

RE: PETITION FOR ZONING
RECLASSIFICATION

* BEFORE THE
* COUNTY BOARD OF APPEALS
* FOR BALTIMORE COUNTY
* Case No. R-02-454

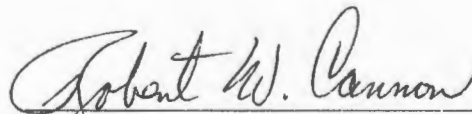
PETITIONERS:

ELIZABETH A. PARHAM
DUANE L. RITTER

* * * * *

ENTRY OF APPEARANCE OF PETITIONERS' COUNSEL

Please enter the appearance of Robert W. Cannon and James E. Goodrich as counsel for Petitioners in the above-captioned matter. Additionally, please send any notices of hearing dates or other proceedings and of the passage of any preliminary or final Order in this matter to Petitioners' counsel.



Robert W. Cannon
James E. Goodrich
Saul Ewing LLP
100 South Charles Street
Baltimore, Maryland 21201
(410) 332-8816

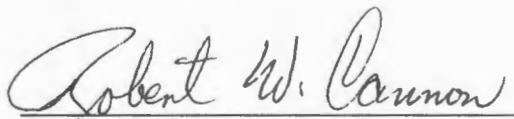
Counsel for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 12th day of November, 2002, a copy of the foregoing Entry of Appearance was sent by first class mail, postage pre-paid, to:

Peter Max Zimmerman, People's Counsel for Baltimore County
Carole S. DeMilio, Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, Maryland 21204

James S. Patton
305 W. Chesapeake Avenue
Suite 206
Towson, Maryland 21204


Robert W. Cannon

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

DATE: April 15, 2003 *MS*

SUBJECT: Zoning Item CR-02-454 (Reclassification)
Address Ritter-Parham Property

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

Additional Comments:

As part of its review of zoning reclassification issues for the 2000 CZMP, DEPRM commented that multiple headwater tributaries to Dogwood Run originate on these properties and that intensive Development of the site may adversely affect water quality, stream channel stability, and habitat.

The wetland limit has not been approved by DEPRM. In addition, the 100 year floodplain shown onsite is incomplete. Since the proposed zoning reclassification would allow intensive development to occur, DEPRM **DOES NOT SUPPORT** the request to change the zoning classification from RC-6 and DR-3.5 to DR-16, DR-5.5, RC-3 and OR-2. The existing RC-6 and DR-3.5 are the appropriate Zoning Classifications.

Reviewer: John Russo

Date: April 15, 2003

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 21, 2003

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

SUBJECT: Parham/Ritter Property
Item No. 02-454 C R

This office has reviewed the plan and support the proposal subject to following comments:

1. There must be a "roundabout" proposed where Security Boulevard, Old Stone Road and Fairbrook Road come together.
2. Security Boulevard west of Fairbrook Road must be eliminated.
3. Johnnycake Road must be improved along the entire property frontage.
4. Significant changes must be made to the existing sewer system downstream from this site (up to approximately 1700 feet) to increase the sewer capacity to service the future development demands imposed by the proposed zoning.

RWB:RJF:cab

cc: File



**Baltimore County
Fire Department**

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

March 20, 2002

ATTENTION: Rebecca Hart

Reclass & Redistrict Petitions, Cycle 3

Item No.: CR 02-454

Dear Ms. Hart:

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.

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

cc: File





**Baltimore County
Fire Department**

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

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

cc: File



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: March 14, 2003

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

RE: Baltimore County
Item No. CR-02-454
Case No. 02-454-CR
Reclassification Amended
Revised Petition and Plans

Dear Mr. Zahner:

This office has reviewed the referenced Zoning Reclassification Petition and we have no objection to approval.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

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

TO: Baltimore County Board of Appeals

FROM: John Lewis
Planner II
Zoning Review *J. Lewis*
3/11/03

SUBJECT: Documented Reclassification ^{2nd}
Filing Review CR-02-454 (Amended)
Noncompliance with Section 2-356 (d) (1) (I) B.C.C.

Please be advised that after several reviews, the documented site plans still lack a variety of information required by the Reclassification and Zoning Public Hearing Checklists. This is in part due to the general references to specific uses, which are not accurately shown and the lack of information concerning elevation and sign details, floor plans, parking, etc. The engineer is aware of these problems and has stated that it is the intent of the applicant to address these issues at the hearing.

Reclassification from DR 3.5 /RC 6 to RC 3 /DR 5.5 /OR 2 /DR 16 /DOCUMENTED SITE PLAN

4/22/02 – Notice of Zoning Reclassification Hearing sent to parties by PDM; hearing scheduled for Tuesday, November 19, 2002 at 10:00 a.m.

11/08/02 – Green file hand-delivered from PDM.

11/13/02 – FAX from Robert W. Cannon, Esquire – Entry of Appearance as Counsel for Petitioners; also letter advising that Petitioners intend to submit a documented site plan on the scheduled hearing date of 11/19/02; hearing to amend plan only; no evidence or testimony; hearing date on merits to be assigned.

11/19/02 – Board convened for hearing to accept amendment to Petition for Reclassification (Marks, Adams, Wescott); Amended Petition, Documented Site Plan, and accompanying documentation submitted by R. Cannon on behalf of Petitioners; to be transmitted to PDM and Notice of Assignment to be sent reflecting hearing on merits in April 2003.

11/21/02 – Memo to A. Jablon, Attn: C. Richards transmitting documentation submitted at public hearing (amended petition, doc site plan and accompanying documentation); also copy of Notice of Assignment sent out this date.

-- Notice of Assignment /hearing on merits sent out this date; assigned for Wednesday, April 2, 2003 at 10:00 a.m., sent to following:

Robert w. Cannon, Esquire
James E. Goodrich, Esquire
Elizabeth A. Parham
Duane L. Ritter
James S. Patton, P.E. /Patton Consultants, Ltd.
Robert J. Haines, Esquire /Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Jeffrey Long /Planning
Pat Keller, Planning Director
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM

3/06/03 – Letter requesting postponement filed via FAX by Robert W. Cannon, Esquire, counsel for Petitioners; awaiting final Planning Board vote which will not occur until May 1, 2003 Planning Board meeting; therefore requests postponement to date after that meeting (preferably after June 1, 2003).

3/07/03 – Notice of PP and Reassignment sent to parties; assigned for hearing on Tuesday, June 10, 2003 at 10:00 a.m.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 21961

DATE 3/12/03

ACCOUNT 001-006-6150

AMOUNT \$ 000.00

RECEIVED FROM: Fairwinds Management - Jan 2, 11, 12

FOR: Ritter Park

Site Plan Amendment

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

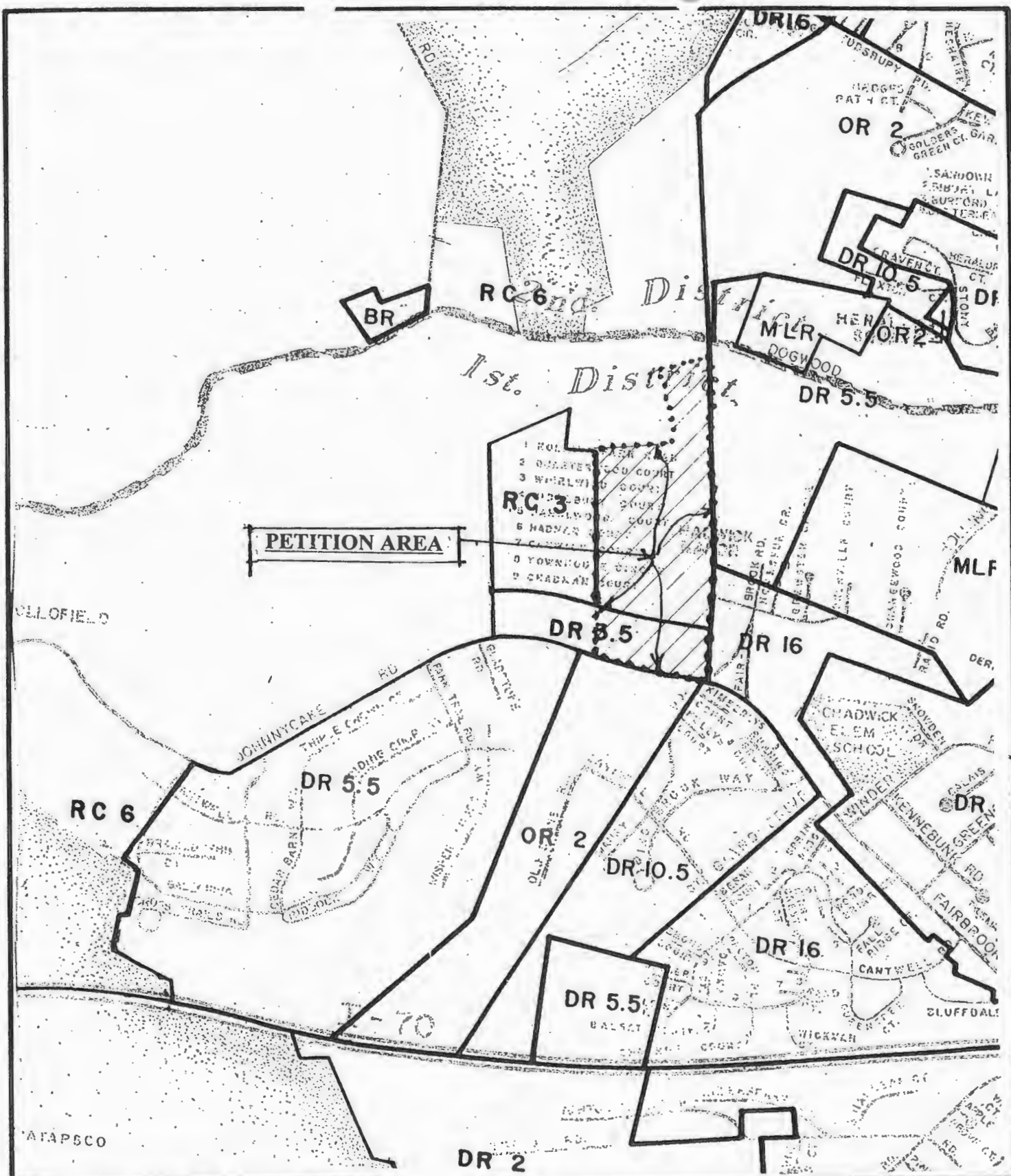
YELLOW - CUSTOMER

PAID RECEIPT
PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
3/12/2003	3/12/2003	11:30:50	2
FILE NAME	WALKIN DOOL DMD		
FILE #	210030	3/12/2003	0FLH
DATE	5 528 ZONING VERIFICATION		
CR #	021961		

Receipt Tot \$200.00
200.00 CR .00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION



PATTON

Patton Consultants Ltd., Engineering & Site Planning
 305 West Chesapeake Avenue, Suite 206
 Towson, Maryland 21204
 410-296-2140 Fax: 410-296-0419

North

1,000' ZONING MAP - 2B

BALTIMORE COUNTY

R-02-454

DATE: 2/27/02

DRAWN: — CHECKED: — JOB# SCALE: 1"=100' SUT: 1/1



County Board of Appeals of Baltimore County

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

April 22, 2002

NOTICE OF ZONING RECLASSIFICATION HEARING

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

CASE NUMBER: R-02-454

N/S Johnny Cake Road, approximately 300' W of Fairbrook Road (7321 & 7324 Dogwood Road

1st Election District – 1st Councilmanic District

Legal Owner: Elizabeth A Parham & Duane L Ritter

Reclassification of the property from D.R.3.5/R.C.6 to R.C.3/D.R.5.5/D.R.16/O.R.2

HEARING: Tuesday, November 19, 2002 at 10:00 a.m. in Room 48, Old Courthouse Building, 400 Washington Avenue

Lawrence S. Wescott

Lawrence S. Wescott
Chairman GDL

c: Elizabeth A. Parham, 7321 Dogwood Road, Baltimore 21244
Duane L. Ritter, 7324 Dogwood Road, Baltimore 21244
James S Patton PE, Patton Consultants LTD, 305 W Chesapeake Avenue,
#100, 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.



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

March 7, 2003

NOTICE OF POSTPONEMENT & REASSIGNMENT /Hearing on merits

CASE #: CR-02-454
(Cycle III, 2002)

IN THE MATTER OF: ELIZABETH PARHAM AND DUANE RITTER
-Legal Owners /Petitioners 7321 and 7324 Dogwood Road
1st Election District; 1st Councilmanic District

RE: Petition for Reclassification / Documented Site Plan

which had been assigned to be heard on 4/02/03 has been **POSTPONED** at the request of Robert W. Cannon, Esquire, counsel for Petitioner, to a "date after the May 1 Planning Board proposed final vote"; and has been

REASSIGNED FOR: TUESDAY, JUNE 10, 2003 at 10:00 a.m. /Hearing on the merits

NOTICE: This 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

Petitioners

James S. Patton, P.E. /Patton Consultants, Ltd.

Carol Saffran-Brinks /Board of Ed. /MS 1102-J

People's Counsel for Baltimore County

Jeffrey Long /Planning

Pat Keller, Planning Director

Lawrence E. Schmidt /Zoning Commissioner

W. Carl Richards /PDM

Arnold Jablon, Director /PDM

: Robert w. Cannon, Esquire

James E. Goodrich, Esquire

: Elizabeth A. Parham

Duane L. Ritter





ROBERT W. CANNON

Phone: (410) 332-8816

Fax: (410) 332-8817

rcannon@saul.com

www.saul.com

March 6, 2003

VIA FACSIMILE AND REGULAR MAIL

Lawrence M. Stahl, Esquire
Chairman, County Board of Appeals
of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

**Re: Parham - Ritter Properties - Petition for Reclassification
Case No. R-02-454**

Dear Chairman Stahl:

On behalf of the petitioner, we respectfully request that the hearing scheduled for Wednesday, April 2, 2003 at 10:00 a.m. be postponed. Requests were made by various Baltimore County agencies for further details relating to the amended site plan and accompanying documentation.

Mr. Jeff Long of the Department of Planning has advised me that as a result of these additional details, the Baltimore County Planning Board will not be able review this matter until its meetings of April 3, where the initial presentation will be made, and, on May 1, for its vote in connection with this petition. There is only one Planning Board meeting scheduled in April because of religious holidays. As a result, we respectfully request that this matter be rescheduled for a hearing before the Board of Appeals at a date after the May 1 Planning Board proposed final vote. To be on the safe side, it would appear that the postponement date should be some time after June 1.

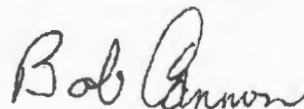
Lawrence M. Stahl, Esqu

March 6, 2003

Page 2

I respectfully urge your favorable consideration to this postponement request.

Respectfully yours,



Robert W. Cannon

cc: Ms. Kathleen Bianco
Board of Appeals

Peoples Counsel for Baltimore County
Mr. Pat Keller
Mr. Jeffrey Long
Mr. James S. Patton
Ms. Elizabeth A. Parham
Mr. Duane L. Ritter



County Board of Appeals of Baltimore County

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

pp'd by reg. of
Counsel for petitioner
No 6/10/03

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

November 21, 2002

NOTICE OF ASSIGNMENT /Hearing on merits

CASE #: CR-02-454
(Cycle III, 2002)

IN THE MATTER OF: ELIZABETH PARHAM AND DUANE RITTER
-Legal Owners /Petitioners 7321 and 7324 Dogwood Road
1st Election District; 1st Councilmanic District

RE: Petition for Reclassification / Documented Site Plan

Amended Petition for Reclassification /Documented Site Plan and accompanying documentation having been accepted by the Board in public hearing on 11/19/02, the following date and time has been scheduled for public hearing on the merits:

ASSIGNED FOR: **WEDNESDAY, APRIL 2, 2003 at 10:00 a.m. /Hearing on the merits**

NOTICE: This 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

Petitioners

James S. Patton, P.E. /Patton Consultants, Ltd.

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

: Robert w. Cannon, Esquire
James E. Goodrich, Esquire
: Elizabeth A. Parham
Duane L. Ritter



RECLASSIFICATION SIGNS FOR CYCLE 3

Case Number: CR-02-454

Hearing Date: Tuesday, June 10, 2003 at 10:00 a.m., Room 48, Old
Courthouse, 400 Washington Avenue

Reclassification from D.R.3.5/R.C.6 to R.C.3/D.R.5.5/^DR.16/O.R.2

Case Number: R-02-455

Hearing Date: Tuesday, October 8, 2002 at 10:00 a.m., Room 48, Old
Courthouse, 400 Washington Avenue

Reclassification from D.R.16 to B.L.

Case Number: CR-02-456-SPH

Hearing Date: Tuesday, December 10, 2002 at 10:00 a.m. Room 48, Old
Courthouse, 400 Washington Avenue

Reclassification from D.R.3.5 to B.L.

Case Number: R-02-457

Hearing Date: Tuesday, October 29, 2002 at 10:00 a.m. Room 48, Old
Courthouse, 400 Washington Avenue

Reclassification from B.L.R. to B.M. or B.M. or B.R.

LET CARL/GEORGE KNOW WHEN THE SIGNS ARE DONE.

CERTIFICATE OF POSTING

Date: 5/20/03

RE: Case Number CR 02-454

Petitioner/Developer: _____

Date of Hearing/Closing: _____

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at JOHNNYCAKE RD E
GLANSTONE CIR.

The sign(s) were posted on 5/20/03
(Month, Day, Year)

Gary C. Freund
(Signature of Sign Poster)

GARY C. FREUND
(Printed Name of Sign Poster)

(Street Address of Sign Poster)

(City, State, Zip Code of Sign Poster)

X 8093
(Telephone Number of Sign Poster)



32JB

NW 2 H

R.C. 6

D.R. 5.5

W 43,500

3

ELECTRIC

COMPANY

PIPELINE

ROAD

3.5

D.R. 3.5

D.

JOHNNYCAKE

ROAD

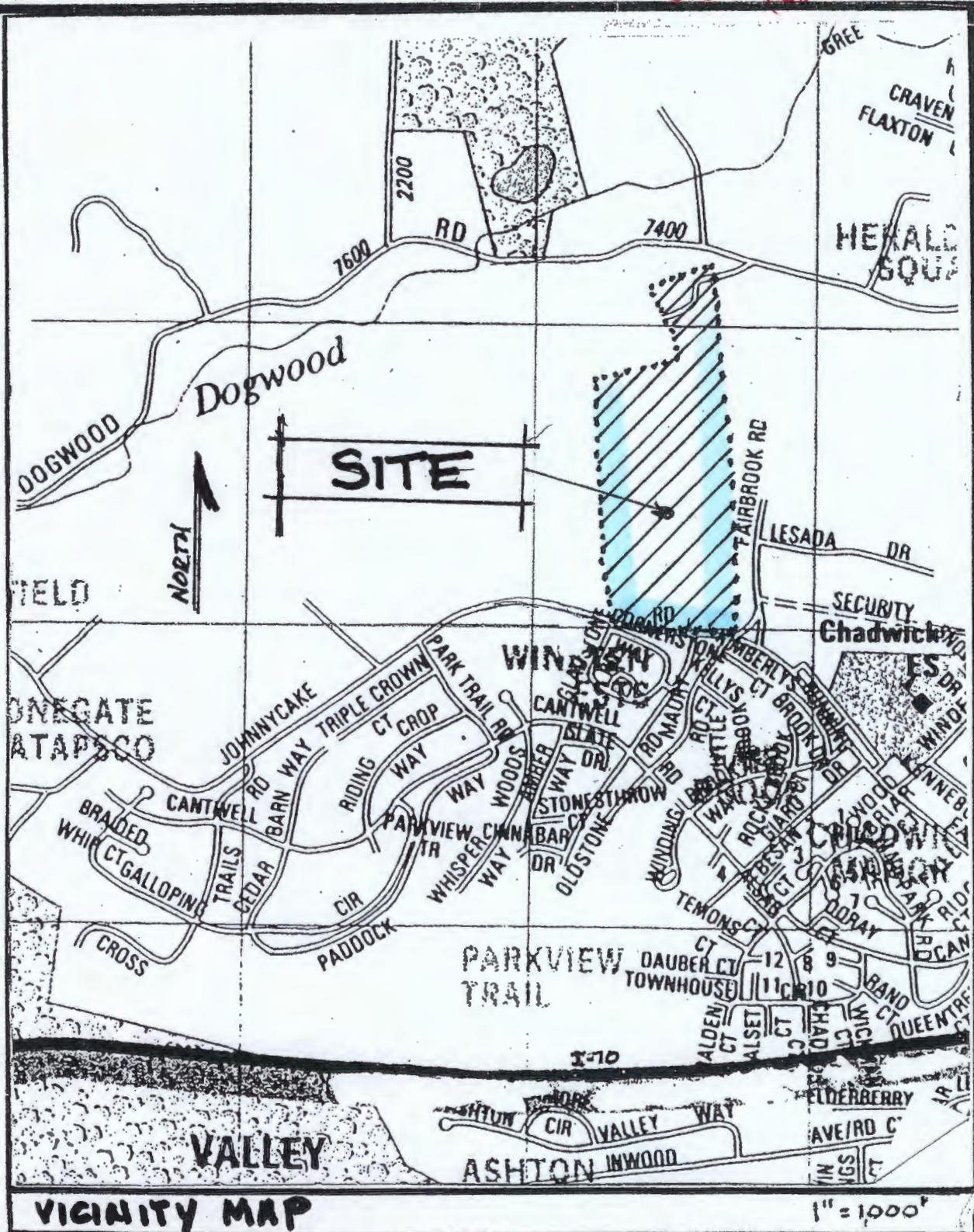
FAIRBROOK

OR-2

RD.

RD.

32 ~~18~~ JS



10, ET.AL.

1/277

B35

00004414

PATTON

PATTON CONSULTANTS, LTD.

305 West Chesapeake Avenue, Suite 206
Towson, Maryland 21204
(410) 296-2140
Fax (410) 296-0419

TRANSMITTAL

Date: 3/5/03 Proj. No.:

RE:

PARHAM - RITTER

TO:

ZONING

ATTN:

JOHN LEWIS

TRANSMITTED VIA

☐ Fax No. ()

☒ Messenger

☐

WE ARE PLEASED TO SEND YOU:

☒ Attached ☐ Under separate cover

THE FOLLOWING ITEMS:

☐ Sketch Drawings

☐ Plans

☐ Reports

☐

☐ Prints

☐ Specifications

☐ Copy of Letter

☐

COPIES	DATE	DESCRIPTION	DWG. NO.
<u>1</u>		<u>DOCUMENTED PLAN IS CHANGED</u>	
		<u>RED-LINE SHOWING CHANGES</u>	
<u>1 PAGE</u>		<u>AS ENUMERATED ON CHECK LIST.</u>	

THIS TRANSMITTAL IS

☐ For your approval

☐ For your use

☐ At your request

☐ For review and comment

☒ FOR DISTRIBUTION

☐ Your documents returned after loan to us

☐ Approved as submitted

☐ Approved with exceptions noted

☐ Returned for corrections

☐

FURTHER ACTION REQUIRED

☐ Resubmit _____ copies for approval ☐ Submit _____ copies for distribution ☐ Return _____ corrected prints

☐

REMARKS:

JOHN: PLEASE REFER TO CHECK LIST FOR
ITEMS WHICH WERE PREVIOUSLY SUBMITTED
TO BOARD OF APPEALS WITH THE
UNDOCUMENTED PLAN & PREVIOUSLY SUBMITTED
PETITION TO AMEND TO DOCUMENTED PLAN

COPY TO

BOB GANNON

LIZ PARHAM

THOMAS RITTER

SIGNED:

[Signature]

If enclosures are not as noted, please notify us at once.

ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS
FOR THE ZONING RECLASSIFICATION CYCLE 3

WESTERN SECTORITEM #1

Property Owner: Elizabeth A. Parham & Duane L. Ritter
Case No./Hearing Date: R-02-454 – Tuesday, November 19, 2002 at 10:00 a.m.
Contract Purchaser: N/A
Location: N/S of Johnnycake Road, approximately 300' W of Fairbrook Road (7321 & 7324 Dogwood Road)
Existing Zoning: D.R.3.5/R.C.6
Election District: 1st
Councilmanic District: 1st
Acres: 39.45
Proposed Zoning: R.C.3/D.R.5.5/D.R.16/O.R.2
Miscellaneous: Open Plan with some documentation, Flood Plain (JLL)

ITEM #2

Property Owner: Lyons Mill Associates, L.P.
Case No./Hearing Date: R-02-455 – Tuesday, October 8, 2002 at 10:00 a.m.
Contract Purchaser: N/A
Location: S/S Lakeside Blvd, approximately 600' E Owings Mills Blvd and opposite Atrium Court
Existing Zoning: D.R.16
Election District: 2nd
Councilmanic District: 3rd
Acres: 3.76
Proposed Zoning: B.L.
Miscellaneous: Open Plan OK, Plat reference 68/37 (BPR)

ITEM #3

Property Owner: Kenneth E. Schwartz
Case No./Hearing Date: CR-02-456-SPH Tuesday, December 10, 2002 at 10:00 a.m.
Contract Purchaser: N/A
Location: NW/S Hooks Lane, 350' SW of River Oaks Circle (112 Hooks Lane)
Existing Zoning: D.R.3.5
Election District: 3rd
Councilmanic District: 2nd
Acres: 17,250 square feet
Proposed Zoning: B.L. and Special Hearing to amend the Final Development Plan of Green Tree, Section 3, Lot 170.
Miscellaneous: Documented (BPR)