IN THE MATTER OF
THE APPLICATION OF
BETTY KREUZBURG — LEGAL OWNER
FOR A ZONING RECLASSIFICATION FROM
D.R. 3.5 to 0-3 ON PROPERTY LOCATED ON
THE NE/S REISTERSTOWN ROAD, 540' NW
OF CENTERLINE MT WILSON LANE
(8919 REISTERSTOWN ROAD)
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* BEFORE THE

COUNTY BOARD OF APPEALS

* OF

BALTIMORE COUNTY

Case No. CR-02-154-A Cycle II, 2001/2002

OPINION

This case comes before the Baltimore County Board of Appeals on a reclassification request relative to a property located at 8919 Reisterstown Road, Third Election District, Second Councilmanic District. The existing zoning is D.R. 3.5; the requested reclassification is for O-3 with a documented site plan (Petitioner's Exhibit #1). The Petitioner also requests a 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.

A hearing was held before the Board on March 21, 2002. J. Carroll Holzer, Esquire, represented the Owner/Petitioner, Betty Kreuzburg. Carole S. Demilio, Assistant People's Counsel for Baltimore County, appeared on behalf of the Office of People's Counsel.

Background

The subject property at 8919 Reisterstown Road is located directly across from the Sol Levinson Funeral Home in an area that has become increasingly commercial over the years. The Petitioner and her late husband lived on the subject property for 50 years and voluntarily placed the historic house, known as Wright House, on the preliminary landmarks list for Baltimore County (Petitioner's Exhibit #3), described as follows:

BA 941 WRIGHT HOUSE - Before 1850 - 8919 Reisterstown Road; east side of road, south of Stone Chapel Road and opposite driveway to Balmuckety estate. This may be the "store" shown on George H. Elder's property on 1850 map. Elder's will of 1866 mentioned a house and lot on the Reisterstown Turnpike

occupied by Oliver Wright. The 1877 atlas shows Oliver P. Wright's house, to which he acquired title in 1871 from Mrs. Elder. In 1881, Wright lost the property by mortgage and it was advertised as a "comfortable frame dwelling" plus barn, dairy, and meat house. George C. Winterode bought the house in 1881 and sold in 1916 to Franklin J. Myerly. Subsequent owners were Harry C. Thompson (1924), James Lyon Hall (1930), G.D. Iverson (1933), and finally Harvey Wilson Kreuzburg (1951). Large 2-1/2 story, frame and clapboarded house with gable roofing. Set close to road.

At the death of Mr. Kreuzburg, his widow placed the property for sale as a residence.

Only 2 of 34 prospective buyers who looked at the site were interested as a residence, and one of those wanted to move the house to another location (Petitioner's Exhibit #6).

In May 2001 the Petitioner asked for and was granted a Special Exception (Petitioner's Exhibit #4) to permit the property to be used for professional offices. That decision was supported by the Landmarks Commission and the Office of Planning. Zoning Commissioner Lawrence Schmidt stated as the basis of his opinion:

The relief requested seems an appropriate resolution of the future of this property to insure that it continues to be used residentially; however, giving the potential owners flexibility to have an office use consistent with the surrounding locale, which is largely commercial.

The Petitioner was unsuccessful after a year of attempting to market the property under the limitations of the Special Exception, and she now requests a zoning reclassification to allow for adaptive reuse as offices, subject to a documented site plan. The Petitioner asserts that the Baltimore County Council should have placed the property on the log of issues to be considered in the 2000 Comprehensive Zoning Map Process (CZMP). The Petitioner's request for reclassification is to correct that error.

Testimony

Jennifer Mettrick, Mrs. Kreuzburg's granddaughter, was the first witness for the Petitioner. She stated that her grandparents had lived in the house since 1952 when her grandfather became principal of Hereford High School. Over that time they had seen the

neighborhood change from rural in character to suburban and commercial. At this time in her life, Ms. Mettrick opined, her grandmother needs to be with other people and will move in with Ms. Mettrick's parents.

Ms. Mettrick testified that her grandparents were cognizant of the historical importance of the subject property and were anxious to have it preserved. She reiterated her grandmother's unsuccessful attempts to sell the house as a residence. She opined that the requested reclassification was necessary to sell the house while at the same time saving the historic structure.

Sebastian Zito, real estate agent for Coldwell Banker Residential Realty, testified on the difficulties of trying to sell the house as a residence because of its location. Most customers were interested in a commercial use. Mr. Zito also said that the Special Exception for professional offices did not develop a buyer because it required that the professional live on site Again the commercial neighborhood precluded interest in living there.

Mr. Zito offered the October 10, 2000 zoning map (Petitioner's Exhibit #2) as evidence, showing the location of the property opposite the Sol Levinson Funeral Home with the Mt. Wilson Partnership office building to the south. On the east and behind the subject property is the Manor Care Health facility.

Next to testify was Dr. Douglas Sanders, a pediatric dentist, who has lived at 8923 Reisterstown Road for 42 years. Dr. Sanders spoke of his pleasant relationship with his neighbors, the Kreuzburgs. He noted the increasing development in the area which has surrounded his house and the Kreuzburg house. He indicated that he supports the change in zoning and the documented site plan as requested by the Petitioner. He also supported the landmark status on the house.

Dr. Sanders' only concerns centered on the parking lot and the driveway proposed. He wanted a fence and landscaping and no dumpster to become part of the documented site plan.

On cross-examination by Ms. Demilio, Dr. Sanders stated that his house and that of the Petitioner are the last two properties fronting on Reisterstown Road used as residences.

Jeffrey Long testified on behalf of the Office of Planning. He stated that his office had reviewed the petition and visited the subject property. Both his office and the Planning Board support the reclassification request. Mr. Long offered photos (Petitioner's Exhibits #7A and #7B) of the subject property and noted that a landscape plan is required and that any other plans for the buildings on site must be submitted to the Landmarks Commission for their review and approval. Mr. Long indicated that had this request been before the staff in the 2000 CZMP, they would have recommended the change sought. He said that the O-3 zoning is appropriate here because it doesn't allow tearing down the old structures for intense residential development. It preserves the historic buildings and focuses clearly on how the property will be used. A reasonably new type of zoning in Baltimore County, Mr. Long stated that O-3 permits appropriate adaptive reuse.

Mr. Long further testified that the site itself is unique because of the uses nearby: commercial across the street and institutional wrapping around the parcel.

James Patton was accepted by the Board as an expert civil engineer and land planner (Petitioner's #8). He testified that he had prepared the plat for the Special Exception request and also the documented site plan for this hearing. He explained that the location of the subject property is the "hole in the donut," surrounded by intense institutional, office and commercial uses. Mr. Patton also presented a preliminary landscape plan (Petitioner's Exhibit #10) designed to alleviate Dr. Sanders' concerns about landscaping and parking. He also noted that there would be no dumpster on site.

Mr. Patton reviewed the requirements for a variance. He noted that the need for the variance was caused by an existing garage (Petitioner's Exhibit #12) which is within 3 feet of the property line in the rear and on the side. The 10-foot request would allow for a small addition to make the adaptive reuse attractive and useful as offices. He added that all proposed plans would be evaluated by the Landmarks Commission for compatibility with the historic house.

Mr. Patton also reviewed the criteria under § 2-356(j) for change and mistake, noting that a reclassification may be granted if there is a marked change in the neighborhood. It is his opinion that an error occurred because the County Council did not take into account the foreseeable trends such as the major alterations created by the Manor Care Health facility in the last four years.

At the same time the Master Plan 2010 sets clear goals on historic preservation which allows protection through adaptive reuse. The Council, according to Mr. Patton, failed to take these factors into consideration in the CZMP 2000 and take the appropriate action to change the zoning on 8919 Reisterstown Road to O-3. Mr. Patton opined that the situation is similar to Aigburth Vale where the Board granted a reclassification in order to save the historic structure and permit adaptive reuse (Petitioner's Exhibit #5).

Opinion

Having reviewed all testimony and evidence the Board finds unanimously that the Petitioner has met the burden necessary under § 2-356(j). We will therefore grant a reclassification of the zoning on the subject property from D.R. 3.5 to O-3.

It is clear that the neighborhood surrounding the subject property has changed to a degree that the subject property is one of only two single-family residences remaining on this portion of Reisterstown Road.

It is also clear that the assumptions relied on by the County Council were invalid. They were unaware of the "hole in the donut" quality of this property and the fact that residential use is no longer viable. These facts were existent at the time of the 2000 CZMP and the trends of the neighborhood foreseeable.

Under the requested O-3 zoning, the property will be developed as offices within the historic structure and existing buildings. The documented site plan and review by the Landmarks Commission will further protect the historic attributes of the site.

The Board further finds as a matter of fact that the property is unique because of its landmark status, that use as a residence under the current zoning presents a practical difficulty, and that the variance request for an existing building will complement the historic structure. In addition the variance request falls well within the spirit and intent of the regulations. Therefore we will also grant the variance request 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.

Finally the Board wishes to take judicial notice of Dr. Sanders' testimony in which he stated that the Manor Care Health facility has not complied with the regulations under which it was built. Dr. Sanders stated that the building is more stories than originally proposed, that promised landscaping has not been installed, and that the facility's dumpster encroaches visually on his property.

ORDER

ORDERED that Petitioner's request 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, be and the same is hereby GRANTED.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles L. Marks, Chairman

Margaret/Worrall

C. Lynn Barranger

14p

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 1, 2001

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

8919 Reisterstown Road

INFORMATION:

Item Number:

01-385-X

Petitioner:

J. Carroll Holzer, Esq.

Property Size:

.63 acres

Zoning:

DR 3.5

Requested Action:

Special Exception

Hearing Date:

5/10/01

REQUEST:

The Special Exception in this case is to allow for the use of the subject property to be used as a residence with a professional office or studio as provided for by Section 1BO1.1.C.12 of the BCZR.

The subject property is a two-story dwelling originally constructed in 1776. It is located on the east side of Reisterstown Road just south of Stone Chapel Road, adjacent to the newer residential communities of Grey Rock and Valleygate. The opposite side of Reisterstown Road is comprised of a mixture of residential and office uses.

The applicant is proposing to use the majority of the subject property as a residence, with 25% of the square footage of the property (approximately 1,221 square feet) to be used as a professional office or studio.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has no objection to this request, provided the following information is included as part of the hearing officers order:

- 1. The profession of the person occupying the office space must be identified, and comply with the list of those types of professions identified in Section 1B01.1.C12 of the BCZR.
- 2. Any exterior alterations to the property will require review by the Office of Planning to determine the applicability of review by the Baltimore County Landmarks Preservation Commission.

Section Chief Chief Chief



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for th	e property located at <u>89</u>	9 REISTERS	TOWN R
This Petition shall be filed with the Department of Permits owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Special Exception un herein described property for RESIDENTIAL WITH BY BCZR SECTION PERSONS	which is pro and Development Manage is described in the description der the Zoning Regulations OFFICE OR STUD	esently zonedDisement. The under on and plat attached of Baltimore County (AS) AS PRO	R-3.5 ersigned, legal ed hereto and ity, to use the
Property is to be posted and advertised as prescribed by the zor i, or we, agree to pay expenses of above Special Exception, advertising zoning regulations and restrictions of Baltimore County adopted pursuances.	no posting etc. and further agree	ore County. affirm, under the per	nalties of

Contract Purchaser/Lessee:

Legal	Owner(s):
<u> ~~~~~~</u>	• • • • • • • • • • • • • • • • • • •

N.A.	BETTY KREUZ BURG
Name - Type or Print Name	- Type or Print
Signature	Signature Delly Frankfung
Address Telephone No.	Name - Type or Print
Clty State Zip Code	**************************************
Clty State Zip Code	Signature
Attorney For Petitioner:	8919 REKSTERSTOWN RD. 410-486-456
100000000000000000000000000000000000000	Address Telephone No.
J. CARROLL HOLFER, ESG.	BALTIMORE MD 21208-1015
Name - Type or Mint City	State Zip Code
	Representative to be Contacted:
Signature	
Company Company	J. CARROLL HOLZER ESG
	Name
508 FAIRMOUNT AVG. 410-825-1961	508 FAIRMOUNT AVE 410-825 696
Address Telephone No.	Address Telephone No.
Towson MD 21204 City State Zip Code	TOWSON MD 21209
City State Zip Code	City State Zlp Code
	OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING
Case No.	UNAVAILABLE FOR HEARING
REV 09/15/98	Reviewed By Date

CR-98-59-SPHXA



Petition for Reclassification

to the Board of Appeals of Baltimore County

for the property located at

212 Aighurth Lane ROAD

This Petition shall be filed with the	Office of Zoning Administration	& Development Management. 🦻
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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 status of the herein described property be reclassified, pursuant to the

Zoning Law of Baltimore County, from an D.R. Z.5 zone to an R-O some, for the reasons given in the attached statement; and (2) for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

Class B office building (s). Special Hearing for waiver pursuant to §500.6 BCZR and §517.2(510.2) # Building Code and §\$26-276, 26-670, 26-172(a)(3) BCC to permit building in and building setback to riverine floodplain,

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Regulations of Baltimore County: as necessary related to R.O. buffers and landscape requirements, floor area ratio, amentiy open space, parking standards, signs and medical office percentage. ³

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

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

Contract Purchaser/Lessee: F	!/We do solemnly declare and affirm, under the penalties of penjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Légal Owner(s):
Azola & Associates, Inc. (Type or Print Name) Signature P.O. Box 140 Address	Baltimore County, Maryland (Type or Print Name) By: Maryland By: Mary
Brooklandville, MD 21022 City State Zipcode	Signature
Attorney for Petitioner: Deborah C. Dopkin, Esquire (Type or Print Name)	111 W. Chesapeake Avenue 410-887-3251 Address Phone No TOWSON MD 21204 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Signature 502 Washington Avenue, 410-339-7100 Address Suite 220 Towson MD 21204 City State Zipcode	Address Phone No OFFICE USE ONLY ESTIMATED LENGTH OF HEARING unevailable for Hearing
The state of the s	the following dates Next Two Months ALLOTHER REVIEWED BY: LCR JLL DATE 8-14-97



MINUTES OF DELIBERATION

IN THE MATTER OF: Betty Kreuzburg – Legal Owner

8919 Reisterstown Road Case No.: CR-02-154A

DATE: March 21, 2002

BOARD/PANEL: Margaret Worrall MW

C. Lynn Barranger CLB
Charles L. Marks CLM

RECORDED BY: Theresa R. Shelton / Legal Secretary

PURPOSE: To deliberate Reclassification from D.R. 3.5 to O-3 and 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.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

- ♦ An error and/or mistake was made.
- ♦ The Petitioner proved it's burden property is unique
- ♦ The property can't be used for a residence it is most suited for commercial use
- ♦ Structure is unique and most adaptive for commercial reuse
- ◆ The variance will compliment the building
- ◆ The historical building will be preserved
- ♦ Unanimous decision by the board

DECISIONS BY BOARD MEMBERS:

 $MW-Reclassification-GRANTED\ \ Variance\ \textbf{-}\ GRANTED$

CLB - Reclassification - GRANTED Variance - GRANTED

CLM - Reclassification – GRANTED Variance - GRANTED

FINAL DECISION: Unanimous decision by the Board GRANTING the Reclassification from D.R. 3.5 to O-3 and GRANTING the 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.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place that date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by this Board.

Respectfully submitted,

Theresa R. Shelton

County Board of Appeals





Case No. CR-02-154-A

Betty Kreuzburg -Legal Owner /Petitioner

Item #1, Cycle II, 2001/2002

Reclassification from D.R. 3.5 to O-3; VAR –to permit 10' side and rear setback from any lot line in lieu of required 20' or equal to height of building whichever is greater.

DOCUMENTED SITE PLAN

11/19/01 – Notice of Zoning Reclassification Hearing sent to parties by PDM; hearing scheduled for Thursday, March 21, 2002 at 10:00 a.m.
3/21/02 — Board convened for hearing (C.B.W.); deliberated at conclusion of same; reclassification request GRANTED. Written Opinion and Order to be issued; appellate

period to run from date of written Order.

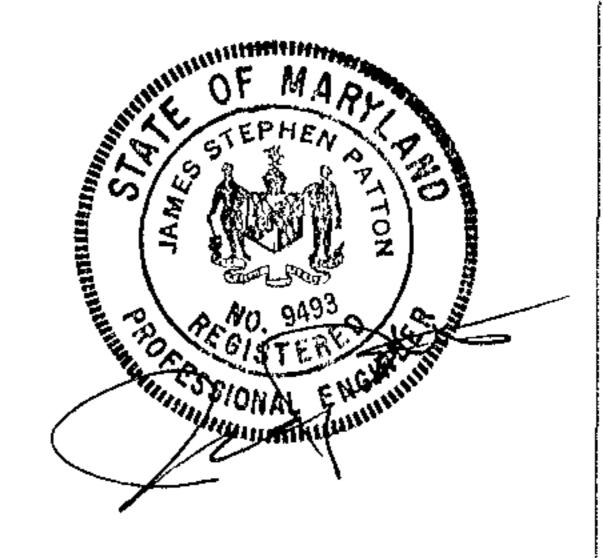
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IN THE MATTER OF	*	BEFORE THE
Zoning Reclassification	*	COUNTY BOARD OF APPEALS
8919 Reisterstown Road	*	BALTIMORE COUNTY
Legal Owner: Betty Kreuzberg	*	CASE NO. CR-02-154A
*	*	* * * * *
	SUBPO	ENA
Appeals of Baltimore County at the hearing 2002 at 10:00 a.m. at Room 48, local	g for the at <u>Ba</u> necessary	med witness to appear before the County Board of matter captioned above on Thursday, March 21 sement, Old Courthouse, 400 Washington Ave. for such witness' testimony and as scheduled by
withess. Jen Long, Plannin	пĀ	
Address: County Courts B 4 th Floor <u>Towson, MD</u>	ldg	
Name: J. Carroll Holzer Firm: Holzer & Lee Address: 508 Fairmount A		son, 21286
	cuments herein. Cour	ito so appear before the County Board of referenced in above cases. The Board requests by Board of Appeals of more County
Summoned:	:	19
Not Served:	····································	19
Sheriff of Baltimore County C:\Subpoenas\cba.sub		

ZONING DESCRIPTION

Beginning at a point on the northeast side of Reisterstown Road which is 80 feet wide (decreases along frontage to 70 feet wide) at the distance of 540 feet northwest of the centerline of the nearest improved intersecting street, Mt. Wilson Lane, which is 50 feet wide. Thence the following courses and distance.

- 1. North 37° 00' 00" West 163.00'
- 2. North 51° 40' 00" East 156.58'
- 3. South 21° 18' 00" East 170.25'
- 4. South 51° 45' 00" West 110.58'

To the place of beginning as recorded in deed liber 14625 folio 560, containing 0.5 acres, more or less. Also known as 8919 Reisterstown Road and located in the 3rd Election District.



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, which ever 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

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 intowson, Maryland on the property identified herein as follows:

Case. #CR-02-154A

8919 Reisterstown Road

N/E Side of Reisterstown Road, 540' NW of Mt Wilson Lane

3rd Election District

2nd Councilmanic District

Legal Owner Betty Kreuzburg

Reclassification: from D.R.3.5 to 0-3

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 is greater.

Hearing: Thursday, March

21, 2002 at 10:00 a.m. in Room 48 of the Old Court house, 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.

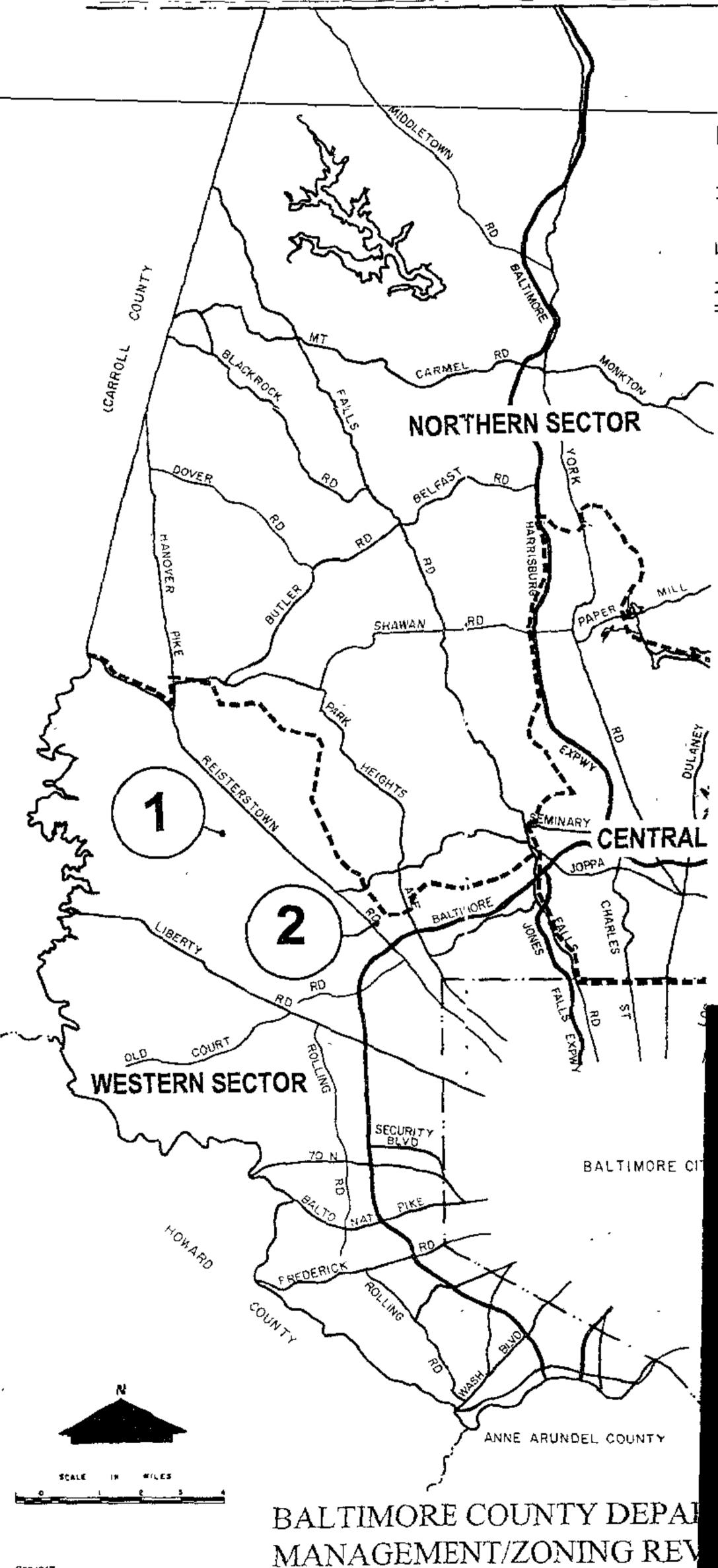
O/JT/3/613 Mar5 C524087

CERTIFICATE OF PUBLICATION

37,2002
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 35 ,2002.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. William Son
LEGAL ADVERTISING

C524317

LOCATIONS OF PROPERTIFICATE OF PUBLICATION CYCLE 2 - OCTOBER 20



3/7/,2002

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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, March 5, 2002 Issue - Jeffersonian

Please forward billing to:

J. Carroll Holzer Holzer & Lee 508 Fairmount Avenue Towson MD 21204

410 825-6961

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-02-154A 8919 Reisterstown Road N/E Side of Reisterstown Road, 540' NW of Mt. Wilson Lane 3rd Election District – 2nd Councilmanic District Legal Owner: Betty Kreuzburg

Reclassification from D.R.3.5 to O-3

Laurence S. Wescutt

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 is greater.

HEARING: Thursday, March 21, 2002 at 10:00 a.m. in Room 48 of the Old Courthouse, 400 Washington Avenue

Lawrence S. Wescott GD 乙 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.



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-02-154A 8919 Reisterstown Road N/E Side of Reisterstown Road, 540' NW of Mt. Wilson Lane 3rd Election District – 2nd Councilmanic District Legal Owner: Betty Kreuzburg

Reclassification from D.R.3.5 to O-3

Laurence & Wescott

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 is greater.

HEARING: Thursday, March 21, 2002 at 10:00 a.m. in Room 48 of the Old

Courthouse, 400 Washington Avenue

Lawrence S. Wescott らりて Chairman

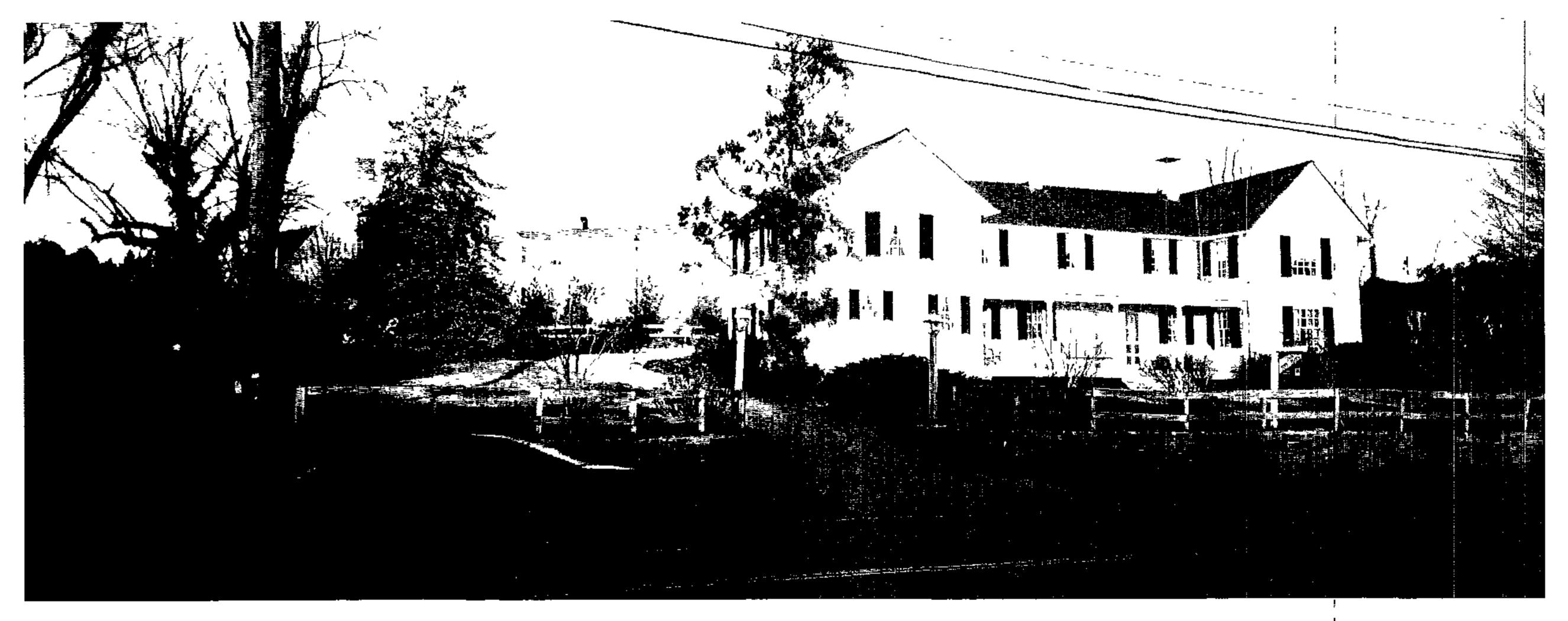
C: J. Carroll Holzer Esquire, Holzer & Lee, 508 Fairmount Avenue, Towson 21204 Betty Kreuzburg, 8919 Reisterstown Road, Baltimore 21208-1015

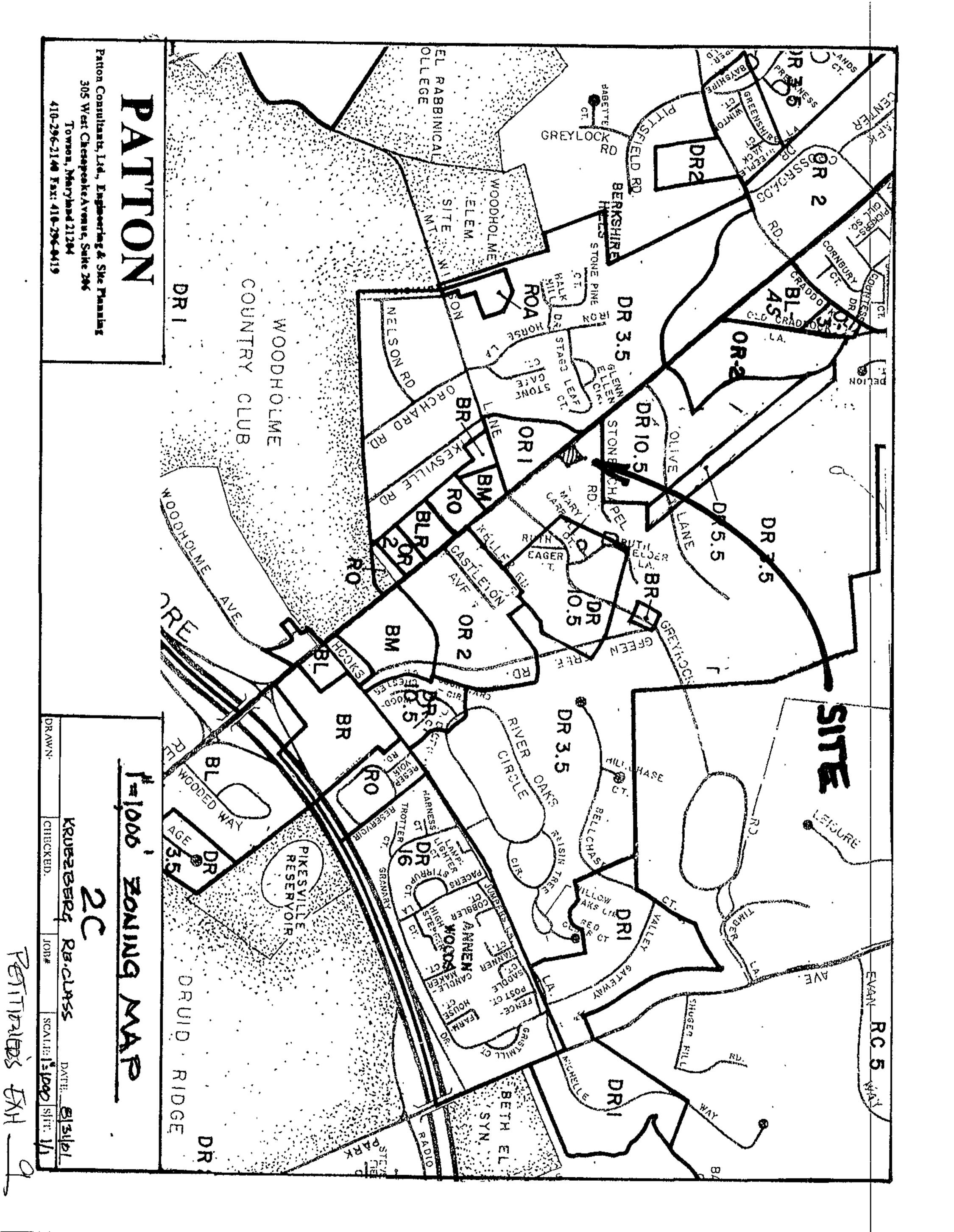
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3180.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3180.

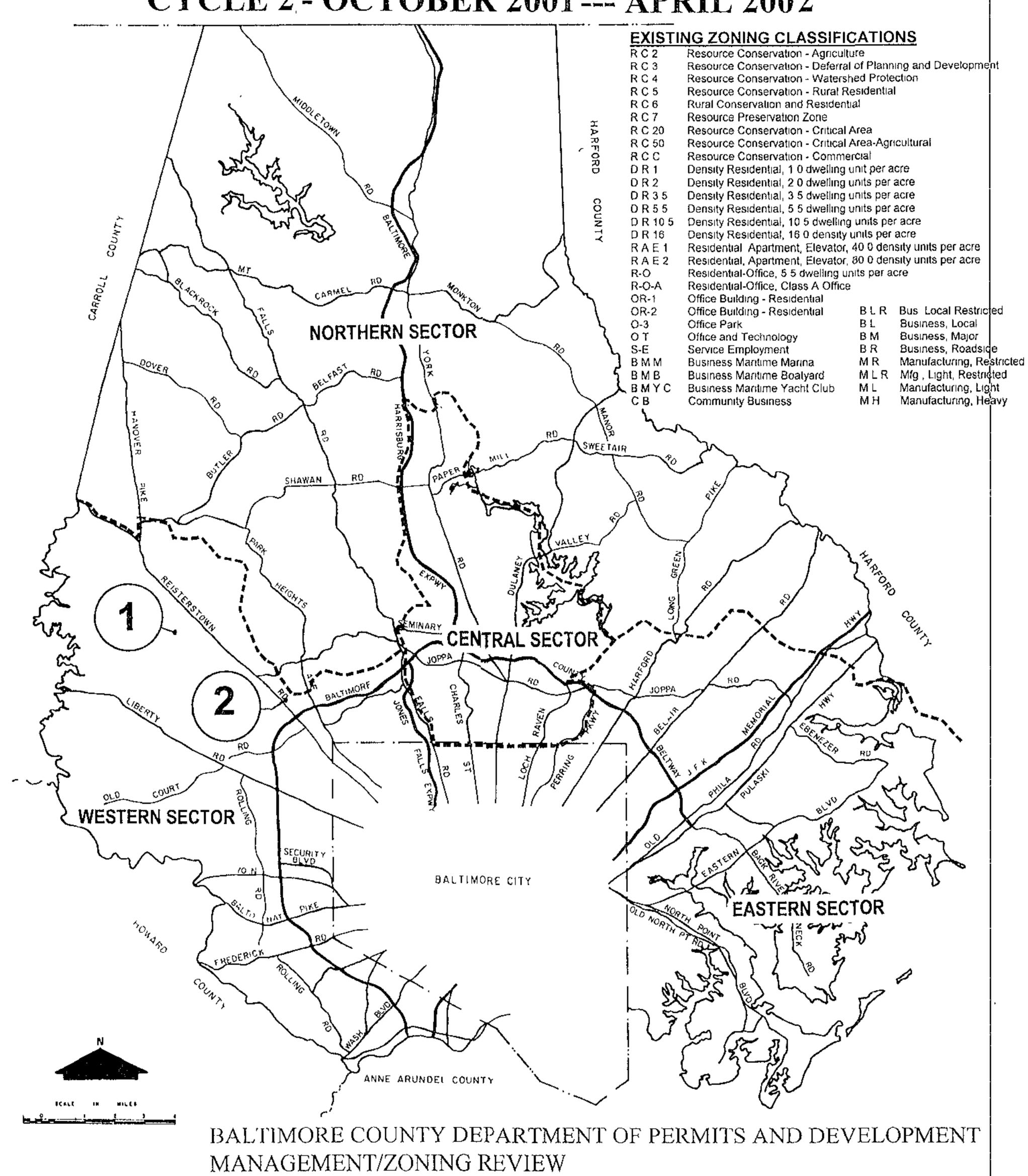


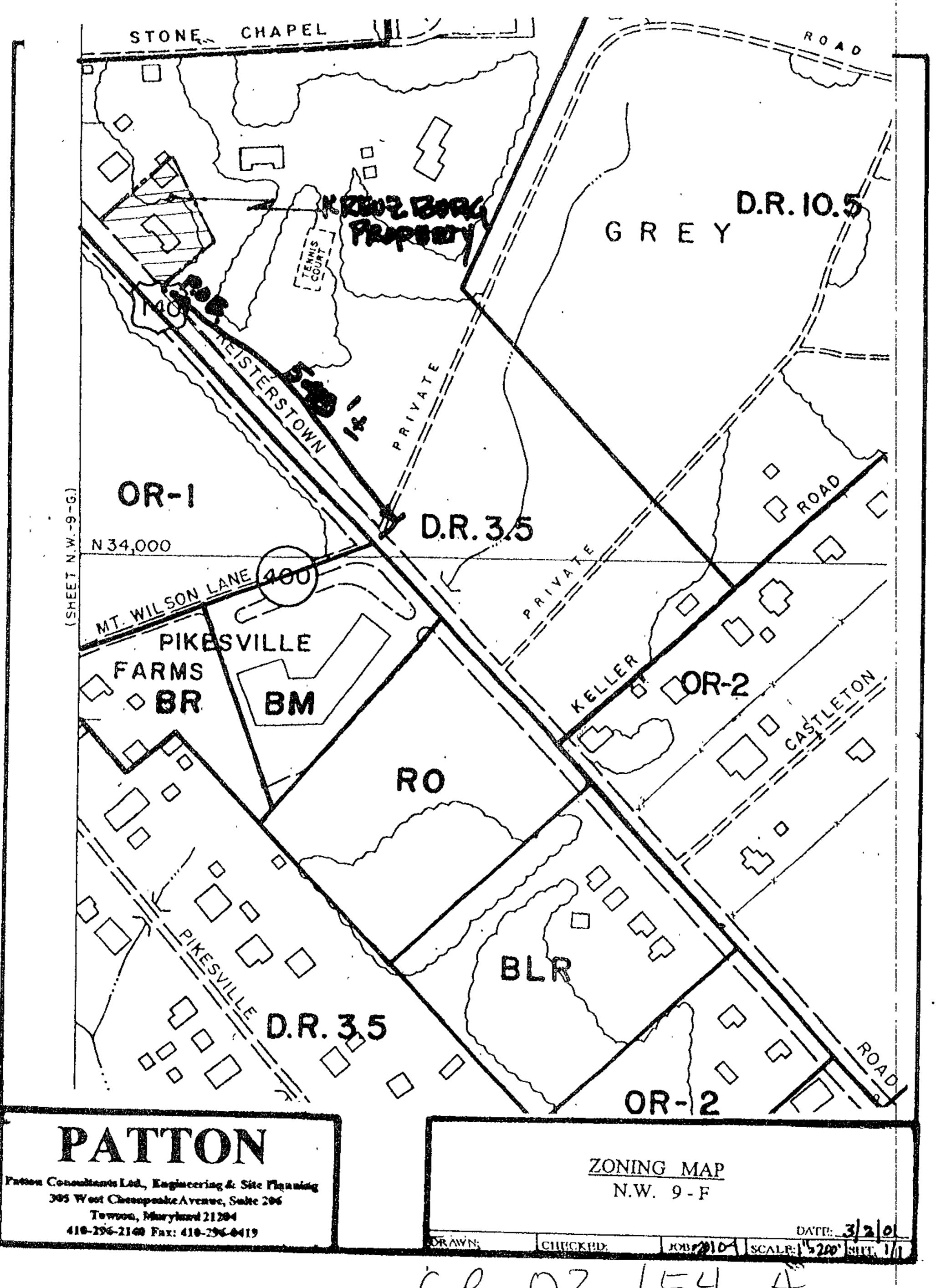


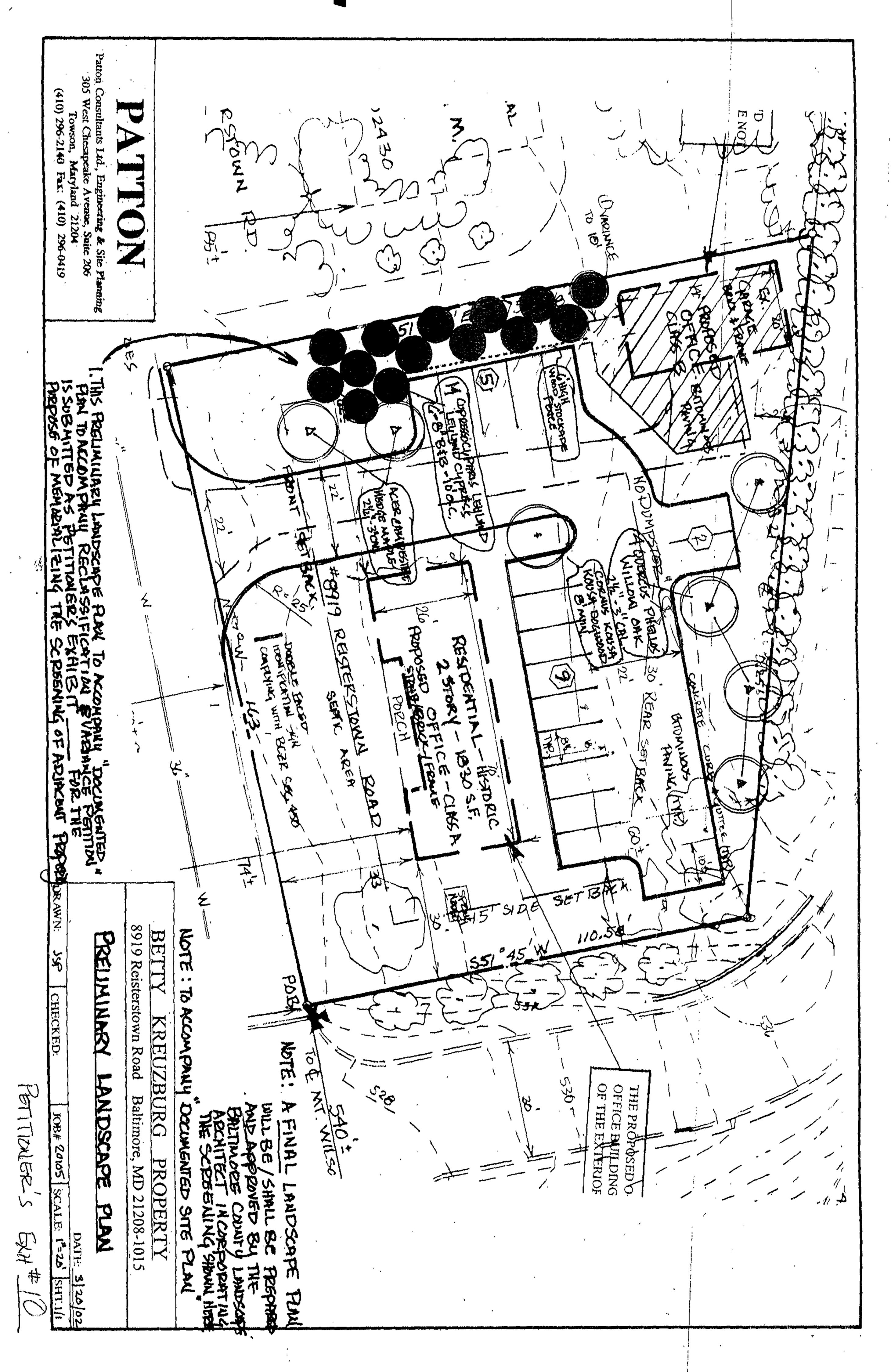




LOCATIONS OF PROPERTIES UNDER PETITION CYCLE 2 - OCTOBER 2001 --- APRIL 2002







CR-02-154-A

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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Case No. CR-02-154-A	1.0



401 Bosley Avenue - \$te 406 Towson, Maryland 21204 410-887-3211

Fax: 410-887-5862

E-mail: planning@co.ba.md.us

TO:

Members

DATE: November 30, 2001

Baltimore County Planning Board

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).

Arnold F. 'Pat' Keller, III

AFK: JL:kma Attachment

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.

£ 4

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.



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: Betty Kreuzburg

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

Item No.: #2

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.

7. The Fire Marshal's Office has no comments at this time.

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

cc: File

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE:

July 9, 2002

TO:

Arnold Jablon, Director

Permits & Development Management

Attn.: David Duvall

FROM:

Theresa R. Shelton

Board of Appeals

SUBJECT:

CLOSED APPEAL CASE FILES

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

BOARD OF APPEALS CASE NUMBER	PDM FILE NUMBER	NAME	LOCATION
R-01-439	R-01-439 Cycle I	7-ELEVEN	BOWLEYS QUARTER
R-01-455	R-01-455 Cycle I	MICHAEL JAMES LYNCH	SWEET AIR ROAD
CR-02-154-A	CR-02-154-A CYCLE II, 2001/2002 ITEM #2	BETTY KREUZBURG	8919 REISTERSTOWN ROAD
CBA-02-110	CIVIL CITATION 01-1870	WAL-MART REAL ESTATE	2399 NORTH POINT BLVD.
02-223	02-223	NANCY WEHR NIERMANN	1210 BERWICK ROAD
02-236-SPHXA	02-236-SPHXA	1 ST PREFERENCE MORTGAGE	9423 BELIAR ROAD
94-227-SPHA 94-228-SPHA	94-227-SPHA 94-228-SPHA	GEORGE SEARS	22 CLYDE AVENUE
01-96-SPH	01-96-SPH	LORRAINE AND DANIEL NARANGO	2635 MEREDITH ROAD
CBA-92-204	WESBURY SECTION 8 CRG DECISION	WESTBURY SECTION 8	TARRAGON ROAD NW OF CARAWAY ROAD
01-156-A	01-156-A	STEFANIA MALKOWSKI	401 ARMSTRONG ROA
01-469-A	01-469-A	ANGELA AND THOMAS NEIMILLER	19 WAGON WHEEL COURT

Attachment: SUBJECT FILE(S) ATTACHED

EXHIBIT POTITIONONS CR-02-154A man 2/ KREUZBURG MARION TOWN HAMINES LIST DOC. SITUS PARK. 2000 SCAUF MAR - Z000 CZMD VOST 3 APPLICATION FOR LAND MARKS CLST POTOTION For SP. OX. (massau 1967 5 POTITION FOR RECENSSIFICATION RT 212 MOBURTA RISTORY 7051 6 SHOWING HISTORY AGI ZA PHOTOS OF Extonion 7B JAMES PATION TRESUMO PUT 9 1000 \$ 5 CARUS OXCOUNTS-NOTIO PREZIMINAMY NANDECADOS PLAN 1 DET 11 PHOTO TO REPUBLIT GARAGO



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER 1907-1989

THOMAS J. LEE OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE. Towson, MD 21286

(410) 825-6961 FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

August 30, 2001 #7253

Mr. Lawrence S. Wescott Chairman, Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson MD 21204

Re: Petition of Betty Kreuzburg

Dear Mr. Wescott:

This firm represents Betty Kreuzburg in her Petition for Reclassification of her home located at 8919 Reisterstown Road, Baltimore County, Maryland, known as the "Wright House." The Wright House was constructed in the 1700s on the east side of Reisterstown Road, south of Stone Chapel Road and opposite the Balmuckety Estate. It is a large, two-and-a-half story frame clap-board house with gable roofing set close to the road that has historical significance to Baltimore County. It is currently owned by Mrs. Betty Kreuzburg, the wife of Mr. Harvey Wilson Kreuzburg, former employee of the Baltimore County Board of Education. Unfortunately, Mrs. Kreuzburg must move to a retirement community and sell her home. She has been unable to sell her home as a residence. The Reclassification Petition and accompanying documented Site Plan propose a change in zoning from DR-3.5 to a 0-3 zone, to permit the continuation and restoration of the Wright House for office use.

The Wright House has been deemed to have significant historical value based upon its inclusion on the Baltimore County Landmark's Preliminary List in June 2001. In order to effectively restore and continue this home in its historical condition, the underlining zoning must be modified to permit a viable use similar to that provided for in the Aigburth-Vale Property in Towson. The surrounding zoning affords no continued use of the property as a residence and adaptive to an office use will provide for continued preservation of this beautiful and historic two-and-a-half story home. We maintain that the Baltimore County Council erred when the 2000 Comprehensive Zoning Maps were approved, in that the land was not zoned for office use at that time.

Petitioner intends to present evidence at the hearing to demonstrate mistake or error pursuant to the requirements of County Codes Section, Section 2-356(J).

J. Carroll Holzer

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: BETTY KREUZ-TZURG) a .
Address or Location: 8919 REISTORS Town Rd BANTIMORE, HD 212	O ¿
PLEASE FORWARD ADVERTISING BILL TO:	
Name: J. CRICROIL HOLZER	
Address: 508 FATR MOUNT AVE	
Towson, MD 21204	
Telephone Number: 410-825-6961	

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

TO

Arnold Jablon, Director

DATE: October 9, 2001

Department of Permits and

Development Management

Attn: Carl Richards

FROM

: Kathleen C. Bianco

Board of Appeals of Daltimore County

SUBJECT:

Cycle II, 2001 – Reclassification Petitions – Corrected dates

The following dates are the CORRECT dates being held for hearing in Cycle II:

Preliminary Information Only

Case # (to be assigned)	Petitioner Day / Date of Hearing
	Day / Date of flearing
Case No. CR-02-153 (Documented Plan)	The Kent-Mar Corporation –Legal Owner; Sidney Emmer Builders, Inc. –CP /Lessee
	THURSDAY, MARCH 14, 2002 at 10:00 a.m.
Case No. CR-02- 154 (Documented Plan)	Betty Kreuzburg Property
(w/variance request)	THURSDAY, MARCH 21, 2002 at 10:00 a.m.

Please disregard the dates shown on my prior memo of September 11th. The correct dates /days of the week are as shown above.

Should you have any questions regarding the attached, please call me at extension 3180.

c: Jeffrey Long /Planning
Office of People's Counsel

007 9 700



700 East Joppa Road Towson, Maryland 21286-5\$00 410-887-4500

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

Property Owner: Betty Kreuzburg RE:

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

Item No.: #2

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.

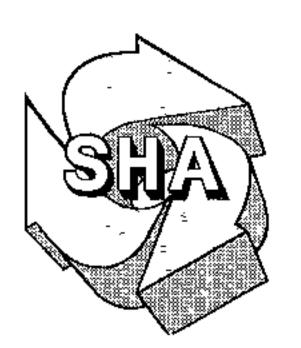
The Fire Marshal's Office has no comments at this time. 7.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation State Highway Administration



Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams
Administrator

Date: December 5, 2001

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 2

Case No.: CR-02-154-A 8919 Reisterstown Road

MD 140 Mile Post 2.72

Dear Mr. Zahner:

This office has reviewed the referenced Item and has no objection to approval of the Reclassification and Redistricting Petition.

However we will require the owner to obtain an access permit through our office and as a minimum the following roadway improvements will be required:

- Auxiliary lane widening, to include curb, gutter and sidewalk, from property corner to property corner.
- Highway widening dedication.

Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Should any additional information be required please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

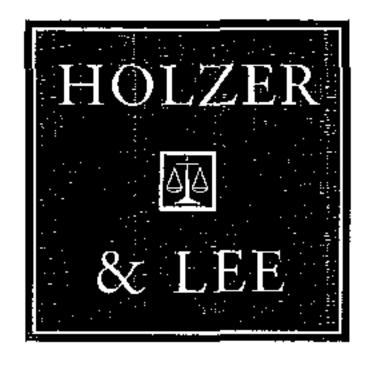
Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

CC: Robert W. Bowling, P.E.

My telephone number is ______

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

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



LAW OFFICES

THE 508 BUILDING

J. CARROLL HOLZER, PA

J. HOWARD HOLZER 1907-1989

THOMAS J. LEE

OF COUNSEL

508 FAIRMOUNT AVE. TOWSON, MD 21286 (410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

August 30, 2001 #7253

Mr. Lawrence S. Wescott Chairman, Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson MD 21204

Re: Petition of Betty Kreuzburg

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Unfortunately, Mrs. Kreuzburg must move to a retirement community and sell her home. She has been unable to sell her home as a residence. The Reclassification Petition and accompanying documented Site Plan propose a change in zoning from DR-3.5 to a 0-3 zone, to permit the continuation and restoration of the Wright House for office use.

The Wright House has been deemed to have significant historical value based upon its inclusion on the Baltimore County Landmark's Preliminary List in June 2001. In order to effectively restore and continue this home in its historical condition, the underlining zoning must be modified to permit a viable use similar to that provided for in the Aigburth-Vale Property in Towson. The surrounding zoning affords no continued use of the property as a residence and adaptive to an office use will provide for continued preservation of this beautiful and historic two-and-a-half story home. We maintain that the Baltimore County Council erred when the 2000 Comprehensive Zoning Maps were approved, in that the land was not zoned for office use at that time.

Petitioner intends to present evidence at the hearing to demonstrate mistake or error pursuant to the requirements of County Codes Section, Section 2-356(J).

very truly your

J. Carroll Holzer

C:\My Documents\Letters\Betty Kreuzburg- Wescott Letter.doc

CR 02-154-A



County Board of Appeals of Baltimore County

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

May 17, 2002

J. Carroll Holzer, Esquire 508 Fairmount Avenue Towson, MD 21286

RE: In the Matter of: Betty Kreuzburg -Legal Owner /Petitioner Case No. CR-02-154-A

Dear Mr. Holzer"

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

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure, with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Hathler C. Bianco

Administrator

Hathler C. Bianco

Enclosure

c:

James Stephen Patton
Robert J. Haines, Esquire
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM
Edward J. Gilliss, County Attorney





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

May 17, 2001

J. Carroll Holzer, Esquire 508 Fairmount Avenue Towson, Maryland 21286

RE: PETITION FOR SPECIAL EXCEPTION

NE/S Reisterstown Road, 540' NW of Mt. Wilson Lane

(8919 Reisterstown Road)

3rd Election District – 2nd Council District

Betty Kreuzburg - Petitioner

Case No. 01-385-X

Dear Mr. Holzer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

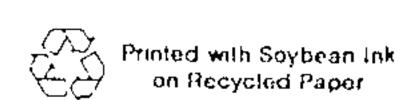
cc: Mrs. Betty Kreuzburg

8919 Reisterstown Road, Baltimore, Md. 21208-1015

Mr. James Patton, 305 W. Chesapeake Avenue, #118, Towson, Md. 21204 Dr. & Mrs. Douglas J. Sanders, 8923 Reisterstown Road, Baltimore, Md. 21208

Office of Planning; People's Counsel; Case File

Pet#4



- BARE HILLS HOUSE 1857 6222 Falls Road, 1.0 mile north of city line. Pointed gables, porches, battens, barge boards are incorporated into this rural Gothic Revival house southwest of Lake Roland. Photo and description in Dorsey and Dilts' 1973 architectural guide (p. 199). Built 1857 by Dr. Horatio Gates Jameson on a lot purchased that year from Johnzey Hook. House listed as new in 1860 transfer book. The frame barn had been transferred from Hook's account. House later owned by Vice Admiral David Dixon Porter, Commandant of Naval Academy. Later belonged to McMahon family, operators of suburban bus lines; the McMahons kept the parlor unchanged from the Victorian period. Later owned by Samuel Berg. Restored in 1978 by Gilbert D. Cooke and Marie F. Cooke, who received a Baltimore Heritage award in 1979 for their work. National Register, September 1980.
- McDONOGH PUMP HOUSE 1902 West Side of WMRR tracks, 3,400 feet north of McDonogh Road. Small brick building with hip roof; houses an overshot water wheel that works pumps for raising pure water from deep wells for the school system. Water power comes from upper end of a millrace that once powered the extinct Lyon's Mill. Concrete input sluice installation just east of Painters Mill Road and Gwynns Falls. Use of the springs was discontinued in mid-1982.
- GARRISON POST OFFICE (SITE) About 1900, 1917? 9629 Reisterstown Road, 0.1 mile north of Valley Road. Double frame house with hip roof; two stories; late 19th or early 20th Century. Formerly Cullison's store and later Sullivan's. Located just north of Darden Avenue. Long used as Garrison Post Office. Demolished in 1990s.

BA 941

WRIGHT HOUSE - Before 1850 - 8919 Reisterstown Road, east side of road, south of Stone Chapel Road and opposite driveway to Balmuckety estate. This may be the "store" shown on George H. Elder's property on 1850 map. Elder's will of 1866 mentioned a house and lot on the Reisterstown Turnpike occupied by Oliver Wright. The 1877 atlas shows Oliver P. Wright's house, to which he acquired title in 1871 from Mrs. Elder. In 1881, Wright lost the property by mortgage and it was advertised as a "comfortable frame dwelling" plus barn, dairy, and meat house. George C. Winterode bought the house in 1881 and sold in 1916 to Franklin J. Myerly. Subsequent owners were Harry C. Thompson (1924), James Lyon Hall (1930), G. D. Iverson (1933), and finally Harvey Wilson Kreuzburg (1951). Large, 2-½ story, frame and clapboarded house with gable roofing. Set close to road.

HOOK HOUSE (SITE) - c. 1850 - Northeast corner of Reisterstown Road and Hooks Lane. Stone, two-story, gabled house in vernacular style. Traces back to a lot sold to William A. Hook by Dr. Thomas C. Walker sometime before his death in 1860. Possibly this house, set back from the road, is the square shown as Dr. Walker's on the 1850 map, although he sold it for only \$800. W. A. Hook was shown as owner in the

Pet#3



LAW OFFICES

J. Carroll Holzer, pa

J. HOWARD HOLZER 1907-1989

THOMAS J. LEE OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE. TOWSON, MD 21286 (410) 825-6961 FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL NET

March 13, 2001 # 7253

HAND DELIVERED

Kimberly Abe
Landmarks Preservation Commission
Office of Planning
4th Floor
County Courts Building
Towson, MD 21204

Re: The Wright House Owner Betty Kreuzburg

Dear Ms. Abey:

Enclosed please find the Preliminary Information Form for the "Wright House," owned by Betty Kreuzburg, who desires to have it placed on the Baltimore County Landmarks List. The current proposal by Ms. Kreuzburg is that, because she has been unable to sell her property at 8919 Reisterstown Road for purpose of a residence only, she is requesting that I file a Petition for Special Exception to permit, under Section 1BO1.C.12, an office within the residence for a professional, such as a lawyer, architect, engineer, etc. This will make it much easier for Ms. Kreuzburg to sell the property while also preserving the house. Ms. Kreuzburg has a long history and pride in the house and desires that it be maintained as it has existed for many years. However, the economic reality is that no one wants to purchase the property just for residence. Being familiar with that section of Reisterstown Road, you can understand the inability of the house to sell for simply a residence. There is a great deal of interest, however, in utilizing the property for an office in which the owner resides on the site. Because of that interest, we believe a beneficial arrangement can be made to preserve this historic house, while making it economically feasible for reuse as a residence/office.

I have contacted Jack Dillon, of the Valleys Planning Council and informed him of the Special Exception request that will be filed in the very near future. We were hopeful that both the Valleys Planning Council and your office can support this plan and the request for a Special Exception before the Zoning Commissioner of Baltimore County.

Kim Abe Page 2 March 13, 2001

Please let me know what the next step is in regard to moving this matter forward in front of the Landmarks Commission. I would note that, because of the circumstances, we would not have an expert to provide much historical data about the house and we would hope that John McGrain would be available to provide the Commission with background information as to why this house is worthy of preservation.

Very truly yours,

J. Carroll Holzer

Mar-09-01 04:35P Carroll Holzer BALTIMORE COUNTY LANDMARKS PRESERVATION COMMISSION PRELIMINARY INFORMATION FORM 4. OWNER OF PROPERTY: Name: Betty Krevzburg Telephone: Residential Buciness No. and street: 8919 Reisterstown Kil City: Picesulle States md 7.10 Code 21208 Property in process of transfer Yes M No Property available on sales market Yes [No 5. LEGAL DESCRIPTION: (This information available on deed) Liber 14625 Fulio 760 is entire property being considered for inclusion as a landmark? [Yes D No Current zoning Acreage 0,51 DR 3.5 (if known) REPRESENTATION IN EXISTING SURVEYS: 6. Is property listed under any historic preservation agencies? Yes No If yes, pleuse eneck: National Register of Historic Places Maryland Historical Trust Other: Specify Bacto. Co. Historic Properties Re BA 941 DESCRIPTION: Condition Check One Check One excellent deteriorated unalteren original site Rood ruins altered moved endangered date 8. FORM PREPARED BY: Name J. OPRRULL HOLZETTE Business Teluphone 410-825 6561 No. and street 508 FAIRMOUNT AVE City Tou SON State MID 7.10 Code 2.12.86 Organization (if any) AHOTNICL FOR CONTRACTINE Signature Date 3-9-01 "Il landmark is endangered, explaja bircumstances:

Chase and a home office under BCZR 1BCI.C 12

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RESUME

JAMES S. PATTON, P.E., PRESIDENT, PATTON CONSULTANTS LTD.

Mr. Patton has over thirty five (35) years experience in site engineering, site development services, and land planning for a wide variety of public and private clients. His experience in the private sector has been in residential, commercial, and industrial site development. His public works experience is very broad, as he served as an officer in the U. S. Navy Civil Engineering Corps and as City Engineer for Washington, PA. In addition, he has provided site engineering and planning services to many local school boards, hospitals, colleges, and institutions in their development and construction programs.

He has been responsible for projects ranging in size and scope from a few thousand square feet to areas of more than a thousand acres. These projects have included storm water management, water distribution, sanitary sewer, streets, roads, parking areas, grading, wetlands and critical areas, and erosion control. His background includes new development, expansion, restoration, renewal and revitalization.

Site Plan approvals and obtaining permits for site development is a major focus. The ability to overview the various elements of site development such as zoning, environmental concerns, and utilities has been and is an important function performed by Mr. Patton in obtaining approvals and expediting the development of a site or project.

EDUCATION:

SWARTHMORE COLLEGE UNIVERSITY OF PENNSYLVANIA Bachelor of Science, Civil Engineering Master of City Planning

LICENSES/CERTIFICATIONS:

PROFESSIONAL ENGINEER

Pennsylvania, West Virginia (inactive) and Maryland

EXPERT WITNESS

Baltimore County Circuit Court;
Baltimore County District Court;
Board of Appeals and Zoning
Commissioner; Anne Arundel County
Zoning Commission; City of Baltimore
Zoning Commissioner. Circuit Court
Washington County, PA.

COMPREHENSIVE PLANNER

New York, Pennsylvania, West Virginia, and Delaware.

JAMES S. PATTON, P.E. - Resume

PAGE 2

PROFESSIONAL EXPERIENCE:

PRINCIPAL/PRESIDENT PATTON CONSULTANTS, LTD.

(1990 - Present)

Site evaluation and feasibility, land development, consulting, project management, zoning issues, expert testimony, and governmental approvals and permitting.

CHIEF OF CIVIL ENGINEERING LPJ, INC.

(1988 - 1990)

Began the civil engineering department and provided directions to projects as subconsultant primarily to the architectural community.

VICE-PRESIDENT, CIVIL ENGINEERING MARSHALL-CRAFT ASSOCIATES, INC.

(1987 - 1988)

Principal in charge of the site planning and engineering for this major architectural firm. Projects included industrial, elderly housing, publishing, public utilities, and residential sub-division.

VICE-PRESIDENT
DAFT - McCUNE - WALKER

(1986 - 1987)

Project management, permitting and processing site development projects through governmental agencies for this major land development consulting, land surveying, and civil engineering firm.

CHIEF OF SITE DEVELOPMENT D.S. THALER AND ASSOCIATES, INC.

(1984 - 1986)

Site evaluation and land development project management for this Baltimore County engineer.

PRINCIPAL JAMES S. PATTON ASSOCIATES, INC.

(1982 - 1983)

Historic restoration, financial institution feasibility studies, site plans, and site engineering for clients and personal projects in the City of Baltimore, Harford, Howard, Frederick and Anne Arundel Counties.

PRINCIPAL/PRESIDENT WASHINGTON CENTER FOR DESIGN, LTD.

(1971 - 1982)

As Principal of this organization, he was responsible for marketing and providing planning, site engineering and land development consulting services to a clientele of multi-national and local corporations, financial institutions, developers, and thirteen (13) southwestern Pennsylvania municipalities.

DIRECTOR, PITTSBURGH OFFICE KENDREE AND SHEPARD PLANNING CONSULTANTS, INC.

(1968 - 1971)

Directed comprehensive planning program, the preparation of urban renewal plans, and consulted on zoning and land development for cities in West Virginia, Pennsylvania, New York, and Delaware.

OFFICER (Ensign-Lieutenant) U. S. NAVY CIVIL ENGINEERING CORPS

(1965 - 1968)

Served as Manpower Planning Officer for Public Works and Facilities Engineering at the Navy Department, Washington, D.C. and as Assistant Resident Officer in Charge of Construction, U.S. Naval Base, Guantanamo Bay during a period when construction volume exceed \$44,000,000.

PROJECTS AND CLIENTS - PARTIAL LIST

RESIDENTIAL:

Sunset Knoll, Baltimore Co. Sunset Knoll Associates Silver Spring Station, Baltimore Co. The Strutt Group Walnut Ridge, Washington, Co. Walnut Ridge, Inc. McDonogh Township, Baltimore Co. Greenabaum Partnership Watermark Condos., Columbia, MD. - General American Claybrooke, Baltimore Co. Fairwinds Devlp. LLC Claybrooke II, Baltimore, Co. Oakdale, Baltimore Co. Gunview Farms II, Baltimore Co. Glenside Farms, Baltimore Co. Fairwinds Management Westchester Avenue, Baltimore Co. Burton Residence, A. A. Co. Gibson Island, MD. Gailliard Residence, A. A. Co. Fowler Residence, A. A. Co. Coupland Residence, A. A. Co. Hoehn-Saric Residence, A. A. Co. Baltimore Co. MD. Land Preservation 8 Agricultural Area Farms

COMMERCIAL:

McDonald's Washington, PA. - (2 Sites) Elby's Big Boy Mt. Lebanon, PA. - (3 Sites)

Kentucky Fried Chicken Belair Road. Sambo's Washington, PA. Dairy Queen Baltimore Co.

MD. National Bank (Now Nations Bank) -Baltimore Co. - 3 Sites)

Foster Brothers Hardware Hereford, MD. **Coastal Crane Service** Baltimore Co.

Comfort Suites @ BWI **Anne Arundel County**

Super "8" Motel **Harford County**

Pennwood Property, Inc.

W. C. Pinkard & Co. Westinghouse Corporation

Greystone Golf Course

Union National Bank of

Pittsburgh (Now National City) Four (4) Sites Pittsburgh National Bank (Now PNC) Three (3) Sites **Dulaney Center** Towson, MD. Hechinger Two (2) Sites

Suburban Sales & Rental Baltimore Co. - (2 Sites)

INDUSTRIAL:

G. Heilman Brewery, Baltimore Co. G. Heilman, Lacrosse, Wisc.

A. A. Co.

Port East Transfer

Point Breeze Maritime Center Creaney & Smith North Point Industrial Center Creaney & Smith Benson Industrial Center Meisel & Cohen Westinghouse W. C. Pinkard Prime Technology Baltimore Co. **Browning-Ferris Industries** Baltimore Co. William H. Knott, Inc. Baltimore Co. Tate Andale Baltimore Co. Greif Brothers Baltimore Co. Stoney Run Industrial Park

GOVERNMENTAL

&

INSTITUTIONAL:

Bradford, PA. - Urban Renewal Plans
Jamestown, NY. - Urban Renewal Plans
Washington, PA. - Consulting City Engineer

Various Plans & Construction Plans

Wilmington, Del.
 Pittsburgh, PA.
 Midtown Urban Renewal Area
 Various Street/Circulation Studies
 Mt. Lebanon, PA.
 CBD Beautification & Circulation

Plans

Baltimore County, MD. - On-Call Site Engineer for Economic Development Revitalization Commission General Services Administration - Fish & Wildlife Service

Annapolis Field Office

Gibson Island Corp & Yacht - On-Site Sanitary Sewage Disposal Squadron

EDUCATIONAL:

Harford County, MD. School District - Storm Water Management

" " - Church Creek School

" " " - Harford Glen

" - St. Clements Learning Center Woodbridge Center

" " " " - Churchville Elementary

Mount St. Mary's College - Campus Maintenance Facility
McDonough School - Entrance, Parking & Walkways

Washington & Jefferson College - Campus Plan University of Pittsburgh-Bradford - Campus Plan

Campus

Hood College
- Athletic Complex
Anne Arundel Co. School District - Meade Middle School

St. Paul's School for Boys - Chapel

St. Paul's School for Boys - Athletic Center
St. Paul's School for Boys - Upper School

St. Paul's School for Boys - Lower Athletic Fields

MEDICAL FACILITIES:

Belitsos Medical Center

Trinity Geriatrics

Windsor Ridge

64 Reisterstown Road

639 Main Street

Newport/York Road

Pasadena Dental Center

- Medical Center

Retirement Home

Retirement Center

- Assisted Living

Assisted Living

Pasadena, A.A.Co.

COMMUNICATION TOWERS:

Bell	Mobile	Tower	- Harford Road
₩	17	H	- Highlandtown (Pulaski Highway)
Ħ	#	**	- Poplar Grove
Ħ	Ħ	Ħ	- Woodberry
Ħ	W	77	- Pikesville
Ħ	π	"	- Gardenville
Ħ	π	Π	- Clifton Park
Ħ	Ħ	Ħ	- Patterson Park
R	H	Ħ	- Russell Street
W	W	Я	- Montebello

KRUEZBERG PROPERTY 8919 REISTERSTOWN ROAD

ENVIRONMENTAL IMPACT STATEMENT IN CONJUNCTION WITH A PETITION FOR A ZONING RECLASSIFICATION AND VARIANCE

DETAILED DESCRIPTION OF PROPOSED ACTION:

The proposed action is to retain the existing structures and adaptively reuse them for offices or as medical offices through a reclassification of zone to O-3 which permits only offices or medical offices. The principal sturcture was constructed in the late 1700s and was placed on the Baltimore County Landmark's Preliminary List by the present owner in June 2001. Therefore the structure can not be changed but the interior use may be changed. To support the office/medical office use, there is a need for additional parking. There will be a slight increase in the foot print of the present garage. This increase in the impervious surface area is the only environmental impact which will result from the proposed activity on the site. The proposed parking and minor addition to the garage for conversion to offices will result in a maximum of a 22% increase in impervious area. This increase will be addressed by storm water management including water quality device(s) on site.

PROBABLE IMPACT ON THE ENVIRONMENT:

Probable impact is limited to the increase in storm water runoff if uncontrolled and the increase in the number of vehicles temporarily located on site during office hours. Because of the elderly housing activity immediately next door, potential patients/clients will be able to walk to this complex instead of using vehicular transportation. This will result in a reduction in environmental impact. No ecological systems will be impacted directly or indirectly from this proposal.

ADVERSE ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED:

Because of the use for offices, the increase in vehicular traffic cannot be avoided. There will be mitigation of the increase in impervious area and vehicular pollustants through storm water management including water quality.

ALTERNATIVES TO THE PROPOSED ACTION THAT MIGHT AVOID ADVERSE IMPACTS:

To provide for the economic and adaptive reuse of the structures, because of the development which has occurred in the surrounding area over time, there is no alternative action.

ASSESSMENT OF THE CUMULATIVE LONG- TERM EFFECTS:

Through the proposed adaptive reuse of the historic site the impact will be less than were the site to fall into total disrepair and be re-developed for a more intense use typical of the road frontage on this highly traveled road.

IRREVERSIBLE OR IRRETRIEVABLE COMMITMENT OF RESOURCES:

None, other than the normal commitment of paving and building materials utilized in normal construction.

CR-02-154-17

LAW OFFICES Rosolio & Kotz, P.A. SUITE 220, NOTTINGHAM CENTRE 502 WASHINGTON AVENUE TOWSON, MARYLAND 21204-4513 DEBORAH C. DOPKIN TELEPHONE 410-339-7100 FAX NO. 410-339-7107 Laure S. Wescott, Energian. 1997 Kristine K. Howanski, Chairperson County Board of Appeals of Baltimore County Old Courthouse, Basement 400 Washington Avenue Towson, Maryland 21204 RE: PETITION OF AZOLA & ASSOCIATES, INC. Dear Ms._Howanski: This firm represents Azola & Associations in its petition! for out-of-cycle reclassification of approximately 3.62 acres of land

This firm represents Azola & Associations in its petition for out-of-cycle reclassification of approximately 3.62 acres of land on Aighurth Lane in the Towson area of Baltimore County known as Aighurth Vale. The case comes before you following a Baltimore County Council vote on July 7, 1997 to have this petition for Reclassification heard "out-of-cycle" as being manifestly in the public interest.

The Reclassification Petition and accompanying documented, site plan propose a change in zoning from D.R. 3.5 to R.O. to allow for the restoration of the Aigburth Vale mansion for office use. The property is currently owned by Baltimore County and will be developed by Azola & Associates pursuant to a competitive process undertaken by Baltimore County last fall.

The mansion and accessory buildings have been deemed to have significant historical value. In order to effectively restore them to viable use, the underlying zoning must be modified. We maintain that the Baltimore County Council erred when the 1996 Comprehensive Zoning maps were approved, in that the land was not zoned for office use at that time, in that County owned parcels were not then considered for rezoning.

Petitioner intends to present evidence at the hearing to demonstrate mistake or error pursuant to the requirements of County Code Section 2-356(j).

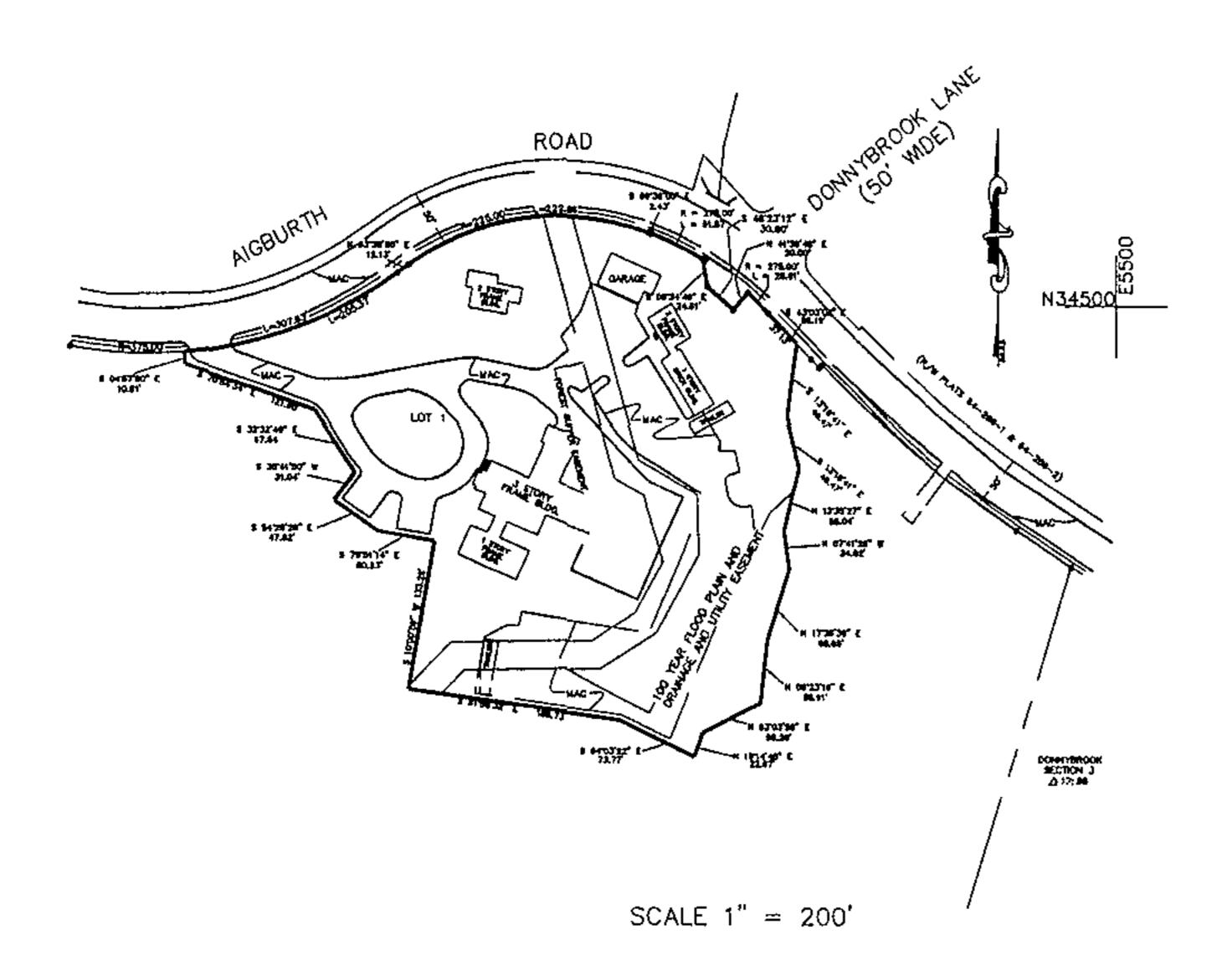
Very truly yours,

gborah C. Dopkin

cc: Azola & Associates, Ind.

Service Services

CR-96-59-SPHVA



CK-48-59.5PHXA

COUN COUNCIL OF BALTIMORE COUND, MARYLAND Legislative Session 1997, Legislative Day No. 14

Resolution No. 73-97

Mr. Douglas B. Riley, Councilman

By the County Council, July 7, 1997

A RESOLUTION of the Baltimore County Council to approve the Planning Board's certification that the zoning reclassification petition filed by Merreen E. Kelly, on behalf of Baltimore County, for the property located at 212 Aigburth Lane in Towson, known as Aigburth Vale, and situated in the Fourth Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356(c) through (h), inclusive, of the Baltimore County Code, 1988, as amended.

WHEREAS, the Planning Board, by Resolution dated June 19, 1997, has certified that early action on the Petition for Zoning Reclassification filed by Merreen E. Kelly, on behalf of Baltimore County, requesting a reclassification of the above described property is manifestly required in the public interest; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-356(i), may approve said certification and exempt the Petition for Zoning Reclassification from the regular procedures of Section 2-356.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the zoning reclassification petition filed by Merreen E. Kelly, on behalf of Baltimore County, be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-356(i) of the Baltimore County Code.

R07397.



401 Bosley Avenue | Towson, Maryland 21204 (410) 887-3495

Fax: (410) 887-5862

June 20, 1997

Hon. Joseph Bartenfelder Chairman, Baltimore County Council County Courthouse Towson, MD 21204

Re: Certification on Reclassification Petition - Aigburth Vale

Dear Councilman Bartenfelder:

At a regularly scheduled meeting on June 19, 1997, the Baltimore County Planning Board voted, in accordance with Section 2-356(i) of the County Code, to certify to the County Council that early action upon the petition for zoning reclassification of the Aighurth Vale property at 212 Aighurth Lane is manifestly required in the public interest.

Enclosed is the report on this matter by the Office of Planning, as accepted by the Planning Board. The Planning staff will be pleased to assist the Council in the consideration of this matter.

Sincerely,

Arnold F. 'Pat' Keller, III

Secretary

AFK/TD/rlh Enclosure

Merreen E. Kelly, Administrative Officer
Thomas Peddicord, Legislative Counsel/Secretary
Brian Rowe, County Auditor
Virginia W. Barnhart, County Attorney
Patrick Roddy, Assistant County Attorney
Robert J. Barrett, Spec. Asst. to the County Executive
Kristine K. Howmanski, Chair, Board of Appeals
Arnold Jablon, Director, Permits & Development Management
Peter Max Zimmerman, People's Counsel

Martin P. Azola, Project Developer AIGBURTH.DOC



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

Fax: (410) 887-5862

. TO: Baltimore County Planning Board

DATE: June 10, 1997

FROM: Arnold F. "Pat" Keller, III

SUBJECT: Aigburth Vale

The attached letter from Merreen E. Kelly on behalf of Baltimore County, Maryland, requests certification by the Planning Board for out-of-cycle action on a zoning petition for reclassification of the subject property from DR 5.5 to RO.

Section 2-356 (i) of the Baltimore County Code authorizes the Planning Board to certify to the County Council that expedited scheduling of a reclassification hearing by the Board of Appeals "is manifestly required in the public interest or because of an emergency." Neither the certification by the Planning Board nor a concurrence by the County Council would constitute an opinion on the merits of the petition; the effect is simply to take the petition out of the normal cycle zoning schedule for an earlier hearing.

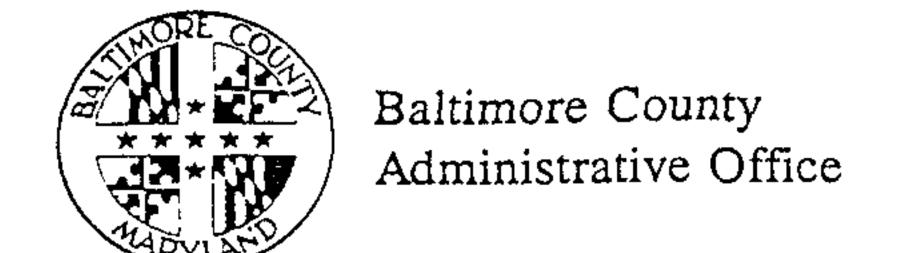
The subject request for certification has been reviewed by planning staff and without taking a position on the merits of the case, we recommend to the Board that certification for early action upon this zoning classification petition is required.

Arnold F. "Pat" Keller, III

AFK:JL

Attachment

aig.doc/cycle



400 Washington Avenue Towson, Maryland 21204 (410) 887-2460

Fax: (410) 887-5781

June 9, 1997

Mr. Arnold F. "Pat" Keller Director Office of Planning Courts Building Towson, Maryland 21204

Douglas B. Riley
Fourth District Councilman
County Council
Court House
Towson, Maryland 21204

Re: Requested Consideration of the Aigburth Vale Property for Out-of-Cycle Zoning Consideration, In The Public Interest 212 Aigburth Lane, Towson

Dear Mr. Keller and Councilman Riley:

Aigburth Vale was a country villa built in \$1868. The 22 room historic mansion was acquired by the Baltimore County Board of Education in 1950. The Board utilized the property for administrative offices until 1997 at which time the Board declared the property surplus and directed that the property be conveyed to Baltimore County pursuant to the Education Article of the Annotated of Maryland.

- In a study conducted by architect James T. Wollen for Baltimore County, it was noted that "Aigburth Vale retains an astonishing amount of its original fabric, the vast majority of it being in good, restorable condition. Superficially, its finishes are in poor condition, some deterioration has occurred primarily because of leaking concealed gutters; and utilitarian additions to and within the house have negatively impacted the historic structure." The report estimates renovation costs to be \$1,747,410 to \$2,100,765.

In order to insure that this historic property be preserved for the public good, Baltimore County generated a public offering. Individuals, organizations and corporations were requested to submit proposals containing their restoration plans, proposed use, renovation team and financial ability to complete the extensive renovation process.

A selection committee consisting of representatives from the following organizations and Baltimore County offices was formed: Executive Office, Administrative Office, Councilman Riley's Office, Bureau of Land Acquisition, Historic Towson, Inc., Baltimore County Historic Trust, Aigburth Manor Community Association and Knollwood Donnybrook Community Association.

Mr. Arnold F. "Pat" Keller Councilman Douglas B. Riley

The key elements considered in the selection process were experience of the renovation team, financial standing/ability and a proposed use that was acceptable to the surrounding communities.

The successful proposal was submitted by Martin P. Azola, President, Azola & Associates Inc. The corporation intends to renovate the mansion and outbuildings for office use while maintaining the historic character of the property. Unfortunately, the property's current zoning DR 5.5 will not permit this type of development.



In general due to the extensive renovation costs required to restore this historic property, it is impossible to utilize this property under its current DR 5.5 zoning. Based upon the vast response to the County's request for proposals, it is unlikely that the County will find a buyer that will be able to finance this historic restoration under the present DR 5.5. zoning.



The subject property is historical and is registered with the Baltimore County Landmarks Preservation Commission. Aigburth Vale is comprised of one parcel of land containing approximately 3.7 acres. The subject property fronts on Aigburth Avenue approximately 2,000 feet east of York Road. Aigburth Avenue is a two lane, undivided secondary roadway.

Towson High School adjoins the property immediately to the south, east and west. The communities of Aigburth Manor and Donnybrook are located north of the Aigburth Vale property. These properties are zoned residentially.

Azola & Associates, Inc. will serve as the project developer, engineer, restoration tax credit consultant and construction manager. The firm has a history of performance in the design and development of historic properties in Baltimore County. Past historic preservation projects in Baltimore County include Rockland Grist Mill, Village of Rockland, Oregon General Store, George Ellicott House, Stephen Cockey House, Taylor's Hall, Stone Hall, County Council Library and the main house at Devon Hill.

Azola & Associates, Inc. intends to renovate the mansion for office use. The size and location of any additions or growth envelopes will be determined through the development process with the community and County having input. Exterior restoration will be performed to the Standards of the Department of the Interior for Certified Rehabilitation. Interior work will be designed to meet the needs of the tenants.



Aigburth Valevis a prime example of the fate of the many once proud historic buildings searching for contemporary adaptive reuse. It is large, loaded with toxic finishes, inefficient and costly to maintain. It has been neglected and is deteriorated. Restoration will be costly.

Mr. Arnold F. "Pat" Keller Councilman Douglas B. Riley

Most detrimental to Aigburth's future is its "functional obsolescence". It does not comply with local building codes, it has an awkward room arrangement, it has 4 floors and no elevator, it does not meet handicapped regulations, it has inadequate fire exits, and asbestos abounds.

In addition, existing inappropriate additions must be removed in accordance with the County's public offering. And, as previously noted, the exterior renovations will be mandated by its Baltimore County Landmark designation.

Hence, the restoration costs are estimated to far exceed the cost of comparable new construction. The present residential zoning cannot support these rehab costs. Therefore, the County will be asking for RO, Residential Office classification, with a documented site plan utilizing the site and the existing building and any proposed additions.

Algburth Vale is in serious need of repair and hence the County would prefer not to wait until the September 1st filing deadline for cycle II to determine if this documented site plan case will succeed. Hence, we are asking for out-of-cycle treatment, as accorded to other worthy applicants.

Accordingly, we would respectfully request that the Planning Staff, upon review, recommend out-of-cycle treatment for the Aigburth Vale property pursuant to the provisions of Section 2-356(i) of the Baltimore County Code. There is no question in our mind, and we trust that you will agree, that it will be "manifestly required in the public interest or because of emergency" to consider this documented, adaptive reuse case out-of-cycle. Actually, it is both an emergency to prevent further deterioration to the structure and in the public interest to preserve this historic building.

Of course, we would be glad to respond to any questions or comments, and we are hopeful that this matter can be placed in the Planning Board Agenda for June for consideration by the Council, hopefully in July.

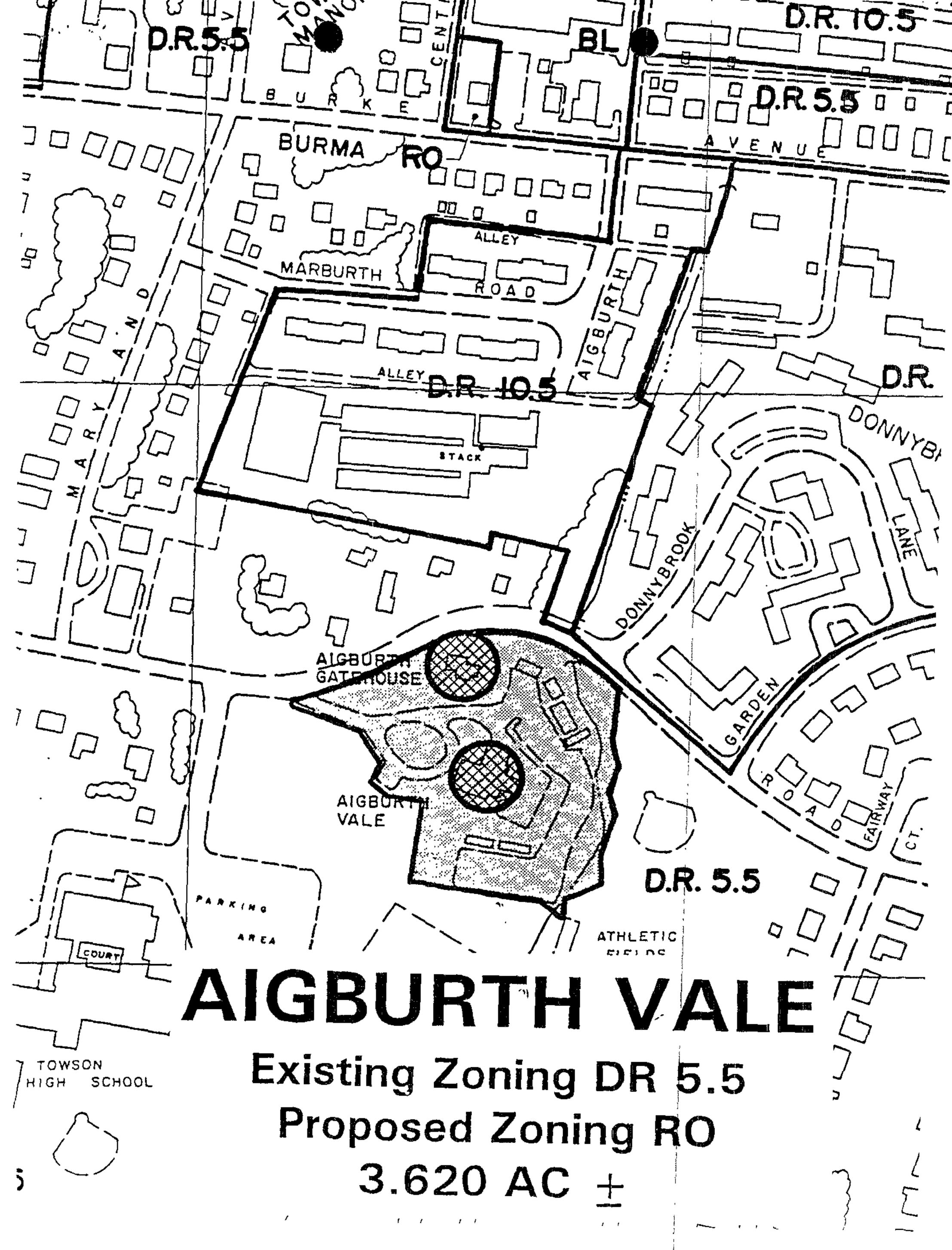
Sincerely,


Merreen E. Kelly


County Administrative Officer


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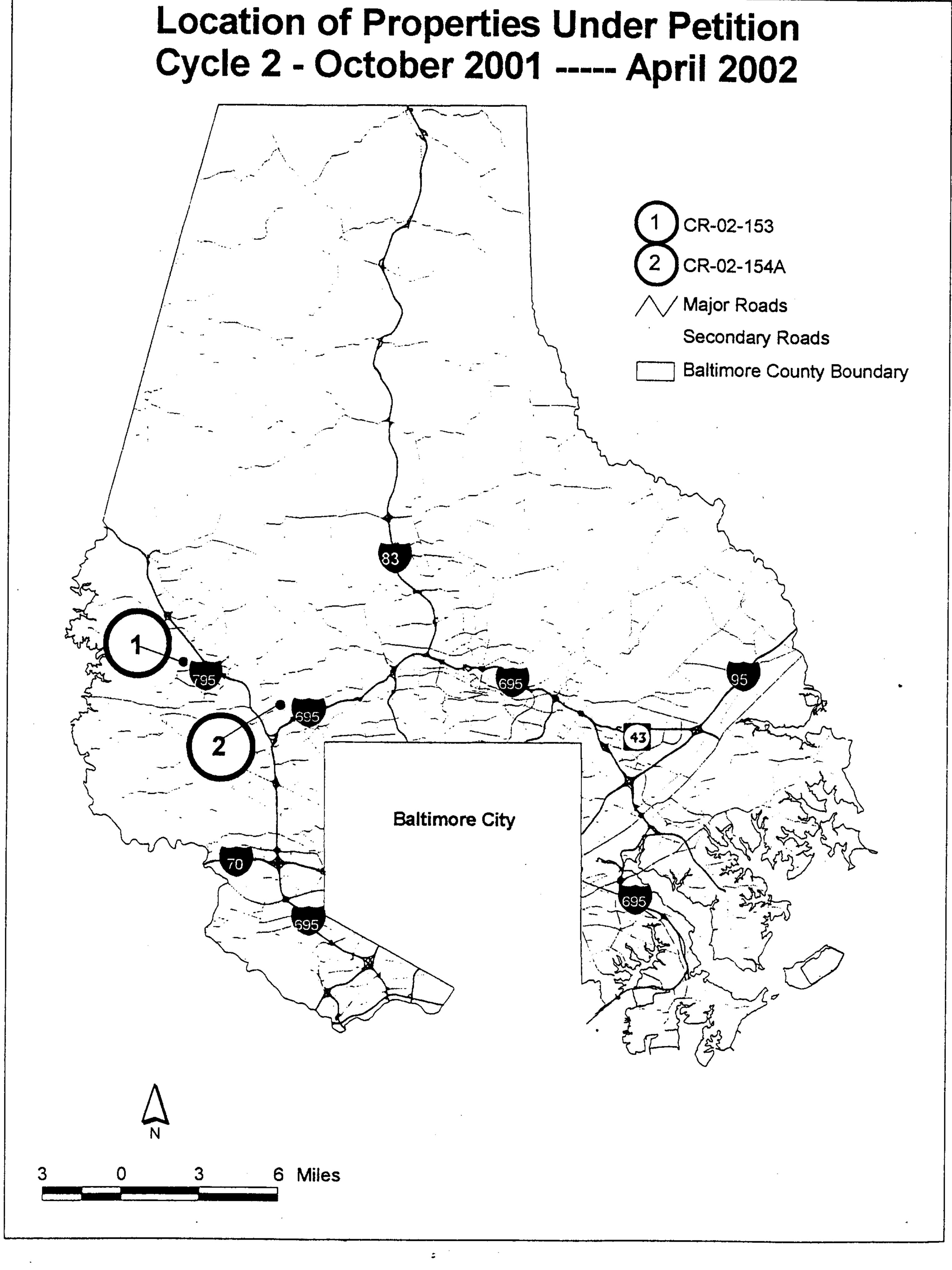
Introduction

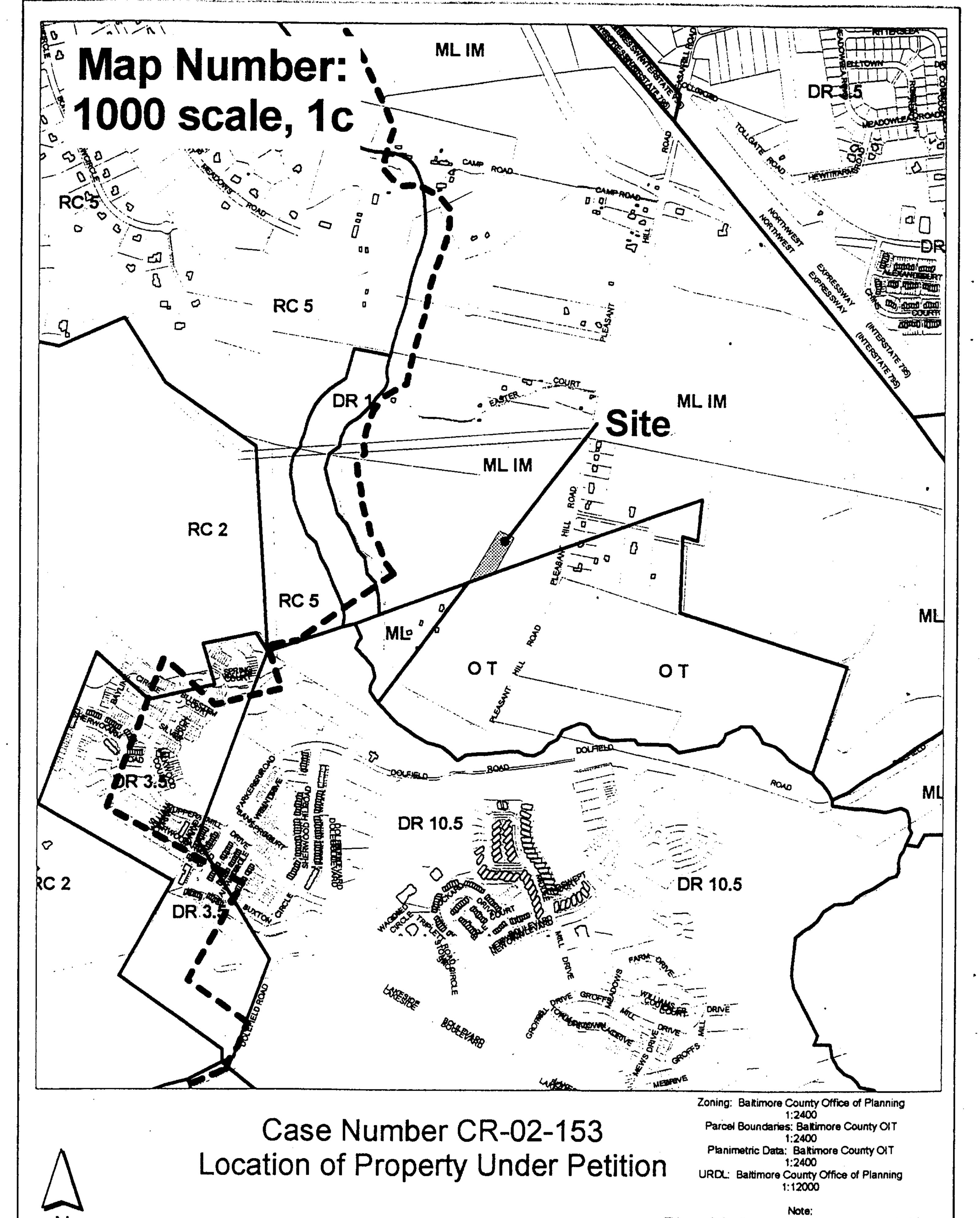
Under the provisions of Section 2-356(e) of the Baltimore County Code, the Director of Planning is required to submit to the Planning Board, during Period 1 of each zoning cycle, a report on the petitions accepted by the County Board of Appeals for filing during the previous zoning cycle. The report 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 <u>Baltimore County Master Plan</u>, 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."





Scale 1" = 1000'

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

ZONING HISTORY:

The subject site was rezoned from RC-3 to ML-IM and OT as part of the 1984 Comprehensive Zoning Map Process (see Issue No. 3-212).

MASTER PLAN/COMMUNITY PLAN:

The proposed land use map, adopted by the County Council on February 22, 2000, indicates the site is designated for "Office" and "Commercial" use.

PROPOSED vs. EXISTING ZONING:

Regulations for the ML and OT zones may be found in Sections 253 and 209, respectively, of the Baltimore County Zoning Regulations (BCZR).

The ML zone permits a number of light manufacturing uses by right. The zone also allows auxiliary retail or service uses, provided that any such use is situated within an IM district or is located in a planned industrial park of at least 25 acres in net area.

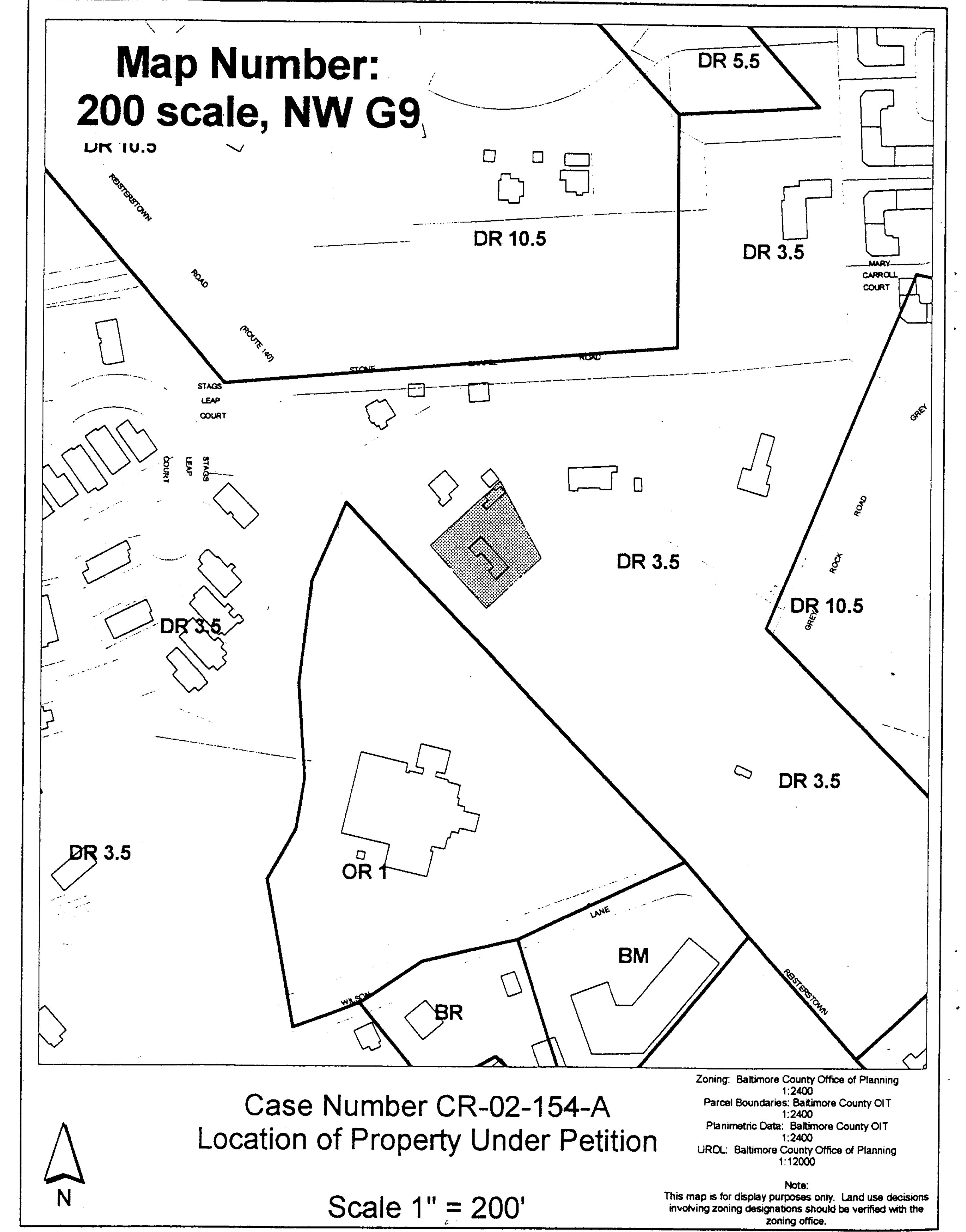
The OT zone permits the development of employment and residential centers consisting of employment intensive office development in combination with certain high technology and residential development. According to the BCZR, the OT zone can only be mapped in areas of high accessibility or in proximity to a town center.

DOCUMENTED SITE PLAN:

The documented site essentially substitutes 32 residential units for the approved 20,000 square feet of office space on the 1.82 acre parcel. Four 4-story, multifamily structures will house the 32 residential units. The documented site plan includes schematic building elevations and floor plans, and a parking detail.

OFFICE OF PLANNING RECOMMENDATION:

The subject property is part of a larger project known as Kentmar. The original project proposal was for a mixed development involving 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 off Dolfield Boulevard to serve the development. The private drive would not have provided a much-needed connection between Dolfield Boulevard and Pleasant Hill Road. Subsequent to the 2000 Comprehensive Zoning Map Process, the Kentmar project received development plan approval, and at the request of an adjacent property owner, access to the site was relocated to the north. This shift enables the petitioner to convert site access to a public road that would connect Dolfield Boulevard and Pleasant Hill Road. The public road would better serve the proposed office and commercial component of the project. What is more, the public road would serve to separate the office and commercial part of the project from the proposed residential units should the applicant's request be granted.



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.