IN THE MATTER OF
THE APPLICATION OF KENNETH E.
AND ILENE C. SCHWARTZ - LEGAL
OWNERS / PETITIONERS FOR A ZONING
RECLASSIFICATION ON PROPERTY
LOCATED ON THE NW/S HOOKS LANE
350' SW OF RIVER OAKS CIRCLE
(112 HOOKS LANE)
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

Case No. CR-02-456-SPH

ORDER OF DISMISSAL OF PETITION

This matter comes before this Board on a Petition for Reclassification filed by Kenneth E. and Ilene C. Schwartz, Legal Owners, by their attorney, Stuart D. Kaplow, Esquire, for a zoning reclassification from D.R. 3.5 to B.L. for the property located on the northwest side of Hooks Lane, 350' southwest of River Oaks Circle, known as 112 Hooks Lane, in the Third Election District of Baltimore County,

WHEREAS, the Board is receipt of a letter of withdrawal of Petition for Reclassification filed via facsimile on July 17, 2003 by Stuart D. Kaplow, Esquire, Counsel for Mr. and Mrs. Schwartz, Petitioners (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Petitioner requests that the instant Petition for Reclassification be withdrawn,

IT IS THEREFORE. this 4th day of Quyutt, 2003, by the County Board of Appeals of Baltimore County

ORDERED that said Petition for Reclassification filed in Case No. CR-02-456-SPH be and the same is WITHDRAWN AND DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles L. Marks

Lawrence S. Wescott

Margaret Worrall

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

WWW.STUARTKAPLOW.COM

July 17, 2003

Via Facsimile 410-887-3182

Board of Appeals

Attention: Charles L. Marks, Chairman 400 Washington Avenue, Room 49 Towson, Maryland 21204

RE:

Case No: CR-02-456-SPH

Zoning Reclassification – 112 Hooks Lane

Dear Mr. Marks:

As you will be aware this firm represents Mr. and Mrs. Kenneth E. Schwartz, the owners and petitioners with respect to the above-noted zoning reclassification petition.

By this letter I am, on behalf of my clients, withdrawing petition and requesting that the pending case be dismissed.

I apologize for the late date of this notice, but this determination has only now been reached.

Thanking you in advance for your courtesies, should a more formal pleading be required, or should I need be of any assistance to you in this matter, do not hesitate to give me a call.

Sincerely,

Stuart D. Kaplow

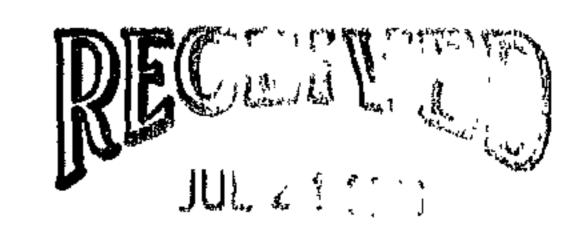
SDK:mo

cc:

Benjamin Bronstein, Esquire, via facsimile 410-296-3719

Carol S. DeMillo, Esquire, via facsimile 410-887-3182

Also via first class mail



BOARD OF APPLALS



County Board of Appeals of Baltimore County

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

August 4, 2003

Stuart D. Kaplow, Esquire STUART D. KAPLOW, P.A. 15 East Chesapeake Avenue Towson, MD 21286-5306

> RE: In the Matter of: Kenneth E. and Ilene C. Schwartz Legal Owners / Petitioner / Case No (CR-02-456-SPH Order of Dismissal of Petition

Dear Mr. Kaplow:

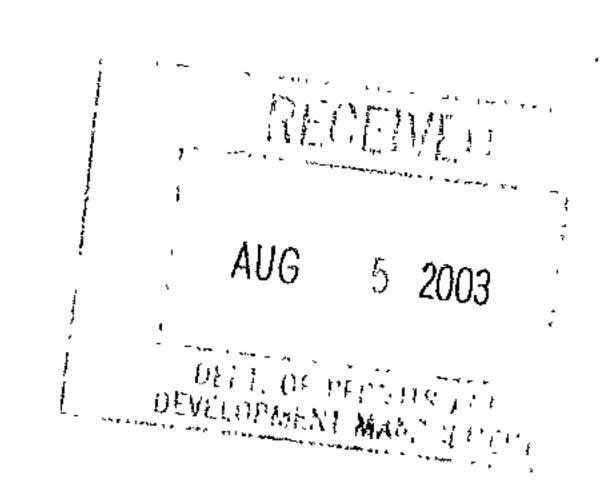
Enclosed please find a copy of the Order of Dismissal of Petition issued this date by the Board of Appeals of Baltimore County in the subject matter.

Very truly yours,
Hathlew C. Placeofus Kathleen C. Bianco

Administrator

Enclosure

Kenneth E. and Ilene C. Schwartz c: Benjamin Bronstein, Esquire Richard E. Matz, P.E. /Colbert Matz Rosenfelt, Inc. Michael and Elinor Sherman Carol Saffran-Brinks, Assistant County Attorney /Board of Ed. /MS 1102-J People's Counsel for Baltimore County Pat Keller, Planning Director Jeffrey Long /Planning Lawrence E. Schmidt /Zoning Commissioner W. Carl Richards /PDM Timothy M. Kotroco, Director /PDM



STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
P-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

WWW.STUARTKAPLOW COM

FACSIMILE TRANSMITTAL

DATE: July 17, 2003

TO COUNTY BOARD OF APPEALS ATTN: MR. CHARLES L. MARKS

SENT TO TELEPHONE NUMBER: 410-887-3182

FROM: STUART D. KAPLOW, ESQUIRE

TOTAL NUMBER OF PAGES 2 (INCLUDING THIS PAGE)

OUR TELECOPIER TELEPHONE NUMBER IS 410-339-3912

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEM WITH RECEIVING, PLEASE TELEPHONE STUART KAPLOW AT 410-339-3910

Message:

Benjamin Bronstein, Esquire, via facsimile 410-296-3719 Carol S. DeMillo, Esquire, via facsimile 410-887-3182

HAVE YOU VISITED OUR WEBSITE, AT WWW.STUARTKAPLOW.COM, AND OUR 'LIBRARY' OF ARTICLES ON REAL ESTATE, LAND USE, AND ENVIRONMENTAL ISSUES, INCLUDING THE NEW ARTICLE, ADULT WEBSITE NOT SUBJECT TO ZONING LAWS

HARD COPY TO FOLLOW: YES, VIA FIRST CLASS MAIL

CONFIDENTIALITY NOTICE

The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, please notify us immediately and send the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.

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REV 9/18/98

Petition for Reclassification

to the Board of Appeals of Baltimore County

		-	
for the property locate		· · · · · · · · · · · · · · · · · · ·	
which is pres	ently zoned/distric	ted D.R.	<u>- 3.5</u>
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: (1) that the zoning/districtions are considered to the property situate in Baltimore County and which made a part hereof, hereby petition: (1) that the zoning/districtions are considered to the property situate in Baltimore County and which made a part hereof, hereby petition: (1) that the zoning/districtions are considered to the property situate in Baltimore County and which made a part hereof, hereby petition: (1) that the zoning/districtions are considered to the property situate in Baltimore County and which made a part hereof, hereby petition: (1) that the zoning/districtions are considered to the property situate in Baltimore County and which made a part hereof, hereby petition: (1) that the zoning/districtions are considered to the property situate in Baltimore County and which made a part hereof, hereby petition: (1) that the zoning/distriction is the property of the property are considered to the property situate in Baltimore County and which made a part hereof.	is described in the de	scription and plat	attached hereto and
pursuant to the zoning law of Baltimore County from a DR. – reasons given in the attached and (2) for a Special Exception therein described property for office use.	3.5 zone/district to inder the zoning regu	a B.L. lations of Baltimo	zone/district, for the re County, to use the
and (3) for the reasons given in the attached statement, a Varia Baltimore County:	ance from the followin	g sections of the	zoning regulations of
			02 FEB 2
And to amend the last approved Final De Section three, Lot 170. Property is to be posted and advertised as prescribed by the zol, or we, agree to pay expenses of above petition(s), advertising, prescribing regulations and restrictions of Baltimore County adopted pursuances.	ning regulations. losting, etc. and further	agree to and are	to be bounded by the
	I/We do solemnly dec perjury, that I/we are is the subject of this I	clare and affirm, und the legal owner(s) o Petition.	der the penalties of of the property which
Contract Purchaser/Lessee:	Legal Owner(s): Kenneth D. S	_	
Name - Type or Print	Name - Type or Print	Am	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Signature	Signature	vartz	
Address Telephone No.	Name - Type or Print	SA	
City State Zip Code	112 Hooks Lar	143	677-7040
Attorney For Petitioner:	Address	16 0 443-	Telephone No.
Stuart Kaplow, Esq.	Baltimore	MD	21208
Name - Type or Print	City	State	Zip Code
Signature 1.5 E. Character No. 200. 200. 200. 200. 200. 200. 200. 20	Richard E. Mate	atz, P.E.	410-484-8757
15 E. Chesapeake Ave. 410-339-3910 Company	Colbert Matz Name	rosentert	
Towson, MD 21286-5306 Address Telephone No.	2835 G Smith Address	Avenue 41	0-653-3838 Telephone No.
City State Zin Code	Baltimore, City	MD 212(State	 · · · · ·

CR-02-456-SPH



401 Bosley Avenue - Ste 406 Towson, Maryland 21204 410-887-3495

Fax: 410-887-5862

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

July 29, 2002

Mr. Charles L. Marks, Chairman County Board of Appeals 400 Washington Avenue, Room 49 Towson, MD 21204

Dear Mr. Marks:

Enclosed herewith is the report containing the County Planning Board's recommendations regarding the zoning reclassification petitions in Cycle III, 2002.

After discussion in the Board's meeting on July 18, 2002, the May 31, 2002 report by the Office of Planning was adopted, without change, by the Planning Board. The Board's action recognizes that Case No. R-02-457 (1722 East Joppa Road) is being processed under the out-ofcycle schedule.

The report is hereby published and submitted to the Board of Appeals in accordance with County Code Section 2-356(f).

Sincerely,

Jak Liller

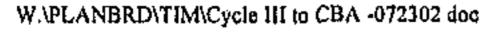
Arnold F. 'Pat' Keller, III

Secretary

AFK:TD:td

Enclosure

c: Peter Max Zimmerman, People's Counsel



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

ZONING RECLASSIFICATION PETITIONS

Cycle III, 2002

July 31,2002



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401 Bosley Avenue - Ste 406 Towson, Maryland 21204 410-887-3211

Fax: 410-887-5862

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

TO:

Members

DATE: May 31, 2002

FROM:

Arnold F. 'Pat' Keller, III

Baltimore County Planning Board

Director, Office of Planning

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

The Planning Board is scheduled to review the petitions on June 20, 2002 and to make final recommendations on July 18, 2002. The Planning Board's report must be submitted to the Baltimore County Board of Appeals no later than July 31, 2002.

The Board of Appeals has tentatively scheduled hearing dates on these petitions and will advertise these hearing as required. Hearings are set to take place during the period from September 1, 2002 through December 31, 2002.

Arnold F. 'Pat' Keller, III

AFK:LL:kma
Attachment

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 four petitions in the current cycle have been reviewed by the planning staff, and the following pages report the Office of Planning's analysis and recommendations. The process of formulating these recommendations included staff inspections of each site; a review of the policies and statements in the current Baltimore County Master Plan, and a review of the 2000 Comprehensive Zoning Map Process. Comments also were requested from other County agencies including the Board of Education, the Department of Environmental Protection and Resource Management, the Fire Department, the Police Department, the Department of Public Works, the Department of Recreation and Parks, and the Bureau of Traffic Engineering and Transportation Planning.

In reaching its decision on each petition, the Board of Appeals is required to use the standards in Section 2-356(j) of the Baltimore County Code. During the first cycle following the Comprehensive Zoning Map Process, Section 2-356(k) further limits the Board's authority to granting reclassifications only where the Board finds that the change is warranted upon consideration of the specified factors and also if "the last classification of the property [i.e., by the County Council's vote on October 10, 2000] was established in error."

PETITIONS FOR RECLASSIFICATION CYCLE III, 2002

Assigned Hearing Dates
County Board of Appeals

Case No. R-02-454

Elizabeth Ann Parham and Duane L. Ritter N/S of Johnnycake Road, approximately 300 feet W of Fairbrook Road Tuesday, November 19, 2002 at 10:00 a.m.

Case No. R-02-455

Lyons Mill Associates, L.P. Lindraun 8 23 02

S/S Lakeside Boulevard, approximately 600 feet E of Owings Mills Boulevard

Tuesday, October 8, 2002 at 10:00 a.m.

Case No. CR-02-456 SPH

Kenneth E. Schwartz NW/S Hooks Lane, 350 feet SW of River Oaks Circle (112 Hooks Lane) Tuesday, December 10, 2002 at 10:00 a.m.

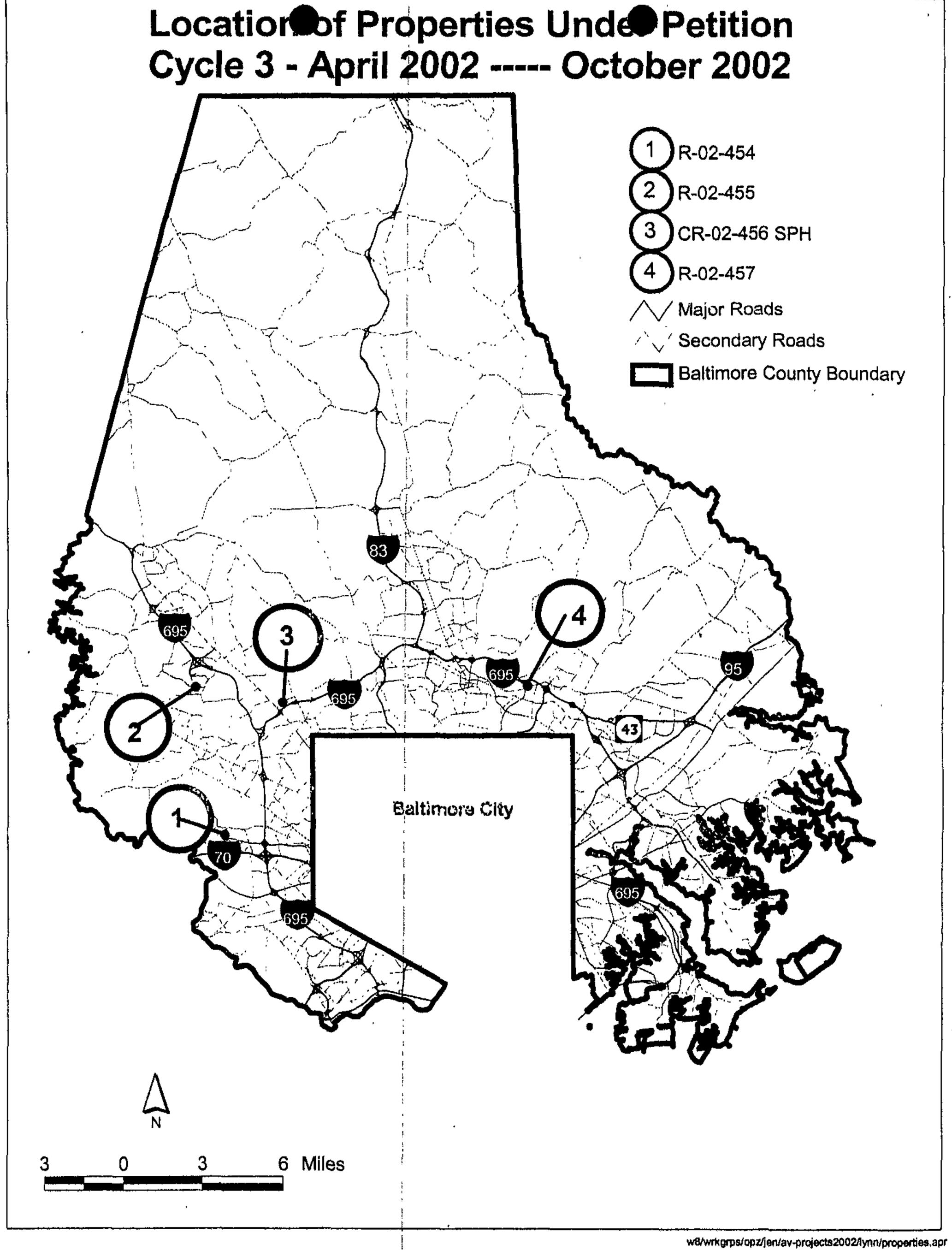
Case No. R-02-457

Sarandos and Eva Macris

NW/corner Joppa Road and Lackawanna Avenue (1722 E. Joppa Road)

Tuesday, October 29, 2002 at 10:00 a.m.

7-01-02



SOURCE MATERIAL

Recommendations for the four 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-02-456-SPH

PETITIONER:

Kenneth E and Ilene C Schwartz (legal owner)

REQUESTED ACTION:

Reclassification to BL (Business Local)

EXISTING ZONING:

DR 3.5 (Density Residential, 3.5 dwelling units per acre)

LOCATION:

Northwest side of Hooks Lane, approximately 350 feet southwest of River Oaks Circle (112 Hooks Lane)

AREA OF SITE:

0.31 acres

ZONING OF ADJACENT PROPERTY/USE:

North:

D.R. 3.5

South:

RO, DR 16

East:

D.R. 3.5

West:

D.R. 3.5, 10

SITE DESCRIPTION:

The subject property is a .31 acre site that is improved with a two story, 110 year old residential structure. The structure is currently being used as a single family dwelling. Additionally, there is a detached garage to the rear of the main structure and at least some of the property is improved with an existing cast iron fence. The site abuts Greentree - a residential townhouse development consisting of approximately 325 units, developed in several phases during the mid 1980's.

WATER AND SEWERAGE:

This property is located in a W-1, S-1 existing level of service area

TRAFFIC AND ROADS:

Hooks Lane is designated as a local road on the 1992 Federal Highway Functional Classification Map for the Baltimore Urbanized Area. It is an east-west connection between Reisterstown Road and Park Heights Avenue.

ZONING HISTORY:

There are no previous CZMP issues pertaining to this site.

MASTER PLAN/COMMUNITY PLAN:

The Proposed Land Use map (Map 39) in the Baltimore County Master Plan 2010 (adopted February 2000 by the County Council on February 22, 2000) indicates the proposed land use for the subject site is designated residential. The site is located within a designated community conservation area, and is located just west of the boundary of the Greenspring-East Pikesville Community Action Plan.

PROPOSED vs. EXISTING ZONING:

Regulations for the DR and BL zones may be found in Sections 1B01.1A and 230, respectively, of the Baltimore County Zoning Regulations (BCZR).

The DR 5.5 zone permits residential development with a density of 5.5 dwelling units per acre.

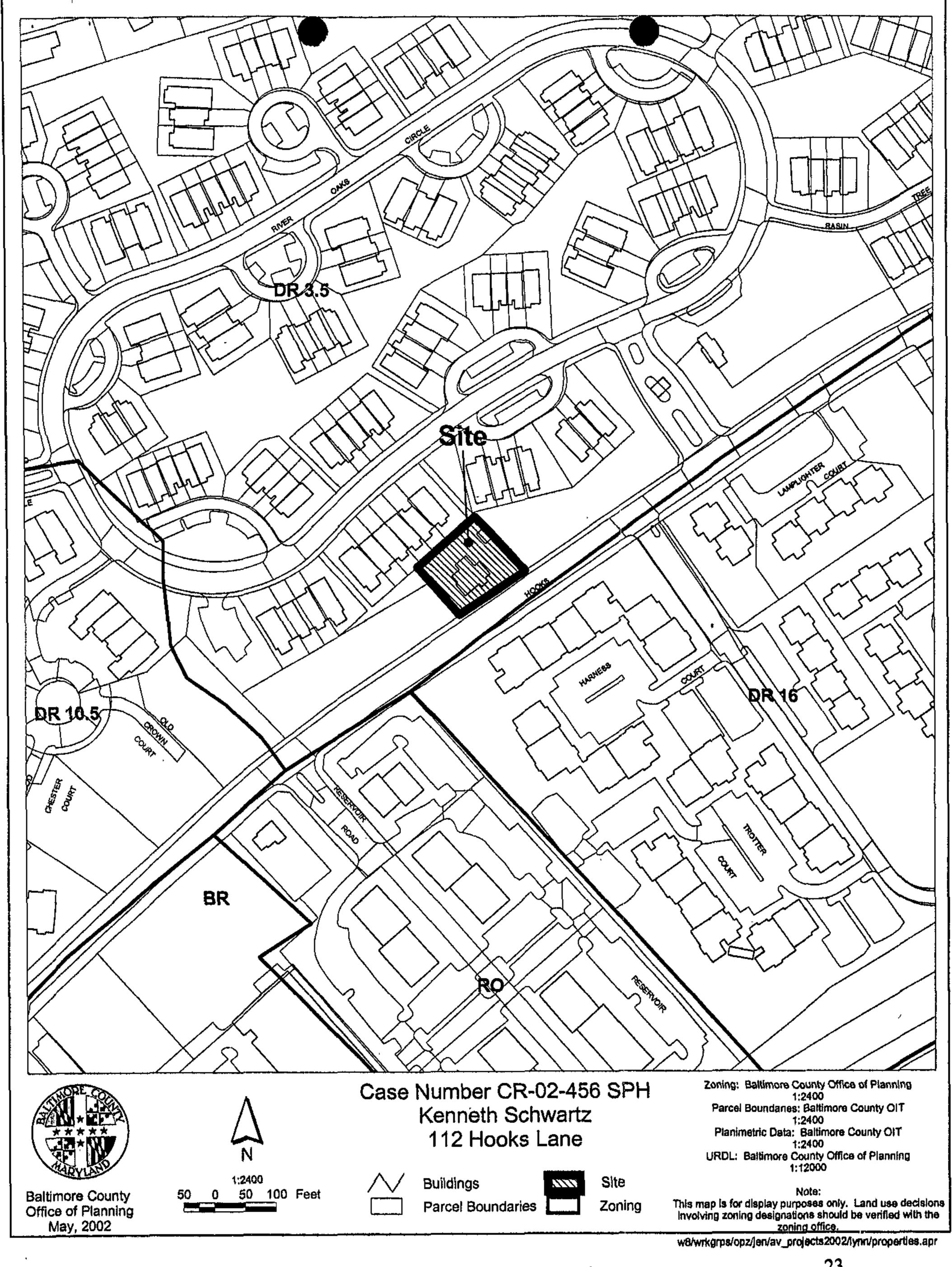
The BL zone allows a wide range of uses in addition to those permitted in the residential zone immediately adjoining the property. Density is regulated by a floor area ratio of 3.0. However, density is realistically limited by parking requirements and economic constraints.

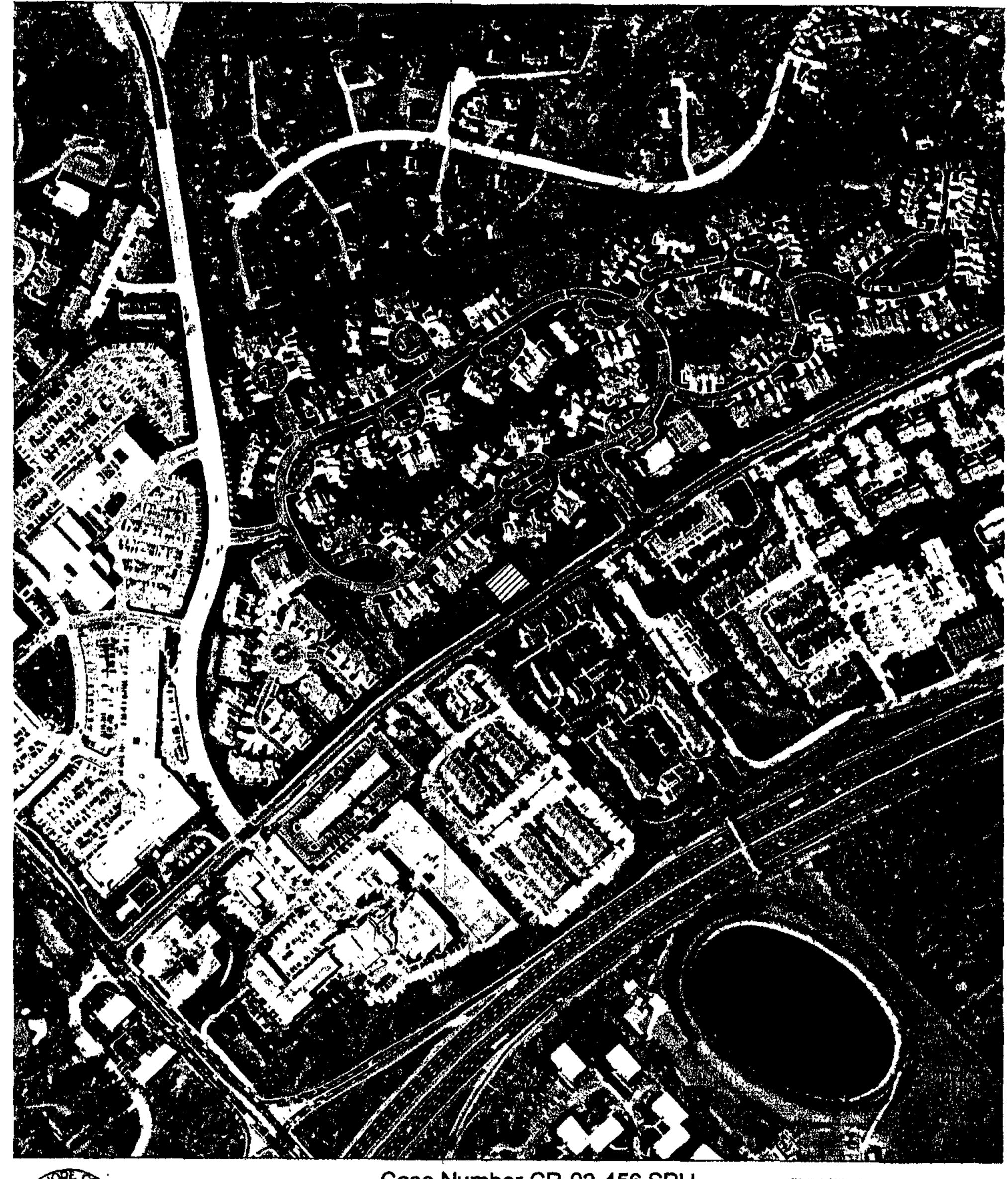
DOCUMENTED SITE PLAN

The documented site plan indicates retention and renovation of the existing residential structure to be used for office use. An existing one story, rear addition is proposed to be razed, and ten parking spaces are proposed to be located in the rear of the site, accessed off of a twenty five foot wide driveway from Hooks Lane. Conceptual architectural elevations indicate the exterior of the house will be improved with new timberline shingle roofing, gutter and downspout, and wrapped in 6" dutchlap siding. The one story side addition will also be improved with siding and asphalt shingle roofing. The rear elevation is proposed to be cedar shake.

OFFICE OF PLANNING RECOMMENDATION:

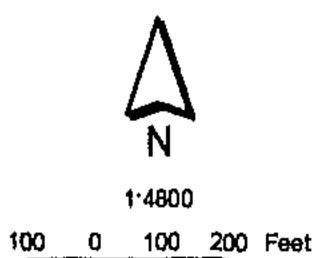
Based upon the information provided and analysis conducted, the Office of Planning recommends the DR 3.5 zoning be retained.







Baltimore County Office of Planning May, 2002



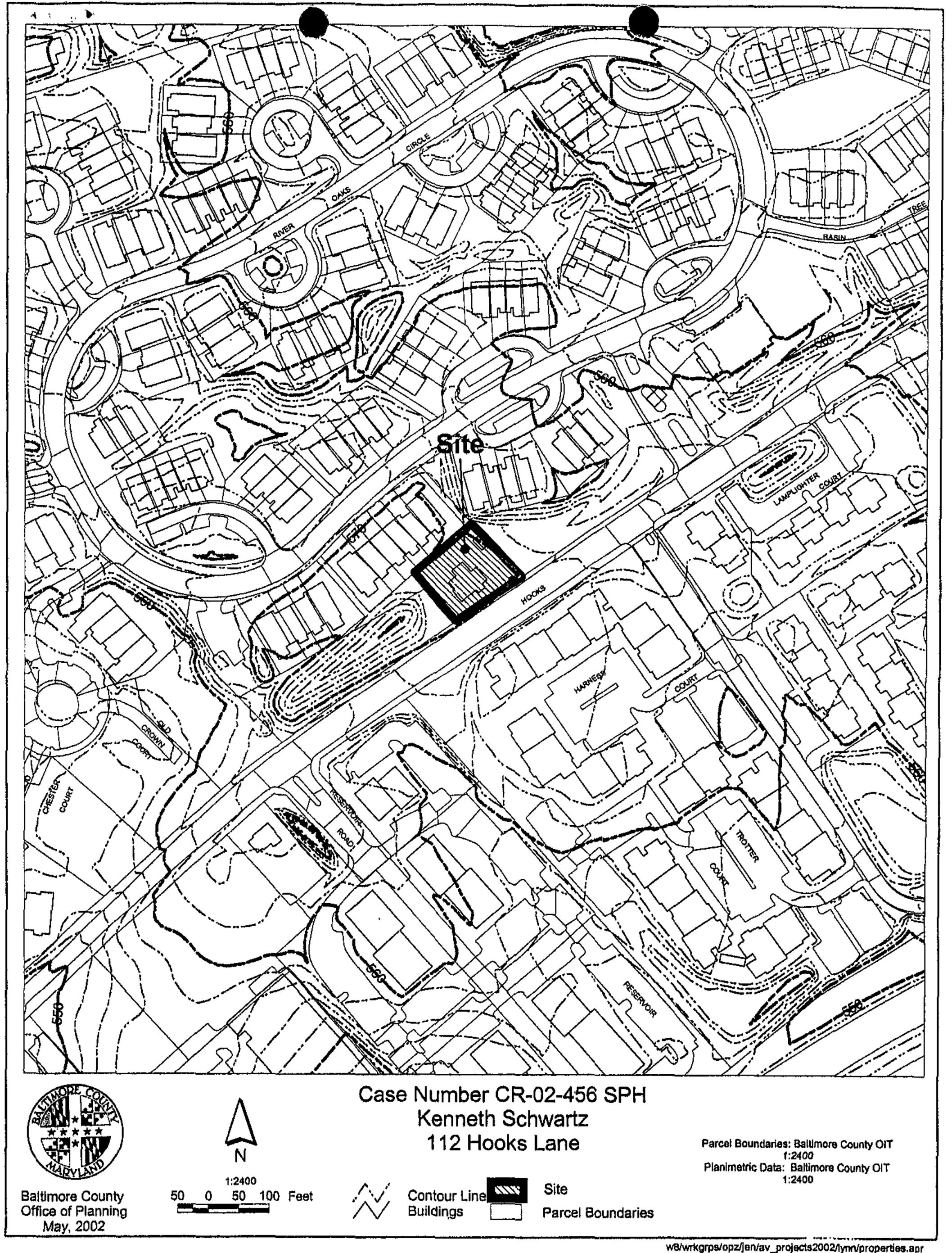
Case Number CR-02-456 SPH Kenneth Schwartz 112 Hooks Lane



Site

Digital Orthophotography
Eyemap R1 Baltimore County, MD
Color Type: Natural Color
Map Scale: 1:2,400 (1"= 200")
Ground Resolution: 1.00 US Survey Ft (0.30 meters)
Projection: MD State Plane
Datum: NAD 1983
Source Photography: Spring 1998 (partial County), 2000

Copyright 2001, VARGIS, LLC, All Rights Reserved Herndon, Virginia



SCHWARTZ PROPERTY

PETITIONERS' BRIEF SUPPORTING ZONING RECLASSIFICATION

There has occurred a substantial change in the character of the neighborhood in which the property is located since the property was last classified. The prospective reclassification of the property is warranted by that change.

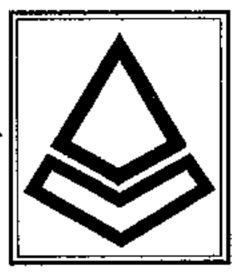
A finding of such change and a finding that the prospective reclassification is warranted is supported upon consideration of factors related to the purposes of the zoning regulations and maps, including but not limited to: population trends, availability and adequacy of present and proposed transportation facilities, water supply facilities, sewerage, solid waste disposal facilities, schools, recreational facilities, and other public facilities; compatibility of uses generally allowable under the perspective classification with the present and projected development or character of the surrounding area; any pertinent recommendation of the Planning Board or Office of Planning and Zoning; and consistent with the current and prospective classifications with the Master Plan; the County plan for sewerage and water supply; and, the capital program.

Moreover a finding of such change and a finding that the prospective reclassification is warranted is supported by the resultant ability to preserve this historic (circa 1880) structure.

E:\Stuart\Schwartz\Petitioners' Brief

Colbert Matz Rosenfelt, Inc.

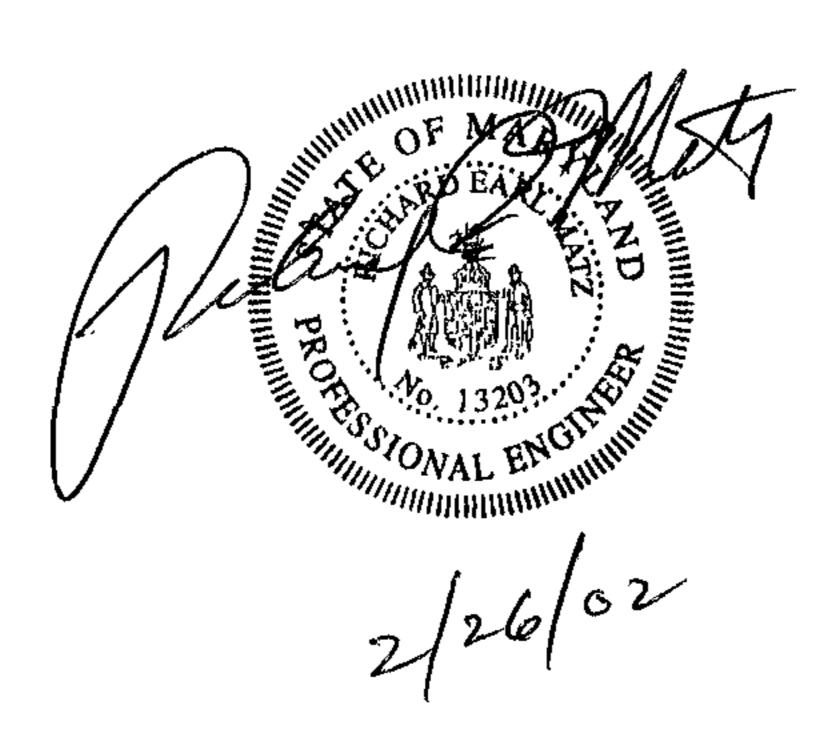
Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION – 112 HOOKS LANE

Beginning at a point on the north side of Hooks Lane which is 60 feet wide, at the distance of 350 feet west of the centerline of River Oaks Circle, which is of varying width.

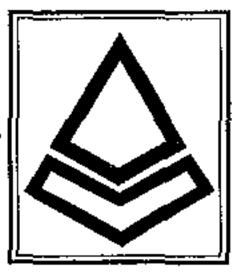
Being Lot 170 in the 4th Resubdivision of Lots 150-155 and 170, Section Three, Greene Tree, as recorded in Baltimore County Plat Book #60, Folio #126, containing 13,500 square feet. Also known as 112 Hooks Lane and located in the 3rd Election District.



CR-02-456-5PH

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

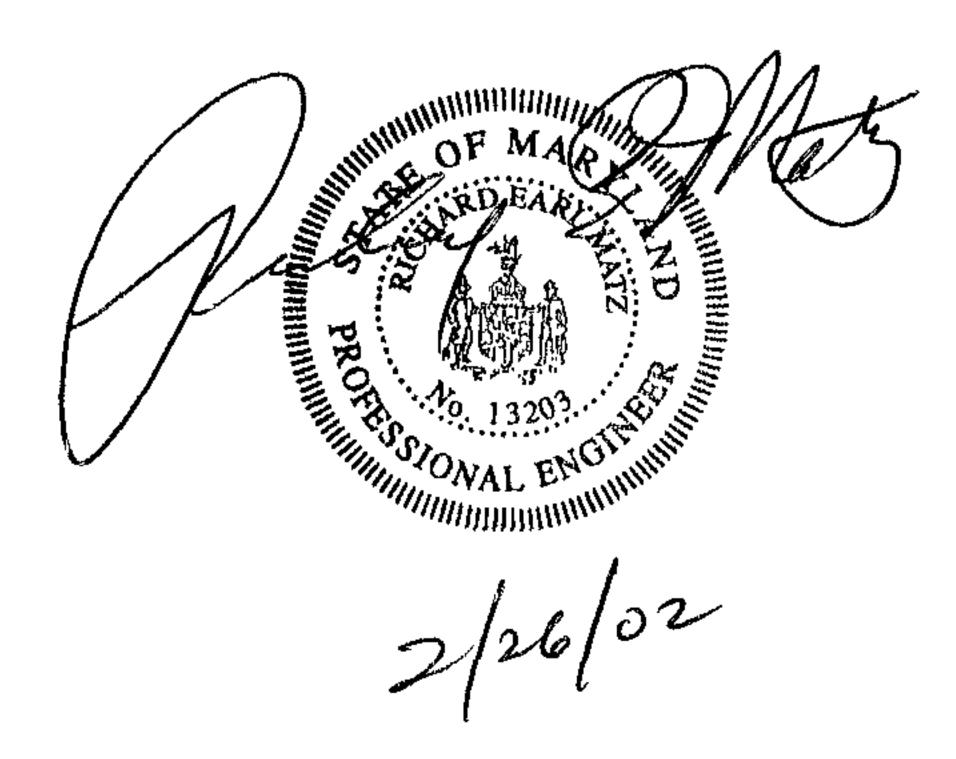


ENVIRONMENTAL IMPACT STATEMENT - 112 HOOKS LANE

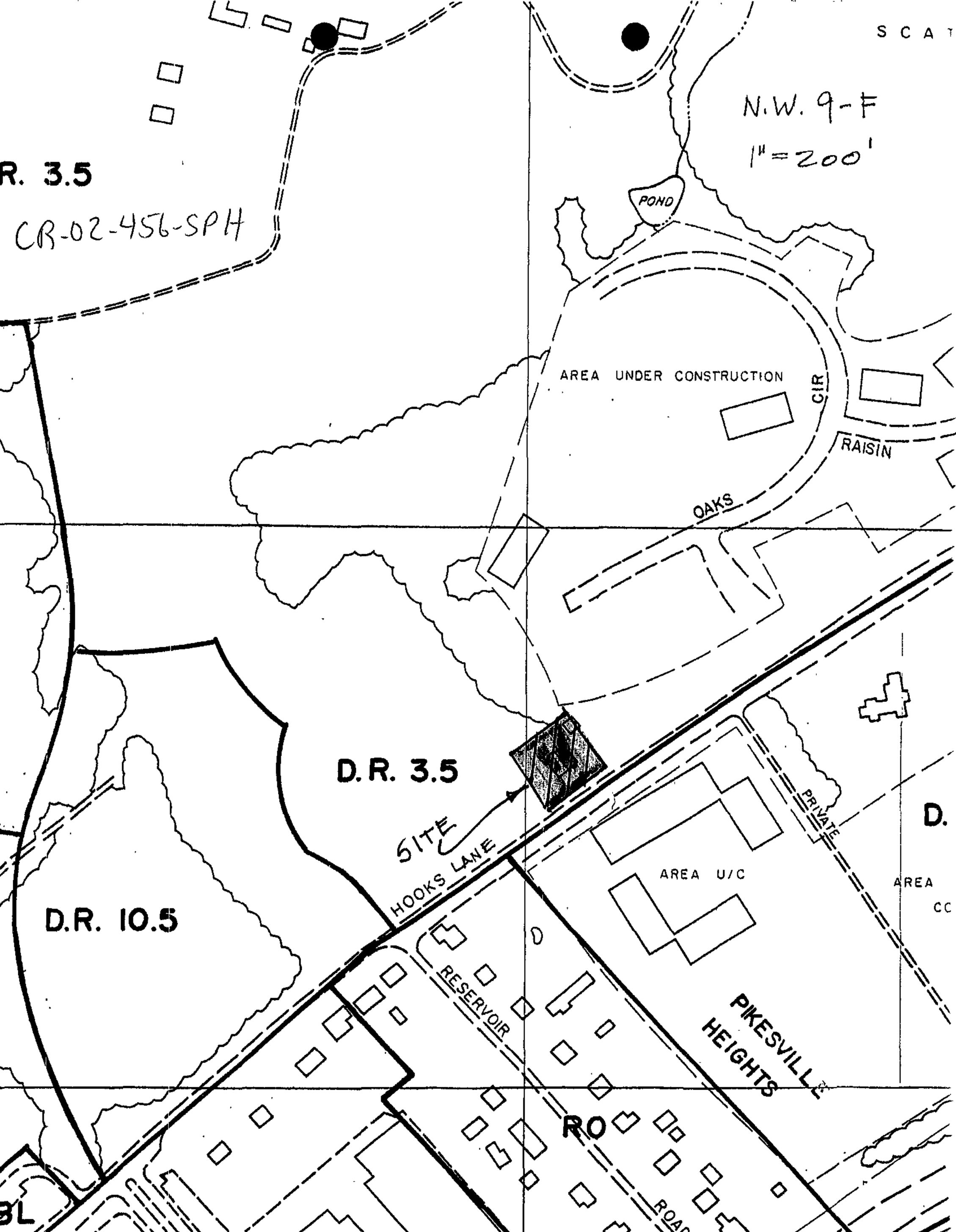
This is a developed 0.31 acre site, with an existing 110-year old house. The owner proposes to convert the house for office use, widen the existing driveway and add a 10-space parking lot.

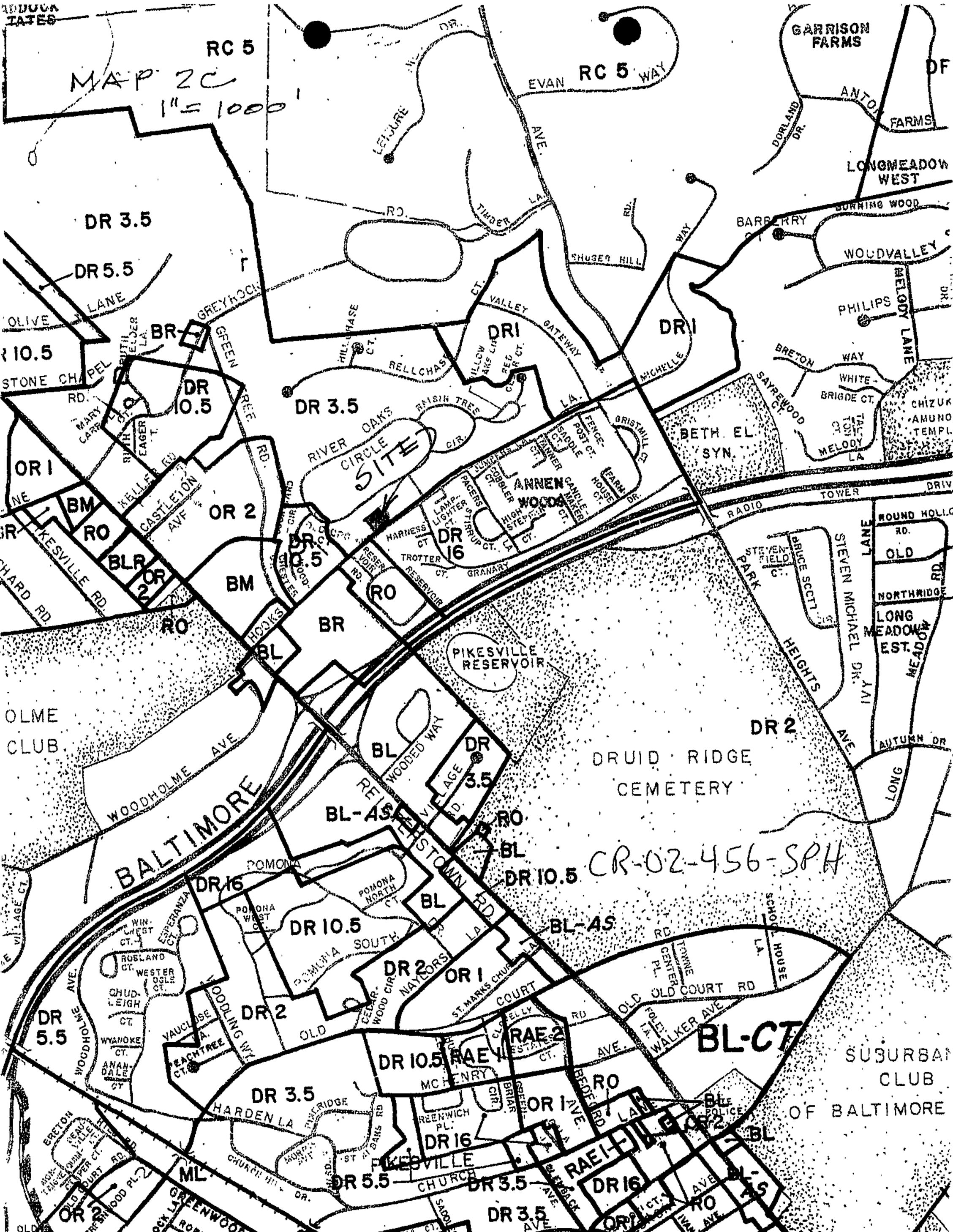
The site is relatively flat, with no wooded areas, ponds, streams, floodplains or natural drainage courses.

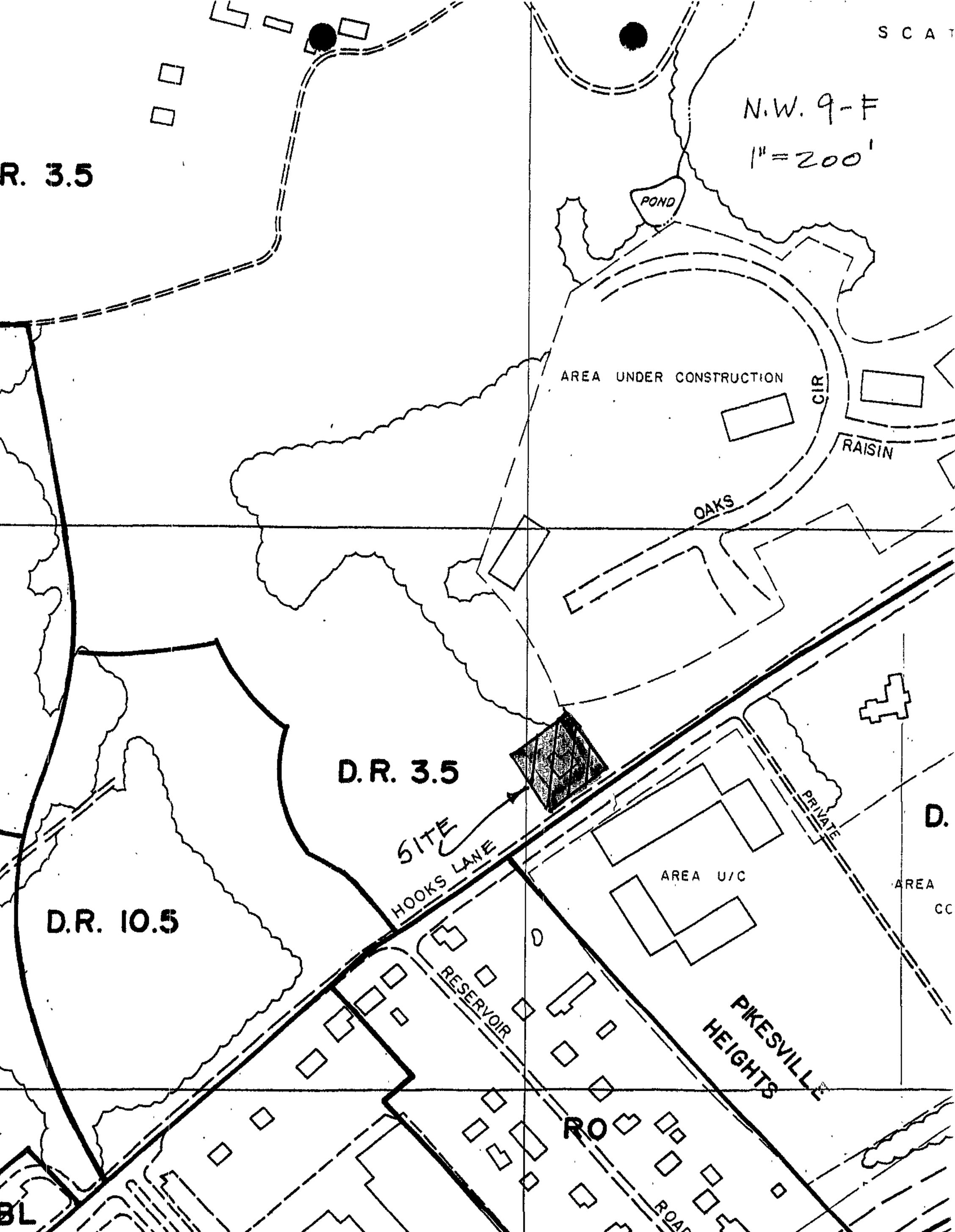
The only environmental change will be the addition of approximately 5,000 square feet of paved surface for the proposed driveway widening and parking area. This represents a minimal environmental impact which is unavoidable, as the parking is needed to support the proposed office use.



CR-02-456-58H







CERTIFICATE OF PUBLICATION

530,2002
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of <u>2</u> successive weeks, the first publication appearing
on $5 23 $,2002.
The Jeffersonian
☐ Arbutus Times
Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
5 /1/04/5

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.

	paper Adver			#2				
Petitioner	KENNET	74 E	AND I	LENE C	. SCHWAR	TZ		
Address o	r Location:	1(2	Hooks	LANE	BAUTO,	Mo	21200	8_
Name: Address:		HOURS	LANE, MD	212-0				
Telephone	Number:	443	-677-	-7040				

Revised 2/20/98 - SCJ

CR-02-4156-5PH

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 25, 2002 Issue - Jeffersonian

Please forward billing to:
Baltimore County Zoning
W. Carl Richards, Jr.
111 W Chesapeake Avenue, Room 111
Towson MD 21204

410 887-3391

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-02-456-SPH

NW/S Hooks Lane, 350' SW of River Oaks Circle (112 Hooks Lane)

3rd Election District – 2nd Councilmanic District

Legal Owner: Kenneth E. Schwartz

Reclassification of the property from D.R.3.5 to B.L. and Special Hearing to amend the Final Development Plan of Green Tree, Section 3, Lot 170.

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

Laurence S. Wescott

Lawrence S. Wescott Chairman G ひこ

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

D 21204

April 23, 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: CR-02-456-SPH

NW/S Hooks Lane, 350' SW of River Qaks Circle (112 Hooks Lane)

3rd Election District - 2nd Councilmania District

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Reclassification of the property from D.R.3.5 to B.L. and Special Hearing to amend the Final Development Plan of Green Tree, Section 3, Lot 170.

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

Lawrence S. Wescutt

Lawrence S. Wescott Chairman GDス

c: Mr. Stuart Kaplow, Esquire, 15 E Chesapeake Avenue, Towson MD 21286-5306 Mr. & Mrs. Kenneth E Schwartz, 112 Hooks Lane, Baltimore 21208 Mr. Richard E Matz PE, Colbert Matz Rosenfelt, Inc., 2835 G Smith Avenue, Baltimore 21208

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.

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

WWW.STUARTKAPLOW.COM

April 27, 2002

Board of Appeals Attention: Charles L. Marks, Chairman 400 Washington Avenue, Room 49 Towson, Maryland 21204

RE: Case No: CR-02-456-SPH

Zoning Reclassification - 112 Hooks Lane

Dear Mr. Marks:

Please be advised that this firm represents Mr. and Mrs. Kenneth E. Schwartz, the owners and petitioners with respect to the above-noted zoning reclassification petition.

By this letter I am kindly requesting that a second date be established for a hearing on the petition. The first day of hearing has been scheduled for Tuesday, December 10, 2002 and this request is for an appropriate second day.

Thanking you in advance for your courtesies, should I need be of any further assistance to you, do not hesitate to give me a call.

Stuart D. Kaplow

Sincerely

SDK:mo

64:4 119 0E A9A SO

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE:

September 25, 2003

TO:

Timothy Kotroco, Director

Permits & Development Management

Attn.: David Duvall

FROM:

Theresa R. Shelton 711

Board of Appeals

SUBJECT:

CLOSED APPEAL CASE FILES

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

BOARD OF APPEALS CASE NUMBER	PDM FILE NUMBER	NAME	LOCATION
CBA-03-128	APPLICATION OF FENCE WAIVER (DENIED)	PURINTON	1501 WEST JOPPA ROAL
CR-02-456-SPH	CYCLE III 2002 RECLASS	SCHWARTZ	112 HOOKS LANE
03-372-SPHXA	03-372-SPHXA	ALPHON PHILIP DIAMOND	1718 REISTERSTOWN ROAD
03-136-SPH and 03-137-SPH	03-136-SPH and 03-137-SPH	SCHLOGEL	5934 EBENEZER ROAD

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

KENNETH E. SCHWARTZ - Legal Owner

#CR-02-456-SPH

NW/s Hooks Lane, 350' SW of River Oaks Circle (112 Hooks Lane) Cycle III 2002

3rd Election District 2nd Councilmanic District

From: D.R. 3.5 to B.L.

17,250 square feet (0.39 acre)

SPH - To amend FDP of Green Tree, Section 3, Lot 170

(DOCUMENTED SITE PLAN – To convert existing 110-year house for office use; widen existing driveway; and add a 10-space parking lot.

February 28, 2002

Petition for Reclassification filed by Stuart D. Kaplow, Esquire, on behalf of Kenneth E. Schwartz and Ilene C. Schwartz --Petitioners.

Stuart D. Kaplow, Esquire 15 E. Chesapeake Avenue Towson, MD 21286-5306 Counsel for Legal Owners / Petitioners

Kenneth E. and Ilene C. Schwartz 112 Hooks Lane Baltimore, MD 21208

Richard E. Matz, P.E. COLBERT MATZ ROSENFELT INC. 2835 G Smith Avenue Baltimore, MD 21208

Robert J. Haines, Assistant County Attorney Baltimore County Board of Education Mail Stop #1102-J

People's Counsel for Baltimore County

Pat Keller, Director /Planning
Jeffrey Long /Planning
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM

Legal Owners / Petitioners

Benjamin Bronstein entered apportune on 1127/02 for Greentree HOA frotestand. RE: PETITION FOR ZONING
RECLASSIFICATION
PETITION FOR SPECIAL HEARING

112 Hooks Lane, NW/S Hooks Ln, 350' SW of River Oaks Cir 3rd Election District, 2nd Councilmanic

Legal Owner: Kenneth E. & Ilene C. Schwartz Petitioner(s)

- * BEFORE THE
- * COUNTY BOARD OF APPEALS
- * FOR
- * BALTIMORE COUNTY

* Case No. CR-02-456-SPH

 C_{LP}

ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of May, 2002 a copy of the foregoing Entry of Appearance was mailed to Stuart D. Kaplow, Esq., 15 E. Chesapeake Avenue, Towson, MD 21286, attorney for Petitioner(s).

PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 17, 2002

Department of Permits & Development

Management

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For Reclassification Sycle 3 Item No. 454, 455, 456 & 457

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN;cab

cc: File



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams

Administrator

Date: April 24, 2002

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

Item No. 3

Case No. R-02-456-SPH

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,

Kenneth A. McDonald Jr., Chief

J. J. Dudl

Engineering Access Permits Division



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

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

April 22,2002

ATTENTION: George Zahner

RE: 112 Hooks La.

Location: Zoning Reclass Cycle 3 OF April 2002 - October 2002

Item No.: CR-02-456

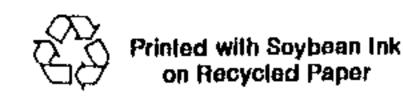
Dear Mr. Zahner:

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

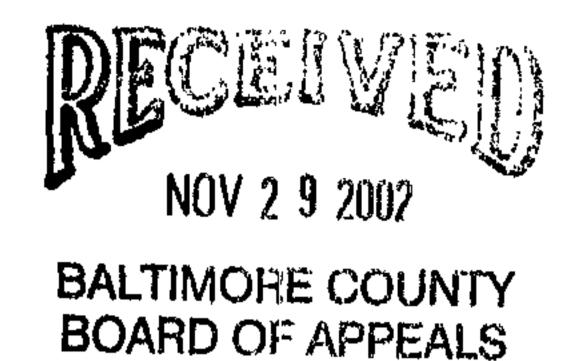
REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File
{PRIVATE}



BENJAMIN BRONSTEIN

ATTORNEY AT LAW
SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719
Benbronstein@aol.com



November 27, 2002

Via Fax: 410-887-3182 And First Class Mail

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

RE: Case # CR-02-456-SPH
In the Matter of: Kenneth E. Schwartz, Legal Owner
112 Hooks Lane; 3rd Election District; 2nd Councilmanic District

Dear Ms. Bianco:

Please enter my appearance on behalf of the Green Tree Homeowners Association, a protestant in the above-entitled case. Kindly forward to me a copy of the hearing notice and all other relevant documents.

Thank you for your kind cooperation.

Very truly yours,

Benjamin Bronstein

BB/mlh

cc: Stuart D. Kaplow, Esquire

Peter Max Zimmerman, People's Counsel

Michael Sherman 137 River Oaks Circle Baltimore, MD 21208

July 16, 2003

County Board of Appeals Old Court House 400 Washington Avenue Room 49 Towson, MD 21204

Re; Schwarz Property
Case # CR-02-456-5PH

Dear Chairman and Members of the Board

My wife and I live at 137 River Oaks Circle and our rear yard is contiguous with the Schwartz property which is the subject of the rezoning in the above case. Because of illness we are unable to attend this hearing. We are opposed to any reclassifying of the property for any use and it should remain to be used only for personal residence.

Sincerely, The Her

Michael Sherman/Elinor Sherman

RECEIVED
JUL 2 1 2003

BALTIMORE COUNTY BOARD OF APPEALS Case No. CR-02-456-SPH

KENNETH E. AND ILENE C. SCHWARTZ - Legal Owners / Petitioners

Item #1, Cycle II, 2001/2002

Reclassification from D.R. 3.5 to B.L. 17,250 sq. ft. (0.39 acre) SPH – To amend FDP of Green Tree, Section 3, Lot 170 DOCUMENTED SITE PLAN Notice of Zoning Reclassification Hearing to be sent to parties by PDM; hearing scheduled for Tuesday, December 10, 2002 at 10:00 a.m. 4/30/02 - Letter from Stuart D. Kaplow, Esquire, counsel for Petitioners, requesting additional day of hearing (total of two days for this matter); 12/10/02 will remain as hearing day #1.stponement of 3/14/02 date. 5/01/02 – Confirm with George Zahner, PDM, that Notice has gone out for 12/10/02. Amended Notice of Assignment /Additional Hearing Day sent this date to parties; assigned for previously schedule date of Tuesday, December 10, 2002 at 10:00 a.m.; added additional hearing day #2 on Tuesday, December 17, 2002 at 10:00 a.m. 11/27/02 - T/C from Benjamin Bronstein, Esquire regarding this matter; to send letter entering his appearance on behalf of HOA; added to file and copy of Notice to him this date via FAX. (Original received by US mail 11/29/02) - Letter from Benjamin Bronstein via FAX - entering appearance on behalf of Green Tree Homeowners Association, Protestant. 12/09/02 – Letter via FAX from Stuart D. Kaplow, Esquire, requesting postponement of 12/10 and 12/17/02 hearing dates (result of information provided within recent days by other counsel in this case) 12/10/02 – Notice of PP and Reassignment sent to parties; case reassigned to Tuesday, April 22, 2003 at 10:00 a.m. (Day #1) and Wednesday, April 23, 2003 at 10:00 a.m. (Day #2). 4/07/03 - Letter of postponement received via FAX from Stuart D. Kaplow, Esquire, counsel for Petitioner; with agreement of Mr. Bronstein, counsel for Greene Tree Homeowners Assn.; copy also to DPC via FAX this date. Requests reassignment to date after May 12, 2003; parties engaged in discussion; hearing may not be necessary in this matter. 4/08/03 - Confirmed above via telephone with Mr. Bronstein; Second Notice of PP and Reassignment sent to parties; case reassigned to Wednesday, July 23, 2003 at 10:00 a.m. (day #1); and Thursday, July 24, 2003 at 10:00 a.m. (day #2). 4/09/03 – Hard copy received of Mr. Kaplow's letter of postponement dated April 7, 2003. 7/17/03 – Letter of Withdrawal of Petition filed by Stuart D. Kaplow, Esquire, counsel for Petitioners, Kenneth

and Ilene Schwartz via Facsimile; hard copy to follow. Confirmed withdrawal of petition this date by

telephone conversation with Mr. Kaplow. Order of Dismissal of Petition to be issued.



County Board of Appeals of Baltimore County

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

FAX: 410-887-3182

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

April 8, 2003

SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: CR-02-456-SPH (Cycle III, 2001)

INTHE MATTER OF: Kenneth E. Schwartz – Legal Owner 112 Hooks Lane 3rd Election District; 2nd Councilmanic District

Reclassification: From D.R. 3.5 to B.L.

SPH - To amend FDP of Green Tree, Section 3, Lot 170

DOCUMENTED SITE PLAN

which had been reassigned for two days of hearing on 4/22/03 and 4/23/03 has been POSTPONED at the request of Counsel for Petitioner, with agreement of counsel; and has been

REASSIGNED FOR:

/Day #1 and

THURSDAY, JULY 24, 2003 at 10:00 a.m.

/Day #2

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

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

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

Kathleen C. Bianco /Administrator

C:

Counsel for Petitioners /Legal Owners

Petitioners /Legal Owners

: Stuart D. Kaplow, Esquire

: Kenneth E. and Ilene C. Schwartz

Counsel for Green Tree Homeowners Association

: Benjamin Bronstein, Esquire

Richard E. Matz, P.E. /Colbert Matz Rosenfelt, Inc.

Carol Saffran-Brinks, Assistant County Attorney /Board of Ed. /MS 1102-J People's Counsel for Baltimore County Pat Keller, Planning Director Jeffrey Long /Planning Lawrence E. Schmidt/Zoning Commissioner W. Carl Richards /PDM

Arnold Jablon, Director /PDM

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on Recycled Paper

ATTORNEYS AT LAW

15 EAST CHESAPEAKE AVENUE
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TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

WWW,STUARTKAPLOW.COM

April 7, 2003

Via Facsimile 410-887-3182

Board of Appeals

Attention: Charles L. Marks, Chairman 400 Washington Avenue, Room 49 Towson, Maryland 21204

RE:

Case No: CR-02-456-SPH

Zoning Reclassification - 112 Hooks Lane

Dear Mr. Marks:

Please be advised that this firm represents Mr. and Mrs. Kenneth E. Schwartz, the owners and petitioners with respect to the above-noted zoning reclassification petition.

By this letter I am kindly requesting that the scheduled Tuesday, April 22nd hearing date, and the second date of hearing, be postponed and rescheduled to a date after May 12, 2003.

Ben Bronstein represents the Greene Tree Homeowners Association and the parties are engaged in discussions that may make any hearing in this matter unnecessary. As such Mr. Bronstein has agreed and consented to this request for a postponement. I have traded telephone calls with Ms. DeMillo, but we have not spoken, however, I have no reason to believe that her office is in any way prejudiced or would object to this request.

Thanking you in advance for your courtesies, should I need be of any further assistance to you, do not hesitate to give me a call.

Sincerely,

SDK:mo

ec: Benjamin Bronstein, Esquire, via sacsimile 410-296-3719

Carol S. DeMillo, Esquire, via facsimile 410-887-3182

Also via first class mail

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

WWW.STUARTKAPLOW.COM

April 7, 2003

Via Facsimile 410-887-3182

Board of Appeals

Attention: Charles L. Marks, Chairman 400 Washington Avenue, Room 49 Towson, Maryland 21204

RE:

Case No: CR-02-456-SPH

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Sincerely,

(')

Stuart D. Kaplow

SDK:mo

cc: Benjamin Bronstein, Esquire, via facsimile 410-296-3719

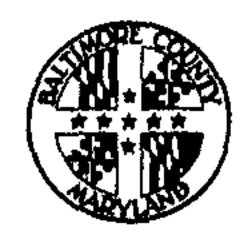
Canal C. Dal Killa. Eggarina eria faccionila 410 007 2102

Carol S. DeMillo, Esquire, via facsimile 410-887-3182

Also via first class mail

RECEIVED APR 19 2003

BALTIMORE COUNTY BOARD OF APPEALS



County Board of Appeals of Baltimore County

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

FAX: 410-887-3182

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

December 10, 2002

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: CR-02-456-SPH (Cycle III, 2001)

IN THE MATTER OF: Kenneth E. Schwartz -Legal Owner 112 Hooks Lane 3rd Election District; 2rd Councilmanic District

Reclassification: From D.R. 3.5 to B.L. SPH - To amend FDP of Green Tree, Section 3, Lot 170 DOCUMENTED SITE PLAN

which had been assigned for two days of hearing on 12/10/02 and 12/17/02 has been POSTPONED at the request of Counsel for Petitioner, with consent of all counsel to this request; and has been

REASSIGNED FOR:

TUESDAY, APRIL 22, 2003 at 10:00 a.m. /Day #1 and WEDNESDAY, APRIL 23, 2003 at 10:00 a.m. /Day #2

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

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

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

Kathleen C. Bianco /Administrator

c:

Counsel for Petitioners /Legal Owners

Petitioners /Legal Owners

: Stuart D. Kaplow, Esquire

: Kenneth E. and Ilene C. Schwartz

Counsel for Green Tree Homeowners Association

: Benjamin Bronstein, Esquire

Richard E, Matz, P.E. /Colbert Matz Rosenfelt, Inc.

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

ATTORNEYS AT LAW

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TELEPHONE 410-339-3910

FACSIMILE 410-339-3912

E-MAIL SKAPLOW@STUARTKAPLOW.COM.

STUART D. KAPLOW

WWW.STUARTKAPLOW.COM

FACSIMILE TRANSMITTAL

DATE: April 7, 2003

TO: BOARD OF APPEALS

SENT TO TELEPHONE NUMBER: 410-887-3182

410-339-3912

FROM: STUART D. KAPLOW, ESQUIRE

TOTAL NUMBER OF PAGES 2 (INCLUDING THIS PAGE)

OUR TELECOPIER TELEPHONE NUMBER IS 410-339-3912

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEM WITH RECEIVING, PLEASE TELEPHONE STUART KAPLOW AT 410-339-3910

MESSAGE:

CC: Benjamin Bronstein, Esquire, via facsimile 410-296-3719 Carol S. DeMillo, Esquire, via facsimile 410-887-3182

HAVE YOU VISITED OUR WEBSITE, AT WWW.STUARTKAPLOW.COM, AND OUR LIBRARY' OF ARTICLES ON REAL ESTATE, LAND USE, AND ENVIRONMENTAL ISSUES, INCLUDING THE NEW ARTICLE, ADULT WEBSITE NOT SUBJECT TO ZONING LAWS

HARD COPY TO FOLLOW: YES, VIA FIRST CLASS MAIL

CONFIDENTIALITY NOTICE

The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, please notify us immediately and send the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.



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

May 1, 2002

AMENDED NOTICE OF ASSIGNMENT /Additional Hearing Day *

CASE #: CR-02-456-SPH (Cycle III, 2001)

IN THE MATTER OF: Kenneth E. Schwartz -Legal Owner 3rd Election District; 2rd Councilmanic District 112 Hooks Lane

Reclassification: From D.R. 3.5 to B.L.

SPH – To amend FDP of Green Tree, Section 3, Lot 170

DOCUMENTED SITE PLAN

which is assigned for day #1 on 12/10/02 has been assigned for an additional day of hearing (day #2); no change has been made in the originally scheduled day #1; and has been

ASSIGNED FOR:

TUESDAY, DECEMBER 10,2002 at 10:00 a.m. /Day #1 and TUESDAY, DECEMBER 17, 2002 at 10:00 a.m. /Day #2

NOTICE:

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

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

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

Kathleen C. Bianco /Administrator

C;

Counsel for Petitioners /Legal Owners

Petitioners /Legal Owners

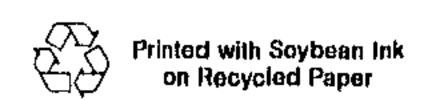
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Benjamin Bronstein Esquire



TRANSMISSION VERIFICATION REPORT

TIME: 11/27/2002 13:48 NAME: BOARD OF APPEALS FAX: 4108873182 TEL: 4108873180

DATE, TIME FAX NO./NAME DURATION PAGE(S) RESULT MODE

11/27 13:47 94102963719 00:00:39 01 OK STANDARD ECM

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
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TELEPHONE 410-339-3910
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E-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

WWW STUARTKAPLOW.COM

December 8, 2002

Via Facsimile 410-887-3182

Board of Appeals

Attention: Charles L. Marks, Chairman 400 Washington Avenue, Room 49 Towson, Maryland 21204

RE:

Case No: CR-02-456-SPH

410-339-3912

Zoning Reclassification - 112 Hooks Lane

Dear Mr. Marks:

Please be advised that this firm represents Mr. and Mrs. Kenneth E. Schwartz, the owners and petitioners with respect to the above-noted zoning reclassification petition.

By this letter I am kindly requesting that the scheduled Tuesday, December 10th hearing date, and any second date of hearing, be postponed and rescheduled to a date after January 10, 2003.

Please accept my apologies for this late notice (being requested as a result of information provided within recent days by other counsel in this case), but please be aware that all counsel have consented to this request.

Thanking you in advance for your courtesies, should I need be of any further assistance to you, do not hesitate to give me a call.

Sincerely.

Stuart D. Kaploy

SDK:mo

cc: Benjamin Bronstein, Esquire, via facsimile 410-296-3719 Carol S. DeMillo, Esquire, via facsimile 410-887-3182

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FACSIMILE TRANSMITTAL

DATE: December 8, 2002

TO: BOARD OF APPEALS

SENT TO TELEPHONE NUMBER: 410-887-3182

FROM: STUART D. KAPLOW, ESQUIRE

TOTAL NUMBER OF PAGES 2 (INCLUDING THIS PAGE)

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HARD COPY TO FOLLOW: NO

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