IN THE MATTER OF THE APPLICATION OF THE KENT-MAR CORPORATION –L.O.; SIDNEY EMMER BUILDERS, INC. –C.P. FOR ZONING RECLASSIFICATION FROM M.L.-I.M. TO O.T. ON PROPERTY LOCATED ON NW/S PLEASANT HILL RD (366' REAR) & APPROXIMATELY 2000' NE DOLFIELD RD 4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT	* * * * * * * *	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Case No. CR-02-153 Cycle II, 2001/2002

* * * * * * * * *

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on a Petition for Reclassification filed by Robert A. Hoffman, Esquire, on behalf of Petitioners for zoning reclassification from M.L.-I.M. to OT on property located on the northwest side Pleasant Hill Road (366' rear) and approximately 2,000' northeast of Dolfield Road in the Fourth 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 April 10, 2002,

IT IS, THEREFORE, this 1st day of October, 2004, by the County Board of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. CR-02-153 be and the same is declared moot, and the Petition **DISMISSED.**

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence S. Wescott

Lawrence S. Wescott, 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

October 1, 2004

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

RE: *In the Matter of: The Kent-Mar Corporation –Legal Owner; Sidney Emmer Builders, Inc. – C.P.* / Case No. CR-02-153 / 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 /tks

Kathleen C. Bianco
Administrator

Enclosure

c: David Karceski, Esquire
Fred N. Parker, President
The Kent-Mar Corporation
Sidney Emmer, President
Sidney Emmer Builders, Inc.
D.S. Thaler & Assoc., Inc.
Carol Saffran-Brinks /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

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on Recycled Paper

Petition for Reclassification

to the Board of Appeals of Baltimore County

for the property located at West side of Pleasant Hill Road, South of Red Run Boulevard

which is presently zoned/districted ML-IM

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 ML-IM zone/district to a OT 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:

01 AUG 29 PM 3:07

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:

SIDNEY EMMER BUILDERS, INC.
Name - Type or Print

By: [signature]
Signature Sidney Emmer, President

1801 Falls Road (410) 685-5200
Address Telephone No.

Baltimore, MD 21201
City State Zip Code

Legal Owner(s):

THE KENT-MAR CORPORATION
Name - Type or Print

By: Fred N. Parker
Signature

Fred N. Parker, President
Name - Type or Print

Signature

200 West Vine St., Suite 8K (606) 254-8498
Address Telephone No.

Lexington, KY 40507
City State Zip Code

Attorney For Petitioner:

Robert A. Hoffman
Name - Type or Print

[signature]
Signature

Venable, Baetjer and Howard, LLP
Company

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

Towson, MD 21204
City State Zip Code

Representative to be Contacted:

Robert A. Hoffman
Name

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

Towson, MD 21204
City State Zip Code

REV 9/18/98

BR 8/29/01 OK to File

August 28, 2001

DESCRIPTION OF KENTMAR

(For the Purpose of the Zoning Re-classification Petition Only)

Beginning at a point within the right-of-way of Pleasant Hill Road, a 50 foot right-of-way, located approximately 1,950 linear feet north of the intersection of Pleasant Hill Road and Dolfield Road, thence in a northerly direction approximately 366 feet, thence running the following seven (7) courses and distances:

1. South 33°48'01" West 371.61 feet, more or less, to a point; thence,
2. South 70°11'23" West 278.12 feet, more or less, to a point; thence,
3. North 33°48'01" East 558.36 feet, more or less, to a point; thence
4. Northeasterly 17.61', more or less, by a curve to the left having a radius of 4,958 feet and a chord bearing North 33°54'08" East 17.61 feet more or less, to a point; thence,
5. North 79°27'23" East 27.34 feet, more or less, to a point; thence,
6. South 55°23'26" East 113.67 feet more or less, to a point; thence,
7. South 59°50'27" East 31.82 feet, more or less, to the point of beginning.

Containing 1.82 acres of land, more or less, located in the Fourth Election District of Baltimore County, Maryland.

STATE OF MARYLAND
BERNARD F. LINSENMEYER
No. 5073
REGISTERED
PROPERTY LINE SURVEYOR

H:\CORRESPONDENCE\PROJECTS\KENTMAR\DESCRIPTIONS\ZONING DESCRIPTION CS 1 82 ACRES 8 28 01 RTF

WCR

County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

December 6, 2001

NOTICE OF CONTINUANCE AND ASSIGNMENT FOR HEARING

CASE #: CR-02-153
(Cycle II, 2001)

IN THE MATTER OF: ***The Kent-Mar Corporation –Legal Owner;***
Sidney Emmer Builders, Inc. – CP W/s Pleasant Hill Road, South of Red Run Boulevard 4th Election District; 3rd Councilmanic District

Reclassification: From M.L.-I.M. to O-T as shown on Plan to Accompany Reclassification Petition DOCUMENTED SITE PLAN

This case will be opened and continued on the assigned hearing date of 3/14/02 at the request of Counsel for Petitioner due to schedule conflict; and is assigned for hearing on the merits on 4/23/02.

ASSIGNED FOR: **THURSDAY, MARCH 14, 2002 at 10:00 a.m. /Open & Continue on record**
TUESDAY, APRIL 23, 2002 at 10:00 a.m. / Hearing on the merits

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

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code. IMPORTANT: 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).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

c: Counsel for Petitioners : Robert A. Hoffman, Esquire
David Karceski, Esquire

Petitioner /Legal Owner : Fred N. Parker, President
The Kent-Mar Corporation

Petitioner /Contract Purchaser : Sidney Emmer, President
Sidney Emmer Builders, Inc.

D.S. Thaler & Assoc., Inc.

Robert J. Haines, 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
Arnold Jablon, Director /PDM

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on Recycled Paper

RE: PETITION FOR RECLASSIFICATION Pleasant Hill Road, W/S Pleasant Hill Rd, S of Red Run Boulevard 4th Election District, 3rd Councilmanic	*	BEFORE THE
	*	COUNTY BOARD OF APPEALS
	*	FOR
Legal Owner: The Kent-Mar Corporation Contract Purchaser: Sidney Emmer Builders, Inc. Petitioner(s)	*	BALTIMORE COUNTY
	*	Case No. CR-02-153

* * * * * * * * * * * * * *

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. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

01 DEC 20 PM 12:55

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of December, 2001 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN

County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 10, 2002

NOTICE OF POSTPONEMENT

CASE #: CR-02-153
(Cycle II, 2001)

IN THE MATTER OF: ***The Kent-Mar Corporation –Legal Owner;***
Sidney Emmer Builders, Inc. – CP W/s Pleasant Hill Road, South of Red Run Boulevard 4th Election District; 3rd Councilmanic District

Reclassification: From M.L.-I.M. to O-T as shown on Plan to Accompany
Reclassification Petition DOCUMENTED SITE PLAN

which was opened and continued on the record on 3/14/02 and scheduled to be heard on 4/23/02 has been POSTPOND at the request of Counsel for Petitioner; TO BE RESET FOR HEARING ONLY UPON REQUEST.

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

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code. IMPORTANT: 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).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

c: Counsel for Petitioners : Robert A. Hoffman, Esquire
David Karceski, Esquire

Petitioner /Legal Owner : Fred N. Parker, President
The Kent-Mar Corporation

Petitioner /Contract Purchaser : Sidney Emmer, President
Sidney Emmer Builders, Inc.

D.S. Thaler & Assoc., Inc.

Robert J. Haines, 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
Arnold Jablon, Director /PDM

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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 19, 2001

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: CR-02-153
Pleasant Hill Road
NW/S Pleasant Hill Road, (366' rear) and approximately 2,000' NE Dolfield Road
4th Election District – 3rd Councilmanic District
Legal Owner: The Kent-Mar Corporation
Contract Purchaser: Sidney Emmer, Builders Inc

Reclassification from ML – IM to OT

HEARING: Thursday, March 14, 2002 at 10:00 a.m. in Room 48 of the Old Courthouse, 400 Washington Avenue

Laurence S. Wescott

to be opened on March 14, 2002; pleadings on merits 4/23/02

Lawrence S. Wescott GDZ
Chairman

c: Robert A Hoffman, Venable Baetjer & Howard LLP, 210 Allegheny Avenue, Towson 21204
Fred N Parker, President, The Kent-Mar Corporation, 200 West Vine Street, Suite 8K, Lexington KY 40507
Sidney Emmer, President, Sidney Emmer Builders Inc, 1801 Falls Road, Baltimore 21201
Amy Dontell, Venable Baetjer & Howard LLP, 210 Allegheny Avenue, Towson 21204

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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RECLASSIFICATION SIGNS FOR CYCLE 2

Case Number: CR-02-153

Hearing Date: Thursday, March 14, 2002 at 10:00 a.m., Room 48, Old Courthouse, 400 Washington Avenue

Reclassification from ML - IM TO OT

Case Number: CR-02-154-A

Hearing Date: Thursday, March 21, 2002 at 10:00 a.m., Room 48, Old Courthouse, 400 Washington Avenue

Reclassification from D.R.3.5 to O-3
Variance to permit a 10-foot side and rear setback from any lot line in lieu of the required 20 feet or equal to the height of the building, whichever is greater.

LET CARL/GEORGE KNOW WHEN THE SIGNS ARE DONE.

11/20

A PUBLIC HEARING WILL BE HELD BY
THE COUNTY BOARD OF APPEALS
IN TOWSON, MD

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number: _____

Petitioner: The Kent-Mar Corporation

Address or Location: W/S Pleasant Hill Road, S Red Run Boulevard

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy Pontell

Address: 210 Allegheny Avenue
Towson MD 21204

Telephone Number: (410) 494-6200

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 26, 2002 Issue – Owings Mills Times

Please forward billing to:
Amy Dontell
Venable Baetjer & Howard LLP
210 Allegheny Avenue

410 494-6200

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: CR-02-153
Pleasant Hill Road
NW/S Pleasant Hill Road, (366' rear) and approximately 2,000' NE Dolfield Road
4th Election District – 3rd Councilmanic District
Legal Owner: The Kent-Mar Corporation
Contract Purchaser: Sidney Emmer, Builders Inc

Reclassification from ML – IM to OT

HEARING: Thursday, March 14, 2002 at 10:00 a.m. in Room 48 of the Old Courthouse, 400 Washington Avenue

Lawrence S. Wescott

Lawrence S. Wescott GDZ
Chairman

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

NEWSPAPER AD MUST BE HALF-PAGE AD.

PLEASE FORWARD A CONTACT POSITIVE PRINT TO ZONING REVIEW, PERMITS AND DEVELOPMENT MANAGEMENT (ATTENTION CARL RICHARDS/GEORGE ZAHNER).

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

RECLASSIFICATION SIGNS FOR CYCLE 2

Case Number: CR-02-153

Hearing Date: Thursday, March 14, 2002 at 10:00 a.m., Room 48, Old Courthouse, 400 Washington Avenue

Reclassification from ML - IM

Case Number: CR-02-154-A

Hearing Date: Thursday, March 21, 2002 at 10:00 a.m., Room 48, Old Courthouse, 400 Washington Avenue

Reclassification from D.R.3.5 to O-3
Variance to permit a 10-foot side and rear setback from any lot line in lieu of the required 20 feet or equal to the height of the building, which ever is greater.

LET CARL/GEORGE KNOW WHEN THE SIGNS ARE DONE.

11/20

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 5756

DATE 8/27/01 ACCOUNT 001-6181

AMOUNT $ 535.00

RECEIVED FROM: VOH LLP

FOR: Zoning Reclassification

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

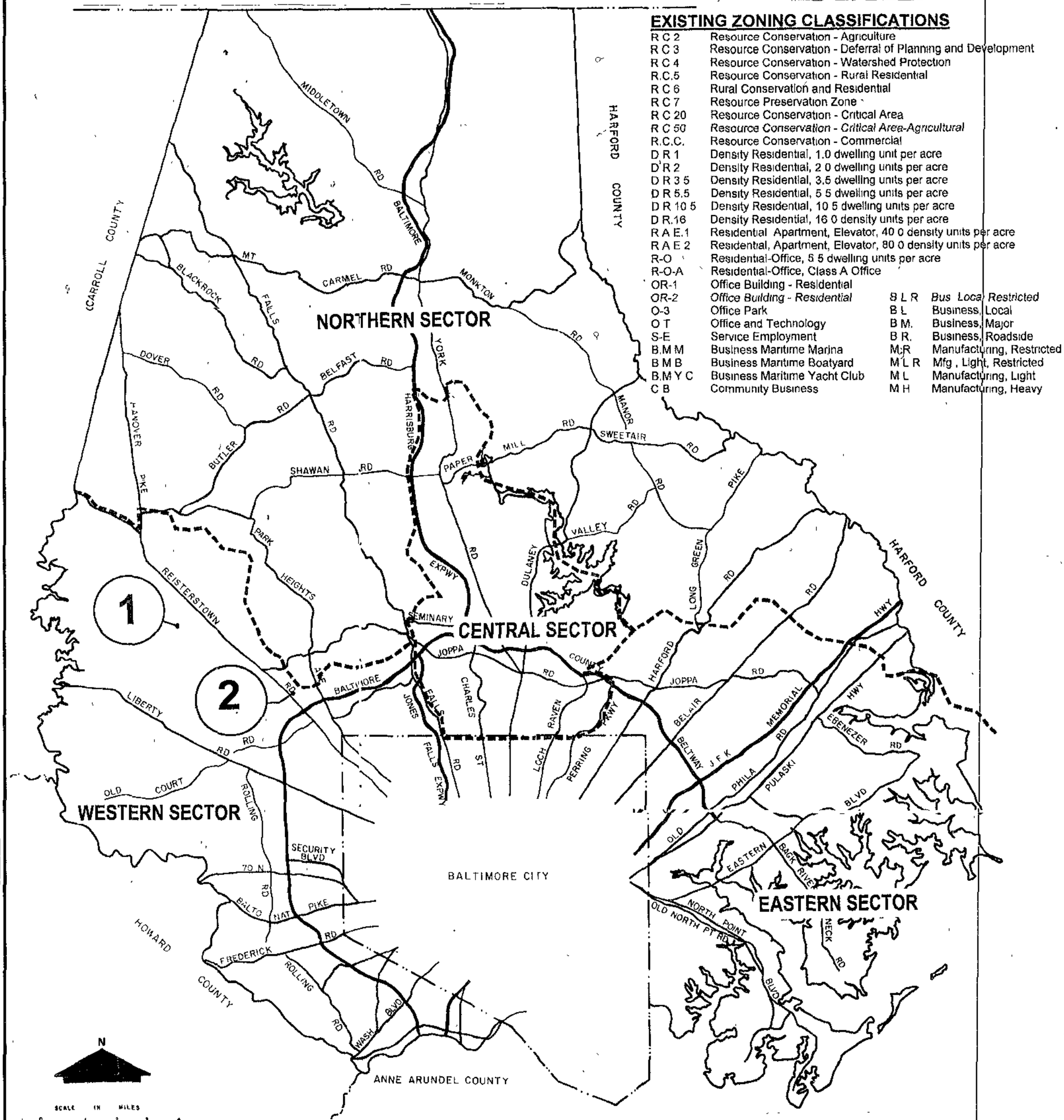
CR-02-153

#1

PAID RECEIPT
PAYMENT ACTION TIME
08/27/2001 0/29/2001 14:48:57
MISC CASHIER ARTHUR DRAWER 1
RECEIPT 8 08/27 OLD
PAID BY VOH LLP COUNTY COUNCIL ZONING FEE
ITEM 001756
PAYMENT TOTAL 535.00
CHECK TK 535.00
Baltimore County, Maryland

CASHIER'S VALIDATION

LOCATIONS OF PROPERTIES UNDER PETITION
CYCLE 2 - OCTOBER 2001 --- APRIL 2002



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW

C521029

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: #CR-02-153
Pleasant Hill Road
NW/S Pleasant Hill Road, (366' rear) and approximately 2,000' NE Dolfield Road
4th Election District
3rd Councilmanic District
Legal Owner(s): The Kent-Mar Corporation
Contract Purchaser: Sidney Emmer, Builders Inc.
Reclassification: from ML - IM to OT
Hearing: Thursday, March 14, 2002 at 10:00 a.m. in Room 48 of the Old Courthouse, 400 Washington Avenue.

LAWRENCE S. WESCOTT
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.
JT/O/2/776 Feb26 C522797

CERTIFICATE OF PUBLICATION

3/1, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/26/, 2002.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilson

LEGAL ADVERTISING

Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

November 26, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: The Kent-Mar Corporation

Location: DISTRIBUTION MEETING OF Oct 2001 - April 2002 Reclas.

Item No.: #1

Dear Ms. Stephens:

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.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: December 6, 2001

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 2001 – April 2002
Zoning Reclassification
Cycle 2
Item No. 1
The Kent-Mar Corporation
Case No. CR-02-153

The Bureau of Development Plans Review has reviewed the subject-zoning item.

The developer's engineer shall comply with the Baltimore County Development Regulations adopted February 1992.

RWB:HJO:jrb

cc: File

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

DATE: November 30, 2004

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

FROM: Theresa R. Shelton TRS
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
03-609-A	*03-609-A*	JAMES AND JOELLEN TRADER	201 ELIZABETH AVENUE
CR-02-153	*CR-02-153 CYCLE II 2001/2002 ITEM #1*	THE KENT-MAR CORPORATION	RECLASS PLEASANT HILL ROAD
02-533-SPH	*02-533-SPH*	MIMIBA LLC WILLIAM MITCHERLING	3 THELMA STREET

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

Case No. CR-02-153

THE KENT-MAR CORPORATION –
Legal Owner
Sidney Emmer Builders, Inc. – CP

Item #1, Cycle II, 2001/2002

Reclassification from M.L.-I.M. to OT
DOCUMENTED SITE PLAN

1.82 acres

Notice of Zoning Reclassification Hearing to be sent to parties by PDM; hearing scheduled for Thursday, March 14, 2002 at 10:00 a.m.

12/06/01 - Letter from David H. Karceski, Esquire, VENABLE, writing on behalf of R. Hoffman, Counsel for Petitioners – requesting postponement of 3/14/02 date. To confirm earlier conversation that this matter is to be opened and continued on date as advertised and reassigned to April 2002 date for hearing on merits.
-- Notice of Continuance and Assignment for Hearing sent to parties this date; to be opened and continued on 3/14/02; hearing on the merits assigned for Tuesday, April 23, 2002 at 10:00 a.m.

3/14/02 – Board convened for hearing as scheduled (Wescott and Barranger); opened and continued on the record; to be heard on the merits on Tuesday, April 23, 2002 at 10:00 a.m. as assigned; notice has been sent.

4/08/02 – Letter from Counsel for Petitioner requesting postponement of this matter; pursuing alternate relief; to be reassigned for hearing only upon request.

4/10/02 – Notice of Postponement sent to parties; pulled from 4/23/02 date; to be reassigned for hearing only upon request of any party to this case.

9/17/04 – Order of Dismissal prepared for signature; 2004 Maps adopted; this matter is now moot. Petition to be dismissed and file closed.

County Board of Appeals of Baltimore County

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

to be dismissed as moot due to 2004 CZM.

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 10, 2002

NOTICE OF POSTPONEMENT

CASE #: CR-02-153
(Cycle II, 2001)

IN THE MATTER OF: ***The Kent-Mar Corporation –Legal Owner;***
Sidney Emmer Builders, Inc. – CP W/s Pleasant Hill Road, South of Red Run Boulevard 4th Election District; 3rd Councilmanic District

Reclassification: From M.L.-I.M. to O-T as shown on Plan to Accompany Reclassification Petition DOCUMENTED SITE PLAN

which was opened and continued on the record on 3/14/02 and scheduled to be heard on 4/23/02 has been POSTPOND at the request of Counsel for Petitioner; TO BE RESET FOR HEARING ONLY UPON REQUEST.

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

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code. IMPORTANT: 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).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

c: Counsel for Petitioners : Robert A. Hoffman, Esquire
David Karceski, Esquire
Petitioner /Legal Owner : Fred N. Parker, President
The Kent-Mar Corporation
Petitioner /Contract Purchaser : Sidney Emmer, President
Sidney Emmer Builders, Inc.
D.S. Thaler & Assoc., Inc.

Robert J. Haines, 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
Arnold Jablon, Director /PDM

Printed with Soybean Ink
on Recycled Paper

CR-02-753

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

ZONING RECLASSIFICATION PETITIONS

Cycle II, 2001

November 30, 2001

ZONING RECLASSIFICATION PETITIONS

Cycle II, 2001

Report by the Baltimore County
Office of Planning

to the

Baltimore County Planning Board

November 30, 2001

Baltimore County
Office of Planning
Towson, Maryland

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Baltimore County
Office of Planning

401 Bosley Avenue - Ste 406
Towson, Maryland 21204
410-887-3211
Fax: 410-887-5862
E-mail: planning@co.ba.md.us

TO: Members
Baltimore County Planning Board

DATE: November 30, 2001

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

In the current cycle, the Baltimore County Board of Appeals accepted two 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 January 3, 2002, and to make final recommendations on January 17, 2002. The Planning Board's report must be submitted to the Baltimore County Board of Appeals no later than January 31, 2002.

The Board of Appeals has tentatively scheduled hearing dates on these petitions and will advertise these hearings as required. Hearings are set to take place on March 14, 2002 (Item No.1) and March 21, 2002 (Item No. 2).

Pat Keller

Arnold F. 'Pat' Keller, III

AFK: JL:kma
Attachment

W:\DEVREV\Jeff\cycleoneletter.doc

Printed with Soybean Ink
on Recycled Paper

PETITIONS FOR RECLASSIFICATION
CYCLE II, 2001

Assigned Hearing Dates
County Board of Appeals

Case No. CR 02-153
The Kent-Mar Corporation (legal owner), and Sidney Emmer Builders, Inc. (contract purchaser)
NW/S Pleasant Hill Road, approximately 2,000 feet NE of Dolfield Road
Thursday, March 14, 2002 at 10:00 a.m.

Case No. CR –02-154-A
Betty Kreuzburg
8919 Reisterstown Road
Thursday, March 21, 2002 at 10:00 a.m.

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 10, 2000;
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.

CASE NO:
CR-02-153

PETITIONER:
The Kent-Mar Corporation (legal owner), Sidney Emmer Builders, Inc. (contract purchaser)

REQUESTED ACTION:
Reclassification to OT (Office, Technology)

EXISTING ZONING:
ML-IM (Manufacturing, Light-Industrial, Major)

LOCATION:
Northwest side of Pleasant Hill Road, approximately 2,000 feet northeast of Dolfield Road

AREA OF SITE:
1.82 acres

ZONING OF ADJACENT PROPERTY/USE:

North:	ML-IM	Public Utility
South:	OT	Residential
East:	OT	Office
West:	ML-IM	Undeveloped

SITE DESCRIPTION:
The 1.82-acre parcel of land subject to the reclassification petition consists of a fallow field. The subject parcel is part of an overall 120.2-acre site, which received Development Plan approval on April 25, 2001 for 208 multi-family units and 108,000 square feet of office/commercial space. The overall parcel consists of existing meadow, cultivated land, and wetlands. There is a single-family, detached dwelling and several associated accessory structures located on site. A representative of the contract purchaser indicated these structures are to be razed within the near future.

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

TRAFFIC AND ROADS:
The subject reclassification request, if granted, would adjust the ML-IM / OT zoning line to the southern boundary of a future public road that bisects the property. This road would provide a connection between Pleasant Hill Road and the proposed extension of Dolfield Boulevard, both of which are classified as minor arterials.

Based upon the analysis conducted and information provided, the Office of Planning supports the applicant's request provided the following conditions are met:

1. Provide building elevations including information regarding exterior materials for the four residential structures to the Office of Planning for review and approval prior to the issuance of a building permit.
2. The entranceway to the residential building group which is located at the south terminus of Road A will include an increased green space area that will consist of a landscape/street furniture feature.
3. A bus stop that will include brick end walls, roof and plank seat will be provided at the intersection of proposed Dolfield Road and Public Road E.
4. The intersection of Road A and Public Road E will include a rotary/round about feature to manage (calm) traffic as well as assist in traffic movement.

CASE NO:
CR-02-154-A

PETITIONER:
Betty Kreuzburg

REQUESTED ACTION:
Reclassification to O-3 (Office Park) and a Petition for Variance to permit a 10-foot side and rear setback from any lot line in lieu of the required 20 feet or equal to the height of the building, whichever is greater.

EXISTING ZONING:
DR 3.5

LOCATION:
8919 Reisterstown Road

AREA OF SITE:
.63 acres

ZONING OF ADJACENT PROPERTY/USE:

North:	DR 3.5	Residential
South:	DR 3.5	Residential, Assisted Living Facility
East:	DR 3.5	Residential
West	OR-1	Residential

SITE DESCRIPTION:
The site is located on the east side of Reisterstown Road and is approximately .63 acres in size. The property is currently improved with a 1,830 square foot, two-story residential structure. This historic dwelling built in the late 1700s, known as the "Wright House," was placed on the Preliminary Landmarks List at the June 2001 meeting of the Landmarks Preservation Commission. Future use of the property will be referred to the Landmarks Preservation Commission for advisory review at the appropriate stage in the development process.

WATER AND SEWERAGE:
The site is served by public water and sewer and is designated as W-1, S-1 (existing service area) according to the Master Water and Sewer Plan. A private sewage disposal system, however, is indicated on the documented site plan.

TRAFFIC AND ROADS:
The site has direct access to Reisterstown Road, which is designated as a principal arterial.

August 29, 2001

ENVIRONMENTAL IMPACT STATEMENT TO ACCOMPANY ZONING RECLASSIFICATION PETITION

RE: Kentmar Residential

SECTION I

The purpose of this document is to discuss the possible environmental effects of proposed changes to the approved Development Plan for the referenced property following a zoning reclassification as indicated on the accompanying Documented Site Plan.

The area delineated for reclassification comprises approximately 1.82 net acres, more or less, of an overall 120.2 acre site. A Development Plan for the overall site was approved on April 25, 2001, (PDM # IV-563), with 208 multi-family units and 108,000 square feet of office/commercial space. The Documented Site Plan adds 32 residential units and deletes 20,000 square feet of office/commercial space.

This report will focus only on the changes within the site boundary delineated for reclassification. The chart in Section IV details physical changes in terms of pervious and impervious surfaces.

SECTION II

The subject site is located north of the intersection of Dolfield Road and Pleasant Hill Road in the Owings Mills area of Baltimore County. The 1.82 acre, more or less, site is currently zoned ML-IM.

The site consists of a fallow field. There are no known environmentally sensitive areas on this portion of the site. No adverse environmental impacts are anticipated as a result of the requested reclassification.

No portion of the 1.82 acre± site falls within a 100-year floodplain or Critical Area, nor are there any streams or tidal waters within established limits of proximity. There are no steep slopes or mapped hydric soils on site. The nearest non-tidal wetlands are approximately 350 feet away.

SECTION III

The proposed development of the site includes stacked two-story townhouses with interior garages, private parking pads and bay parking for 20 cars. This is the same product slated for the area surrounding this site. In addition, sidewalks, paths, landscaping and screening are also provided. Stormwater management for the site is included in plans for the overall 120.2 acre± site, about 800 feet west of the area under consideration for reclassification.

No adverse effects are anticipated as a result of the reclassification of this site. On the contrary: Section IV includes a table comparing the area of impervious surface with the Documented Site Plan verses the approved Development Plan. Without the reclassification, the office/warehouse use already approved typically requires more intensive development as verified by the chart. The residential use is a reduced impact.

SECTION IV

The following chart details site conditions as related to use according to:

(a) the current approved Development Plan

(b) proposed conditions resulting from the requested zoning reclassification, per the Documented Site Plan.

Note that this chart only reflects quantities within the 1.82 acres to be reclassified.

USE	(a) APPROVED DEVELOPMENT PLAN		(b) WITH PROPOSED RECLASSIFICATION	
	Acres±	%	Acres±	%
Area of Site	1.82	100.00	1.82	100.00
Pervious Surfaces	0.68	37.36	1.0	54.95
Impervious Surfaces				
Buildings & Walks	0.31	17.03	0.48	26.37
Roads, Parking & Driveways	0.83	45.61	0.34	18.68
TOTAL IMPERVIOUS	**1.14**	**62.64**	**0.82**	**45.05**

The foregoing chart reflects a decrease in impervious surface that will occur with the re-classification of the subject area. Therefore, increased areas of landscaping and grass will be provided with property developed according to the Documented Site Plan. This will result in increased recharge of surface runoff as well as other microclimatic benefits.

SECTION V

Sediment control devices will be installed and maintained during construction. Disturbed areas will be re-vegetated as required by Soil Conservation District standards. Runoff volume and timing, non-point pollutant loadings and the biological integrity of the receiving waters can thereby be controlled to the extent possible.

In addition, landscape planting is proposed to mitigate the audible, visual and micro-climatic effects of the parking areas. A planting buffer of evergreen shrubs will line the perimeter along with an over-head canopy of shade trees. The trees and the building will provide shade to ameliorate the effect of the sun on the paving and the trees and shrubs will provide a visual and noise buffer between buildings, parking and adjacent (proposed) Dolfield Boulevard.

By:

ALAN E. SCOLL

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 29, 2001

HAND-DELIVERED

Lawrence S. Wescott, Chairman
County Board of Appeals for
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Petition for Reclassification
Property: 1.82 acres (a portion of Lot 1 of Kentmar)
Location: W/S Pleasant Hill Road, S Red Run Boulevard
Owner: The Kent-Mar Corporation
4th Election District; 3rd Councilmanic District

Dear Mr. Wescott:

This firm represents The Kent-Mar Corporation, legal owner, and Sidney Emmer Builders, Inc., contract purchaser (collectively "Petitioners"), with respect to the above-referenced zoning reclassification request for property located on the west side of Pleasant Hill Road, south of Red Run Boulevard. The subject property, approximately 1.82 acres of Lot 1 of a development known as Kentmar, is presently zoned ML-IM (Manufacturing, Light – Industrial, Major). Petitioners are requesting that this 1.82 acre piece of ML-IM zoned land be rezoned to OT (Office and Technology). This zoning reclassification would adjust the zoning line to the southern boundary of a future public road bisecting the property, which will connect the proposed extension of Dolfield Boulevard and Pleasant Hill Road. The purpose of this letter is to set forth the reasons why the requested reclassification should be granted.

The Kentmar development is a mixed use project on approximately 40.5 acres zoned DR 10.5 (Density Residential, 10.5 dwelling units per acre), ML-IM (Manufacturing, Light – Industrial, Major), and OT (Office and Technology). As shown

CR-02-153

on the Concept Plan, reviewed by Baltimore County at a Concept Plan Conference on October 2, 2000, the Kentmar project was originally proposed to be a mixture of a 192 unit multi-family residential complex, 63,300 square feet of office/commercial space, and a 150 room hotel. The Concept Plan for the project showed a private driveway into the development off of proposed Dolfield Road to serve only the development. This private driveway was not proposed as a connection from Dolfield Boulevard to Pleasant Hill Drive. This Concept Plan was being reviewed by Baltimore County at the time the Baltimore County Council voted on the 2000 Baltimore County Comprehensive Zoning Maps.

Since adoption of the 2000 Comprehensive Zoning Maps, Petitioners, at the request of a neighboring property owner, have had a Development Plan approved in which the main access into the Kentmar site has been relocated to the north. Rather than a private driveway serving only the site, Petitioners now propose this access as a public road connecting Dolfield Boulevard and Pleasant Hill Road. Petitioners believe that the public connection to Pleasant Hill Road through the development would better serve the proposed office and commercial developments in the area. As is evident from the Development Plan, the proposed public road, however, acts to physically separate the proposed residential component of the Kentmar Development from the office/commercial component. The zoning, though, as adopted on the 2000 Comprehensive Zoning Maps, essentially dictates that a portion of the office/commercial development be located on the residential side of the road. Petitioners believe that, because of these events, which occurred subsequent to the Baltimore County Council's vote on the 2000 Comprehensive Zoning Maps, the Council's assumptions or premises have proven to be incorrect and their decision to retain the existing zoning was in error.

At the hearing before the County Board of Appeals, Petitioners will present evidence demonstrating its entitlement to the requested reclassification and will present evidence regarding each of the factors outlined in Section 2-356(j)(2) of the Baltimore County Code to prove error. For the reasons stated in this letter and for other reasons as may be presented at the hearing before the County Board of Appeals, it is respectfully submitted that the zoning on the property in its present configuration is in error and the 1.82 acre piece should be reclassified from ML-IM to OT.

VENABLE
ATTORNEYS AT LAW

Very truly yours,

Robert A. Hoffman

RAH/pam

cc: Mr. Sidney Emmer
Mr. Fred N. Parker

TO1DOCS1/121364 v1

VENABLE, BAETJER AND HOWARD, LLP
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Post Office Box 5517
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www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
(410) 494-6285

dhkarceski@venable.com

December 5, 2001

HAND-DELIVERED

Kathleen C. Bianco, Administrator
County Board of Appeals
for Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Case Number: CR-02-153

Dear Ms. Bianco:

I am writing on behalf of Robert Hoffman to request a postponement of the above-captioned hearing scheduled for Thursday, March 14, 2002, at 10:00 a.m. Mr. Hoffman will be on vacation March 9, 2002, through March 17, 2002. Therefore, it is respectfully requested that the hearing be postponed to a later date.

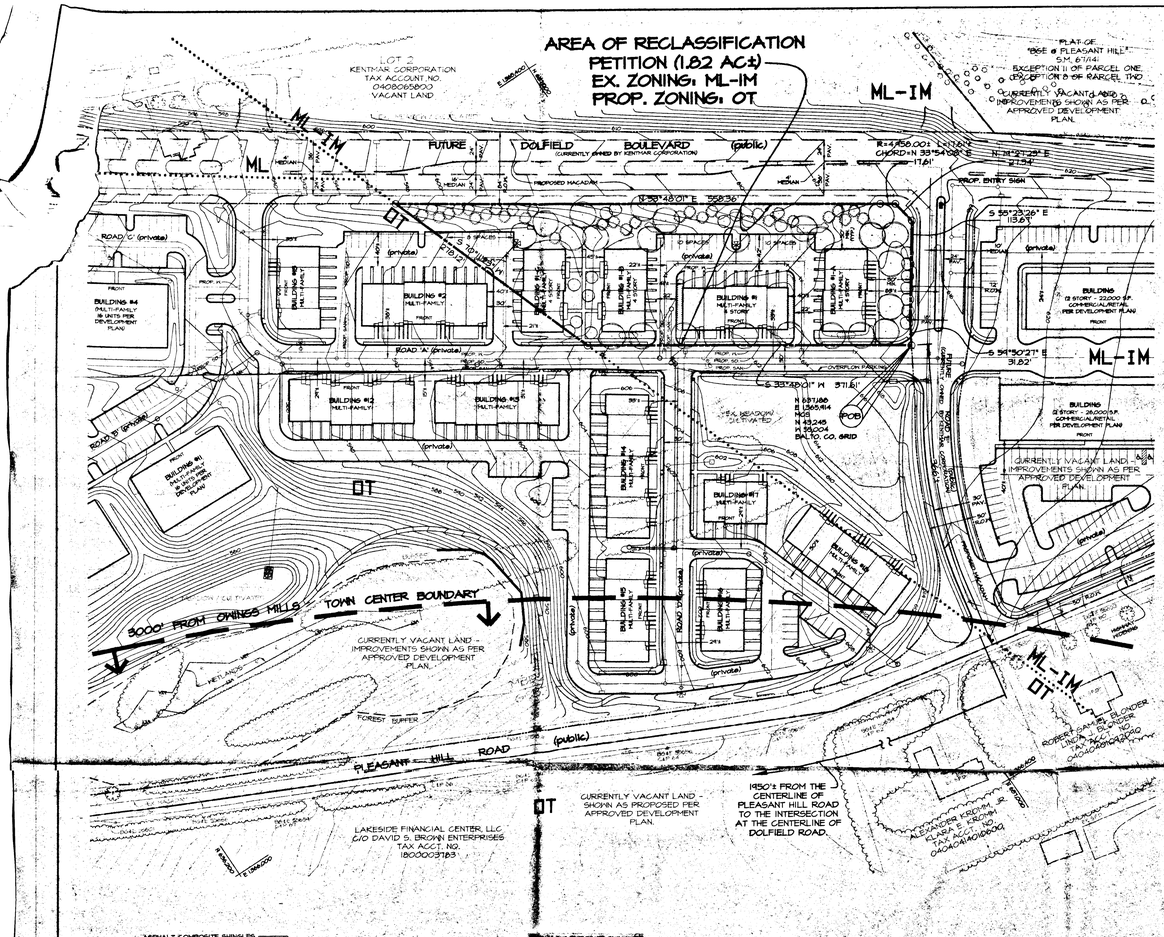
Thank you for your consideration.

Sincerely,

David H. Karceski

DHK/bl
cc: Sidney Emmer, President
Fred N. Parker, President
Alan E. Scoll, RLA
Robert A. Hoffman, Esquire
TO1DOCS1/DHK01/#127855 v1

01 DEC -6 PM 1:56



GENERAL NOTES:

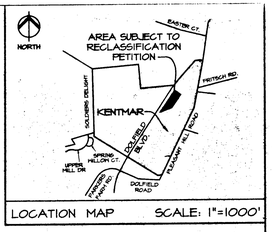
1. DEVELOPMENT NAME: Kentmar
   APPLICANT: Sidney Emmer Builders
   1801 Falls Road
   Baltimore, MD 21201
   410.685.5200
   Attn: Sidney Emmer
2. OWNER: Kent-Mar Corporation
   Suite A-4
   200 N. Vine
   Lexington, KY 40507-1915
3. PLAN PREPARED BY: D.S. Thaler & Associates, Inc.
   118 Ambassador Road
   P.O. Box 41428
   Baltimore, MD 21244-1428
   (410) 444-8647
   ATTN: Alan E. Scott, R.L.A.
4. PROPERTY REFERENCE:

Parcel	Tax Account No.	Deed	Tax Map	Grid	ADC-Map
p/o p. 166	04.06.08.5800	4447/368	51	24	24-C8

   Existing Conditions: per the Development Plan Prepared by Daft, Mcune, and Walker, Inc. 7/4/00
   Zoning: Baltimore County 200 Scale Zoning Map (2000) NW 1J
5. GENERAL DATA:
   Election District: 4th — Hoberman: 28
   Census Tracts: 4040 — Schwemmer: 66
   Councilmanic District: 5th
6. SITE INFORMATION:
   A. Acreage: 1.82 AC±
   B. Zoning:
   Existing: 1.82 AC± @ ML-IM
   Proposed: 1.82 AC± @ OT
   C. Density Proposed: .52 units
   D. Parking:
   Required: 2 Spaces per unit plus 25% guest parking
   Proposed: 2 Spaces per unit plus 25% guest parking
   E. Open Space:
   Required: Minimum area devoted to amenity open space = 25% of net lot area =
   1.82 ± 25% = 0.46 AC±
   Proposed: Open space is provided on the remainder of the Kentmar development in accordance with 204.4.F (BCZR) and the Baltimore County Local Open Space Manual.
   F. Landscape requirements as specified in the Baltimore County Landscape Manual, adopted October 1, 1992.
   Note: Schematic Landscape Plan shown is preliminary in nature and is to show compliance with the Baltimore County Landscape Manual. The Schematic Landscape Plan is subject to a Final Landscape Plan.
   1 Planting Unit (PU) = 1 major deciduous tree (3-2½" ø)
   2 minor deciduous trees, or
   2 evergreen trees (6' ht.)
   5 shrubs or
   500 S.F. of ground cover or
   10 herbaceous/perennial (1 gal.)* or
   20 herbaceous/perennial (liner)*
   *to meet Class D screening requirements only.
   1) Street Frontage
   (Condition A)
   Adjacent Road = 1073 LF/ 40 = 26.7 PU
   1 PU/40 LF.
   2) Parking Lot
   (Condition B)
   Adjacent to public right-of-way @ 150 LF/ 15 = 10 PU
   Class D
   1 PU/5 LF. of perimeter
   Interior landscape (7% of parking lot)
   1 PU/2 spaces (residential) x 20 spaces = 16 PU
   Islands/median = 4' minimum width
   3) Side & Rear Yards
   (Condition H)
   Adjacent to public right-of-way @ 150 LF/ 15 = 30.8 PU
   Class D
   1 PU/5 LF. of perimeter
   Total Required: 60.4 PU — Total Proposed: 60.4 PU
7. UTILITIES: Public water and sewer will be provided.
8. USE: The existing use is vacant.
   The proposed use is residential.
   Hours of operation: 24 hours/day, seven days/week.
   Maximum number of employees: 1 manager, 1 number of people each as groundskeepers, maintenance personnel, potential onsite managers also may be provided for.
   Maximum levels of emissions (including sound and other vibrations, dust, odors, gases, light, and heat) will be consistent with that which may be expected to be produced by the residents, management, and maintenance staff of a residential complex.
   Where applicable, the performance standards of Section 307.1 (BCZR) will be met.
9. EXISTING: There are no known critical areas, archaeological sites, endangered species, or hazardous materials* on the site. The site does not lie within the limits of the Chesapeake Bay Critical Area.
   *As known to the applicant, location and description of hazardous materials as defined by section 7-101 of the environmental article of the annotated code of Maryland, as from time to time amended.
10. ROADS: Drives and parking areas are private.
11. AVERAGE DAILY TRIPS (ADTS): Average daily trips as calculated from the Baltimore County Comprehensive Manual of Development Policy (CDMP)
    Average Daily Trips = .52 units x 8.5/unit = 2.72 ADTS
12. FLOODPLAIN: There are no 100-year flood plains on or affecting the area of the reclassification petition.

GENERAL NOTES (continued):

13. STORMWATER MANAGEMENT: Stormwater management will conform to Baltimore County Standards.
14. STORAGE TANKS: There are no known underground storage tanks on site.
15. Fire protection will be provided by the Baltimore County Fire Department. The hydrant shown on the plan has three hard inlets since it's (including the hydrant on the lower part of the grant area of this property as shown on the plan has been utilized, relocated or represented as density or area for any off-site dwellings.
16. Dolfield Boulevard and Road 'B' are fee-simple public roads. Other proposed roads shown are private. All roads will be paved with macadam.
17. All parking areas and maneuvering areas will be paved with macadam and permanently striped.
18. Future signs shall conform with BCZR Section 450 and all zoning policies. No signs are proposed within the reclassification area.
19. Building footprints shown are for illustrative purposes only and may not represent the actual foundation plan. Elevations are schematic representations by the architect.
20. "Envelopes shown hereon are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with Section 400 and 301 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits)."
21. Maximum building height is 60 feet. Minimum building height is 30 feet.
22. There are no Areas of Critical State Concern on-site.
23. There is no building, property or site within or contiguous to the proposed development included on the Maryland Historical Trust Inventory of Historic Properties, the Baltimore County Inventory of Historic Properties List, the National Register of Historic Places, the Maryland Archaeological Survey, or identification of any Baltimore County Historic District, or National Register District covering the proposed development.
24. Site History:
    2-21-01: DEVELOPMENT PLAN APPROVED (CASE #IV-563)
    4-04-01: DEPARTMENT OF APPEALS DISMISSED (CASE #CBA-01-112/PDM IV-563)
    4-26-01: DEVELOPMENT PLAN SIGNED
    5-2-01: DRC APPROVED (DRC # CBC/OPP) A REFINEMENT TO THE APPROVED DEVELOPMENT PLAN.
25. The area of the reclassification petition does not lie within a nonattainment area or in an area where failure of the basic services maps currently exists per Section 4A02 (BCZR).
26. Water for fire protection will be provided in accordance with the Fire Department Regulations.



LOCATION MAP SCALE: 1"=1000'

ORDER OF DISMISSAL
CASE #CBA-01-112/PDM IV-563

IN THE MATTER OF
KENTMAR CORPORATION
SIDNEY EMMER BUILDER
APPLICANT / LEGAL OWNER
LAKESIDE FINANCIAL CENTER, LLC
AFFIDAVIT OF MAILING
1ST ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

BEFORE THE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY

RE: DEVELOPMENT PLAN APPROVAL
(FILE NO. IV-563)

CASE NO. CBA-01-112

ORDER OF DISMISSAL

This matter comes to the Board on appeal filed by Dean C. LaFrondes, Esquire, on behalf of Lakeside Financial Center, LLC, Appellant, from the February 21, 2001 decision of the Hearing Officer/Deputy Zoning Commissioner in which the subject Development Plan was approved, subject to, inter alia, conditions.

WHEREAS, the Board is in receipt of a notice of withdrawal of appeal, dated March 27, 2001 by Dean C. LaFrondes, Esquire, Counsel for Lakeside Financial Center, LLC, Appellant (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel on behalf of Appellant requests that the appeal within to this matter be withdrawn and dismissed as of March 26, 2001.

IT IS ORDERED this 4th day of April, 2001 by the County Board of Appeals of Baltimore County that the appeal filed in the matter be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence S. Wescott, Chairman

Margaret Worrell

Lisa Bontrager

DEVELOPMENT PLAN ORDER
CASE #IV-563

THEREFORE, IT IS ORDERED by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 21st day of February, 2001, that the Development Plan submitted into evidence as Developer's Exhibit No. 1, be and it is hereby APPROVED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Developer shall be required to submit elevation drawings of the buildings to be constructed on this property to the Office of Planning for review and approval. The Developer has agreed that Mr. Jeffrey Long, a representative of the Office of Planning, shall have the approving authority for said elevation drawings.
2. The Developer shall be required to obtain a forest buffer variance for the project prior to the Development Plan being signed by the project manager.

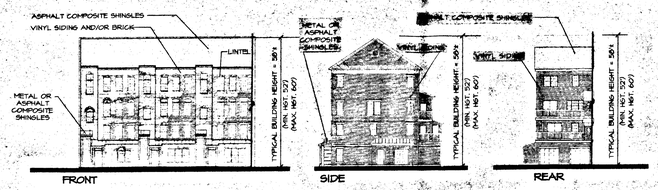
IT IS FURTHER ORDERED, that the Developer shall be required to clear the front normal way of the buildings shown on this development in the event they choose to sell a particular building or cluster of buildings in the future. This may be done without the need for a future hearing officer's hearing, but may, however, require DRC approval.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.

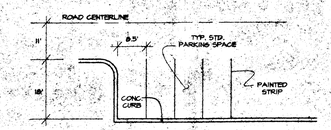
TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

DOCUMENTED PLAN TO ACCOMPANY RECLASSIFICATION PETITION

KENTMAR

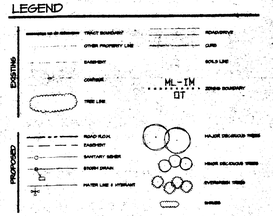


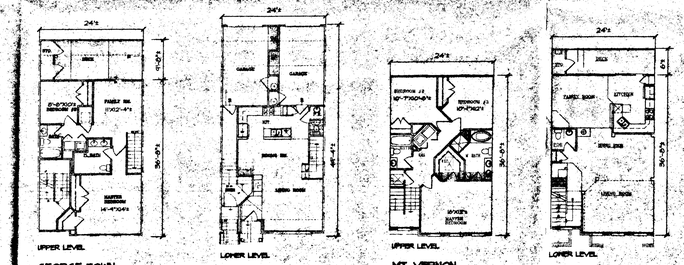
SCHEMATIC BUILDING ELEVATIONS
SCALE: 1" = 20'



PARKING DETAIL
N.T.S.

LEGEND





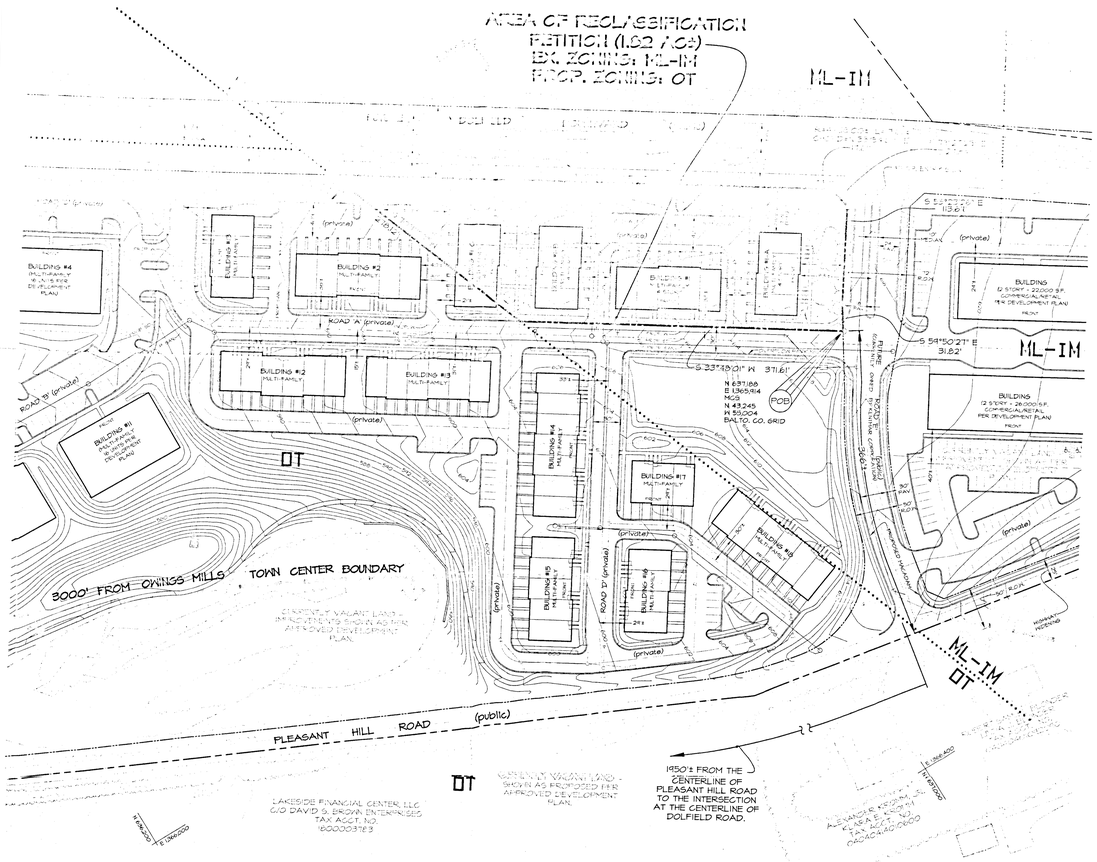
SCHEMATIC FLOOR PLANS
SCALE: 1" = 10'

North

Scale: 1"=50'

PROJECT NAME: KENTMAR PLAN TITLE: DOCUMENTED PLAN TO ACCOMPANY ZONING RECLASSIFICATION PETITION COUNCILMANIC DIST.: 5 ELECTION DIST.: (4)	REVISIONS:
APPLICANT: SIDNEY EMMER BUILDERS 1801 FALLS ROAD BALTIMORE, MD 21201 (410) 685-5200	
D.S.T&A — D. S. THALER & ASSOC., INC. CIVIL ENGINEERS — SURVEYORS LANDSCAPE ARCHITECTS — LAND PLANNERS 118 AMBASSADOR ROAD P.O. BOX 41428 BALTIMORE, MARYLAND 21244-1428 (410) 444-8647, (410) 444-8647	DATE: 8-24-01 SCALE: 1" = 50' C.L.: 5' PROJ. NO.: 2248c SHEET 1 OF 1

CR-02-153



GENERAL NOTES:

1. ZONING HISTORY
   a. Zoning Map(s): 5
   b. All or part of building(s) Within Building Restriction Line(s): No
   c. Building Restriction Line(s): N/A
   d. Zoning Exceptions: No
   e. Zoning Variances: No
   f. Zoning Reclassifications: Yes
   g. Zoning Cycle: 4
   h. Zoning Petition(s): 1-563
   i. Zoning Hearing(s): Yes
   j. Zoning Ordinance(s): 1-563
   k. Zoning Resolution(s): N/A
   l. Zoning Exemptions: N/A
   m. Zoning Special Exceptions: N/A
   n. Zoning Special Hearings: N/A
   o. Zoning Conditions: N/A
   p. Zoning Restrictions: N/A
   q. Zoning Agreements: N/A
   r. Zoning Covenants: N/A
   s. Zoning Easements: N/A
   t. Zoning Other: N/A
   u. Zoning Other: N/A
   v. Zoning Other: N/A
   w. Zoning Other: N/A
   x. Zoning Other: N/A
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   z. Zoning Other: N/A
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200 SCALE 2000 ZONING MAP TO ACCOMPANY
RECLASSIFICATION PETITION

VENTURE

MAP: NW 11-J

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS • SURVEYORS • LAND PLANNERS
• LANDSCAPE ARCHITECTS •
(410) 944-ENGR, (410) 944-3647

August, 2001

CR-02-153

Introduction

Under the provisions of Section 2-356(e) of the Baltimore County Code, 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 indications of the inter-relation of petitions with respect to planning considerations.

2. Recommendations on the petitions.

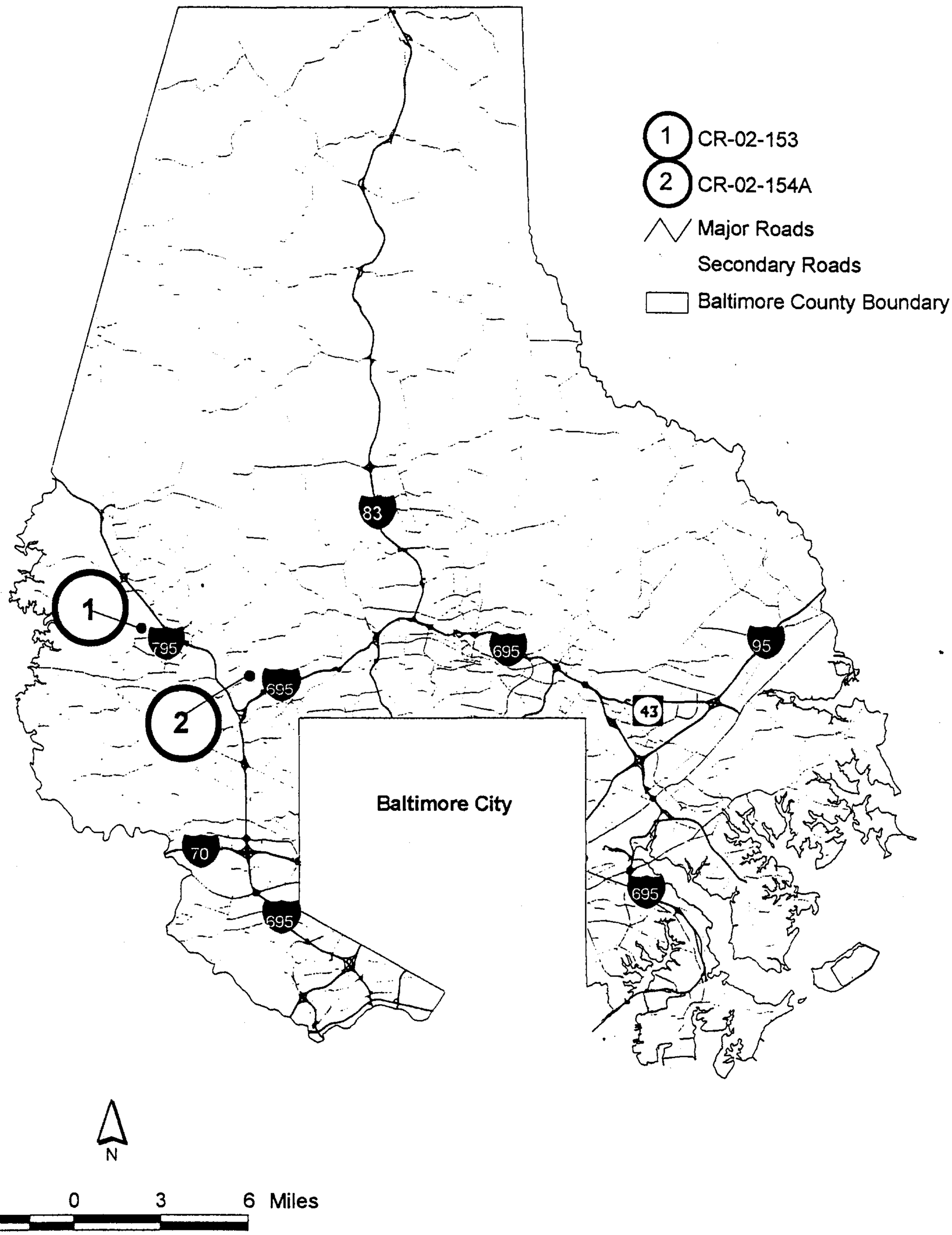
3. Supporting data for the recommendations, including any pertinent data and recommendations submitted by other County agencies.

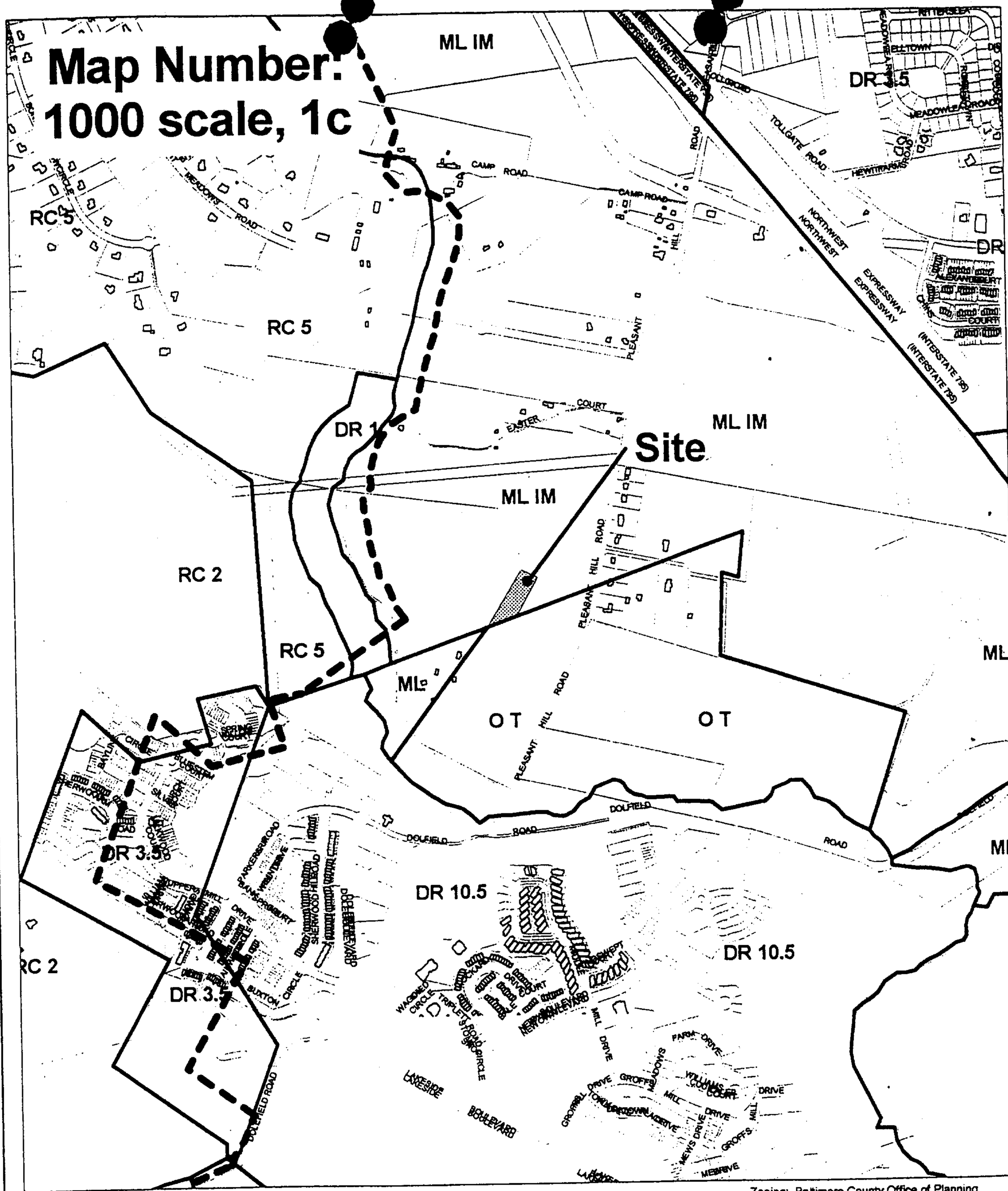
4. Recommendations for scheduling of all hearings (to be held during the next Period IV, prepared in consultation with the County Board of Appeals).

The two petitions in the current cycle have been reviewed by the planning staff, and the following pages report the Office of Planning'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 2000 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 Baltimore County Code. During the first cycle following the 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 10, 2000] was established in error."

Location of Properties Under Petition
Cycle 2 - October 2001 ----- April 2002





Case Number CR-02-153
Location of Property Under Petition

N

Scale 1" = 1000'

Zoning: Baltimore County Office of Planning
1:2400
Parcel Boundaries: Baltimore County OIT
1:2400
Planimetric Data: Baltimore County OIT
1:2400
URDL: Baltimore County Office of Planning
1:12000

Note:
This map is for display purposes only. Land use decisions involving zoning designations should be verified with the zoning office.

w8/wrkgrps/opz/jen/av-projects/properties.apr

CASE NO:
CR-02-153

PETITIONER:
The Kent-Mar Corporation (legal owner), Sidney Emmer Builders, Inc. (contract purchaser)

REQUESTED ACTION:
Reclassification to OT (Office, Technology)

EXISTING ZONING:
ML-IM (Manufacturing, Light-Industrial, Major)

LOCATION:
Northwest side of Pleasant Hill Road, approximately 2,000 feet northeast of Dolfield Road

AREA OF SITE:
1.82 acres

ZONING OF ADJACENT PROPERTY/USE:

North:	ML-IM	Public Utility
South:	OT	Residential
East:	OT	Office
West:	ML-IM	Undeveloped

SITE DESCRIPTION:
The 1.82-acre parcel of land subject to the reclassification petition consists of a fallow field. The subject parcel is part of an overall 120.2-acre site, which received Development Plan approval on April 25, 2001 for 208 multi-family units and 108,000 square feet of office/commercial space. The overall parcel consists of existing meadow, cultivated land, and wetlands. There is a single-family, detached dwelling and several associated accessory structures located on site. A representative of the contract purchaser indicated these structures are to be razed within the near future.

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

TRAFFIC AND ROADS:
The subject reclassification request, if granted, would adjust the ML-IM / OT zoning line to the southern boundary of a future public road that bisects the property. This road would provide a connection between Pleasant Hill Road and the proposed extension of Dolfield Boulevard, both of which are classified as minor arterials.

ZONING HISTORY:

This property has not been the subject of an issue filed as part of a Comprehensive Zoning Map Process.

MASTER PLAN:

The proposed land use map, adopted by the County Council on February 22, 2000, indicates the site is designated for residential use, "Single Family Detached."

PROPOSED vs. EXISTING:

The use regulations for the DR and O-3 zones may be found in Sections 1B01.1A and 207, respectively, of the Baltimore County Zoning Regulations. The DR 3.5 zone permits a density of 3.5 dwelling units per acre.

The O-3 zone was established to provide for office park development, with the intent that no residential uses be permitted.

DOCUMENTED SITE PLAN:

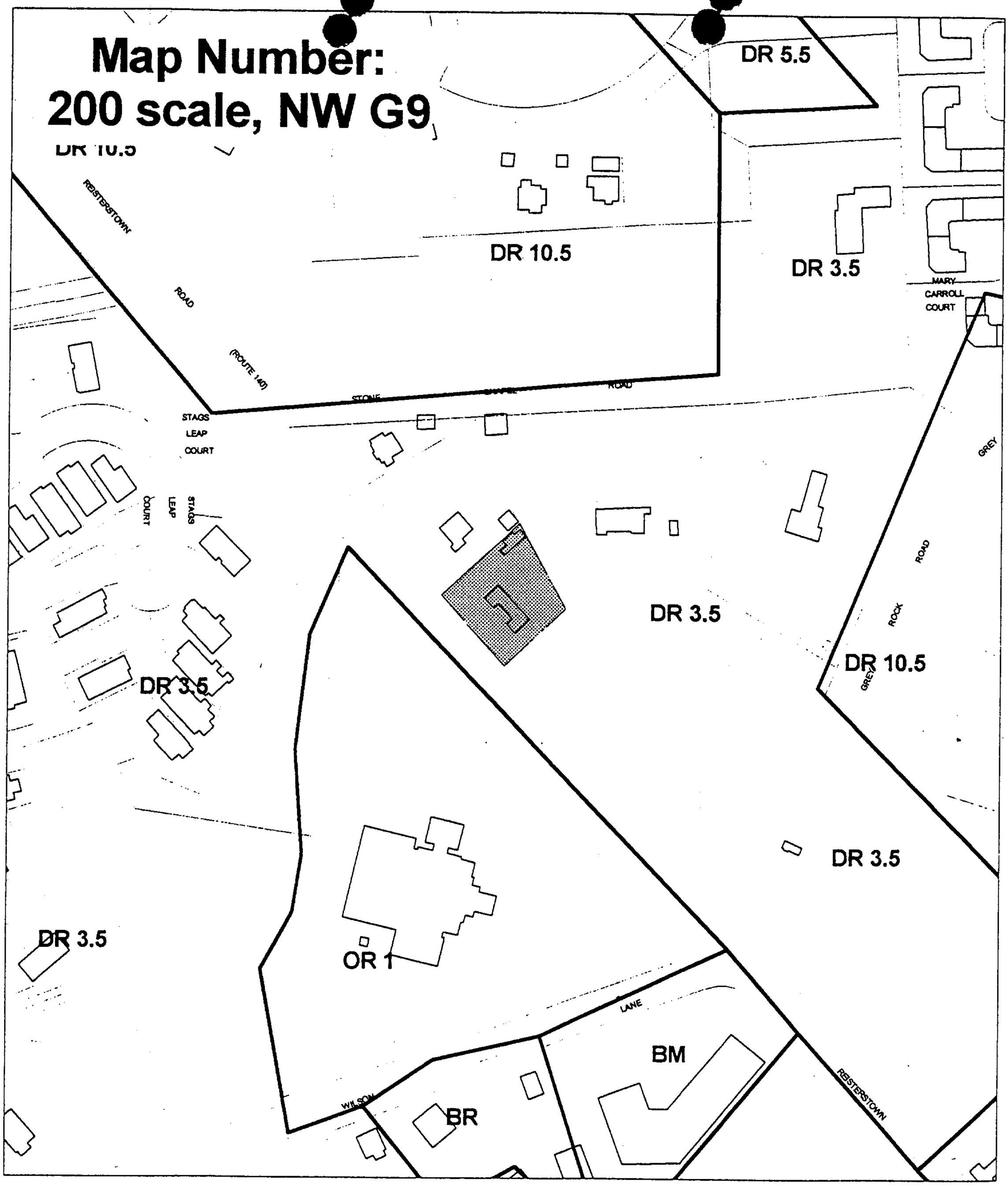
The documented site plan indicates the site is improved with the historic "Wright House." The structure is a 1,830 square foot, 2 ½ -story frame clapboard house with a gable roof, which would be converted to office use involving no exterior change to the structure. An existing brick and frame garage will also be converted to office use, as well. The applicant proposes a parking lot with a capacity for 16 spaces.

OFFICE OF PLANNING RECOMMENDATION:

Based upon the analysis conducted and information provided, the Office of Planning supports the applicant's request provided the following conditions are met:

1) Provide building elevations including information regarding exterior materials for all existing improvements;
2) Provide a landscape plan and show the dumpster location, if one is proposed;
3) Provide sign elevations for the proposed sign along Reisterstown Road – in any case, the sign should be ground mounted;
4) Provide a sidewalk along Reisterstown Road. In accordance with the Reisterstown Corridor Study, a 50 foot promenade should be provided.
5) Submit plans to the Landmarks Preservation Commission at the appropriate stage in the development process.

Map Number: 200 scale, NW G9



Case Number CR-02-154-A
Location of Property Under Petition

N

Scale 1" = 200'

Zoning: Baltimore County Office of Planning
1:2400
Parcel Boundaries: Baltimore County OIT
1:2400
Planimetric Data: Baltimore County OIT
1:2400
URDL: Baltimore County Office of Planning
1:12000

Note:
This map is for display purposes only. Land use decisions involving zoning designations should be verified with the zoning office.

w8/wrkgrps/opz/jen/av-projects/properties.apr