| | | |
|---|---|---|
| IN THE MATTER OF<br>THE APPLICATION OF<br>BARE HILLS ASSOCIATES, ET AL -LEGAL<br>OWNERS; MIE ACQUISITION, INC. – C.P.<br>FOR ZONING RECLASSIFICATION ON<br>PROPERTY LOCATED AT THE S/END<br>CLARKVIEW ROAD, APPROX. 1250' S OF<br>FALLS ROAD, ALSO W/S FALLS ROAD,<br>600' S OF HOLLINS LANE<br>3rd ELECTION DISTRICT<br>2nd COUNCILMANIC DISTRICT | *<br>*<br>*<br>*<br>*<br>*<br>* | BEFORE THE<br>BOARD OF APPEALS<br>OF<br>BALTIMORE COUNTY<br>Case No. R-99-409<br>(Cycle V, 1999) |

* * * * * * * * *

## ORDER OF DISMISSAL OF PETITION

This case came to the Board on a Petition for Reclassification filed by Robert A. Hoffman, Esquire, on behalf of Petitioners for zoning reclassification on property located at the south end Clarkview Road, approximately 1250' S of Falls Road; also W/s Falls Road, 600' S of Hollins Lane, in the Third Election District of Baltimore County.

**WHEREAS,** Petitions for Reclassification pending on the Board's Continued Docket on the date of adoption of the Comprehensive Zoning Maps are considered to be moot; and

**WHEREAS,** no further action has been taken in this matter since a continuance was granted on September 8, 1999,

**IT IS, THEREFORE,** this 21st day of November, 2003, by the County Board of Appeals of Baltimore County

**ORDERED** that said Petition filed in Case No. R-99-409 be and the same is declared moot, and the Petition **DISMISSED.**

**COUNTY BOARD OF APPEALS**
**OF BALTIMORE COUNTY**

Lawrence M. Stahl, Chairman

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

November 21, 2003

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: *In the Matter of: Bare Hills Associates, et al*
Case No. R-99-409 / Order of Dismissal of Petition

Dear Mr. Hoffman:

Enclosed please find a copy of the Order of Dismissal of Petition issued this date by the Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco /kts
Kathleen C. Bianco
**Administrator**

Enclosure

c: MIE Acquisition, Inc.
Bare Hills Associates, et al
Matis Warfield
Carol Saffron-Brinks, Esquire
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director
Jeffrey Long /Planning
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Timothy M. Kotroco, Director /PDM

Printed with Soybean Ink
on Recycled Paper

# Petition for Reclassification

## to the Board of Appeals of Baltimore County

for the property located at West Side of Falls Road, 600 Feet South of Hollins ~~Road~~ Lane Blvd

which is presently zoned/districted MLR and DR 3.5

**This Petition shall be filed with the Department of Permits and Development Management.** The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition: (1) that the zoning/district status of the herein described property be reclassified, pursuant to the zoning law of Baltimore County from a MLR DR 3.5 and zone/district to a ~~DR 3.5~~, MLR Blvd and ML zone/district, for the reasons given in the attached and (2) for a Special Exception under the 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 regulations of Baltimore County:

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

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

***Contract Purchaser/Lessee:***

MIE ACQUISITION, INC.
Name - Type or Print

By: Edward St. John, President
Signature

5720 Executive Drive 410-788-0100
Address Telephone No.

Baltimore MD 21228-1789
City State Zip Code

***Attorney For Petitioner:***

Robert A. Hoffman
Name - Type or Print

Signature

Venable, Baetjer & Howard, LLP
Company

210 Allegheny Avenue 410-494-6200
Address Telephone No.

Towson MD 21204
City State Zip Code

***Legal Owner(s):***

SEE ATTACHED LIST
Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

***Representative to be Contacted:***

Robert A. Hoffman
Venable, Baetjer & Howard, LLP
Name

210 Allegheny Avenue 410-494-6200
Address Telephone No.

Towson MD 21204
City State Zip Code

REV 9/18/98

JRF "OK TO FILE"

R-99-409

Recd 2/26/99 C.B.A. /KEB

ATTACHMENT TO PETITION FOR RECLASSIFICATION

| **Legal Owner(s)** | **Address** |
| --- | --- |
| BARE HILLS ASSOCIATES<br><br>By: Callahan Investors, Inc.<br>its general partner<br><br>By: Mildred F. Callahan<br>Mildred F. Callahan,<br>President | BARE HILLS ASSOCIATES<br>CALLAHAN INVESTORS, INC.<br>CALLAHAN FAMILY<br>LIMITED PARTNERSHIP<br><br>All c/o Charlie Holub<br>500 West 29th Street<br>Baltimore, Maryland 21211<br>410-235-9400 |

CALLAHAN INVESTORS, INC.

By: Mildred F. Callahan
Mildred F. Callahan,
President

CALLAHAN FAMILY LIMITED PARTNERSHIP
By its Partners:

Callahan Investors, Inc.
General Partner

By: Mildred F. Callahan
Mildred F. Callahan,
President

Mildred F. Callahan
Mildred F. Callahan
Limited Partner

Mildred K. Holub
Mildred K. Holub
Limited Partner

Patricia R. Fowler
Patricia R. Fowler
Limited Partner

TO1DOCS1/erl01/#79356 v1

R.99-409

# MATIS WARFIELD
CONSULTING ENGINEERS

Description to Accompany A Petition for
A Zoning Reclassification (From D.R. 3.5 to MLR) February 26, 1999

Beginning for the same at a point on the 15th line of the land which by deed dated May 18. 1984 and recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K.,Jr. 6713 folio 474 was conveyed by William Callahan, 3rd et al. to Bare Hills Associates. said point being 233.15' northeasterly from the intersection of said 15th line with the 14th line of said deed thence leaving said place of beginning and running and binding on part of the said 15th line the following course and distance. viz..

1. North 71° 33' 59" East 55.81', thence leaving said 15th line of said deed and running the thirteen following courses and distances, viz..
2. South 44° 48' 14" East 412.84'
3. South 18° 26' 27" East 270.55'
4. South 59° 12' 09" East 261.79'
5. South 37° 52' 34" East 479.66'
6. South 52° 07' 26" West 279.71'
7. North 59° 12' 09" West 598.31'
8. North 30° 02' 37" East 65.01'
9. South 59° 12' 09" East 419.41'
10. North 30° 47' 51" East 251.78'
11. North 37° 52' 34" West 187 59'
12. North 59° 12' 09" West 270.95'
13. North 18° 26' 26" West 277.41'
14. North 44° 48' 14" West 425.92' to the place of beginning.

Containing 159,905 S.F. or 3.67 acres of land more or less.

THIS DESCRIPTION COMPILED FOR ZONING PURPOSES ONLY AND NOT INTENDED TO BE USED FOR CONVEYANCES OR AGREEMENTS

MATIS WARFIELD, INC.
6600 York Road · Suite 209 · Baltimore, Maryland 21212
Tel. 410-377-7596 · Fax: 410-377-7657

R-99-409

# MATIS WARFIELD
CONSULTING ENGINEERS

Description to Accompany A Petition for
A Zoning Reclassification (From MLR & D.R. 3.5 to ML) February 26, 1999

Beginning for the same at a point on the 15th line of the land which by deed dated May 18, 1984 and recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K.,Jr. 6713 folio 474 was conveyed by William Callahan, 3rd et al. to Bare Hills Associates, said point being 233.15' northeasterly from the intersection of said 15th line with the 14th line of said deed, thence leaving said 15th line of said deed and running the eight following courses, viz.:

1. South 44° 48' 14" East 425.92',
2. South 18° 26' 26" East 277.41'
3. South 59° 12' 09" East 270.95'
4. South 37° 52' 34" East 187.59'
5. South 30° 47' 51" West 251.78'
6. North 59° 12' 09" West 419.41'
7. North 60° 18' 35" West 750.41'
8. South 81° 24' 49" West 400.00' to intersect the 11th line on aforesaid deed, thence running and binding on a part of said 11th line, on the 12th, 13th, 14th line and on part of the aforesaid 15th line of the aforesaid deed the five following courses and distances, viz.:
9. North 58° 25' 09" West 124.58'
10. North 15° 54' 10" West 251.90'
11. North 74° 05' 50" East 627.72'
12. South 85° 33' 06" East 152.02'
13. North 71° 33' 59" East 233.15' to the place of beginning.

Containing 758.094 S.F. or 17.40 acres of land more or less.

THIS DESCRIPTION COMPILED FOR ZONING PURPOSES ONLY AND NOT INTENDED
TO BE USED FOR CONVEYANCES OR AGREEMENTS

MATIS WARFIELD, INC.
6600 York Road • Suite 209 • Baltimore, Maryland 21212
Tel 410-377-7596 • Fax: 410-377-7657

R-99-409

BALTIMORE COUNTY, MARYLAND #1 No. 063030
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE ACCOUNT 001-6181

JRF

AMOUNT $ 1,285.00

#1

RECEIVED Venable, Baetjer and Howard
FROM:

FOR: #074 - RECLASS OPO - SIGN
W S of Falls Rd., 600 feet S of Rollins Rd.

R-99-409

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
REVALIDATION
PROCESS HOUR TIME
6/01/1999 3/26/1999 14:50:54
MSC MSC05 CASHIER LOAN LIS DPAGE
5 MISCELLANEOUS CASH RECEIPT
Receipt # 038412
CR NO. 063030
1,285.00 CHECK - FM
Baltimore County, Maryland

# CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/13/, 1999

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 2 successive weeks, the first publication appearing on 5/6/, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

[redacted]

**NOTICE OF ZONING RECLASSIFICATION HEARING**

The County Board of Appeals of Baltimore County, by authority of the County Charter, Sec. 602.(e) and Sec. 603 and the County Code, Section 2-356(d), will hold a public hearing in Towson, Maryland on the property identified herein as follows:
Case: #R-99-409
S/end Clarkview Road, approximately 1250' S of Falls Road; also W/S Falls Road, 600' S of Hollins Lane
3rd Election District - 2nd Councilmanic District
Legal Owner(s): Bare Hills Associates & Callahan Investors, Inc. & Callahan Family Limited Partnership
Contract Purchaser: MIE Acquisition, Inc.
**Reclassification:** of the property from M.L.R. & D.R.-3.5 to M.L.R. & M.L.
**Hearing: Wednesday, September 8, 1999 at 10:00 a.m. in Room 48 of the Old Courthouse, 400 Washington Avenue.**

CHARLES L. MARKS, Chairman
NOTES: (1) Hearings are Handicapped Accessible; for Special Accommodations Please Call (410) 887-3180.
(2) For information concerning the File and/or Hearing, Contact this office at (410) 887-3180.
8/183 Aug. 19 C332800

# CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/20/, 1999

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 8/19/, 1999

**THE JEFFERSONIAN,**

S. Wilkinson

LEGAL ADVERTISING

**NOTICE OF ZONING RECLASSIFICATION HEARING**

The Zoning Board of Appeals of Baltimore County, by authority of the County Charter, Sec. 602.(e) and Sec. 603 and the County Code, Section 2-356(d), will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #R-99-409

S/end Clarkview Road, approximately 1250' S of Falls Road; also W/S Falls Road, 600' S of Hollins Lane

3rd Election District - 2nd Councilmanic District

Legal Owner(s): Bare Hills Associates & Callahan Investors, Inc. & Callahan Family Limited Partnership

Contract Purchaser: MIE Acquisition, Inc.

**Reclassification:** of the property from M.L.R. & D.R.-3.5 to M.L.R. & M.L.

**Hearing: Wednesday, September 8, 1999 at 10:00 a.m. in Room 48 of the Old Courthouse, 400 Washington Avenue.**

CHARLES L. MARKS, Chairman

NOTES: (1) Hearings are Handicapped Accessible; for Special Accommodations Please Call (410) 887-3180.

(2) For information concerning the File and/or Hearing, Contact this office at (410) 887-3180.

M/8/182 Aug 19 C330797

# CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/20, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE MESSENGER, a weekly newspaper distributed in Baltimore City, Md., appearing on 8/19, 1999.

THE MESSENGER,

S. Wilkinson

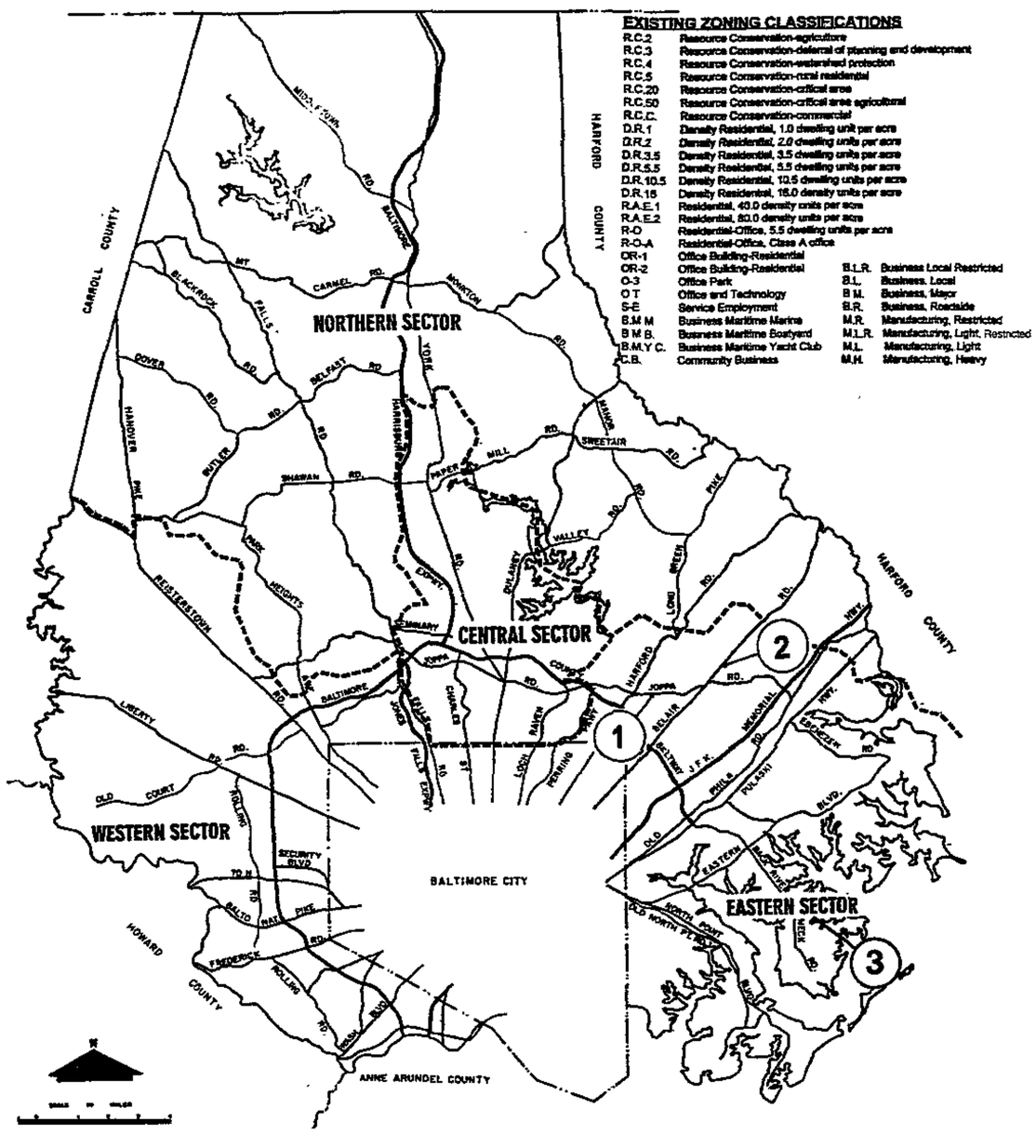
LEGAL ADVERTISING

# BALTIMORE COUNTY, MARYLAND

# PUBLIC NOTICE

## Reclassification & Redistricting Petitions Accepted for Filing by Baltimore County Board of Appeals for the Zoning Reclassification Cycle V --- April 1999 - October 1999

### LOCATIONS OF PROPERTIES UNDER PETITION
### CYCLE V --- APRIL 1999 - OCTOBER 1999




BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW

**LISTINGS OF PETITIONS: Numbers in the listings are keyed to the map above.**

## WESTERN SECTOR

### *ITEM #1*

**Property Owner:** Bare Hills Associates & Callahan Investors, Inc. & Callahan Family Limited Partnership
**Case No./Hearing Date:** R-99-409, Wednesday, September 8, 1999 at 10:00 a.m.
**Contract Purchaser:** MIE Acquisition, Inc.
**Location:** S/end Clarkview Road, approximately 1250' S of Falls Road; also W/S Falls Road, 600' S of Hollins Lane
**Existing Zoning:** M.L.R. & D.R. -3.5
**Election District:** 3rd
**Councilmanic District:** 2nd
**Acres:** M.L.R. -3.67; M.L. - 17.4
**Proposed Zoning:** M.L.R. & M.L.
**Attorney:** Robert A. Hoffman
**Misc.:** Open Plan

## NORTHERN SECTOR

*No Petitions Were Filed in This Sector*

## CENTRAL SECTOR

*No Petitions Were Filed in This Sector*

## EASTERN SECTOR

### *ITEM #2*

**Property Owner:** Greg Lee Canatella & Paul Lee Canatella
**Case No./Hearing Date:** R-99-410; Thursday, September 23, 1999 at 10:00 a.m.
**Contract Purchaser:** N/A
**Location:** NWC Carroll Island Road & Bowleys Quarters Road (123 Carroll Island Road)
**Existing Zoning:** C.B.
**Election District:** 15th
**Councilmanic District:** 5th
**Acres:** 1.733
**Proposed Zoning:** B.L. or M.L.
**Attorney:** N/A
**Misc.:** Open Plan; Critical Area

### *ITEM #3*

**Property Owner:** Vandermast Joint Venture
**Case No./Hearing Date:** CR-99-411; Wednesday, September 29, 1999 at 10:00 a.m.
**Contract Purchaser:** N/A
**Location:** NW/S Holly Neck Road, 500' W of Fantat Road (2209-2341 Vandermast Lane)
**Existing Zoning:** R.C. -20
**Election District:** 15th
**Councilmanic District:** 5th
**Acres:** 48.42
**Proposed Zoning:** R.C. -5
**Attorney:** C William Clark
**Misc.:** Documented Plan; Critical Area; Floodplain; Prior Zoning Cases #97-567-SPH, 95-412-SPH

By Order of Charles L. Marks, Chairman, Baltimore County Board of Appeals
Arnold F. Keller, III, Director, Office of Planning and Community Conservation

5/AAA May 6, 13

C308391, C308395 and C308396

Said, Irwin Union Bank and Trust Company being the current holder of the Note(s) secured thereby, and default having occurred under the terms thereof, the undersigned Substituted Trustees will offer for sale at public auction at the Courthouse door, County Courts Building, 401 Bosley Avenue (Bosley Avenue Entrance), Towson, Maryland, on

**WEDNESDAY, JUNE 2, 1999**
**AT 11:55 AM**

All that lot of ground and the improvements thereon situate in Baltimore County, State of Maryland, and described as follows:

BEING KNOWN AND DESIGNATED as Lot No. 12, in Block No. 17 as shown on the Plat of Blocks Nos. 14 thru 20, Section No. 5, Hawthorn which plat is recorded among the Land Records of Baltimore County in Plat Book GLB No. 19, folio 141.

SUBJECT to an annual ground rent of $108.00 due and payable on the 11th days of March and September in each and every year.

The improvements thereon being known as No. 2222 Redthorn Road.

The improvements thereon consist of a dwelling.

The property will be sold in "As Is" condition, subject to any existing building violations, etc. and also subject to conditions, restrictions and agreements of record affecting same, if any. Neither the trustees nor their respective agents, successors or assigns make any representation or warranties, either expressed or implied with respect to the property including without limitation, description, use, recorded or unrecorded leases or other occupancy agreements, if any, operating and management agreements, physical conditions or to the environmental conditions of the subject property.

A Statement of Mortgage Debt has been filed in the foreclosure case in the approximate amount of $28,000.00.

THIS property is being sold subject to the legal operation and effect of a First Deed of Trust, the balance of which will be announced at the time of sale.

TERMS OF THE SALE: Cash or certified check deposit in the amount of $4,500.00 will be required of the purchaser (other than the above-named Holder) at the time and place of sale, balance in cash, immediately within thirty (30) days of the final ratification of the sale by the Circuit Court of Baltimore County, time being of the essence, and to bear interest at the rate of 13.9% per annum from date of sale to date of settlement. In the event the above-named Holder purchases the property at the sale as the high bidder thereat, no deposit will be required and the requirement of interest on the balance of the purchase price shall be waived. In the event settlement is delayed for any reason, there shall be no abatement of the interest. If the purchaser defaults, in addition to all other remedies including but not limited to attorney fees, the Substituted Trustees may declare the entire deposit forfeited and resell the property at the risk and expense of the defaulting purchaser. The defaulting purchaser shall be liable for the payment of any deficiency in the purchase price, all costs and expenses of both sales, attorney fees and all other charges due and incidental and consequential damages. Taxes, water rent and ground rent, if any, to be adjusted to date of sale. All other public charges and assessments payable on an annual basis, including sanitary and/or metropolitan district charges to be adjusted for the current year to date of sale and assumed thereafter by the purchaser. Cost of all documentary stamps and transfer taxes shall be borne by the purchaser. Purchaser shall have the responsibility of obtaining possession of the property. In the event the Substituted Trustees do not convey title for any reason, purchaser's sole remedy is return of deposit.

F. VERNON BOOZER, EDWARD C. COVAHEY, JR.
THOMAS P. DORE, ROGER J. SULLIVAN
Substituted Trustees

**TIDEWATER AUCTIONS, L.L.C.**
**606 BALTIMORE AVENUE, SUITE 401C**
**TOWSON, MARYLAND 21204**
**410-825-2900**
**www.tidewateauctions.com**

5/290 May 13, 20, 27 C312606

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all that property described in said Deed of Trust as follows:

[illegible]ndominium Unit 203, 9 Tintern Court in Wexford [illegible]n Condominium, a condominium regime established by (a) the Condominium Declaration recorded among the Land Records of Baltimore County in Liber S.M. No. 8639, folio 528, et seq., as amended by the First Amendment to Condominium Declaration recorded among the aforesaid Land Records in Liber S.M. No. 8639, folio 759, et seq., the Second Amendment to Condominium Declaration recorded among the aforesaid Land Records in Liber S.M. No. 8735, folio 316, et seq., the Third Amendment to Condominium Declaration recorded among the aforesaid Land Records in Liber S.M. No. 8736, folio 733, et seq., the Fourth Amendment to Condominium Declaration recorded among the aforesaid Land Records in Liber S.M. No. 8780, folio 741, et seq., the Fifth Amendment to Condominium Declaration recorded among the aforesaid Land Records in Liber S.M. No. 8856, folio 630, et seq., and the Sixth Amendment to Condominium Declaration recorded among the aforesaid Land Records in Liber S.M. No. 8936, folio 585, et seq., (b) the Condominium By-laws recorded among the aforesaid Land Records in Liber S.M. No. 8639, folio 582, et seq., and (c) the Condominium Plat recorded among the aforesaid Land Records in Plat Book S.M. No. 14, folio 36, et seq., as amended by the First Amendment to Condominium Plat recorded among the aforesaid Land Records in Plat Book S.M. No. 14, folio 42, et seq., the Second Amendment to Condominium Plat recorded among the aforesaid Land Records in Plat Book S.M. No. 14, folio 110, et seq., the Third Amendment to Condominium Plat recorded among the aforesaid Land Records in Plat Book S.M. No. 14, folio 139, et seq., the Fourth Amendment to Condominium Plat recorded among the aforesaid Land Records in Plat Book S.M. No. 14, folio 142, et seq., the Fifth Amendment to Condominium Plat recorded among the aforesaid Land Records in Plat Book S.M. No. 15, folio 21, et seq., and the Sixth Amendment to Condominium Plat recorded among the aforesaid Land Records in Plat Book S.M. No. 15, folio 46, et seq., as said Condominium Unit is described in the aforesaid Condominium Declaration, as amended, and described and shown on the aforesaid Condominium Plat, as amended.

Said property is in fee simple and is improved by a dwelling and is sold in "as is condition" and subject to all superior covenants, conditions, liens, restrictions, easement, rights-of-way, as may affect same, if any.

TERMS OF SALE: A deposit of $8,400.00 cash or certified funds shall be required at the time of sale. The balance of the purchase price with interest at 8.5% per annum from the date of sale to the date of payment will be paid within TEN DAYS after the final ratification of the sale. Adjustments on all taxes, public charges and special or regular assessments will be made as of the date of sale and thereafter assumed by purchaser. If applicable, condominium and/or homeowners association dues and assessments that may become due after the time of sale will be the responsibility of the purchaser. Title examination, conveyancing, state revenue stamps, transfer taxes, title insurance, and all other costs incident to settlement are to be paid by the purchaser. Time is of the essence for the purchaser, otherwise the deposit will be forfeited and the property will be resold at risk and costs of the defaulting purchaser. If the sale is not ratified or if the Substitute Trustees are unable to convey marketable title, the purchaser's only remedy is the return of the deposit. Trustee's File No. 99-47929. LOAN TYPE = CONV.

JOHN S. BURSON, WILLIAM M. SAVAGE,
Substitute Trustees

**HARVEY WEST AUCTIONEERS**
**Suite 411, Investment Building**
**Baltimore, Md. 21204 (410) 769-9797**
***www.hwestauctions.com***

5/231 May 13, 20, 27 C311858

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east side of Reisterstown Road at the distance of 1333.13 feet southeasterly from the center line of St[illegible]as Church Lane, which po[illegible]beginning is a[illegible]t the end of the first line of th[illegible]cel of land described in a Deed from Edward O. Thomas to Mary Harcourt Bowen, et al, dated July 31, 1953 and recorded among the Land Records of Baltimore County in Liber GLB No. 2343, folio 291, running thence binding on the northeast side of Reisterstown Road south 41 degrees 20 minutes east 41.92 feet to intersect the third line of the Parcel of land described in a deed from Lillie H. Essig to Mary Harcourt Bowen, dated June 1, 1950 and recorded among the aforementioned Land Records in Liber T.B.S. No. 1843, folio 222, running thence along said last mentioned line north 62 degrees 10 minutes east 226.25 feet to intersect the second line of the parcel described in said deed from Lillie H. Essign to Mary Harcourt Bowen, thence binding on said second line north 41 degrees 20 minutes west 94.74 feet more or less to intersect the second line of the parcel of land described in said Deed from Edward O. Thomas to Mary Harcourt Bowen, et al, running thence along the last mentioned line south 48 degrees 40 minutes west 220 feet to the place of beginning. The improvements thereon being known as No. 9915 Reisterstown Road.

SAID LAND AND PREMISES being in the Third Election District of Baltimore County, Maryland and being improved by a dwelling bearing the street address of 9915 Reisterstown Road, Owings Mills, Maryland 21117. Subject to all covenants, restrictions and easements of record, if any.

TERMS OF SALE: A cash or cash equivalent deposit of $15,600.00 will be required at the time of sale, the balance to be payable in cash within ten (10) business days after ratification of the sale by the Circuit Court for Baltimore County, Maryland, with interest on said balance from the date of sale to date of settlement at the rate of 14.05% per annum. Failure of the purchaser to settle will result in resale of the property at the risk and cost of the purchaser, or forfeiture of deposit at the election of the Substitute Trustees, who specifically preserve all legal and equitable remedies available to them. The Substitute Trustees reserve the right to waive the deposit requirements if the noteholder is the purchaser. Sale is "AS-IS" and Substitute Trustees make no warranty of any kind whatsoever regarding the physical condition, physical description, or title to the property. Taxes, rents, annually payable public charges and assessments, including the front foot benefit charges of the appropriate governing agency, if any, and condominium fees and/or homeowner's association dues, if applicable, will be adjusted to the day of sale and thereafter assumed by the Purchaser. All costs of conveyancing, including transfer taxes and recordation taxes will be paid by the Purchaser. The purchaser's sole remedy in the event the Substitute Trustees are unable to convey marketable title is the return of the deposit. Upon return of the deposit, the sale shall be null and void.

JEFFREY B. FISHER, MARTIN S. GOLDBERG,
EDIE C. OMER, Substitute Trustees

Matter No. 450203

**Alex Cooper auctioneers inc.**
**Towson, MD 410-828-4838**
**Washington D.C. 800-272-3145**
**http://www.alexcooper.com**

4/601 April 29 May 6,13 C308384

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scribed as follows:

BEING KNOWN AND DESIGNATED AS LOT NO. 53, AS INDICATED ON THE PLAT OF GWYNN [illegible]UP-LANDS, RECORDED AMONG THE PLAT REC[illegible] OF BALTIMORE COUNTY IN PLAT BOOK NO. 3, FOLIO 11, THE SAID LOT HAVING A FRONTAGE OF FIFTY FEET ON THE SOUTHEAST SIDE OF GWYNN OAK AVENUE WITH A DEPTH OF EVEN WIDTH OF ONE HUNDRED AND FIFTY FEET TO THE NORTHWEST SIDE OF A TEN FOOT ALLEY (THE MENTION OF STREETS AND ALLEY IS NOT INTENDED FOR DEDICATION BUT FOR THE DESCRIPTION ONLY). THE IMPROVEMENTS THEREON BEING KNOWN AS NO. 5713 GWYNN OAK AVENUE.

The improvements thereon consist of a dwelling.

The property will be sold in "As Is" condition, subject to any existing building violations, etc. and also subject to conditions, restrictions and agreements of record affecting same, if any. Neither the trustees nor their respective agents, successors or assigns make any representation or warranties, either expressed or implied with respect to the property including without limitation, description, use, recorded or unrecorded leases or other occupancy agreements, if any, operating and management agreements, physical conditions or to the environmental conditions of the subject property.

A Statement of Mortgage Debt has been filed in the foreclosure case in the approximate amount of $42,000.00.

TERMS OF THE SALE: Cash or certified check deposit in the amount of $6,500.00 will be required of the purchaser (other than the above-named Holder) at the time and place of sale, balance in cash, immediately within thirty (30) days of the final ratification of the sale by the Circuit Court of Baltimore County, time being of the essence, and to bear interest at the rate of 8% per annum from date of sale to date of settlement. In the event the above-named Holder purchases the property at the sale as the high bidder thereat, no deposit will be required and the requirement of interest on the balance of the purchase price shall be waived. In the event settlement is delayed for any reason, there shall be no abatement of the interest. If the purchaser defaults, in addition to all other remedies including but not limited to attorney fees, the Substituted Trustees may declare the entire deposit forfeited and resell the property at the risk and expense of the defaulting purchaser. The defaulting purchaser shall be liable for the payment of any deficiency in the purchase price, all costs and expenses of both sales, attorney fees and all other charges due and incidental and consequential damages. Taxes, water rent and ground rent, if any, to be adjusted to date of sale. All other public charges and assessments payable on an annual basis, including sanitary and/or metropolitan district charges to be adjusted for the current year to date of sale and assumed thereafter by the purchaser. Cost of all documentary stamps and transfer taxes shall be borne by the purchaser. Purchaser shall have the responsibility of obtaining possession of the property. In the event the Substituted Trustees do not convey title for any reason, purchaser's sole remedy is return of deposit.

F. VERNON BOOZER, EDWARD C. COVAHEY, JR.,
THOMAS P. DORE, ROGER J. SULLIVAN
Substituted Trustees

**TIDEWATER AUCTIONS, L.L.C.**
**606 BALTIMORE AVENUE, SUITE 401C**
**TOWSON, MARYLAND 21204**
**410-825-2900**
**www.tidewateauctions.com**

5/259 May 13, 20, 27 C312278

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tween the building erected on the [illegible]now being described and that on the lot next adjacent to the east, thence southerly, reversing said last mentioned line so drawn and binding thereon, 100 feet to the north side of a 20 foot alley there situate thence westerly, binding on the north side of said alley with the use thereof in common with others, 16 feet to intersect a line drawn southerly from the place of beginning through the center of said first mentioned partition wall, thence northerly reversing said last mentioned line so drawn and binding thereon, 100 feet to the place of beginning. Being also known as Lot No. 24, as shown on the Plat of Eastwood. The improvements thereon being known as No. 7029 Bank Street.

BEING that same lot of ground which by Deed of Assignment dated July 26, 1991 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8879, folio 235 was granted and assigned by Pasquale James Ficcione and Valerie Hammen-Barlow formerly known as Valerie Preston unto Valerie Hammen-Barlow the Borrower (s) herein.

THE Borrower hereby certifies that the hereinabove described property is her principal residence and that the indebtedness hereby secured is loaned for the purpose of refinancing an existing Money Loaned Deed of Trust dated July 26, 1991 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8879, folio 238 from Valerie Hammen-Barlow unto Thomas C. Lidard, Jr. and J.T. Caudill, Trustees for Maryland National Mortgage Corporation, on which remains outstanding the principal amount of $41236.50; and that the Borrower is the original mortgagor.

SUBJECT to the annual ground rent of $90.00 payable in equal half yearly installments on the 19th days of February and August in each and every year.

Said property is subject to an annual ground rent in the amount of $90.00 and is improved by a dwelling and is sold in "as is condition" and subject to all superior covenants, conditions, liens, restrictions, easement, rights-of-way, as may affect same, if any.

TERMS OF SALE: A deposit of $5,500.00 cash or certified funds shall be required at the time of sale. The balance of the purchase price with interest at 7.0% per annum from the date of sale to the date of payment will be paid within TEN DAYS after the final ratification of the sale. Adjustments on all taxes, public charges and special or regular assessments will be made as of the date of sale and thereafter assumed by purchaser. If applicable, condominium and/or homeowners association dues and assessments that may become due after the time of sale will be the responsibility of the purchaser. Title examination, conveyancing, state revenue stamps, transfer taxes, title insurance, and all other costs incident to settlement are to be paid by the purchaser. Time is of the essence for the purchaser, otherwise the deposit will be forfeited and the property will be resold at risk and costs of the defaulting purchaser. If the sale is not ratified or if the Substitute Trustees are unable to convey marketable title, the purchaser's only remedy is the return of the deposit. Trustee's File No. 99-47934. LOAN TYPE = CONV.

JOHN S. BURSON, WILLIAM M. SAVAGE,
Substitute Trustees

**HARVEY WEST AUCTIONEERS**
**Suite 411, Investment Building**
**Baltimore, Md. 21204 (410) 769-9797**
***www.hwestauctions.com***

5/167 May 13, 20, 27 C311423


**Advertise your listings here in an award-winning newspaper.**

PATUXENT PUBLISHING COMPANY

Call 410-321-0247

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
# ZONING REVIEW

## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING RECLASSIFICATION HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning reclassification hearing. This is accomplished by Baltimore County posting a sign on the property at least fifteen (15) days before the hearing and advertising in local newspapers. The advertising consists of a list and map of all reclassification petitions (cost evenly distributed between all petitioners), as well as individual advertising in local newspapers. The list and map must be published in two newspapers for three different weeks and the individual advertisements must be published in two newspapers fifteen (15) days prior to the hearing.

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

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

---

**For Newspaper Advertising:**

Item Number or Case Number: _____

Petitioner: Bare Hills Associates

Address or Location: West Side of Falls Rd., 600 ft. South of Rolling Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Ormord

Address: 210 Allegheny Avenue
Towson MD 21204

Telephone Number: (410) 494-6201

Revised 2/20/98 - SCJ

R-99-409

TO: Essex Times
August 12, 1999 Issue – Essex Times
Half-Page Ad

Advertising costs should be divided between all petitioners.
Please forward billing to:

| | | |
|---|---|---|
| R-99-409 | Barbara Ormord<br>210 Allegheny Avenue<br>Towson, MD 21204 | 410-494-6201 |
| ~~R-99-410~~ | Greg & Paul Canatella<br>201G Carroll Island Road<br>Baltimore, MD 21220 | 410-335-5377 |
| CR-99-411 | Morris & Ritchie Associates, Inc.<br>110 West Road<br>Suite 245<br>Towson, MD 21204 | 410-821-1690 |

---

**NEWSPAPER AD MUST BE HALF-PAGE AD.**

SEE ATTACHED SAMPLE FOR PROPER SET-UP OF AD. SEE ATTACHED PAPERS FOR CORRECT WORDING FOR ZONING RECLASSIFICATION CYCLE V (APRIL 1999 – OCTOBER 1999) AND CORRECT MAP.

PLEASE FORWARD A CONTACT POSITIVE PRINT TO ZONING REVIEW, PERMITS & DEVELOPMENT MANAGEMENT (ATTENTION CARL RICHARDS/SOPHIA JENNINGS).

ANY QUESTIONS CONCERNING THIS AD, PLEASE CONTACT EITHER CARL RICHARDS OR SOPHIA JENNINGS IN ZONING REVIEW AT 410-887-3391.

RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE APRIL 1999 – OCTOBER 1999 ZONING RECLASSIFICATION CYCLE V

BY ORDER OF
CHARLES L. MARKS, CHAIRMAN, BALTIMORE COUNTY BOARD OF APPEALS
ARNOLD F. KELLER, III, DIRECTOR, OFFICE OF PLANNING AND COMMUNITY CONSERVATION

ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS
FOR THE ZONING RECLASSIFICATION CYCLE V
APRIL 1999 – OCTOBER 1999

**WESTERN SECTOR**

*ITEM #1*

| | |
|---|---|
| Property Owner: | Bare Hills Associates & Callahan Investors, Inc. & Callahan Family Limited Partnership |
| Case No./Hearing Date: | R-99-409; Wednesday, September 8, 1999 at 10:00 a.m. |
| Contract Purchaser: | MIE Acquisition, Inc. |
| Location: | S/end Clarkview Road, approximately 1250' S of Falls Road; also W/S Falls Road, 600' S of Hollins Lane |
| Existing Zoning: | M.L.R. & D.R.-3.5 |
| Election District: | 3rd |
| Councilmanic District: | 2nd |
| Acres: | M.L.R. – 3.67; M.L. – 17.4 |
| Proposed Zoning: | M.L.R. & M.L. |
| Attorney: | Robert A. Hoffman |
| Misc.: | Open Plan |

**NORTHERN SECTOR**

No Petitions Were Filed In This Sector

**CENTRAL SECTOR**

No Petitions Were Filed In This Sector

**EASTERN SECTOR**

*ITEM #2*

| | |
|---|---|
| Property Owner: | Greg Lee Canatella & Paul Lee Canatella |
| Case No./Hearing Date: | R-99-410; Thursday, September 23, 1999 at 10:00 a.m. |
| Contract Purchaser: | N/A |
| Location: | NWC Carroll Island Road & Bowleys Quarters Road (123 Carroll Island Road) |
| Existing Zoning: | C.B. |
| Election District: | 15th |
| Councilmanic District: | 5th |
| Acres: | 1.733 |
| Proposed Zoning: | B.L. or M.L. |
| Attorney: | N/A |
| Misc.: | Open Plan; Critical Area |

*ITEM #3*

| | |
|---|---|
| Property Owner: | Vandermast Joint Venture |
| Case No./Hearing Date: | CR-99-411; Wednesday, September 29, 1999 at 10:00 a.m. |
| Contract Purchaser: | N/A |
| Location: | NW/S Holly Neck Road, 500' W of Fantat Road (2209-2341 Vandermast Lane) |
| Existing Zoning: | R.C.-20 |
| Election District: | 15th |
| Councilmanic District: | 5th |
| Acres: | 48.42 |
| Proposed Zoning: | R.C.-5 |
| Attorney: | C. William Clark |
| Misc.: | Documented Plan; Critical Area; Floodplain; Prior Zoning Cases #97-567-SPH, 95-412-SPH |

# SAMPLE ONLY

BALTIMORE COUNTY, MARYLAND

# PUBLIC NOTICE

**RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE OCTOBER, 1993 - APRIL, 1994 ZONING RECLASSIFICATION CYCLE II**

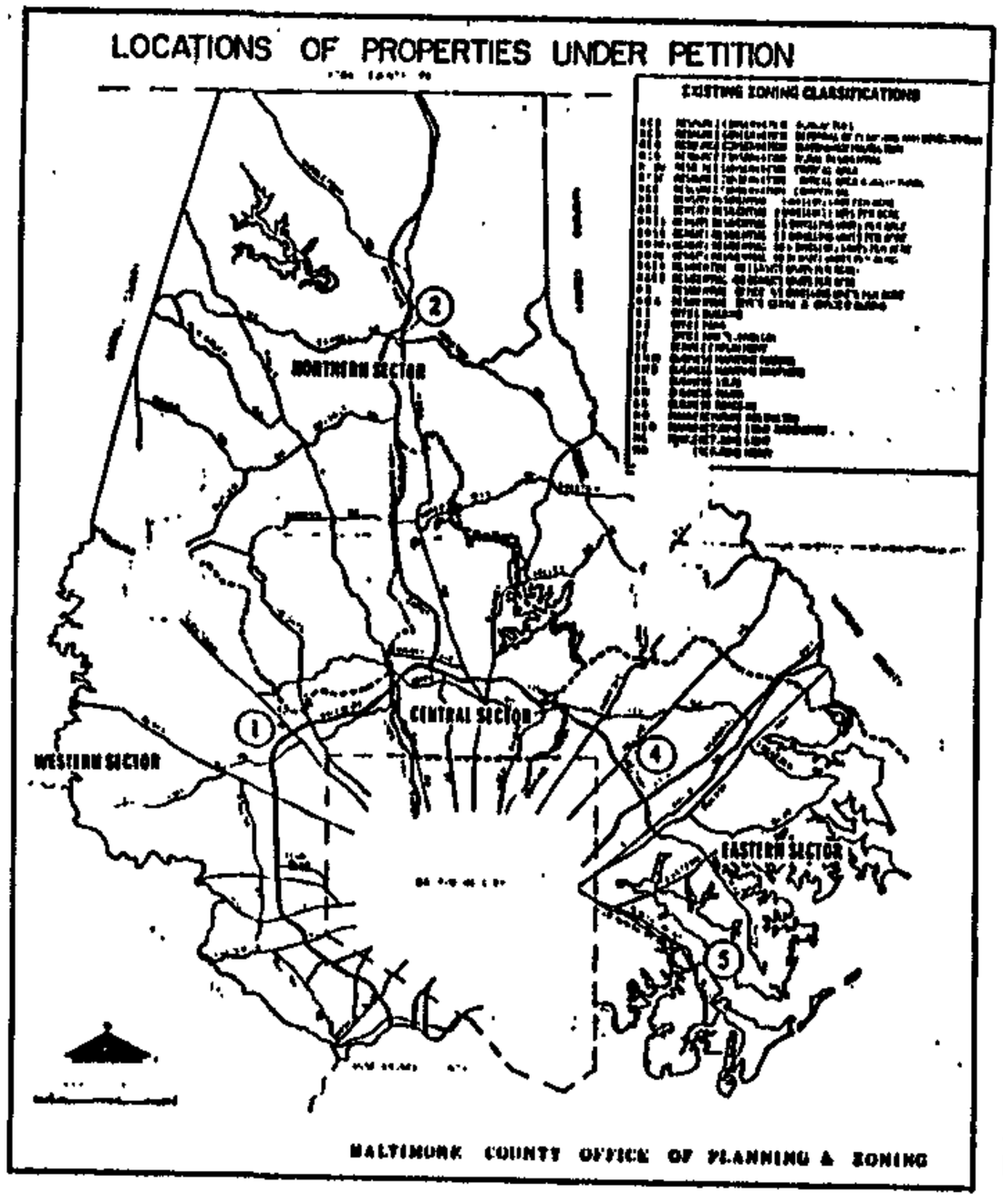
## WESTERN SECTOR

1. Property Owner: J.F.O. Holding Corporation & Josephine Owings Grinnings
Case No./Hearing Date: R-94-141; 3/9/94
Contract Purchaser: J. Patrick Gill
Location: SW/S Reisterstown Road, 540' SE of centerline Mt. Wilson Lane, opposite Castleton Avenue (#1838-1850 Reisterstown Road)
Existing Zoning: R.O.
Election District: 3rd
Councilmanic District: 3rd
Acres: 5.61 +/- or 5.25 +/-
Proposed Zoning: B.L.

## NORTHERN SECTOR

2. Property Owner: Harford Joint Venture
Case No./Hearing Date: R-94-142; 3/23/94
Contract Purchaser: N/A
Location: N/S Everett Road, W/S York Road (Monkton Centre)
Existing Zoning: R.C.-5
Election District: 7th
Councilmanic District: 3rd
Acres: .90 +/-
Proposed Zoning: B.M.-C.R.

3. Property Owner: The Prosser Company, Inc.
Case No./Hearing Date: CR-94-143; 4/6/94
Contract Purchaser: N/A
Location: SE/S Long Green Pike and NW/S Glen Arm Road (12107 & 12109
Long Green Pike and 5328 Glen Arm Road)
Existing Zoning: R.O. & R.C.-5
Election District: 11th




Councilmanic District: 6th
Acres: 5.2 +/-
Proposed Zoning: M.L.

## CENTRAL SECTOR

No Petitions in the Central Sector

## EASTERN SECTOR

4. Property Owner: State Highway Administration
Case No./Hearing Date: R-94-144; 4/20/94
Contract Purchaser: White Marsh Dinner Theatre, Inc.
Location: NW/S Belair Road, corner NE/S White Marsh Boulevard (8204
Belair Road)
Existing Zoning: D.R.-5.5
Election District: 14th
Councilmanic District: 6th
Acres: .61 +/-
Proposed Zoning: B.M.

5. Property Owner: Beachwood II Limited Partnership & Cignal Development
Corporation
Case No./Hearing Date: R-94-145; 5/4/94
Contract Purchaser: N/A
Location: E/S Morse Lane between Lynhurst and Shore Roads (Beachwood)
Existing Zoning: D.R.-1
Election District: 15th
Councilmanic District: 7th
Acres: 27.309
Proposed Zoning: D.R.-3.5 or D.R.-5.5 or D.R.-10.5

**LISTINGS OF PETITIONS: Numbers in the listings are keyed to the map above.**

BY ORDER OF
WILLIAM HACKETT, CHAIRMAN BALTIMORE COUNTY BOARD OF APPEALS
P DAVID FIELDS, DIRECTOR BALTIMORE COUNTY PLANNING AND ZONING

TO: ESSEX TIMES
May 6, 1999 & May 13, 1999 Issues – Essex Times
Half-Page Ad

Advertising costs should be divided between all petitioners.
Please forward billing to:

| | | |
|---|---|---|
| R-99-409 | Barbara Ormord<br>210 Allegheny Avenue<br>Towson, MD 21204 | 410-494-6201 |
| R-99-410 | Greg & Paul Canatella<br>201G Carroll Island Road<br>Baltimore, MD 21220 | 410-335-5377 |
| CR-99-411 | Morris & Ritchie Associates, Inc.<br>110 West Road<br>Suite 245<br>Towson, MD 21204 | 410-821-1690 |

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**NEWSPAPER AD MUST BE HALF-PAGE AD.**

SEE ATTACHED SAMPLE FOR PROPER SET-UP OF AD. SEE ATTACHED PAPERS FOR CORRECT WORDING FOR ZONING RECLASSIFICATION CYCLE V (APRIL 1999 – OCTOBER 1999) AND CORRECT MAP.

PLEASE FORWARD TO ZONING REVIEW, PERMITS & DEVELOPMENT MANAGEMENT (ATTENTION CARL RICHARDS/SOPHIA JENNINGS), A CONTACT POSITIVE PRINT.

ANY QUESTIONS CONCERNING THIS AD, PLEASE CONTACT EITHER CARL RICHARDS OR SOPHIA JENNINGS IN ZONING REVIEW AT 410-887-3391.

RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE APRIL 1999 – OCTOBER 1999 ZONING RECLASSIFICATION CYCLE V

BY ORDER OF
CHARLES L. MARKS, CHAIRMAN, BALTIMORE COUNTY BOARD OF APPEALS
ARNOLD F. KELLER, III, DIRECTOR, OFFICE OF PLANNING AND COMMUNITY CONSERVATION

ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS
FOR THE ZONING RECLASSIFICATION CYCLE V
APRIL 1999 – OCTOBER 1999

**WESTERN SECTOR**

*ITEM #1*

| | |
|---|---|
| Property Owner: | Bare Hills Associates & Callahan Investors, Inc. & Callahan Family Limited Partnership |
| Case No./Hearing Date: | R-99-409; Wednesday, September 8, 1999 at 10:00 a.m. |
| Contract Purchaser: | MIE Acquisition, Inc. |
| Location: | S/end Clarkview Road, approximately 1250' S of Falls Road; also W/S Falls Road, 600' S of Hollins Lane |
| Existing Zoning: | M.L.R. & D.R.-3.5 |
| Election District: | 3rd |
| Councilmanic District: | 2nd |
| Acres: | M.L.R. – 3.67; M.L. – 17.4 |
| Proposed Zoning: | M.L.R. & M.L. |
| Attorney: | Robert A. Hoffman |
| Misc.: | Open Plan |

**NORTHERN SECTOR**

No Petitions Were Filed In This Sector

**CENTRAL SECTOR**

No Petitions Were Filed In This Sector

**EASTERN SECTOR**

*ITEM #2*

| | |
|---|---|
| Property Owner: | Greg Lee Canatella & Paul Lee Canatella |
| Case No./Hearing Date: | R-99-410; Thursday, September 23, 1999 at 10:00 a.m. |
| Contract Purchaser: | N/A |
| Location: | NWC Carroll Island Road & Bowleys Quarters Road (123 Carroll Island Road) |
| Existing Zoning: | C.B. |
| Election District: | 15th |
| Councilmanic District: | 5th |
| Acres: | 1.733 |
| Proposed Zoning: | B.L. or M.L. |
| Attorney: | N/A |
| Misc.: | Open Plan; Critical Area |

*ITEM #3*

| | |
|---|---|
| Property Owner: | Vandermast Joint Venture |
| Case No./Hearing Date: | CR-99-411; Wednesday, September 29, 1999 at 10:00 a.m. |
| Contract Purchaser: | N/A |
| Location: | NW/S Holly Neck Road, 500' W of Fantat Road (2209-2341 Vandermast Lane) |
| Existing Zoning: | R.C.-20 |
| Election District: | 15th |
| Councilmanic District: | 5th |
| Acres: | 48.42 |
| Proposed Zoning: | R.C.-5 |
| Attorney: | C. William Clark |
| Misc.: | Documented Plan; Critical Area; Floodplain; Prior Zoning Cases #97-567-SPH, 95-412-SPH |

# SAMPLE ONLY

BALTIMORE COUNTY, MARYLAND

# PUBLIC NOTICE

**RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE OCTOBER, 1993 - APRIL, 1994 ZONING RECLASSIFICATION CYCLE II**

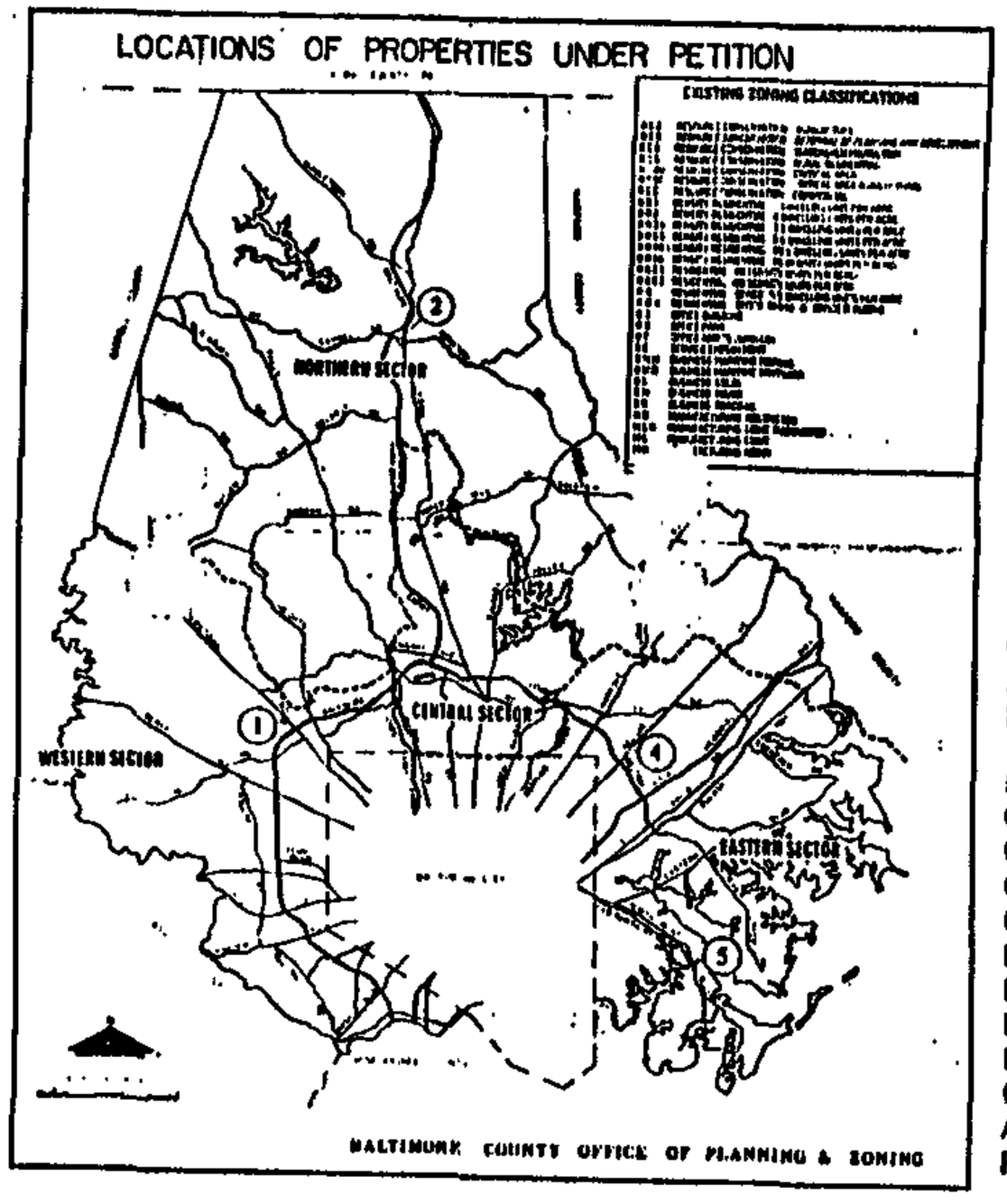
## WESTERN SECTOR

1. Property Owner: J.F.O. Holding Corporation & Josephine Owings Grinnings
*Case No./Hearing Date: R-94-141; 3/9/94*
Contract Purchaser: J. Patrick Gill
Location: SW/S Reisterstown Road, 540' SE of centerline Mt. Wilson Lane, opposite Castleton Avenue (#1838-1850 Reisterstown Road)
Existing Zoning: R.O.
Election District: 3rd
Councilmanic District: 3rd
Acres: 5.81 +/- or 5.25 +/-
Proposed Zoning: B.L.

## NORTHERN SECTOR

2. Property Owner: Harford Joint Venture
Case No./Hearing Date: R-94-142; 3/23/94
Contract Purchaser: N/A
Location: N/S Everett Road, W/S York Road (Monkton Centre)
Existing Zoning: R.C.-5
Election District: 7th
Councilmanic District: 3rd
Acres: .90 +/-
Proposed Zoning: B.M.-C.R.

3. Property Owner: The Prosser Company, Inc.
Case No./Hearing Date: CR-94-143; 4/6/94
Contract Purchaser: N/A
Location: SE/S Long Green Pike and NW/S Glen Arm Road (12107 & 12109
Long Green Pike and 5328 Glen Arm Road)
Existing Zoning: R.O. & R.C.-5
Election District: 11th




Councilmanic District: 6th
Acres: 5.2 +/-
Proposed Zoning: M.L.

## CENTRAL SECTOR

No Petitions in the Central Sector

## EASTERN SECTOR

4. Property Owner: State Highway Administration
Case No./Hearing Date: R-94-144; 4/20/94
Contract Purchaser: White Marsh Dinner Theatre, Inc.
Location: NW/S Belair Road, corner NE/S White Marsh Boulevard (8204
Belair Road)
Existing Zoning: D.R.-5.5
Election District: 14th
Councilmanic District: 6th
Acres: .61 +/-
Proposed Zoning: B.M.

5. Property Owner: Beachwood II Limited Partnership & Cignal Development
Corporation
Case No./Hearing Date: R-94-145; 5/4/94
Contract Purchaser: N/A
Location: E/S Morse Lane between Lynhurst and Shore Roads (Beachwood)
Existing Zoning: D.R.-1
Election District: 15th
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Acres: 27.309
Proposed Zoning: D.R.-3.5 or D.R.-5.5 or D.R.-10.5

**LISTINGS OF PETITIONS: Numbers in the listings are keyed to the map above.**

BY ORDER OF
WILLIAM HACKETT, CHAIRMAN BALTIMORE COUNTY BOARD OF APPEALS
P. DAVID FIELDS, DIRECTOR BALTIMORE COUNTY PLANNING AND ZONING

TO: PATUXENT PUBLISHING COMPANY
August 12, 1999 Issue - Jeffersonian
Half-Page Ad

Advertising costs should be divided between all petitioners.
Please forward billing to:

| | | |
|---|---|---|
| R-99-409 | Barbara Ormord<br>210 Allegheny Avenue<br>Towson, MD 21204 | 410-494-6201 |
| R-99-410 | Greg & Paul Canatella<br>201G Carroll Island Road<br>Baltimore, MD 21220 | 410-335-5377 |
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RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE APRIL 1999 – OCTOBER 1999 ZONING RECLASSIFICATION CYCLE V

BY ORDER OF
CHARLES L. MARKS, CHAIRMAN, BALTIMORE COUNTY BOARD OF APPEALS
ARNOLD F. KELLER, III, DIRECTOR, OFFICE OF PLANNING AND COMMUNITY CONSERVATION

ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS
FOR THE ZONING RECLASSIFICATION CYCLE V
APRIL 1999 – OCTOBER 1999

**WESTERN SECTOR**

*ITEM #1*

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| Acres: | M.L.R. – 3.67; M.L. – 17.4 |
| Proposed Zoning: | M.L.R. & M.L. |
| Attorney: | Robert A. Hoffman |
| Misc.: | Open Plan |

**NORTHERN SECTOR**

No Petitions Were Filed In This Sector

**CENTRAL SECTOR**

No Petitions Were Filed In This Sector

**EASTERN SECTOR**

*ITEM #2*

| | |
|---|---|
| Property Owner: | Greg Lee Canatella & Paul Lee Canatella |
| Case No./Hearing Date: | R-99-410; Thursday, September 23, 1999 at 10:00 a.m. |
| Contract Purchaser: | N/A |
| Location: | NWC Carroll Island Road & Bowleys Quarters Road (123 Carroll Island Road) |
| Existing Zoning: | C.B. |
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| Acres: | 1.733 |
| Proposed Zoning: | B.L. or M.L. |
| Attorney: | N/A |
| Misc.: | Open Plan; Critical Area |

*ITEM #3*

| | |
|---|---|
| Property Owner: | Vandermast Joint Venture |
| Case No./Hearing Date: | CR-99-411; Wednesday, September 29, 1999 at 10:00 a.m. |
| Contract Purchaser: | N/A |
| Location: | NW/S Holly Neck Road, 500' W of Fantat Road (2209-2341 Vandermast Lane) |
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| Misc.: | Documented Plan; Critical Area; Floodplain; Prior Zoning Cases #97-567-SPH, 95-412-SPH |

SAMPLE ONLY

BALTIMORE COUNTY, MARYLAND

# PUBLIC NOTICE

**RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE OCTOBER, 1993 - APRIL, 1994 ZONING RECLASSIFICATION CYCLE II**

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Location: N/S Everett Road, W/S York Road (Monkton Centre)
Existing Zoning: R.C.-5
Election District: 7th
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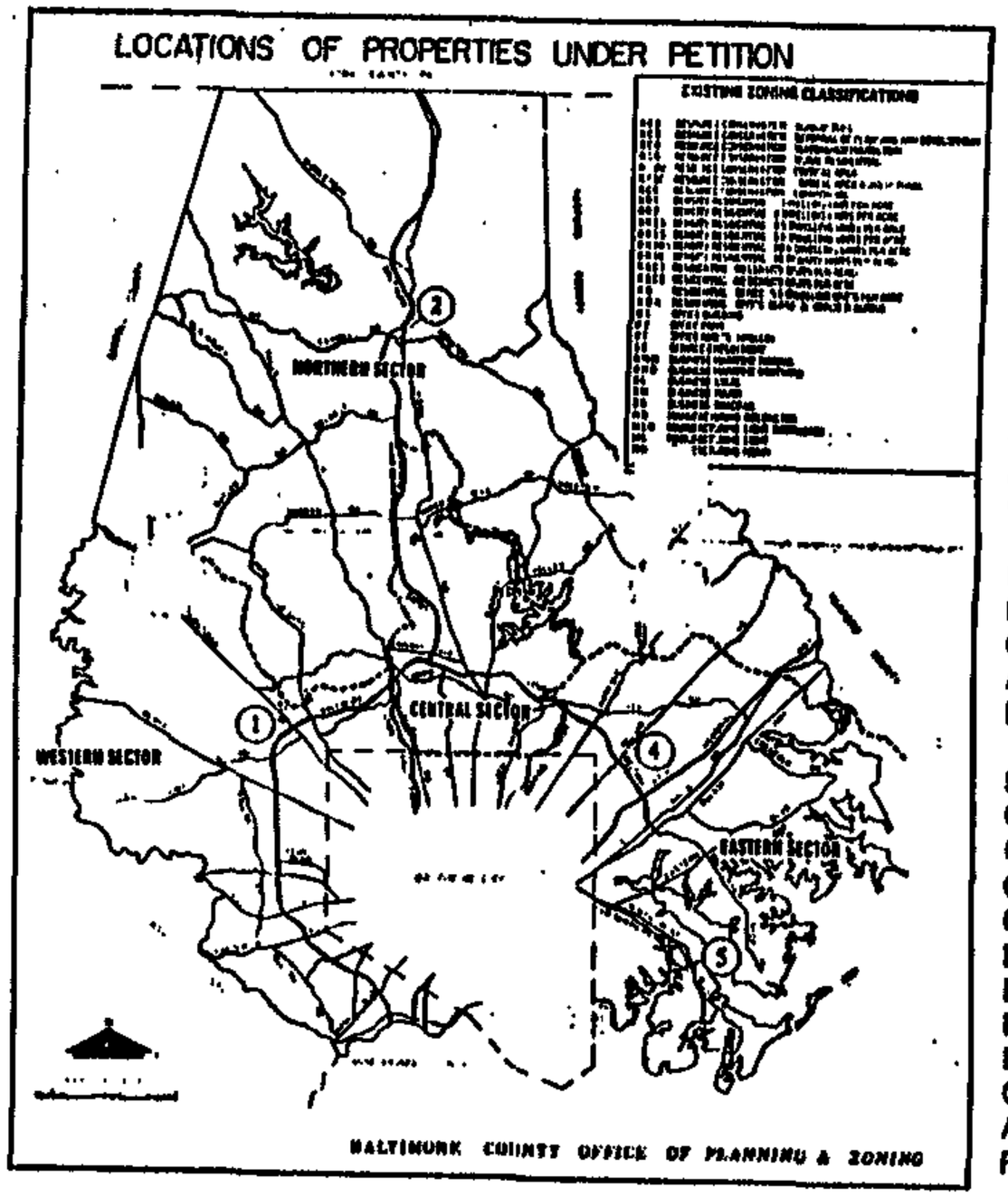
Acres: .90 +/-
Proposed Zoning: B.M.-C.R.

3. Property Owner: The Prosser Company, Inc.
Case No./Hearing Date: CR-94-143; 4/6/94
Contract Purchaser: N/A
Location: SE/S Long Green Pike and NW/S Glen Arm Road (12107 & 12109
Long Green Pike and 5328 Glen Arm Road)
Existing Zoning: R.O. & R.C.-5
Election District: 11th




Councilmanic District: 6th
Acres: 5.2 +/-
Proposed Zoning: M.L.

## CENTRAL SECTOR

No Petitions in the Central Sector

## EASTERN SECTOR

4. Property Owner: State Highway Administration
Case No./Hearing Date: R-94-144; 4/20/94
Contract Purchaser: White Marsh Dinner Theatre, Inc.
Location: NW/S Belair Road, corner NE/S White Marsh Boulevard (8204
Belair Road)
Existing Zoning: D.R.-5.5
Election District: 14th
Councilmanic District: 6th
Acres: .61 +/-
Proposed Zoning: B.M.

5. Property Owner: Beachwood II Limited Partnership & Cignal Development
Corporation
Case No./Hearing Date: R-94-145; 5/4/94
Contract Purchaser: N/A
Location: E/S Morse Lane between Lynhurst and Shore Roads (Beachwood)
Existing Zoning: D.R.-1
Election District: 15th
Councilmanic District: 7th
Acres: 27.309
Proposed Zoning: D.R.-3.5 or D.R.-5.5 or D.R.-10.5

**LISTINGS OF PETITIONS: Numbers in the listings are keyed to the map above.**

BY ORDER OF
WILLIAM HACKETT, CHAIRMAN BALTIMORE COUNTY BOARD OF APPEALS
P DAVID FIELDS, DIRECTOR BALTIMORE COUNTY PLANNING AND ZONING

TO: PATUXENT PUBLISHING COMPANY
May 6, 1999 & May 13, 1999 Issues - Jeffersonian
Half-Page Ad

Advertising costs should be divided between all petitioners.
Please forward billing to:

| | | |
|---|---|---|
| R-99-409 | Barbara Ormord<br>210 Allegheny Avenue<br>Towson, MD 21204 | 410-494-6201 |
| R-99-410 | Greg & Paul Canatella<br>201G Carroll Island Road<br>Baltimore, MD 21220 | 410-335-5377 |
| CR-99-411 | Morris & Ritchie Associates, Inc.<br>110 West Road<br>Suite 245<br>Towson, MD 21204 | 410-821-1690 |

---

**NEWSPAPER AD MUST BE HALF-PAGE AD.**

SEE ATTACHED SAMPLE FOR PROPER SET-UP OF AD. SEE ATTACHED PAPERS FOR CORRECT WORDING FOR ZONING RECLASSIFICATION CYCLE V (APRIL 1999 – OCTOBER 1999) AND CORRECT MAP.

PLEASE FORWARD TO ZONING REVIEW, PERMITS & DEVELOPMENT MANAGEMENT (ATTENTION CARL RICHARDS/SOPHIA JENNINGS), A CONTACT POSITIVE PRINT.

ANY QUESTIONS CONCERNING THIS AD, PLEASE CONTACT EITHER CARL RICHARDS OR SOPHIA JENNINGS IN ZONING REVIEW AT 410-887-3391.

RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE APRIL 1999 – OCTOBER 1999 ZONING RECLASSIFICATION CYCLE V

BY ORDER OF
CHARLES L. MARKS, CHAIRMAN, BALTIMORE COUNTY BOARD OF APPEALS
ARNOLD F. KELLER, III, DIRECTOR, OFFICE OF PLANNING AND COMMUNITY CONSERVATION

ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS
FOR THE ZONING RECLASSIFICATION CYCLE V
APRIL 1999 – OCTOBER 1999

**WESTERN SECTOR**

*ITEM #1*

| | |
|---|---|
| Property Owner: | Bare Hills Associates & Callahan Investors, Inc. & Callahan Family Limited Partnership |
| Case No./Hearing Date: | R-99-409; Wednesday, September 8, 1999 at 10:00 a.m. |
| Contract Purchaser: | MIE Acquisition, Inc. |
| Location: | S/end Clarkview Road, approximately 1250' S of Falls Road; also W/S Falls Road, 600' S of Hollins Lane |
| Existing Zoning: | M.L.R. & D.R.-3.5 |
| Election District: | 3rd |
| Councilmanic District: | 2nd |
| Acres: | M.L.R. – 3.67; M.L. – 17.4 |
| Proposed Zoning: | M.L.R. & M.L. |
| Attorney: | Robert A. Hoffman |
| Misc.: | Open Plan |

**NORTHERN SECTOR**

No Petitions Were Filed In This Sector

**CENTRAL SECTOR**

No Petitions Were Filed In This Sector

**EASTERN SECTOR**

*ITEM #2*

| | |
|---|---|
| Property Owner: | Greg Lee Canatella & Paul Lee Canatella |
| Case No./Hearing Date: | R-99-410; Thursday, September 23, 1999 at 10:00 a.m. |
| Contract Purchaser: | N/A |
| Location: | NWC Carroll Island Road & Bowleys Quarters Road (123 Carroll Island Road) |
| Existing Zoning: | C.B. |
| Election District: | 15th |
| Councilmanic District: | 5th |
| Acres: | 1.733 |
| Proposed Zoning: | B.L. or M.L. |
| Attorney: | N/A |
| Misc.: | Open Plan; Critical Area |

*ITEM #3*

| | |
|---|---|
| Property Owner: | Vandermast Joint Venture |
| Case No./Hearing Date: | CR-99-411; Wednesday, September 29, 1999 at 10:00 a.m. |
| Contract Purchaser: | N/A |
| Location: | NW/S Holly Neck Road, 500' W of Fantat Road (2209-2341 Vandermast Lane) |
| Existing Zoning: | R.C.-20 |
| Election District: | 15th |
| Councilmanic District: | 5th |
| Acres: | 48.42 |
| Proposed Zoning: | R.C.-5 |
| Attorney: | C. William Clark |
| Misc.: | Documented Plan; Critical Area; Floodplain; Prior Zoning Cases #97-567-SPH, 95-412-SPH |

# SAMPLE ONLY

BALTIMORE COUNTY, MARYLAND

# PUBLIC NOTICE

**RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE OCTOBER, 1993 - APRIL, 1994 ZONING RECLASSIFICATION CYCLE II**

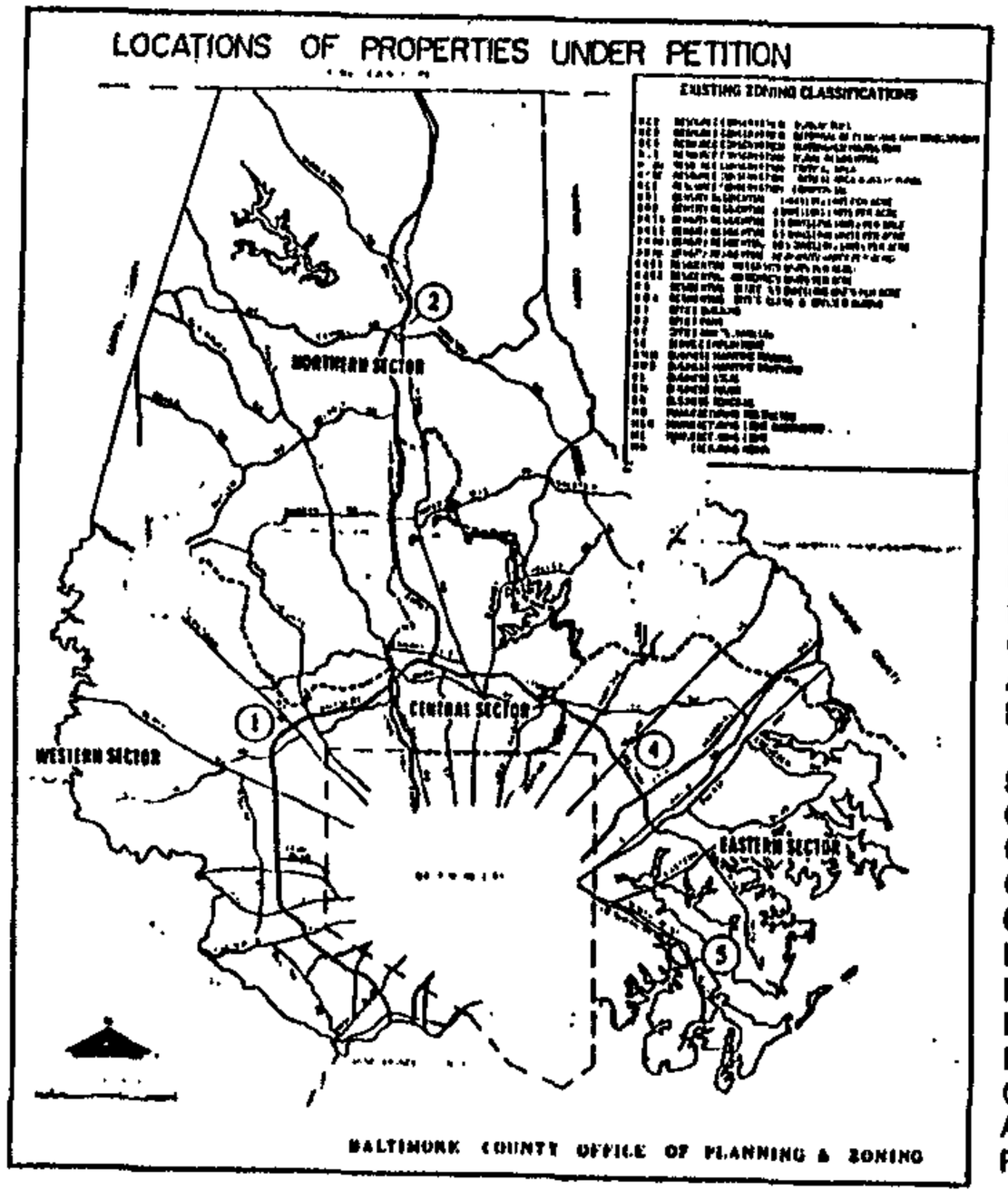
## WESTERN SECTOR

1. Property Owner: J.F.O. Holding Corporation & Josephine Owings Grinnings
Case No./Hearing Date: R-94-141; 3/9/94
Contract Purchaser: J. Patrick Gill
Location: SW/S Reisterstown Road, 540' SE of centerline Mt. Wilson Lane, opposite Castleton Avenue (#1838-1850 Reisterstown Road)
Existing Zoning: R.O.
Election District: 3rd
Councilmanic District: 3rd
Acres: 5.81 +/- or 5.25 +/-
Proposed Zoning: B.L.

## NORTHERN SECTOR

2. Property Owner: Harford Joint Venture
Case No./Hearing Date: R-94-142; 3/23/94
Contract Purchaser: N/A
Location: N/S Everett Road, W/S York Road (Monkton Centre)
Existing Zoning: R.C.-5
Election District: 7th
Councilmanic District: 3rd
Acres: .90 +/-
Proposed Zoning: B.M.-C.R.

3. Property Owner: The Prosser Company, Inc.
Case No./Hearing Date: CR-94-143; 4/6/94
Contract Purchaser: N/A
Location: SE/S Long Green Pike and NW/S Glen Arm Road (12107 & 12109
Long Green Pike and 5328 Glen Arm Road)
Existing Zoning: R.O. & R.C.-5
Election District: 11th




Councilmanic District: 6th
Acres: 5.2 +/-
Proposed Zoning: M.L.

## CENTRAL SECTOR

*No Petitions in the Central Sector*

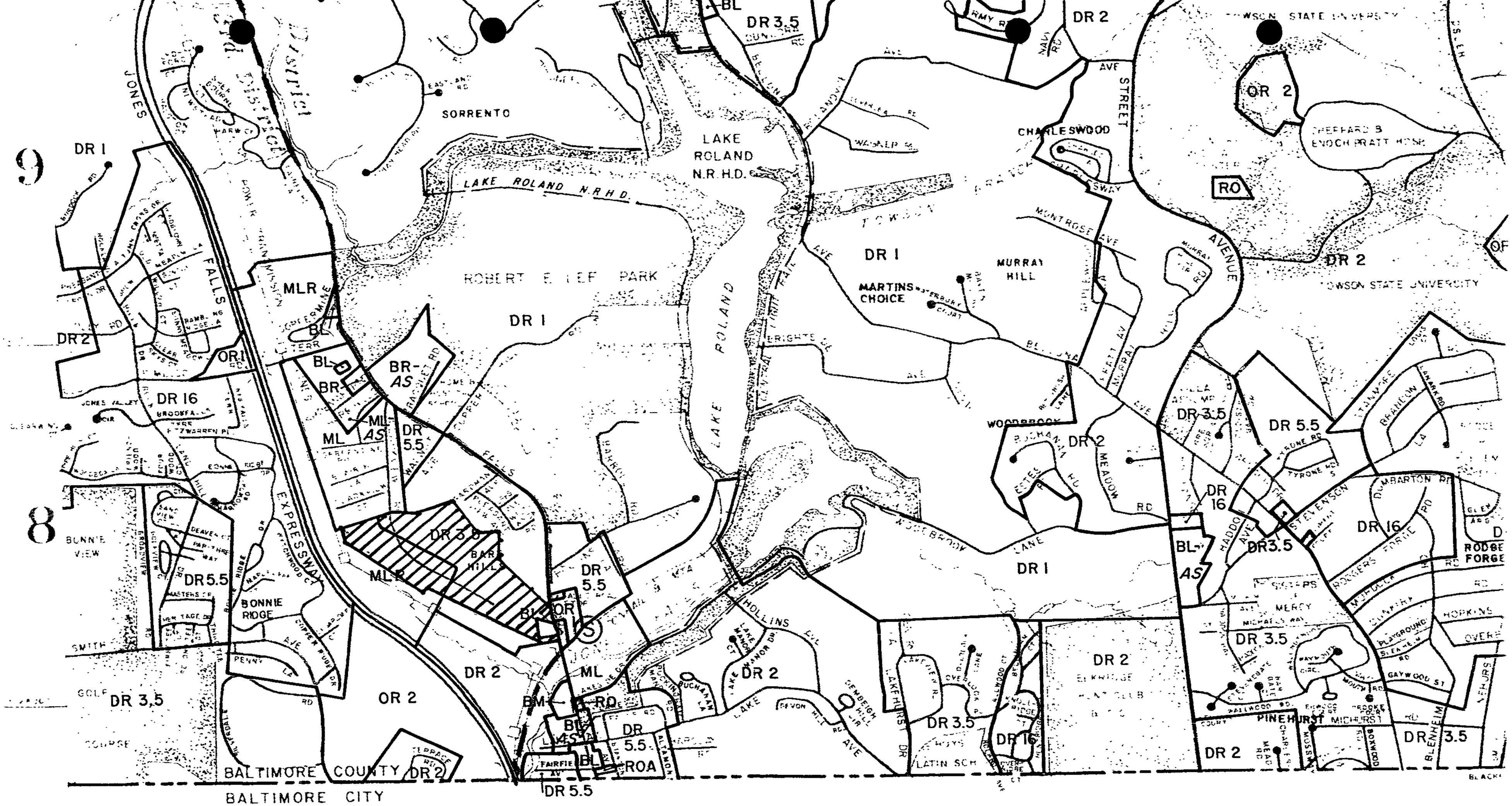
## EASTERN SECTOR

4. Property Owner: State Highway Administration
Case No./Hearing Date: R-94-144; 4/20/94
Contract Purchaser: White Marsh Dinner Theatre, Inc.
Location: NW/S Belair Road, corner NE/S White Marsh Boulevard (8204
Belair Road)
Existing Zoning: D.R.-5.5
Election District: 14th
Councilmanic District: 6th
Acres: .61 +/-
Proposed Zoning: B.M.

5. Property Owner: Beachwood II Limited Partnership & Cignal Development
Corporation
Case No./Hearing Date: R-94-145; 5/4/94
Contract Purchaser: N/A
Location: E/S Morse Lane between Lynhurst and Shore Roads (Beachwood)
Existing Zoning: D.R.-1
Election District: 15th
Councilmanic District: 7th
Acres: 27.309
Proposed Zoning: D.R.-3.5 or D.R.-5.5 or D.R.-10.5

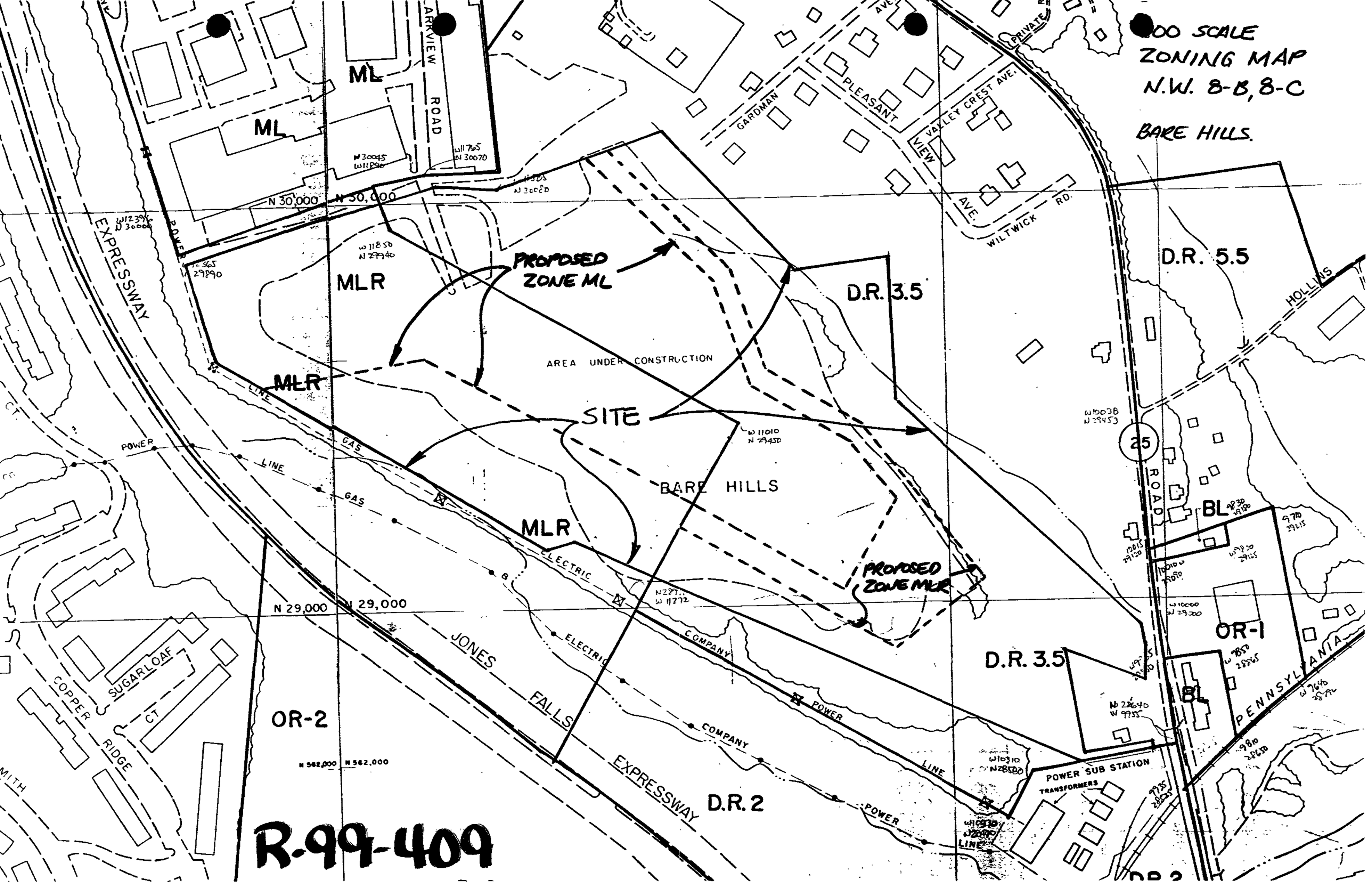
**LISTINGS OF PETITIONS: Numbers in the listings are keyed to the map above.**

BY ORDER OF
WILLIAM HACKETT, CHAIRMAN BALTIMORE COUNTY BOARD OF APPEALS
P. DAVID FIELDS, DIRECTOR BALTIMORE COUNTY PLANNING AND ZONING




1000' ZONING MAP
3C

R.99-409


00 SCALE
ZONING MAP
N.W. 8-B, 8-C
BARE HILLS.
ML
ML
ARKVIEW ROAD
GARDMAN
PLEASANT
VALLEY CREST AVE.
VIEW
AVE.
WILTWICK RD.
PRIVATE
N 30,000
N 30,000
EXPRESSWAY
POWER
MLR
PROPOSED ZONE ML
D.R. 3.5
D.R. 5.5
HOLLINS
AREA UNDER CONSTRUCTION
MLR
SITE
POWER LINE
GAS
BARE HILLS
MLR
ELECTRIC
PROPOSED ZONE MLR
N 29,000
N 29,000
JONES FALLS EXPRESSWAY
ELECTRIC
COMPANY
POWER
LINE
D.R. 3.5
25
ROAD
BL
OR-1
BL
PENNSYLVANIA
SUGARLOAF
COPPER RIDGE
CT
OR-2
N 562,000
N 562,000
D.R. 2
POWER SUB STATION
TRANSFORMERS
D.R. 2

R-99-409

ATTACHMENT TO PETITION FOR RECLASSIFICATION

| **Legal Owner(s)** | **Address** |
| --- | --- |
| BARE HILLS ASSOCIATES<br><br>By: Callahan Investors, Inc.<br>its general partner<br><br>By: Mildred F. Callahan<br>Mildred F. Callahan,<br>President | BARE HILLS ASSOCIATES<br>CALLAHAN INVESTORS, INC.<br>CALLAHAN FAMILY<br>LIMITED PARTNERSHIP<br><br>All c/o Charlie Holub<br>500 West 29th Street<br>Baltimore, Maryland 21211<br>410-235-9400 |

CALLAHAN INVESTORS, INC.

By: Mildred F. Callahan
Mildred F. Callahan,
President

CALLAHAN FAMILY LIMITED PARTNERSHIP
By its Partners:

Callahan Investors, Inc.
General Partner

By: Mildred F. Callahan
Mildred F. Callahan,
President

Mildred F. Callahan
Mildred F. Callahan
Limited Partner

Mildred K. Holub
Mildred K. Holub
Limited Partner

Patricia R. Fowler
Patricia R. Fowler
Limited Partner

TO1DOCS1/erl01/#79356 v1

R-99-409

Item 1

RECEIVED
COUNTY BOARD OF APPEALS

99 AUG -2 PM 5: 19

Baltimore County
Planning Board

401 Bosley Avenue
Towson, Maryland 21204
(410) 887-3495
Fax: (410) 887-5862

July 26, 1999

Charles L. Marks, Chairman
County Board of Appeals
Court House
Towson, MD 21204

Dear Mr. Marks:

Enclosed herewith is the report containing the County Planning Board's recommendations regarding the zoning reclassification petitions in Cycle V, 1999.

After discussion in the Board's meeting on June 17, 1999, the report was adopted by the Planning Board in its meeting on July 22, 1999, and is hereby published and submitted in accordance with County Code Section 2-356(f).

Sincerely,

Pat Keller

Arnold F. 'Pat' Keller, III
Secretary

AFK:TD:jw

Enclosure

c: John Wasilisin, Administrative Officer
Peter Max Zimmerman, People's Counsel

S:\ADMIN\JOYCE\CycleV doc

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on Recycled Paper

Report by the Baltimore County Planning Board
to the Baltimore County Board of Appeals

# ZONING RECLASSIFICATION PETITIONS

Cycle V, 1999

July 22, 1999

# TABLE OF CONTENTS

Letter to the Baltimore County Planning Board .....1

Introduction .....2

Recommended Schedule of Hearings .....3

Location of Properties Under Petition-Map .....4

Source Material .....5

Item No. 1 (R-99-409) .....6

Item No. 2 (R-99-410) .....10

Item No. 3 (CR-99-411) .....13

Baltimore County
Office of Planning

401 Bosley Avenue
Towson, Maryland 21204
(410) 887-3211
Fax: (410) 887-5862

May 28, 1999

Members
Baltimore County Planning Board

Re: Reclassification Petitions

Dear Members of the Baltimore County Planning Board:

In the current cycle, the Baltimore County Board of Appeals accepted three zoning reclassification petitions. In compliance with the Baltimore County Code, recommendations on the petitions are submitted in the attached report.

The Planning Board is scheduled to review the petitions on June 17, 1999, and to make final recommendations on July 22, 1999. The Planning Board's report must be submitted to the Baltimore County Board of Appeals no later than July 30, 1999.

The Board of Appeals has tentativley scheduled hearings on these petitions and will advertise these hearings as required. Hearings are set to take place on September 8, 1999 (Case No. R-99-409), September 23, 1999 (Case No. R-99-410) and September 29, 1999 (Case No. CR-99-411).

Sincerely,

Arnold F. 'Pat' Keller, III
Director

AFK:JL:kma

cycleletter
Printed with Soybean Ink

## Introduction

Under the provisions of Section 2-356(e), Baltimore County Code, 1988, (see Appendix A), the Director of Planning is required to submit to the Planning Board, during Period 1 of each zoning cycle, a report on the petitions accepted by the County Board of Appeals for filing during the previous zoning cycle. The report is to contain the following information:

1. Maps showing properties under petition and the reclassifications sought therefore; such maps may also identify groups of such properties located close to each other and show other indications of the inter-relation of petitions with respect to planning considerations.

2. Recommendations on the petitions.

3. Supporting data for the recommendations, including any pertinent data and recommendations submitted by other County agencies.

4. Recommendations for scheduling of all hearings (to be held during the next Period IV, prepared in consultation with the County Board of Appeals).

The planning staff has reviewed the three petitions in the current cycle, and the following pages constitute the Office of Planning staff's analysis and recommendations. The process of formulating these recommendations included: staff inspections of each site; a review of the policies and statements in the current Baltimore County Master Plan, and a review of the 1996 Comprehensive Zoning Map Process. Comments also were requested from other county agencies including the Board of Education, the Department of Environmental Protection and Resource Management, the Fire Department, the Police Department, the Department of Public Works, the Department of Recreation and Parks, and the Bureau of Traffic Engineering and Transportation Planning.

In reaching its decision on each petition, the Board of Appeals is required to use the standards in Section 2-356 (j) of the County Code. During the first cycle following a Comprehensive Zoning Map Process, Section 2-356 (k) further limits the Board's authority to granting reclassifications only where the Board finds that the change is warranted upon consideration of the specified factors and also if "the last classification of the property [i.e., by the County Council's vote on October 8, 1996] was established in error."

# PETITIONS FOR RECLASSIFICATION
# CYCLE V

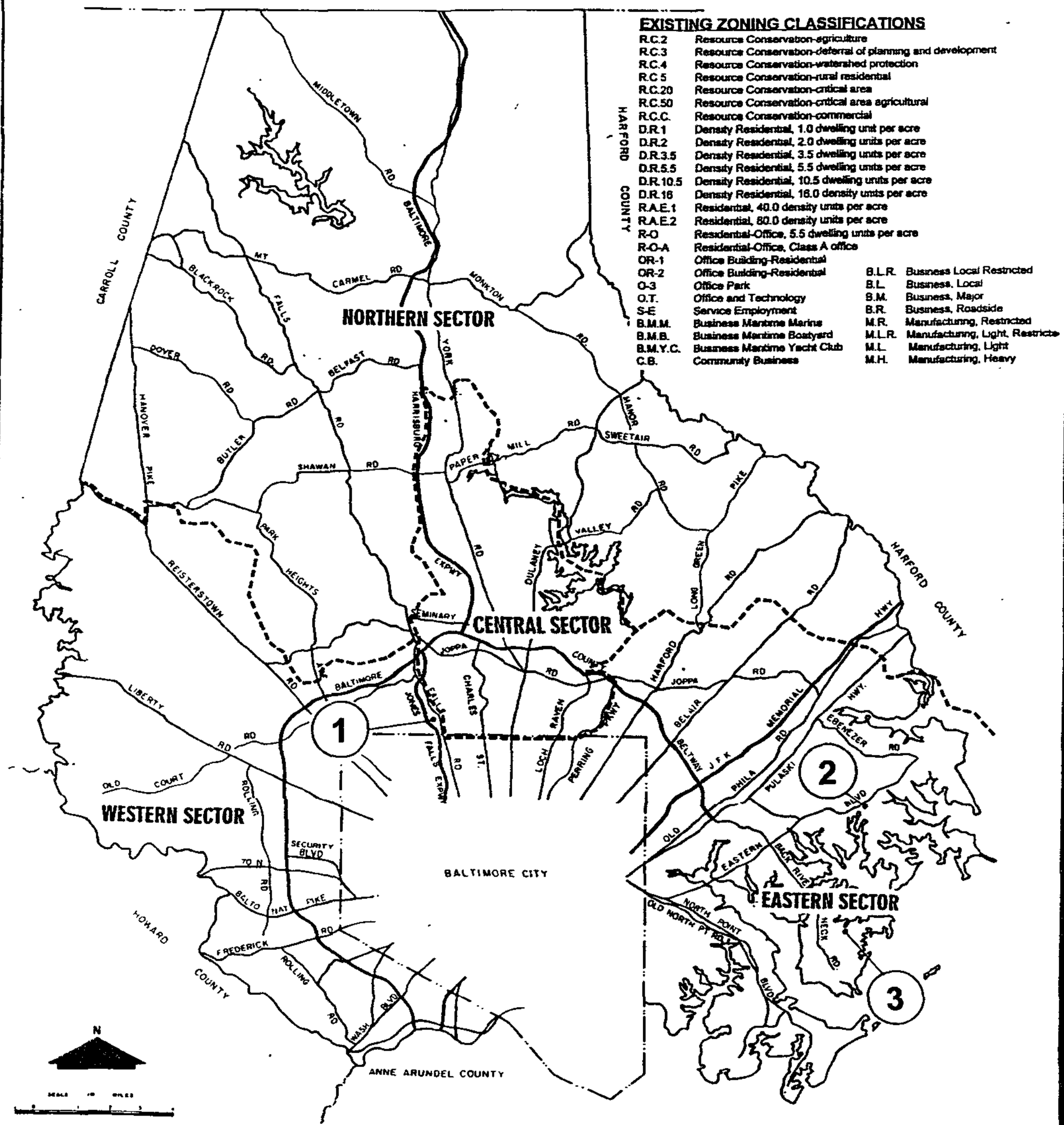
**Assigned Hearing Dates**
**County Board of Appeals**

Week of September 6, 1999
Case No. R-99-409
Bare Hills Associates, Callahan Investors Inc. and Callahan Family, LP
**Wednesday, September 8, 1999**

Week of September 20, 1999
Case No. R-99-410
Greg Lee Canatella and Paul Lee Canatella
**Thursday, September 23, 1999**

Week of September 27, 1999
Case No. CR-99-411
Vandermast Joint Venture
**Wednesday, September 29, 1999**

# LOCATIONS OF PROPERTIES UNDER PETITION
# CYCLE V — APRIL 1999 - OCTOBER 1999




BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW

## SOURCE MATERIAL

Recommendations for the two petitions filed are based on the following:

1. Information compiled during the processing of the Comprehensive Zoning Map adopted by the County Council on October 8, 1996;

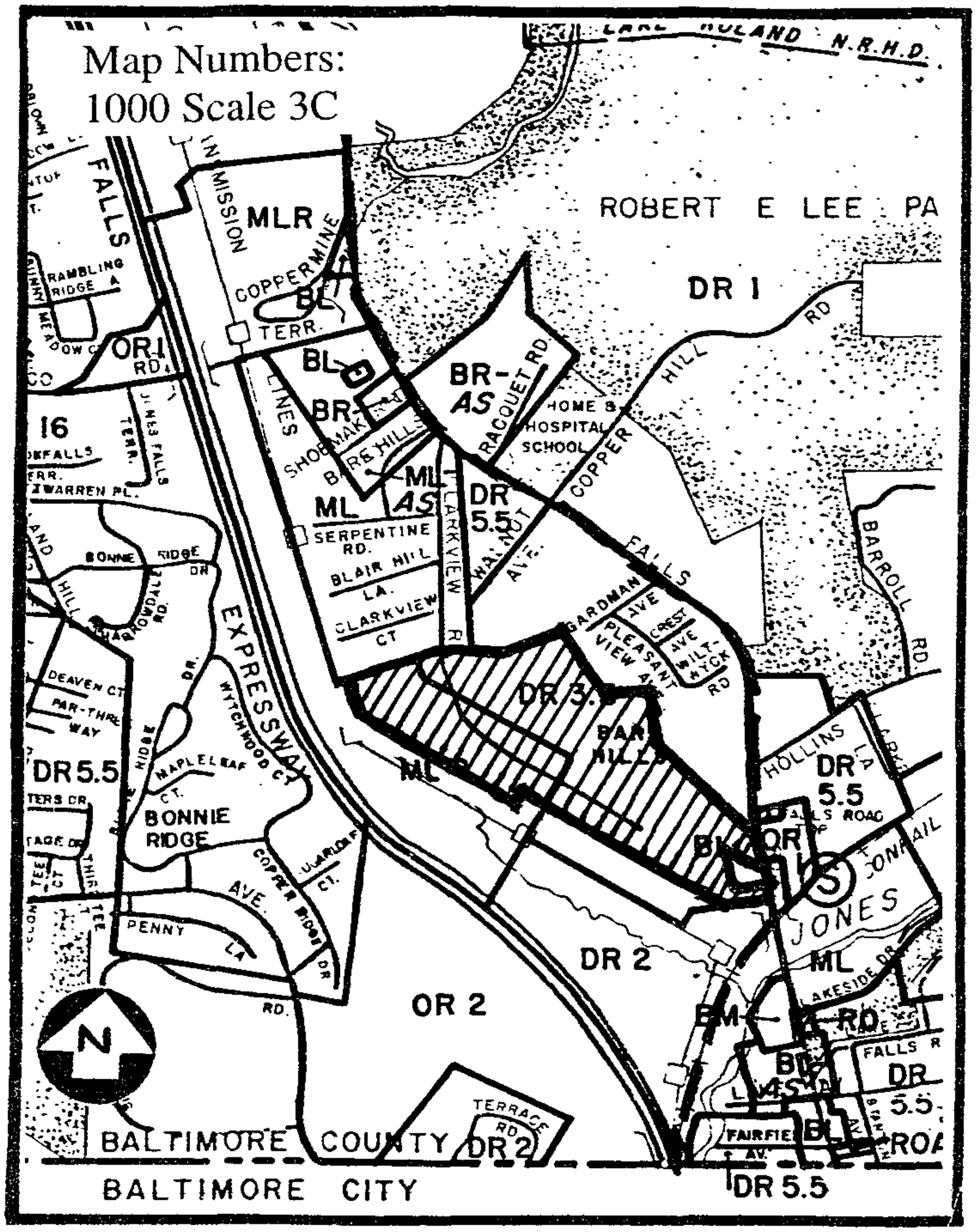
2. Capital Budget and 5-Year Capital Program;

3. Zoning Plans Advisory Committee comments;

4. Discussions with other governmental agencies;

5. Field inspections of subject sites; and

6. Baltimore County Master Plan.




# ITEM NUMBER 1

## Location of Property Under Petition

Scale: 1"= 1000'

**CASE NO.** R-99-409

**PETITIONER:**

Legal Owners: Bare Hills Associates, Callahan Investors, Inc., and Callahan Family Limited Partnership

**REQUESTED ACTION:**

Reclassification to DR 3.5 (Density Residential), MLR (Manufacturing Light Restricted), and ML (Manufacturing Light)

**EXISTING ZONING:**

DR 3.5 and MLR

**LOCATION:**

West side of Falls Road, 600 feet south of Hollins Road

**ACRE OF SITE:**

37.35 acres

**ZONING OF ADJACENT PROPERTY/USE**

| | | |
|---|---|---|
| **North:** | ML | Industrial and commercial |
| **South:** | DR 2 | Vacant |
| **East:** | DR 3.5 and OR-1 | Residential and office |
| **West:** | DR 2 | Vacant |

**SITE DESCRIPTION:**

The petitioners' property consists of 37.35 acres of land zoned MLR and DR 3.5. The MLR portion of the site is currently being used as a landfill. The remainder of the property is vacant, wooded land with a significant amount of steep slopes.

The southern and western borders of the site are separated from I-83 (The Jones Falls Expressway) by vacant land owned by BGE and zoned MLR and DR 2.

**WATER AND SEWERAGE:**

The area is served by public water and sewer and is designated W-1, S-1 (existing service area) according to the Master Water and Sewer Plan.

## TRAFFIC and ROADS:

The site has direct access to Clarkview Road, a 2-lane local road that provides access to industrial uses located just south of Falls Road (MD 25). Falls Road is designated as a principal arterial road, and is also a Master Plan designated "scenic route."

In addition, the Falls Road Light Rail Station is located a short distance from the eastern edge of the property.

## ZONING HISTORY:

Zoning issues were filed on the subject property as part of the 1976 and 1988 Comprehensive Zoning Map Processes. The County Council voted to retain the existing zoning in each process.

## MASTER PLAN:

The proposed land use map, adopted by the Baltimore County Planning Board on June 15, 1995, indicates the site is designated for Industrial and Single Detached Residential. The eastern portion of the site is visible from Falls Road. As previously mentioned, Falls Road is a Master Plan designated scenic route.

## PROPOSED vs. EXISTING ZONING:

The use regulations for the MLR, ML and DR zones can be found in Sections 248, 253 and 1B01 of the Baltimore County Zoning Regulations, respectively.

The MLR zone was created as a transitional zone between residential or institutional areas and ML or MH zones. In the MLR zone, the uses permitted are a range of light manufacturing, warehouse and office uses with additional uses permitted by special exception. The ML zone permits a wider range of light industrial uses including research institutes and laboratories with other uses permitted by special exception.
The DR 3.5 zone permits a density of 3.5 dwelling units per acre.

## OFFICE OF PLANNING RECOMMENDATION:

Support for any zoning change would be dependent upon the quality of site specific details dealing with vehicular access; internal circulation and parking, building height, location and size; landscaping; and signage details. In the absence of a documented site plan, by which the quality of development on the subject site could be controlled, the staff recommends the existing zoning be retained at this time.

**MISTAKE/CHANGE/ERROR:**

The requested zoning appears to be appropriate for the subject site should the landfill use cease operation. However, it will incumbent upon the petitioner to prove that the County Council made an error when the Comprehensive Zoning Maps were last adopted.

# CERTIFICATE OF POSTING

RE: Case No.: R-99-409

Petitioner/Developer: Bare Hills Assoc.

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 End of Clarkview Rd.

The sign(s) were posted on 8/19/99
(Month, Day, Year)

Sincerely,

Gary C. Freund 8/19/99
(Signature of Sign Poster and Date)

GARY C. FREUND
(Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)

9/96
cert.doc

County Board of Appeals of Baltimore County

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

August 10, 1999

# NOTICE OF ZONING RECLASSIFICATION HEARING

The County Board of Appeals of Baltimore County, by authority of the County Charter, Section 602.(e) and Section 603 and the County Code, Section 2-356(d), will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: R-99-409
S/end Clarkview Road, approximately 1250' S of Falls Road; also W/S Falls Road, 600' S of Hollins Lane
3rd Election District – 2nd Councilmanic District
Legal Owner: Bare Hills Associates & Callahan Investors, Inc. & Callahan Family Limited Partnership
Contract Purchaser: MIE Acquisition, Inc.

Reclassification of the property from M.L.R. & D.R.-3.5 to M.L.R. & M.L.

HEARING: Wednesday, September 8, 1999 at 10:00 a.m. in Room 48 of the Old Courthouse, 400 Washington Avenue

Charles Marks (sc)

Charles L. Marks
Chairman

c: Robert A. Hoffman, Esquire
Legal Owners, c/o Charlie Holub
MIE Acquisition, Inc.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3180.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3180.

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on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
August 19, 1999 Issue - Jeffersonian

Please forward billing to:
Barbara Ormord 410-494-6201
210 Allegheny Avenue
Towson, MD 21204

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## NOTICE OF ZONING RECLASSIFICATION HEARING

The County Board of Appeals of Baltimore County, by authority of the County Charter, Section 602.(e) and Section 603 and the County Code, Section 2-356(d), will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: R-99-409
S/end Clarkview Road, approximately 1250' S of Falls Road; also W/S Falls Road, 600' S of Hollins Lane
3rd Election District – 2nd Councilmanic District
Legal Owner: Bare Hills Associates & Callahan Investors, Inc. & Callahan Family Limited Partnership
Contract Purchaser: MIE Acquisition, Inc.

Reclassification of the property from M.L.R. & D.R.-3.5 to M.L.R. & M.L.

HEARING: Wednesday, September 8, 1999 at 10:00 a.m. in Room 48 of the Old Courthouse, 400 Washington Avenue

Charles Marks /scj

Charles L. Marks
Chairman

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3180.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3180.

TO: PATUXENT PUBLISHING
August 18, 1999 Issue – Baltimore Messenger

Please forward billing to:
Barbara Ormord 410-494-6201
210 Allegheny Avenue
Towson, MD 21204

---

## NOTICE OF ZONING RECLASSIFICATION HEARING

The County Board of Appeals of Baltimore County, by authority of the County Charter, Section 602.(e) and Section 603 and the County Code, Section 2-356(d), will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: R-99-409
S/end Clarkview Road, approximately 1250' S of Falls Road; also W/S Falls Road, 600' S of Hollins Lane
3rd Election District – 2nd Councilmanic District
Legal Owner: Bare Hills Associates & Callahan Investors, Inc. & Callahan Family Limited Partnership
Contract Purchaser: MIE Acquisition, Inc.

Reclassification of the property from M.L.R. & D.R.-3.5 to M.L.R. & M.L.

HEARING: Wednesday, September 8, 1999 at 10:00 a.m. in Room 48 of the Old Courthouse, 400 Washington Avenue

Charles Marks /scj

Charles L. Marks
Chairman

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3180.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3180.

VENABLE, BAETJER AND HOWARD, LLP
*Including professional corporations*

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

**Robert A. Hoffman**
**(410) 494-6262**

**rahoffman@venable.com**

August 18, 1999

RECEIVED
COUNTY BOARD OF APPEALS
99 AUG 19 AM 8:14

*HAND-DELIVERED*

Charles L. Marks, Chairman
County Board of Appeals for
Baltimore County
400 Washington Avenue, Rm. 29
Towson, Maryland 21204

Re: Petition for Reclassification
West Side of Falls Road, 600 feet south of Hollins Road
CBA Case No.: R-99-409

Dear Mr. Marks:

On behalf of the Petitioners in the above-referenced case, I respectfully request that the hearing in this matter, currently scheduled for September 8, 1999, be continued. The Petitioners have made the decision to file a documented site plan in this reclassification case and will be unable to have that plan prepared in time to introduce it at the hearing on September 8th. Therefore, the Petitioners are requesting additional time in which to have the plan prepared. The Petitioners would ask that a new hearing date not be scheduled until they have notified the Board that the documented site plan is ready for submission.

I appreciate your consideration of this request. If you have any questions regarding my request, please do not hesitate to give me a call.

Very truly yours,

Robert A. Hoffman /RAH

Robert A. Hoffman

RAH/e
TO1DOCS1/erl01/#87308 v1

8/23/99 - T/C to R. Hoffman re: open and continue on record 9/08.

R-99-409 /Bare Hills Assoc., et al; MIE Acquisition, Inc. - Petitioners

5/20/99 -Changes to Petition by Barbara Ormord per request of PDM (location, requested zoning, and addition of telephone number).

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7/22/99 -Conference call from PMZ and R. Hoffman - Bare Hills to be opened and continued on the record on scheduled hearing date of 9/08/99.

8/19/99 -Letter from R. Hoffman indicating request for continuance in this reclass petition (Petitioner to file documented site plan).

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8/23/99 - T/C to R. Hoffman to confirm that this case will be opened and continued on the record 9/08/99.

9/08/99 -Opened and continued on the record (Marks, Barranger, Worrall); to be reset for hearing upon request only.

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11/12/03 - Order of Dismissal of Petition to be issued; moot due to CZMP; file to be closed after period of 30 days from issuance of Order of Dismissal.

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VENABLE, BAETJER AND HOWARD, LLP
*Including professional corporations*

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

**Robert A. Hoffman**
**(410) 494-6262**

February 26, 1999

**HAND-DELIVERED**

Charles L. Marks, Chairman
County Board of Appeals for
Baltimore County
Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Petition for Reclassification - West Side of Falls Road, 600 Feet South of Hollins Road

Dear Mr. Marks:

Our client, MIE Acquisition, Inc. ("MIE") is the contract purchaser of a parcel of land located on the west side of Falls Road, 600 feet south of Hollins Road in Baltimore County as shown on the enclosed site plan. The property is currently split zoned MLR and DR 3.5. This property has been used for a rubble landfill for many years. Now, the landfill is full, and landfill operations are expected to cease. Our client proposes to purchase the property and to redevelop the site in the location of the landfill.

On behalf of MIE, we have filed a Petition for Reclassification requesting that the portion of the property formerly used for the rubble landfill, as indicated on the site plan, currently zoned MLR and DR 3.5 be rezoned to ML and MLR. MIE is requesting ML zoning to provide it with more flexible uses for redevelopment. MIE intends to demonstrate at the hearing before the County Board of Appeals that the Baltimore County Council made a mistake in retaining the current zoning on this property. Retaining residential zoning in the area formerly used for a rubble landfill is clearly an error. It is difficult to imagine housing being constructed on this site. The site is bordered on one side by I-83, and the only access to the site is through an existing industrial park. MIE intends to retain some DR 3.5 zoning on the property to the east and to rezone some to MLR to provide a buffer and transition area to any surrounding residential property.

R-99-409

VENABLE
ATTORNEYS AT LAW



For these and other reasons to be presented at the hearing, MIE, therefore, requests that the property be reclassified to a combination of DR 3.5, MLR, and ML.

Very truly yours,

Robert A. Hoffman

RAH/pam

cc: Mr. Edward St. John

TO1DOCS1/pam01/#79528 v1

**BALTIMORE COUNTY, MARYLAND**
Board of Appeals of Baltimore County
*Interoffice Correspondence*

DATE: February 6, 2004

TO: Timothy Kotroco, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILES**

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

| BOARD OF APPEALS CASE NUMBER | *PDM FILE NUMBER* | NAME | LOCATION |
|---|---|---|---|
| R-97-468 | *R-97-468 ITEM #4 CYCLE I 1997* | BALTIMORE HOMES, LTD | CARROLLO ISLAND ROAD / BOWLEYS QUARTERS ROAD |
| R-98-32 | *R-98-32 (OUT OF CYCLE)* | TITO, INC. | REAMS ROAD / BUTTONWOOD ROAD EXTENDED |
| R-99-409 | *R-99-409 CYCLE V 1999* | BARE HILLS ASSOCIATES AND CALLAHAN INVESTORS INC AND CALLAHAN FAMILY | FALLS ROAD / HOLLINS LANE |

Attachment: SUBJECT FILE(S) / EXHIBIT(S) ATTACHED;

BARE HILLS ASSOCIATES & CALLAHAN INVESTORS, INC. & CALLAHAN FAMILY LTD -Legal Owners; MIE ACQUISITION, INC. -CP
S/end Clarkview Rd, approximately 1250' S of Falls Rd; also W/s Falls Road, 600' S of Hollins Lane

R-99-409
Cycle V 1999
3rd Election District
2nd Councilmanic District

Reclassification: From M.L.R. & D.R. 3.5 to M.L.R. and M.L. /3.67 acres / Open Plan

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| | |
|---|---|
| February 26, 1999 | Petition for Reclassification filed by Robert A. Hoffman, Esquire, on behalf MIE Acquisition, Inc. /Petitioners. |

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| | |
|---|---|
| * Robert A. Hoffman, Esquire<br>VENABLE, BAETJER & HOWARD, LLP<br>210 Allegheny Avenue<br>Towson, MD 21204 | Counsel for Petitioner |
| MIE Acquisition, Inc.<br>By: Edward St. John, President<br>5720 Executive Drive<br>Baltimore, MD 21228-1789 | Petitioner /Contract Purchaser |
| Bare Hills Associates, Callahan Investors, Inc. & Callahan Family Ltd. Partnership<br>c/o Charlie Holub<br>500 West 29th Street<br>Baltimore, MD 21211 | Legal Owners |
| Matis Warfield, Inc.<br>6600 York Road, Suite 209<br>Baltimore, MD 21212 | Consulting Engineers |

James Earl Kraft
Baltimore County Board of Education
Mail Stop 1102-J

People's Counsel for
Baltimore County

Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr.
Docket Clerk /PDM
Arnold Jablon, Director /PDM

P.C. #1


**THE BARE HILLS COMMUNITY ASSOCIATION**

6222 Falls Road, Baltimore Maryland 21209

Marie Fischer Cooke, Esq.
President



RECEIVED
JUL 26 1999
PEOPLE'S COUNSEL


Baltimore County Planning Board
Office of Planning
401 Bosley Avenue
Towson, MD 21204

July 22, 1999

Dear Members of the Planning Board:

The rezoning of the 37-acre Potts and Callahan property next to to our historic community is of vital interest to us. We are not happy that this issue (R-99-409) came before you without our knowing about it. Had we been present at the hearing we would have spoken against the hasty re-zoning of a large portion of the tract, from DR zoning to ML -- prior to the submission of a detailed development plan.

It is our understanding that you will vote this week on this re-zoning request. As you have been presented with only an open site plan, we ask that you NOT grant the Bare Hills Associates their requested zoning reclassification since all sides have not had a chance to examine the effects of a specific, proposed development.

This significant zoning matter belongs in the Cycle Zoning process. Its impact will be considerable on the surrounding communities and it warrants careful study.

Very truly yours,

Marie Fischer Cooke, Esquire

cc: Kevin Kamenetz, Esq., 2nd District Councilman
Barry Truax, Ruxton-Riderwood-Lake Roland Area Improvement Association
Gladys Reed, Pleasant View Civic Association
Peter Max Zimmerman, Esq., Peoples Counsel

PC. # 2

The Pleasant View Civic Association
1415 Hardman Avenue
Baltimore, Maryland 21209

RECEIVED
JUL 26 1999
PEOPLE'S

Planning Board of Baltimore County
Baltimore County Office of Planning
New Courthouse
Towson, MD 21204
Re: R-99-409

July 21, 1999

Dear Member of the Planning Board:

We understand that you will vote Thursday on the zoning reclassifation request (to ML and MLR) submitted by Robert A. Hoffman, Esq. on behalf of the Bare Hills Associates. The majority of this ~~is~~ 37-acre tract is currently zoned DR 3.5, and forms the western border of our long-standing, stable, residential community.

We hope you agree that it would be premature to grant a drastic zoning change on so significant a property as this valuable Potts and Callahan tract without first examining a detailed development plan. Certainly it would be a mistake to agree to this rezoning request on the basis of the open site plan submitted. You, the county planners, and we in the affected communities next door all need to study carefully the proposed development's details - before it gets the go-ahead.

Please vote against the requested zoning change and see that this issue is removed as a Cycle V matter and taken up in the Four Year Cycle Zoning process, which begins next month.

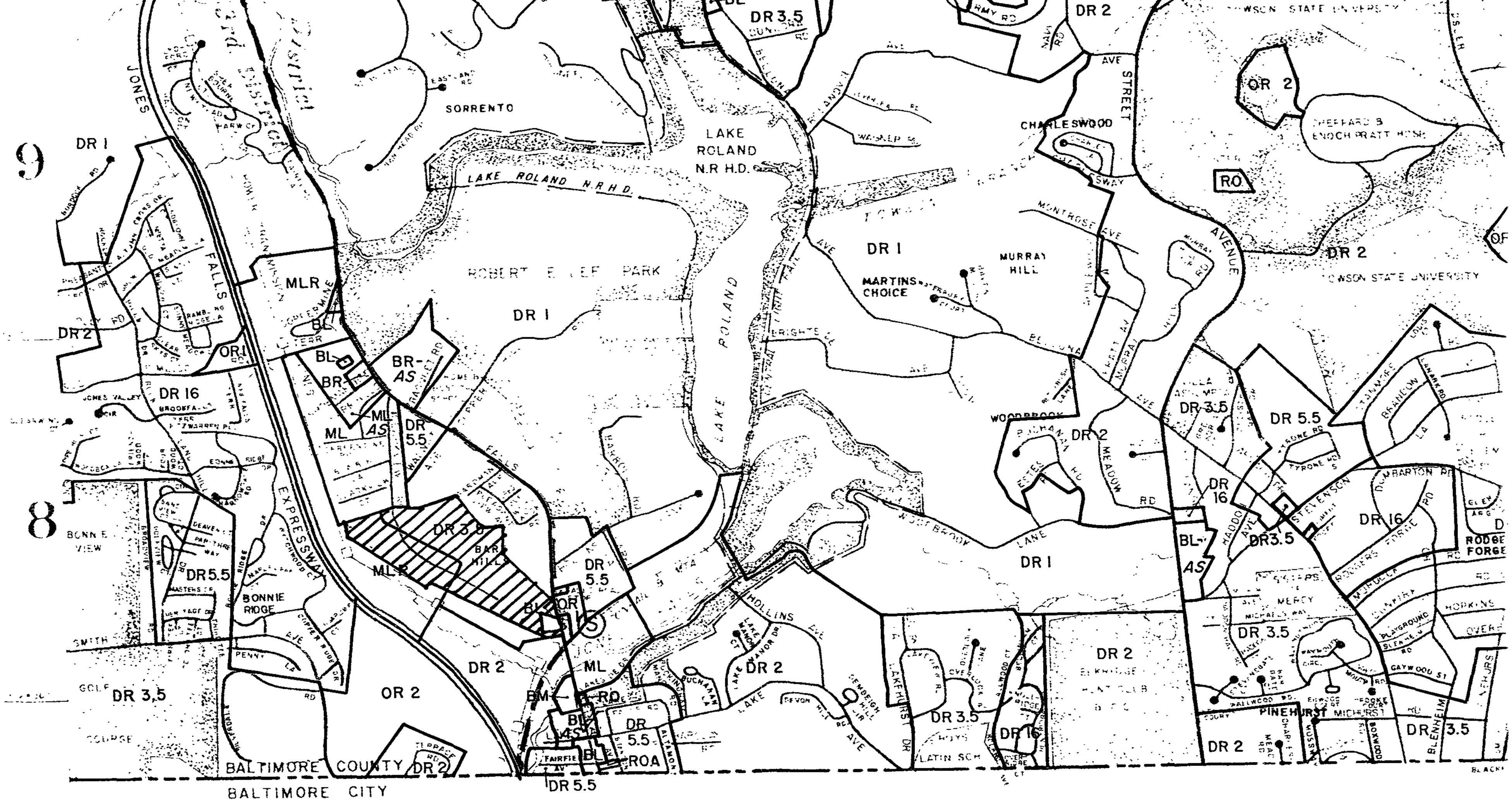
Thank you very much for your attention to this important issue.

Sincerely,

Gladys Reed

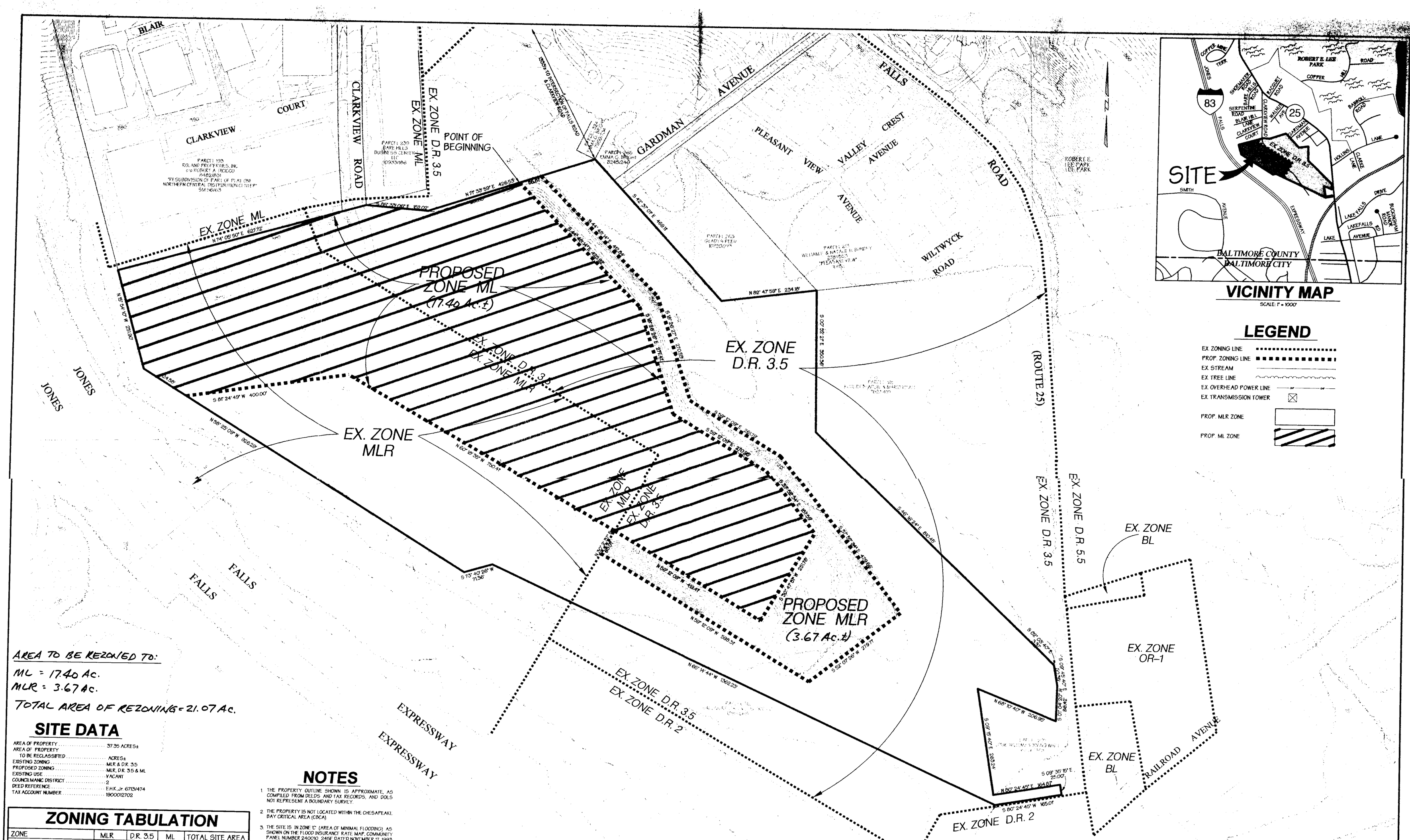
Gladys Reed
President

cc: Councilman Kevin Kamenetz
Peggy Squitieri, RRLRAIA
Sarah Lord, RRLRAIA
Bruce Boswell, RRLRAIA
Gail Stetten, The Falls Road Scenic Route Group
Marie F. Cooke, Esq. Bare Hills Community Association
Helga Morrow, Lake Roland Protective Association
David Green, District 2 Planner
Lenwood Johnson, Planning Office
Jeff Long, Planning Office




1000' ZONING MAP

3C







## VICINITY MAP

SCALE: 1" = 1000'

## LEGEND

- EX. ZONING LINE
- PROP. ZONING LINE
- EX. STREAM
- EX. TREE LINE
- EX. OVERHEAD POWER LINE
- EX. TRANSMISSION TOWER
- PROP. MLR ZONE
- PROP. ML ZONE

AREA TO BE REZONED TO:

ML = 17.40 Ac.

MLR = 3.67 Ac.

TOTAL AREA OF REZONING = 21.07 Ac.

## SITE DATA

| | |
|---|---|
| AREA OF PROPERTY | 37.35 ACRES± |
| AREA OF PROPERTY TO BE RECLASSIFIED | ACRES± |
| EXISTING ZONING | MLR & D.R. 3.5 |
| PROPOSED ZONING | MLR, D.R. 3.5 & ML |
| EXISTING USE | VACANT |
| COUNCILMANIC DISTRICT | 2 |
| DEED REFERENCE | E.H.K.Jr 6713/474 |
| TAX ACCOUNT NUMBER | 1900012702 |

## ZONING TABULATION

| ZONE | MLR | D.R. 3.5 | ML | TOTAL SITE AREA |
|---|---|---|---|---|
| EXISTING AREA | 13.60 | 23.75 | NONE | 37.35 ACRES |
| TOTAL PROP. AREA | 8.91 AC. | 11.04 | 17.40 | 37.35 ACRES |

## NOTES

1. THE PROPERTY OUTLINE SHOWN IS APPROXIMATE, AS COMPILED FROM DEEDS AND TAX RECORDS, AND DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE PROPERTY IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA (CBCA)
3. THE SITE IS IN ZONE "C" (AREA OF MINIMAL FLOODING) AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 240010 245F DATED NOVEMBER 17, 1993
4. THE SITE IS NOT WITHIN A MORATORIUM AREA NOR IS IT IN AN AREA WHERE FAILURE OF BASIC SERVICES MAP CURRENTLY EXISTS.

## PLAN

SCALE: 1" = 100'

R-99-409

FILENAME: 980749sheetzone.dgn

MATIS WARFIELD, INC.
CONSULTING ENGINEERS
6600 York Road, Suite 209
Baltimore, Maryland 21212
Phone: (410) 377-7596
Fax: (410) 377-7657

OWNER
Bare Hills Associates, Inc.
c/o Potts & Callahan, Inc.
500 West 29th Street
Baltimore, Maryland 21211

DEVELOPER
MIE PROPERTIES CO.
5720 Executive Drive
Baltimore, Maryland 21228 1789
(410) 788-0100

THIS PLAN IS INTENDED FOR ZONING PURPOSES ONLY AND IS NOT FOR USE IN THE CONVEYANCE OF LAND

UNDOCUMENTED PLAN TO ACCOMPANY RECLASSIFICATION PETITION
BARE HILLS

Election District 3
Tax Map 79
Scale: 1" = 100'

Baltimore County, Maryland
February 26, 1999
Sheet 1 of 1