

IN THE MATTER OF:
PAINTERS MILL VENTURE-PETITIONERS
NEC RED RUN BLVD AND
PAINTERS MILL ROAD

4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

RE: Special Hearing to approve bank offices
and banking in an OT zone

* * * * *

* BEFORE THE
* BOARD OF APPEALS
* OF BALTIMORE COUNTY
* Case No.: 96-520-SPH

ORDER OF DISMISSAL

This matter having come before this Board on appeal dated September 9, 1996 from a decision dated August 12, 1996 from the Zoning Commissioner; wherein the request for Special hearing relief to approve bank offices and banking in an OT Zone was granted.

WHEREAS, the Board has been reviewing its docket with reference to inactive cases with the intent to dismiss and close as many of these cases as possible;

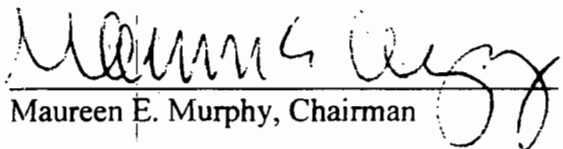
WHEREAS, the subject matter has been held on the Board's docket since February 21, 1997, and no further action having occurred in this matter;

WHEREAS, by letter dated June 19, 2009, the Board of Appeals notified the Counsel of record that the above-entitled matter would be dismissed for lack of prosecution after a period of 30 days; and

WHEREAS, there has been no request made for hearing in this matter, nor objection made to said dismissal;

IT IS THEREFORE ORDERED, this 5th day of August, 2009 by the Board of Appeals for Baltimore County that the above-referenced appeal filed in Case No.: 96-520-SPH, be and is hereby **DISMISSED FOR LACK OF PROSECUTION**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Chairman



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-837-3180
FAX: 410-837-3182

June 19, 2009

John Gontrum, Esquire
Whiteford, Taylor & Preston, LLP
1 W. Pennsylvania Avenue, Suite 300
Towson, MD 21204

RE: In the Matter of: Painters Mill Venture - Petitioners
Case No.: 96-520-SPH

Dear Mr. Gontrum:

The Board of Appeals has been reviewing its docket, particularly with reference to inactive cases. By this review, the Board intends to dismiss and close as many of these cases as possible.

A review of the subject file indicates that your request for postponement was granted on 02/21/97, with no further action reflected in the file to date.

Pursuant to the above intent regarding inactive cases, the purpose of this letter is to advise you that an Order of Dismissal of Petition for lack of prosecution will be entered in the above-captioned matter after the expiration of 30 days from the date of this Notice. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Very truly yours,

A handwritten signature in black ink that reads "Theresa R. Shelton /kc". The signature is fluid and cursive.

Theresa R. Shelton
Administrator

TRS/klc

Case No. 96-520-SPH

SPH -To approve bank offices and banking in O.T. zone (whether provisions permit same)

8/12/96 -Zoning Commissioner's Order in which Petition for Special Hearing was GRANTED.

12/11/96 -Notice of Assignment for hearing scheduled for Tuesday, February 25, 1997 at 10:00 a.m. sent to following:

People's Counsel for Baltimore County
John B. Gontrum, Esquire
Jack Baylin, GP /Painters Mill Venture
D. T. MacHaver /McDonogh Land Resources
Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty

2/18/97 -Verbal notification by J. Gontrum that he would be requesting a postponement of this matter pending the outcome of proposed legislation regarding the instant special hearing /relief requested. No objection from People's Counsel; Mr. Gontrum to forward a letter to CBA requesting same. Postponement to be GRANTED.

2/21/97 -FAX from J. Gontrum requesting PP; confirmed with PC; to be postponed.

- Notice of PP sent to parties; case to be continued as requested and no reset date pending outcome of resolution and proposed legislation.

CERTIFICATE OF POSTING

RE: Case No.:

96-520 SPH

Petitioner/Developer:

PAINTERS 111

VENTURE

Date of Hearing/Closing:

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

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

The sign(s) were posted on _____

10-21-96

(Month, Day, Year)

Sincerely,

(Signature of Sign Poster and Date)

Mark GAWEL

(Printed Name)

(Address)

Baltimore County

(City, State, Zip Code)

(Telephone Number)



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

December 11, 1996

NOTICE OF ASSIGNMENT

CASE #: 96-520-SPH

IN MATTER OF: PAINTERS MILL VENTURE -Petitioner
NEC Red Run Blvd and Painters Mill Road
4th Election District; 3rd Councilmanic District

ASSIGNED FOR: TUESDAY, FEBRUARY 25, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

cc: Appellant: People's Counsel for Baltimore County

Counsel for Petitioner: John B. Gontrum, Esquire
Petitioner : Jack Baylin, GP /Painters Mill Venture
D. T. MacHaver /McDonogh Land Resources

Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

February 21, 1997

NOTICE OF POSTPONEMENT

CASE #: 96-520-SPH

IN THE MATTER OF: PAINTERS MILL VENTURE -Petitioner
NEC Red Run Blvd and Painters Mill Road
4th Election District; 3rd Councilmanic District
(Petition for Special Hearing GRANTED.

which was scheduled for hearing on February 25, 1997, has been POSTPONED at the request of Counsel for Petitioner, and with agreement of People's Counsel, (Appellant); to be held with no reset date at this time.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

cc: Appellant: People's Counsel for Baltimore County

Counsel for Petitioner: John B. Gontrum, Esquire
Petitioner : Jack Baylin, GP /Painters Mill Venture
D. T. MacHaver /McDonogh Land Resources

Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty



PAINTERS MILL VENTURE	*	BEFORE THE
NEC Red Run Blvd. & Painters	*	ZONING COMMISSIONER
4TH Election District	*	OF BALTIMORE COUNTY
3rd Councilmanic District	*	CASE NO.: 96-520-SPH
Painters Mill Venture	*	
Petitioner	*	
* * * * *		

Please continue the above captioned case scheduled for Tuesday February 25, 1997 at 10:00 a.m. People's Counsel consents to this continuance.

At this time a resolution is before the Planning Board on Legislation that may well moot this case. We are hopeful of its passage.



Romadka Gontrum & McLaughlin, P.A.
 John B. Gontrum
 814 Eastern Blvd.
 Essex, Maryland 21221
 1-(410) 696-8274
 Attorney's for the Petitioner

97FEB 21 PM 2:45

ROMADKA, GONTRUM & McLAUGHLIN

814 Eastern Boulevard
Baltimore, MD 21221
(410) 686-8274
(410) 686-0118 FAX

FACSIMILE TRANSMITTAL COVER SHEET

DATE: February 20, 1997
SEND TO: County Board of Appeals
FAX #: 887-3182
FROM: John B. Gontrum
DOCUMENT(S) BEING SENT: Continuance
CLIENT/FILE NO.: *Painters Mill Venture 96.3019*
OF PAGES, INC. COVER: 2

Hard copy of transmitted document(s) will not follow in the mail.

MESSAGE

CONFIDENTIALITY NOTICE

**WARNING: UNAUTHORIZED USE OR DISSEMINATION OF THIS TRANSMISSION
MAY VIOLATE STATE AND/OR FEDERAL LAW.**

This facsimile transmittal cover sheet, and any documents which may accompany it, contain information from the law firm of Romadka, Gontrum & McLaughlin, and is intended only for the use of the individual or entity to which it is addressed, and which may contain information that is privileged, confidential, and/or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this transmission to the intended recipient, any disclosure, dissemination, distribution, copying, or other use of this communication or its substance is prohibited. If you have received this communication in error, please call us to arrange for the destruction of this communication or its return to us at our expense. Thank you.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 12, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Petition for Special
Hearing
NEC Red Run Blvd. &
Painters Mill Road
4th Election District
3rd Councilmanic District
Painters Mill Venture
- Petitioner
Case No. 96-520-SPH

Dear Mr. Gontrum:

Please be advised that an appeal of the above-referenced case was filed in this office on September 9, 1996 by Peter Max Zimmerman and Carole S. Demilio on behalf of the People's Counsel for Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the typed name.

ARNOLD JABLON
Director

AJ:rye

cc: Mr. D. T. MacHaver

96 SEP 13 AM 9:47



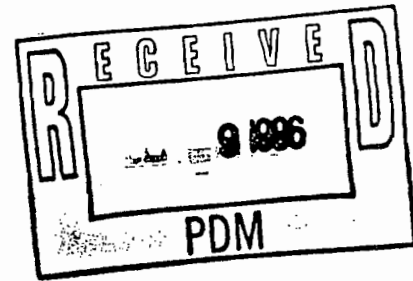


Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188



PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

September 9, 1996

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

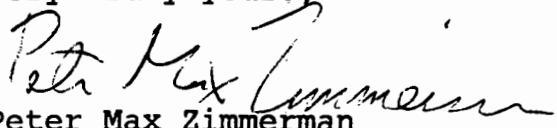
Re: PETITION FOR SPECIAL HEARING
NEC Red Run Boulevard and Painters
Mill Road, 4th Election District,
3rd Councilmanic
PAINTERS MILL VENTURE, Petitioner
Case No. 96-520-SPH

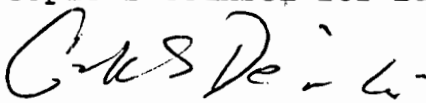
Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Order dated August 12, 1996 of the Baltimore County Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,


Peter Max Zimmerman
People's Counsel for Baltimore County


Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/caf

cc: John B. Gontrum, Esq. Romadka, Gontrum & McLaughlin, 814 Eastern Boulevard, Baltimore, MD 21221, Attorney for Petitioners

D.T. MacHaver, McDonogh Land Resources, 10075 Red Run Blvd., Suite 505, Owings Mills, MD 21117



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 8, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Preliminary Petition Review (Item #525)
4th Election District

Dear Mr. Gontrum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

The petition request is vague. It should be worded as on the submitted site plan.

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

Very truly yours,

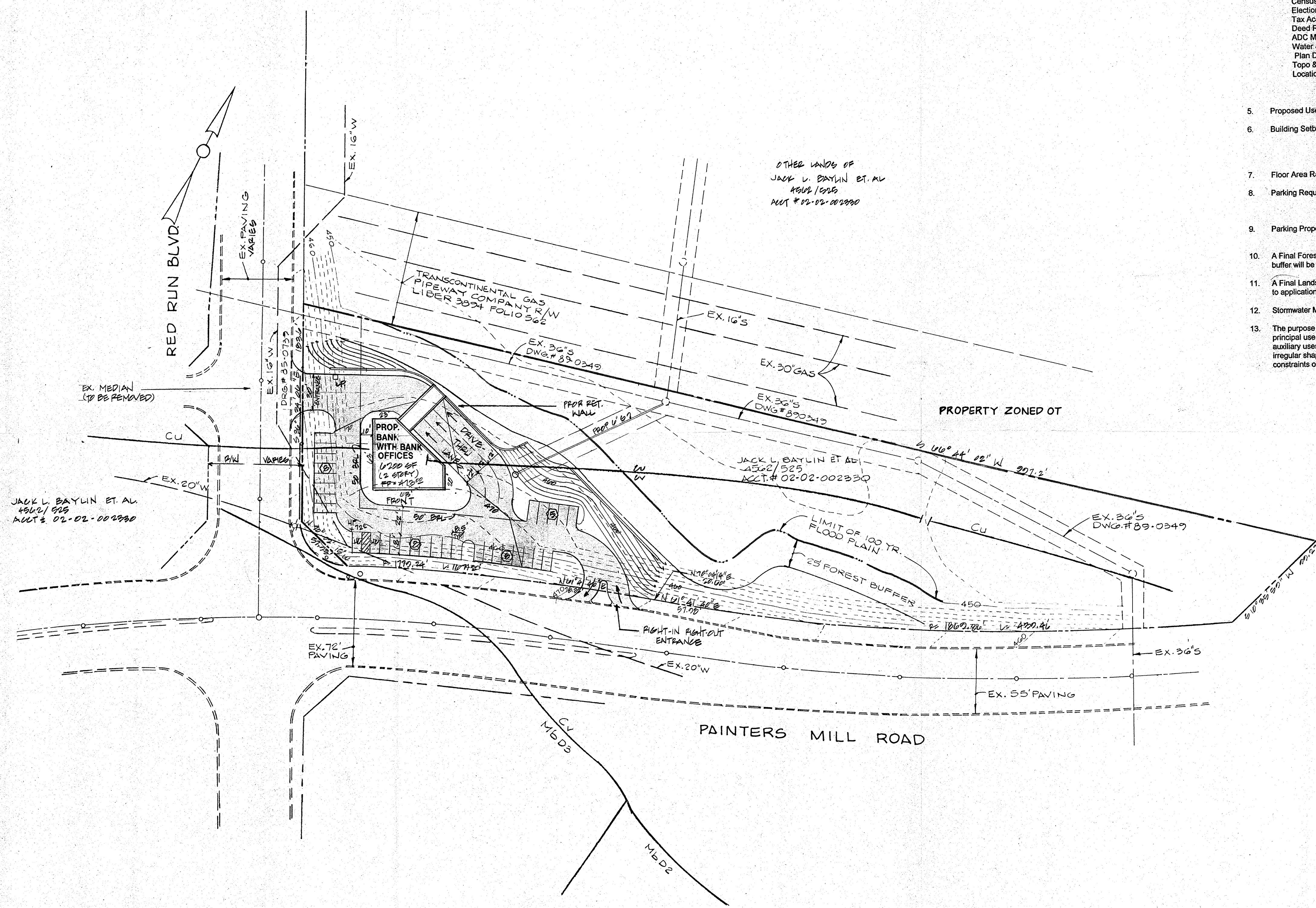
A handwritten signature in black ink, appearing to read "mjk", is written over a horizontal line.

Mitchell J. Kellman
Planner II
Zoning Review

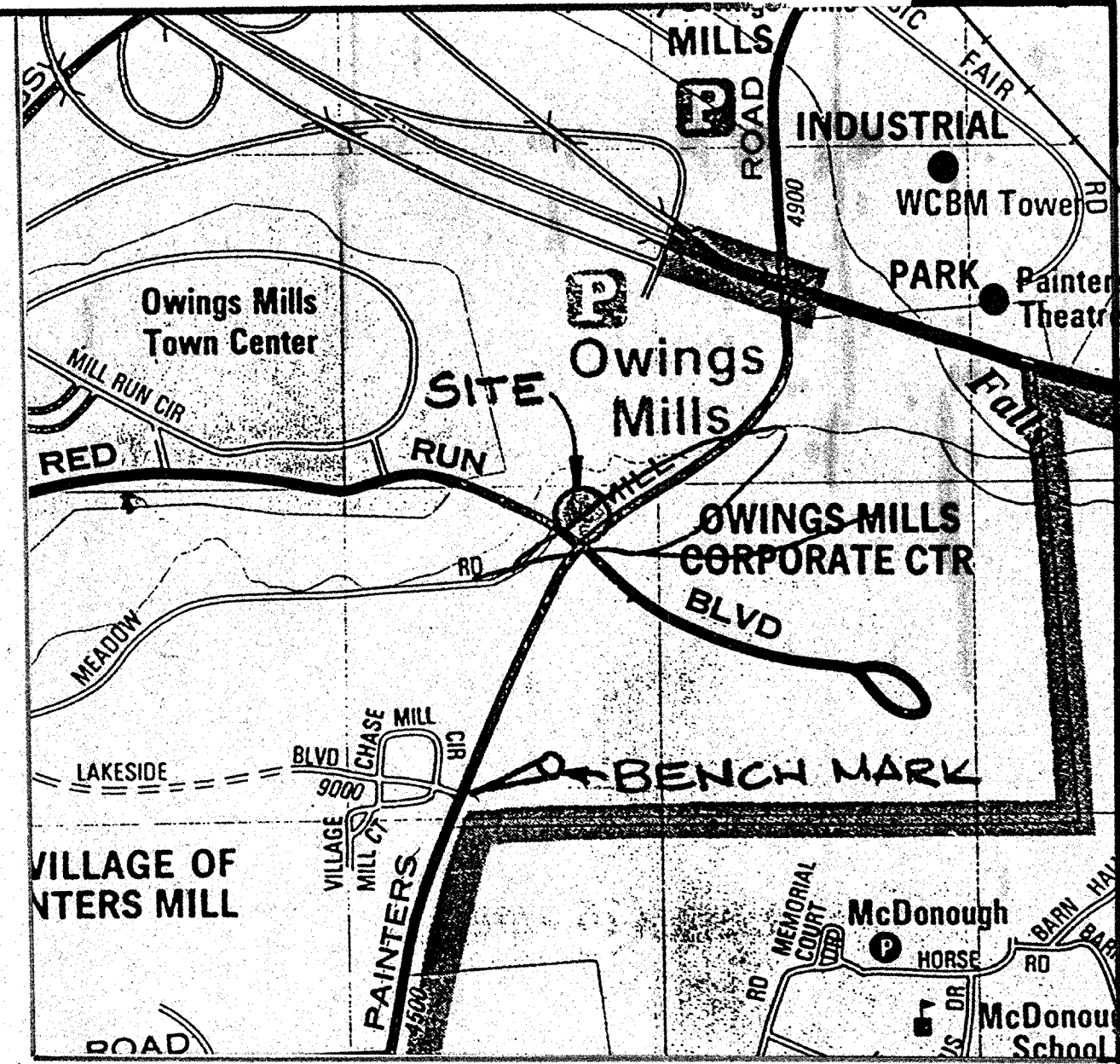
MJK:scj

Enclosure (receipt)

c: Zoning Commissioner



- SITE DATA**
- Owner/Developer: Painters Mill Venture, L.L.P.
Managing Partner: Jack Baylin
106 Old Court Road, Suite 202
Pikesville, Maryland 21208
(410) 486-3100
 - Plan Prepared by: Morris & Ritchie Associates, Inc.
110 West Road, Suite 105
Towson, Maryland 21204
(410) 821-1690
Attn: Scott D. Rouk
 - Existing Property Information:
Gross Acreage: Parcel to be subdivided 3.18 AC:
Existing Zoning: OT
 - General Information:
Councilmanic District: 3rd
Census Tract: 4021
Election District: 4th
Tax Account No.: 02-02-002330
Deed Reference: 4562/525
ADC Map Reference: Map 24, G-6
Water & Sewer Master Plan Designation: S-3, W-3
Topo & Zoning Map: NW 10-4
Location: Northeast quadrant of the intersection of Red Run Blvd. and Painters Mill Road
 - Proposed Use: 6200 s.f. (2 Story) Bank with Bank Offices and 3 attached drive thru lanes
 - Building Setbacks: Min. lot width - 150'
Min. From any lot line - 50'
Min. From any street line - 50'
Max. Building height - 150' within 3000' of town center
 - Floor Area Ratio: 6200 SF/141570 = .04
 - Parking Required: 3.3 spaces / 1000 sf
6200 ÷ 1000 = 6.2 x 3.3 = 20.46 say 21 spaces
5 stacking spaces per drive thru-lane
 - Parking Proposed: 31 parking spaces including 2 handicap van spaces and 15 stacking spaces
 - A Final Forest Conservation Plan for conservation within the approved forest buffer will be prepared for the parent property.
 - A Final Landscape Plan will be required and will be submitted for approval prior to application for a building permit.
 - Stormwater Management - will be provided on-site in an underground facility.
 - The purpose of this request is to establish that a bank with offices can act as a principal use within an "OT" zone under BCZR Section 209.3.A. In lieu of auxiliary uses permitted under BCZR Section 209.3.C. Due to the small and irregular shape created by public road takings and floodplain and forest buffer constraints on this property.



VICINITY MAP
1" = 1000'

PETITIONER'S EXHIBIT NO. 1

96-520-SPH

MRA		MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS 110 WEST ROAD, SUITE 105 TOWSON, MARYLAND 21204 (301) 821-1690 Fax (301) 821-1748	
		PMV PROPERTY (AKA THE CORNER PARCEL) PLAT TO ACCOMPANY SPECIAL HEARING BALTIMORE COUNTY, MARYLAND	
DATE	REVISIONS	JOB NO: 2508	SCALE: 1" = 50'
		DATE: 10-8-90	DRAWN BY: SDR
		DESIGN BY: SDR	REVIEW BY: T.F.M.
		SHEET: 1 OF 1	

IN RE: PETITION FOR SPECIAL HEARING
NEC Red Run Blvd. & Painters
Mill Road

4th Election District
3rd Councilmanic District
Painters Mill Venture .
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-520-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located on the northeast corner of Red Run Boulevard and Painters Mill Road in Owings Mills. The Petition is filed by Painters Mill Venture through Jack Baylin, General Partner. Special Hearing relief is requested to approve bank offices and banking in an O.T. zone. Stated in another manner, the question presented is whether the provisions of the BCZR governing the O.T. zone permit bank offices/branches therein. The subject property and requested relief are more particularly shown on the site plan submitted to accompany the Petition for Special Hearing. (Petitioner's Exhibit No. 1).

Appearing at the requisite public hearing held for this case was Scott D. Rouk, from Morris and Ritchie Associates, Inc., the firm which prepared the site plan. The Petitioner was represented by John B. Gontrum, Esquire. D.T. MacHaver, on behalf of McDonogh Land Resources, also appeared. That company owns a number of parcels in the vicinity.

As shown on the site plan, the property is located at the northwest corner of the intersection of Red Run Boulevard and Painters Mill Road in Owings Mills. The site is within the Owings Mills Corporate Center. A site visit by this Zoning Commissioner disclosed that the surrounding area is an office and employment center. A number of office buildings are located within the immediate vicinity of the subject property.

ORDER RECEIVED FOR FILING

Date

By

3/12/96
M. Brock

The parcel at issue is approximately 3.1 acres in area. The tract is irregularly shaped and contains a number of significant site constraints. Among these is the existence of wetlands and a floodplain. These constraints limit the amount of buildable area on the lot. As shown on the site plan, the Petitioner proposes constructing a 6200 sq. ft. two story building on the property. In addition to the building, a 31 space lot for parking is provided as well as 3 drive-thru lanes. The Petitioner proposes selling/leasing the property to a bank for offices and a branch facility at the location.

As noted above, the issue is easily framed; namely, whether a bank building is permitted on the subject lot, zoned O.T. As is well settled, any uses not identified in the zoning regulations, as permitted either by right or special exception, are not allowed. See Kowalski v. Lamar, 25 Md. App. 493 (1975). Moreover, the BCZR specifically provides that, "No land shall be used or occupied and no building or structure shall be erected, altered, located or used except in conformity with these regulations. . .". (See Section 102.1 of the BCZR). Thus, any use not specifically identified or permitted by right or special exception within the regulations is permitted.

The O.T. zone was established in 1984 and is designed to provide suitable areas for office and high-tech uses. In Section 209.1 of the BCZR, (Declarations & Findings) it is noted that market studies have identified the need for office space for high-tech industries which are characterized by containing higher than average proportions of technical employees and research and development. The O.T. zone was designed to be located in designated growth areas in proximity to designated town centers. The O.T. zone is established "to permit the development of employment and residential centers consisting of employment and intensive office develop-

ment in combination with certain high technology and residential development." (See Section 209.2 of the BCZR, Statement of Legislative Policy)

Section 209.3 of the BCZR identifies the uses which are permitted by right in an O.T. zone. Interestingly, under Section 209.3.A. (principal uses), a bank is not listed as a principal use. Although, "offices" are identified as allowed by right, a "bank" is not. It is of note that "banks" are specifically defined uses in BCZR, Section 101. Thus, a reliance on Section 209.3.A, only, would lead to the conclusion that a bank is not permitted in the O.T. zone.

However, other portions of the BCZR refute such a conclusion. Specifically, Section 209.3.B. of the BCZR defines accessory uses which are permitted as of right in an O.T. zone. Accessory uses are defined in Section 101 of the BCZR as uses which are customarily incidental and subordinate to a principal use, are located on the same lot as the principal use and contribute to the comfort, convenience and necessity of the occupants or businesses of the principal use. Section 209.3.B. provides that "Uses and structures which are normally and customarily incidental to any of the principal uses permitted . . . " in the O.T. zone are allowed.¹ The section then goes on to provide that, ". . . any drive-thru bank facility must be accessory to and located on the same lot as the principal bank use." The section then provides regulations for such drive-thru bank facilities.

1. It is to be observed that Section 209.B.1 erroneously references Section 207.3.A as the source of principal uses allowed in the O.T. zone. Although 207.3.A was the original such section, it was changed by amendment and presently principal uses are listed in Section 209.3.A. An identical error is repeated in Section 209.3.C. In my judgment, Sections 209.3.B (accessory uses) and 209.3.C (auxiliary uses) relate to the principal uses in Section 209.3.A.

ORDER RECEIVED FOR FILING

Date

By

It is interesting that this section obviously allows accessory drive-thru banks in an O.T. zone and mandates that such drive-thru banks must be accessory to the primary bank use. This language contradicts the absence of banks as allowed principal uses in Section 209.3.A. That is, the BCZR envisions drive-thru banking facilities as accessory uses when located on the same lot as a bank, while not identifying banks as a permitted primary use.

Section 209.3.C. identifies auxiliary commercial uses which are permitted within buildings of principal uses. The term "auxiliary" is not defined in the BCZR. In that event, the reader is directed to Webster's Third New International Dictionary, Unabridged, which defines auxiliary "as something that helps or functions or serves in a supplementary or subordinate position". Among the auxiliary commercial uses allowed are banks and automatic banking devices.

The cardinal rule of statutory construction is to ascertain and carry out the intent of the legislature. See Montgomery County v. Buckman, 333 Md. 516 (1994). In my judgment, it is clear that the O.T. zone was adopted to foster intensive office development of both a highly technical and research development character. These types of uses, as well as the uses which facilitate and assist such businesses and employees are permitted and encouraged. Based upon the collective language of the BCZR, it is my conclusion that the proposed full service office/bank building is an allowed use in the zone. It appears that the Council intended to permit such a use, when full and complete banking services were offered. That is, the language within Section 209.3.B.1 is particularly persuasive that a full service bank must be present when drive-in services are offered. A drive-in facility providing only tellers, ATMs or limited services would not be allowed without a principal bank use. The bank must be of a full

ORDER RECEIVED FOR FILING

Date

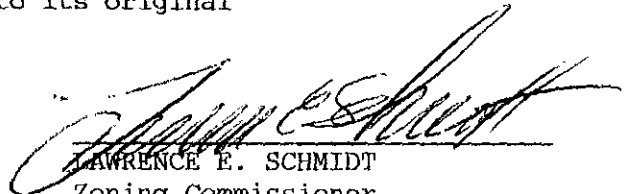
By

service character complete with offices. Such a building containing both bank offices, as well as an area for public services (tellers, loan offices, etc.), is allowed. Thus, for so long as the proposed building is a full service facility, same would be permitted in the O.T. zone.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 12th day of August 1996 that, pursuant to the Petition for Special Hearing, approval of bank offices and banking in an O.T. zone, be and is hereby GRANTED, subject, however, to the following restriction.

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 8, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Hearing
Case No. 96-520-SPH
Property: N.E. cor. of Red Run Blvd. and Painters Mill Rd.
Painters Mill Venture, Petitioner

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn
encl.

- c: Mr. D.T. MacHaver, McDonogh Land Resources
10075 Red Run Blvd., Suite 505, Owings Mills, Md. 21117
- c: Mr. Jack Baylin, General Partner, Painters Mill Venture
106 Old Court Road, Baltimore, Md. 21208





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

N.E. Corner of Red Run Boulevard and
Painters Mill Road

96-520-SRH

which is presently zoned

O.T.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Bank offices and banking in an O.T. zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, 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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

John B. Gontrum

(Type or Print Name)

Signature

814 Eastern Boulevard

Address

Phone No.

Baltimore, MD 21221 686-8274

City

State

Zipcode

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

Legal Owner(s):

Painters Mill Venture

(Type or Print Name)

Signature

Jack Baylin, General Partner

(Type or Print Name)

Signature

106 Old Court Road 486-3100

Address

Phone No.

Baltimore, MD 21208

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

**DROP-OFF
NO REVIEW
6/28/96
LCR**



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



ZONING DESCRIPTION

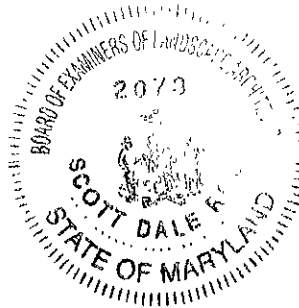
96-520-SPH

Beginning at a point on the northeast side of Red Run Boulevard, 80 feet wide, at the distance of 82.5 feet northeasterly from the centerline of Painters Mill Road, 95 feet wide. Thence the following courses and distances:

North 36° 34' 06" ~~East~~ 183.60 feet, ~~South~~ 66° 44' 02" ~~West~~ 997.20 feet, South 10° 35' 59" West 99.27 feet, Thence to an arc to the right with a radius of 1869.86 feet and a length of 439.46 feet, ~~North~~ 61° 41' 40" ~~East~~ 57.98 feet, North 70° 04' 14" ~~East~~ 20.60 feet, ~~North~~ 61° 41' 40" ~~East~~ 78.32 feet, thence to an arc with a radius of 1779.24 feet and a length of 167.20 feet, North 70° 02' 15" West 57.93 feet.

Containing 3.18 acres of land, more or less.

Being known as the Northeast corner of Red Run Boulevard and Painters Mill Road, a vacant lot located in the 4th Election District.



Scott D. Rouk

Scott D. Rouk
Registered Landscape Architect
#2073

☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☐ 110 WEST ROAD, SUITE 105
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 21407
(410) 792-9446 (301) 470-1111
FAX (410) 792-7395

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

96-520-SPH



ZONING DESCRIPTION

Beginning at a point on the northeast side of Red Run Boulevard, 80 feet wide, at the distance of 82.5 feet northeasterly from the centerline of Painters Mill Road, 95 feet wide. Thence the following courses and distances:

South 36° 34' 06" East 183.60 feet, South 66° 44' 02" West 997.20 feet, South 10° 35' 59" West 99.27 feet, Thence to an arc to the right with a radius of 1869.86 feet and a length of 439.46 feet, North 61° 41' 40" East 57.98 feet, North 70° 04' 14" East 20.60 feet, North 61° 41' 40" East 78.32 feet, thence to an arc with a radius of 1779.24 feet and a length of 167.20 feet, North 70° 02' 15" West 57.93 feet.

Containing 3.18 acres of land, more or less.

Being known as the Northeast corner of Red Run Boulevard and Painters Mill Road, a vacant lot located in the 4th Election District.



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FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 21401
(410) 792-9446 (301) 470-4470
FAX (410) 792-7395

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-510 SPH

District Hd

Date of Posting 7/12/96

Posted for: Special Hearing

Petitioner: Pointons Mill Venture

Location of property: Red Run Blvd & Pointons Mill Rd

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by

M. Stealy
Signature

Date of return: 7/19/96

Number of Signs: 1



CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 at the following:

Case: #86-520-SPH
NEC Red Run Boulevard and Painters Mill Road
4th Election District
3rd Councilmanic
Legal Owner(s):
Painters Mill Venture

Special Hearing: to approve bank offices and banking in an O.T. zone.
Hearing: Tuesday, July 30, 1996 at 2:00 p.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

7/123 July 11 C65553

TOWSON, MD., 7/11, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/11, 1996.

THE JEFFERSONIAN,

A. Henickson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

023318

ITEM #525

DROP-OFF - NO REVIEW

DATE 6/28/96

ACCOUNT 001-6150

*CSPH +
Sign*

96-520-SPH

AMOUNT \$285.00 (VCP)

RECEIVED

FROM:

Romadka, Gontrum & McLaughlin

#040 - SPECIAL HEARING - \$250.00

#080 - SIGN POSTING - \$35.00

FOR:

NEC Red Run Blvd & Painters Mill Rd

03A91#0072MICHR

\$285.00

BA 0002:32FM07-01-96

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

TO: PUTUXENT PUBLISHING COMPANY
July 11, 1996 Issue - Jeffersonian

Please forward billing to:

Julius W. Lichter, Esq.
305 W. Chesapeake Avenue
Towson, Maryland 21204
321-0600

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-520-SPH
NEC Red Run Boulevard and Painters Mill Road
4th Election District - 3rd Councilmanic
Legal Owner(s): Painters Mill Venture

Special Hearing to approve bank offices and banking in an O.T. zone.

HEARING: TUESDAY, JULY 30, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 3, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-520-SPH
NEC Red Run Boulevard and Painters Mill Road
4th Election District - 3rd Councilmanic
Legal Owner(s): Painters Mill Venture

Special Hearing to approve bank offices and banking in an O.T. zone.

HEARING: TUESDAY, JULY 30, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc:

A redacted distribution list, consisting of several names and titles that have been obscured by a heavy black marker.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson Maryland 21204

July 25, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Item No.: 525
Case No.: 96-520-SPH
Petitioner: Painters Mill Venture

Dear Mr. Gontrum:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 28, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a circular official stamp.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

C. J. Abbott
DIRECTOR

PLUMBING PERMIT

John R. King
BUILDINGS ENGINEER

PERMIT #: P276911 CONTROL #: 276911 DIST: 08 PREC: 00
BUILDING PERMIT #: B261471 TAX ACCT #:
SEWAGE DISPOSAL: PRIVATE RECEIPT #: A307745 DATE ISSUED: 07/11/96
TYPE OF BUILDING: SFD OLD OR NEW (O OR N): NEW

APPLICANT INFORMATION

NAME: WM SMITH
COMPANY:
ADDR1: P O BOX 330
ADDR2: FOREST HILL, MD 21050
PHONE #: 879-7641 LICENSE #: 5023

OWNERS INFORMATION

NAME: SPENCE, MARY
ADDR:

LOCATION OF PROPERTY: 22 SUGARVALE WAY
SUBDIVISION:
LOT #: BLOCK: SECTION:
TOWN OR VICINITY: GREENSPRING NO. OF GAS METERS:

GAS PERMIT:	RANGE:	WATER HEATER	FURNACE	OTHERS	SIZE OF PIPE
	BTU	BTU	BTU	BTU	

CAUTION: PLASTIC WATER SERVICE LINES WILL REQUIRE A REVIEW OF THE ELECTRICAL SYSTEM TO ASSURE PROPER GROUND. CONTACT AN ELECTRICAL CONTRACTOR.

CHECK HERE	WORK BEING PERFORMED	NO. OF FIXTURES	CHARGES
X	SEPTIC TANK INSTALLATION		43.00
	TOTALS		43.00

JOB NUMBER: DRAWING NUMBER:
REMARKS OUTSIDE ONLY

SEWER LOCATION:	DEPTH	LINEAL FEET OF HOUSE CONNECTION
Y BRANCH IS	DEPTH	

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 7-9-96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 7-8-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	510	521
	511	522
	513	523
	514	524
	515	525
	516	
	517	
	519	

RBS:sp

BRUCE2/DEPRM/TXTSBP

Bruce Seeley
7-9-96

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 07/12/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: PAUL E. FEILD, JR.

Location: E/S HARFORD RD., 510' FROM CENTERLINE SUNSHINE AVE.
(12619 HARFORD RD.)

Item No.: 509

Zoning Agenda: VARIANCE

Gentlemen:

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

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 510, 511, 512, 513, 514, 515,
516, 517, 518, 519, 520, 521, 522, 523, 524 AND 525.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

7-19-96

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

RE: Baltimore County
Item No. 525 (WCR)

Dear Ms. Watson:

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

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mt. Vernon, Md. P.O. Box 717 • Baltimore, MD 21203-0717

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: July 16, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 For July 15, 1996
 Item No. 525

The Development Plans Review Division has reviewed the subject zoning item. The existing 20-inch water main shown along Painters Mill Road has been relocated; see drawing #85-437(3) and #85-438(3).

RWB:HJO:jrb

cc: File

ZONE17I

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

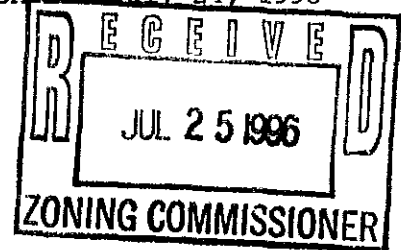
See
7/30

TO: Arnold Jablon, Director, PDM

DATE: July 24, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: N.E. Corner of Red Run Boulevard



INFORMATION:

Item Number: 525

Petitioner: Painters Mill Venture

Property Size: _____

Zoning: O.T.

Requested Action: _____

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Section 209.3A of the Baltimore County Zoning Regulations identifies uses that are permitted as a matter of right in an O.T. zone. A bank is permitted as an accessory use under Section 209.3B1, and as an auxiliary use in Section 209.3C4. The statement of legislative policy outlined in the Baltimore County Zoning Regulations indicates, in part, that "[t]he O.T. zone shall be located in areas of high accessibility or in proximity to a town center. And in such other areas which because of a unique combination of characteristics, such as visibility, relationship to surrounding areas, accessibility, or infrastructure capacity, provide opportunity for employment intensive development [emphasis added]."

Based upon a review of the information provided and analysis conducted, it would appear that improvement of the subject property with a bank as its principle use is not technically permitted and that such use would apparently conflict with stated legislative policy. However, in terms of the Owings Mills Plan, a 6,200 s.f. bank with offices does not present a land use conflict at this particular location.

It should also be noted that the property owner filed an issue as part of the 1996 Comprehensive Zoning Map Process to rezone the site to B.L. See Issue No. 3-068.

Prepared by: Jeffrey Long

Division Chief: Daryl L. Kern

PK/JL:lw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: July 24, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: N.E. Corner of Red Run Boulevard

INFORMATION:

Item Number: 525

Petitioner: Painters Mill Venture

Property Size: _____

Zoning: O.T.

Requested Action: _____

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

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It should also be noted that the property owner filed an issue as part of the 1996 Comprehensive Zoning Map Process to rezone the site to B.L. See Issue No. 3-068.

Prepared by: Jeffrey Long

Division Chief: Dan L. Kern

PK/JL:lw

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
NEC Red Run Blvd. and Painters Mill Road * ZONING COMMISSIONER
4th Election District, 3rd Councilmanic *
Painters Mill Venture * OF BALTIMORE COUNTY
Petitioner *
CASE NO. 96-520-SPH

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of July, 1996, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, 814 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

ROMADKA, GONTRUM & McLAUGHLIN, P.A.

814 Eastern Boulevard
Baltimore, Maryland 21221

(410) 686-8274
(410) 686-0118 FAX

ROBERT J. ROMADKA
JOHN B. GONTRUM
J. MICHAEL McLAUGHLIN, JR.*

TOWSON OFFICE:
307 W. ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(410) 825-0711

ELIZABETH A. VANNI
MICHAEL J. KIRWIN

* Also Admitted In the District of Columbia

June 28, 1996

Zoning Commissioner of Baltimore County
111 West Chesapeake Avenue
County Office Building
Towson, Maryland 21204

TO ACCOMPANY: Petition for Special Hearing for the Property located at N.E. Corner of Red Run Boulevard and Painters Mill Road, which is presently zoned O.T.

As required by the Zoning Commissioner of Baltimore County, I hereby provide written verification of the following:

1. Currently, there **ARE NO** violations of the Baltimore County Zoning Regulations existing on the subject property; and
2. This Petition **HAS NOT** been reviewed by the staff of the Zoning Commissioner.

Attorney for Petitioner:

John B. Gontrum
Romadka, Gontrum & McLaughlin, P.A.
814 Eastern Boulevard
Baltimore, Maryland 21221
(410) 686-8274



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 8, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Preliminary Petition Review (Item #525)
4th Election District

Dear Mr. Gontrum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

The petition request is vague. It should be worded as on the submitted site plan.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "mjk", is written over a horizontal line.

Mitchell J. Kellman
Planner II
Zoning Review

MJK:scj

Enclosure (receipt)

c: Zoning Commissioner





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 12, 1996

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Petition for Special
Hearing
NEC Red Run Blvd. &
Painters Mill Road
4th Election District
3rd Councilmanic District
Painters Mill Venture
- Petitioner
Case No. 96-520-SPH

Dear Mr. Gontrum:

Please be advised that an appeal of the above-referenced case was filed in this office on September 9, 1996 by Peter Max Zimmerman and Carole S. Demilio on behalf of the People's Counsel for Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with the first name "Arnold" and last name "Jablon" clearly visible.

ARNOLD JABLON
Director

AJ:rye

cc: Mr. D. T. MacHaver



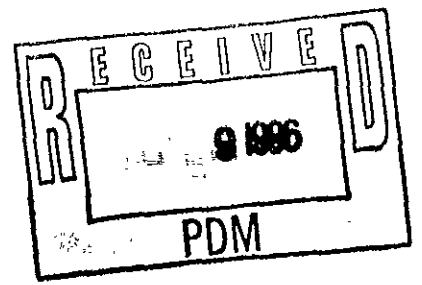


Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188



PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

September 9, 1996

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Re: PETITION FOR SPECIAL HEARING
NEC Red Run Boulevard and Painters
Mill Road, 4th Election District,
3rd Councilmanic
PAINTERS MILL VENTURE, Petitioner
Case No. 96-520-SPH

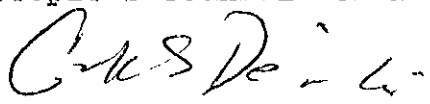
Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Order dated August 12, 1996 of the Baltimore County Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,


Peter Max Zimmerman
People's Counsel for Baltimore County


Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/caF

cc: John B. Gontrum, Esq. Romadka, Gontrum & McLaughlin, 814 Eastern Boulevard, Baltimore, MD 21221, Attorney for Petitioners

D.T. MacHaver, McDonogh Land Resources, 10075 Red Run Blvd., Suite 505, Owings Mills, MD 21117

AMENDED

APPEAL

Petition for Special Hearing
NEC Red Run Blvd. and Painters Mill Road
4th Election District - 3rd Councilmanic District
Painters Mill Venture - Petitioner
Case No. 96-520-SPH

Petition for Special Hearing

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioner and Citizen Sign-In Sheets

Petitioners' Exhibit: 1 - Plat to Accompany Special Hearing

Letter from John B. Gontrum, Esquire to Zoning Commissioner of
Baltimore County dated June 28, 1996

Letter from Mitchell J. Kellman to John B. Gontrum, Esquire dated July
8, 1996

Zoning Commissioner's Order dated August 12, 1996 (Granted)

Notice of Appeal received on September 9, 1996 from Peter Max
Zimmerman and Carole S. Demilio on behalf of the People's Counsel for
Baltimore County

c: John B. Gontrum, Esquire, Romadka, Gontrum & McLaughlin, 814
Eastern Boulevard, Baltimore, MD 21221
Mr. D. T. MacHaver, McDonogh Land Resources, 10075 Red Run Blvd.,
Suite 505, Owings Mills, MD 21117
Mr. Jack Baylin, General Partner, Painters Mill Venture, 106 Old
Court Road, Baltimore, MD 21208
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

APPEAL

Petition for Special Hearing
NEC Red Run Blvd. and Painters Mill Road
4th Election District - 3rd Councilmanic District
Painters Mill Venture - Petitioner
Case No. 96-520-SPH

Petition for Special Hearing

Description of Property

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Notice of Appeal received on September 9, 1996 from Peter Max
Zimmerman and Carole S. Demilio on behalf of the People's Counsel for
Baltimore County

cc: John B. Gontrum, Esquire, Romadka, Gontrum & McLaughlin, 814
Eastern Boulevard, Baltimore, MD 21221
Mr. D. T. MacHaver, McDonogh Land Resources, 10075 Red Run Blvd.,
Suite 505, Owings Mills, MD 21117
Mr. Jack Baylin, General Partner, Painters Mill Venture, 106 Old
Court Road, Baltimore, MD 21208
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

SCOTT D. ROUK (MORRIS PITCHELLO)

110 WEST ROAD TOWSON, MD 21204

Blank lined area for additional names.

Blank lined area for additional addresses.



PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

D.T. MacHamer

ADDRESS

McDonough Land
Resources

10075 Red Run Blvd #
Owings Mills, Md. 505
2/1/17