  
Board of Education

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINA REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 75318

DATE: 3/12/85 ACCOUNT: R-01-615-000

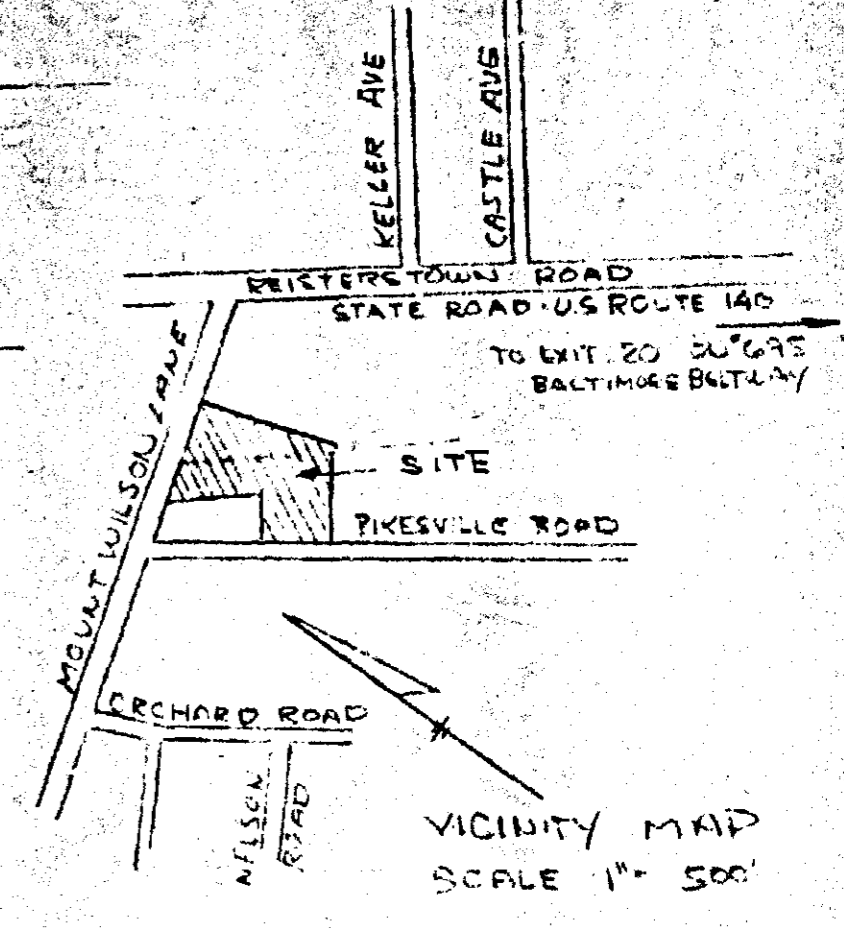
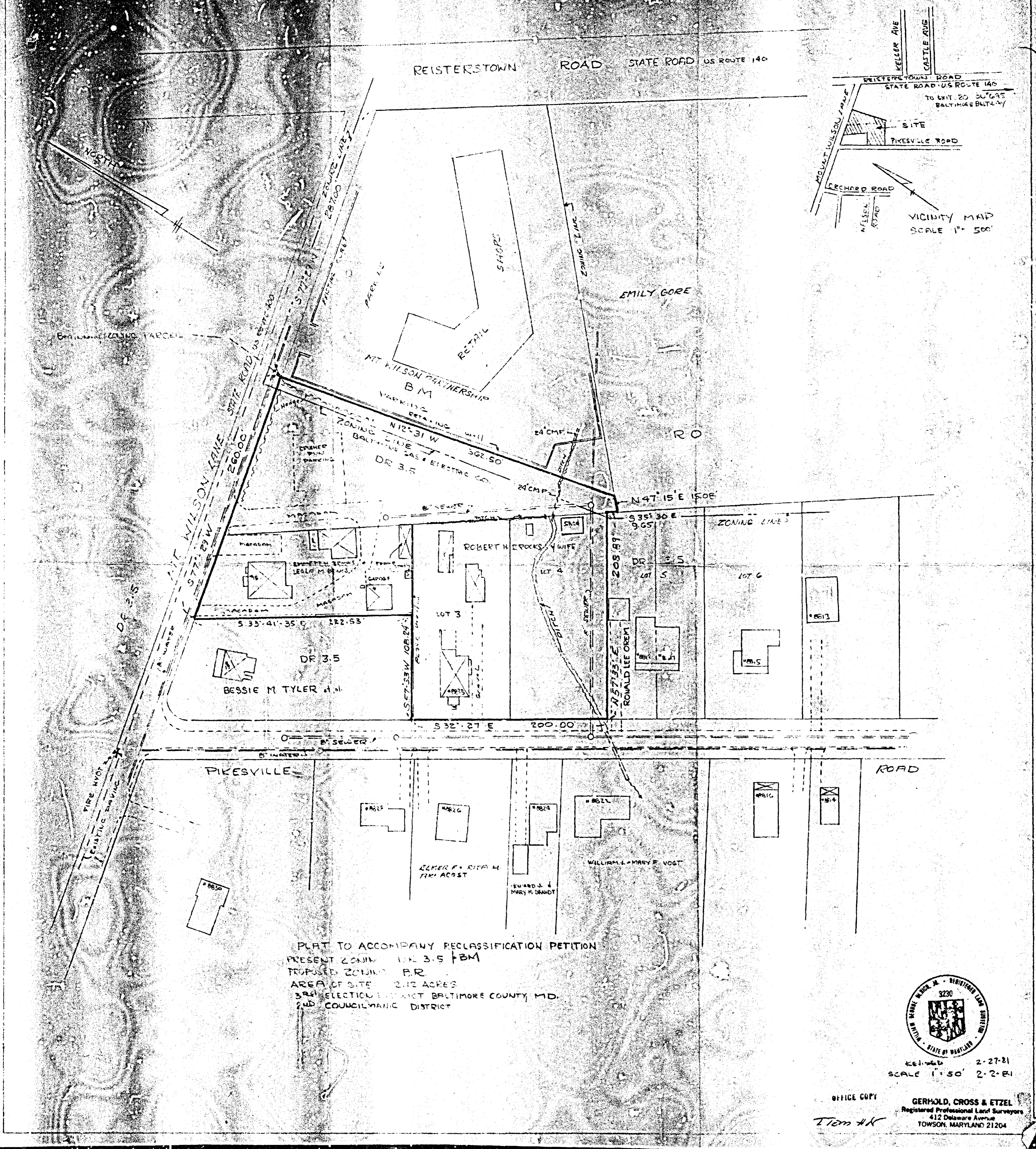
RECEIVED: Cook, Howard, Downes & Tracy \$ 215.11  
FROM: (Emmett H. Brooks, et al Petitioners)

for Advertising and Posting Case No. R-82-77

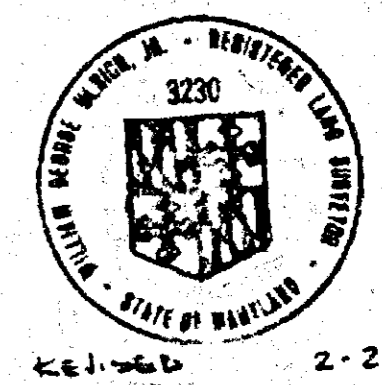
8803\*\*\*\*215318 48788

VALIDATION OF SIGNATURE OF CARRIER





PLAT TO ACCOMPANY RECLASSIFICATION PETITION  
 PRESENT ZONING DR 3.5 + BM  
 PROPOSED ZONING R.R.  
 AREA OF SITE 2.12 ACRES  
 3RD ELECTION DISTRICT BALTIMORE COUNTY, MD.  
 2ND COUNCILMANIC DISTRICT



2-27-81  
 SCALE 1" = 50' 2-2-81

OFFICE COPY  
 GERHOLD, CROSS & ETZEL  
 Registered Professional Land Surveyors  
 412 Delaware Avenue  
 TOWSON, MARYLAND 21204

