ORDER RECEIVED FOR FILLING
Date
By

IN RE: PETITION FOR SPECIAL HEARING SE/S Belair Road, 278' N of the c/l

Halbert Avenue

(9431 Belair Road)

11th Election District 5th Council District

Danaher Properties, LLC Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 05-158-SPH

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Danaher Properties, LLC, by Richard Danaher, Member, through their attorney, Kenneth D. Pezzulla, Esquire. The Petitioners request a special hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve an existing, freestanding sign, 59" x 36" in dimension, in an ROA zone, where no freestanding sign is permitted. The subject property and requested relief are more particularly described on the site plan and photographs submitted, which were accepted into evidence and marked as Petitioner's Exhibits 1 and 2, respectively.

Appearing at the requisite public hearing in support of the request were Richard Danaher, Member, Danaher Properties, LLC, property owners, Dean Johnson, a tenant of the building on the subject property, and Kenneth D. Pezzulla, Esquire, attorney for the Petitioners. Appearing in opposition to the request were William Parisi, adjacent property owner, and Charles L. Marks and William LiBercci, representatives of the Perry Hall Improvement Association. Also appearing was Kevin Gambrill, a Community Planner with Baltimore County's Office of Planning.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the southeast side of Belair Road, not far from its intersection with Halbert Avenue in Perry Hall. The property contains a gross area of 0.376 acres, more or less, zoned R.O.A. and is improved with a 2½-story frame building and a detached two-car garage. In

addition, the property contains a combination of macadam and asphalt paving and nine parking spaces. The property is located along a stretch of Belair Road that contains a mix of residential and business uses. In this regard, Mr. Danaher testified that he is a Real Estate Broker, trading under the name of Century 21 Action Realty, and that he has owned and occupied the subject property for the past 3 years. He testified that his business occupies the first floor of the building and that a mortgage company leases the second floor. Apparently, during the course of a routine inspection of the area, a Code Enforcement Inspector with the Department of Permits and Development Management cited the Petitioners for having the subject sign, which is in violation of the zoning regulations, and the Petitioner was advised to file the instant Petition. This sign is located in the front portion of the site, approximately 15 feet from the right-of-way for Belair Road.

Mr. Danaher testified that a wall-mounted sign, which is permitted pursuant to Section 450.4.5(m) of the B.C.Z.R., does not provide sufficient notice to clients. He testified that before he commissioned "Signs of Tomorrow" to install the freestanding sign at issue, there were numerous instances where customers informed him that they could not find the building or that they were nearly involved in a traffic accident while attempting to locate the property. Mr. Danaher testified that this sign is necessary to safely direct customers to his property and that he would suffer a practical difficulty and unreasonable hardship if strict compliance with the regulations were required. In support of his request, the Petitioner submitted into evidence as Petitioner's Exhibit 3, a copy of a letter from the Perry Hall Business Association, which indicates they support the requested relief. Mr. Danaher also produced numerous photographs of the area which demonstrate that there are many signs along this stretch of Belair Road that are similar or larger than the subject sign.

As noted above, Charles Marks appeared on behalf of the Perry Hall Improvement Association. He presented three Motions to Dismiss the instant request and proceeded to describe each Motion. Under the first Motion, Mr. Marks challenged the propriety of the special hearing request and asserted that the proper Petition would be one seeking variance relief, requiring the

proof necessary as set forth in <u>Cromwell v. Ward</u>, 102 Md. App. 691 (1995). In his second Motion, Mr. Marks argued that improper notice of the hearing as required by law was given. He entered into evidence as Protestant's Exhibit 1, copies of the Jeffersonian newspaper, evidencing that the Notice of Hearing for this case was incorrectly listed under the 6th Council District, and should have appeared under the 5th Council District. In his opinion, this typographical error was fatal to jurisdiction and conduct of the hearing. Under the third Motion, Mr. Marks raised as an issue the doctrine of res judicata. In this regard, testimony revealed that this property was the subject of prior Case No. 98-198-A in which the then owners, William Schmidbauer and Dorothy Cunningham, sought similar relief, pursuant to a Petition for Variance, for a 64 sq.ft. freestanding sign. That relief was granted by then Deputy Zoning Commissioner Timothy Kotroco on March 2, 1998; however, on appeal was denied by the County Board of Appeals on November 28, 1998, and affirmed by the Circuit Court (Case No. 3-C-98-12704) on February 14, 2000. A copy of those decisions was entered into evidence as Protestant's Exhibit 3.

The Protestants' first and second Motions were over-ruled by the undersigned. Section 500.7 of the B.C.Z.R. affords the Zoning Commissioner with the power to conduct such hearings as may be deemed necessary for the proper enforcement of the zoning regulations. Thus, I find that the Petition before me was properly filed. Moreover, the record of this case clearly demonstrates that the Notice of Public Hearing, both posting and publication, as was done in this case, would be sufficient compliance with the zoning regulations. (See <u>Cassidy v. County Board of Appeals of Baltimore County</u>, 146 A2d, 896 (1958). The Protestants' third Motion for dismissal was held in reserve.

Mr. Libercci then stated that the testimony and evidence offered by the Petitioner was not legally sufficient to support the request. He noted that pursuant to Section 450.4.5(m) of the B.C.Z.R., the only type of enterprise sign permitted on an ROA zoned property is a wall-mounted projection sign and not a freestanding sign. He testified that the Belair Beautification Project has been working diligently to improve the appearance of Belair Road from Forge Road to Silver

ORDER RECENTED FOR FILMS
Date

(2007)
(4)

Spring Road and that the subject sign and other similar signs have diminished these revitalization efforts and were incompatible with the zoning regulations.

Mr. Parisi then appeared and testified in opposition to the request. He testified that his residence is located immediately adjacent to the subject property and that the existing sign blocks his view of traffic on Belair Road and in his opinion, is a safety hazard.

Mr. Pezzulla was given an opportunity to respond to Protestants' third Motion to Dismiss. After having an opportunity to review the opinions issued in the prior case, Mr. Pezzulla attempted to distinguish the two cases. He argued that in the Schmidbauer case, the freestanding sign was 64 sq.ft. in area (32 sq.ft. per side), while the sign in the instant case is 30 sq.ft. (15 sq.ft. per side) and that the instant request bears consideration.

I disagree. The doctrine of res judicata provides that once a zoning case is litigated, the decision is binding in subsequent litigation involving the same property and the same parties (or their successors) in the absence of an erroneous determination of law. See, The Board of County Commissioners of Cecil County v. Racine, 24 Md. App. 435, 332 A2d 306 (1975), and Whittle v. Board of Zoning Appeals of Baltimore County, 211 Md. 36, 125 A2d 41 (1956). In this case, I find that the issue of a freestanding sign on the subject property was litigated previously before the Baltimore County Board of Appeals and the Circuit Court for Baltimore County. Moreover, there was no evidence presented in the instant case to indicate that there has been an erroneous determination of law. Thus, I have no choice but to grant the Protestant's Motion to Dismiss on the basis of res judicata, and must therefore deny the requested relief.

Although I appreciate the practical reasons that the Petitioner has offered in support of his request, I cannot ignore the clear mandate of the B.C.Z.R. and case law. Although some means of signage to advertise the subject business may well be necessary, the proposed sign is inappropriate for this site and is not permitted, pursuant to Section 450.8.A.2 of the B.C.Z.R. Moreover, a negative Zoning Advisory Committee (ZAC) comment was submitted by the Office of Planning noting that there is no justification for the subject sign and recommended a denial of the request. Thus, the relief requested under the Petition for Special Hearing shall be denied.

Pursuant to the advertisement, posting of the property, public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this _____ day of December 2004 that the Petition for Special Hearing seeking relief, pursuant to Section 300.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve an existing, freestanding sign, 59" x 36" in dimension, in an ROA zone, where no freestanding sign is permitted, be and is hereby DENIED.

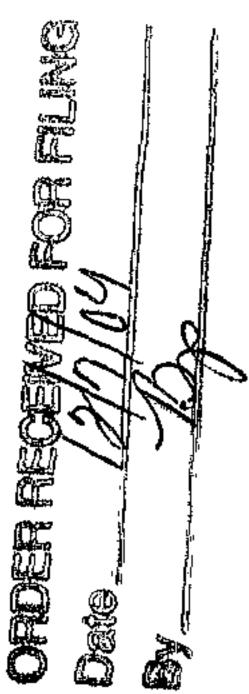
IT IS FURTHER ORDERED that the subject sign shall be removed within 120 days of the date of this Order.

Any appeal of this decision must be entered within thirty (30) days of the date hereof.

MM J. WISHMAN,

Zoning Commissioner for Baltimore County

WJW:bjs



Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive William J. Wiseman III, Zoning Commissioner

December 7, 2004

Kenneth D. Pezzulla, Esquire Pezzulla and Pezzulla, LLC 401 Washington Avenue, Suite 301 Towson, Maryland 21204

RE: PETITION FOR VARIANCE
SE/S Belair Road, 278' N of the c/l Halbert Avenue
(9431 Belair Road)
11th Election District – 5th Council District
Danaher Properties, LLC - Petitioners
Case No. 05-158-SPH

Dear Mr. Pezzulla:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been denied, 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,

WILLIAM L. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

cc: Mr. Richard Danaher, Danaher Properties, LLC 9431 Belair Road, Baltimore, Md. 21236

Mr. William Parizi, 9419 Belair Road, Baltimore, Md. 21236

Mr. Charles E. Marks, 4627 E. Joppa Road, Perry Hall, Md. 21128

Mr. William Libercci, 19/Shawn Court, Perry Hall, Md. 21236

People's Counsel; Case File



Visit the County's Website at www.baltimorecountyonline.info



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the	property located at 9431 Belnir Rd 21236
	which is presently zoned ROA
made a part hereof, hereby petition for a Special County, to determine whether or not the Zoning Con	59" × 36" - See Attached justication
SCONFERMOTTED	WE IN LIEW OF NO FREESTANDING
Property is to be posted and advertised as prescribed in or we, agree to pay expenses of above Special Hearing zoning regulations and restrictions of Baltimore County ad	
Contract Purchages/Language	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	<u>Legal Owner(s):</u>
Name Type of Print Signature Address Telephone	DANAHER Proporties LLC Name-Type on Print Ochar Danah Member Signature BICHARD DANAHER
	No. Name - Type or Print
Attorney For Petitioner: Kenneth D Pezzulla Name - Type or Print	Signature 9431 SCOP(VICO 77 Address Telephone No. City State Zip Code
Signature Signature	Representative to be Contacted:
Pezzulla And Pezzulla L Sompany Suite 301 401 Washington Ave	LC Some as above
Telephone N	o. Address Telephone No.
State 21204 State Zip Co	·
	OFFICE USE ONLY
8 270	ESTIMATED LENGTH OF HEARING
WG No. 25 158 5PM	UNAVAILABLE FOR HEARING
H 28 9/15/98	Reviewed By Date Dete Dete

Provenier Description for 9431 Becain Ro

BEGINNING FOR THE SAME at a point South 49 degrees West 200 feet from the beginning of that lot or parcel of land which by Deed dated March 31, 1920 and recorded among the Land Records of Baltimore County in Liber WPC No. 523, folio 189 was conveyed by Susannah Halbert to Thomas J. Kenney and wife, said point of beginning being in the centre of the Belair Road, running thence 200 feet to an iron stake; thence South 49 degrees West 100 feet on a line parallel to said Belair Road to an iron stake, thence North 43 degrees 50 minutes West to the centre of Belair Road, thence binding on said Road North 49 degrees East 100 feet to the place of beginning. SAVING AND EXCEPTING THEREFROM, HOWEVER, all that piece or parcel of land granted and conveyed to the State Roads Commission of Maryland by Deed dated May 10, 1934 and recorded among the Land Records of Baltimore County in Liber CWB Jr. No. 928, folio 582. The improvements thereon being known as No. 9431 Belair Road.

05-158.SPH 09-24.04

The Zenting Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson.

Maryland on the property identified herein as follows:

Case: #05-158-SPH 9431 Belair Road E/side of Belair Road, 278 teet to centerline of Halbert

Avenue
11th Election District
6th Councilmanic District
Legal Owner(s):
Danaher Properties, LLC
Richard Danaher (Member)
Special Hearing: to permit
a freestanding sign 59 inches by 36 inches see
justification in an R.O.A.
zone in lieu of no freestanding sign permitted.
Hearing: Wednesday, November 17, 2004 at 2:00 p.m. in Room 407, County
Courts Building, 401
Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible;
for special accommodations Please Contact the
Zoning Commissioner's Office at (410) 887-4388.

(2) For information concerning the File and/or
Hearing, Contact the ZonIng Review Office at (410)
887-3391.
JT/11/614 No2 28213

CERTIFICATE OF PUBLICATION

113,2004
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 112,2004.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkings

LEGAL ADVERTISING

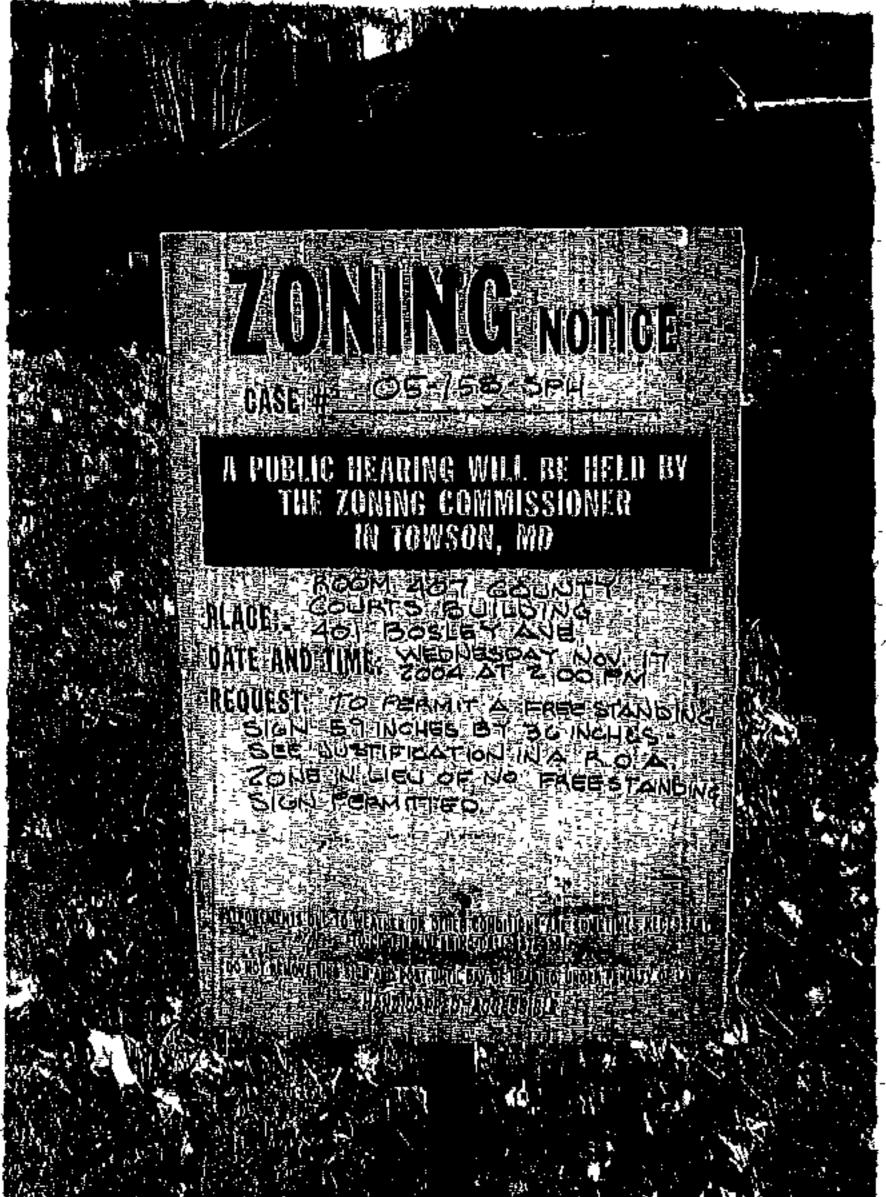
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BALTINORE COUNTY, MARYLAND OFFICE OF RIDGE & FRANCE							
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CERTIFICATE OF POSTING

Date: 11/104
RE: Case Number: 05-158. SCH
Petitioner Developer: DANAHER PROPERTIES LLC
Rate of Hearing/ Closing: Nov. 17, Z004
This is to certify under the penalties of perjury that the necessary sing(s) required by law were posted conspicuously
on the property located at 9431 BEL AIR ROAD
······································
The sign(s) were posted on 11/104 (Month, Day, Year)
CHORDI, Pay, Iva



Charles E. Merritt 9831 Magledt Road Baltimore, MD 21234 410-665-5562 TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 2, 2004 Issue - Jeffersonian

Please forward billing to:

Rick Danaher 9431 Belair Road Baltimore, MD 21236

410-529-7775

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-158-SPH

9431 Belair Road

E/side of Belair Road, 278 feet to centerline of Halbert Avenue

11th Election District – 6th Councilmanic District -

Legal Owners: Danaher Properties, LLC, Richard Danaher (Member)

Special Hearing to permit a freestanding sign 59 inches by 36 inches – see justification in an R.O.A. zone in lieu of no freestanding sign permitted.

Hearing: Wednesday, November 17, 2004 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

WILLIAM WISEMAN

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits and Development Management

Director's Office County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

October 18, 2004

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-158-SPH

9431 Belair Road

E/side of Belair Road, 278 feet to centerline of Halbert Avenue

11th Election District - 6th Councilmanic District -

Legal Owners: Danaher Properties, LLC, Richard Danaher (Member)

Special Hearing to permit a freestanding sign 59 inches by 36 inches – see justification in an R.O.A. zone in lieu of no freestanding sign permitted.

Hearing: Wednesday, November 17, 2004 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotrodo

Director

TK:klm

C: Kenneth Pezzulla, 401 Washington Ave., Ste. 301, Towson 21204 Richard Danaher, 9431 Belair Road, Baltimore 21236

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 2, 2004.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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.

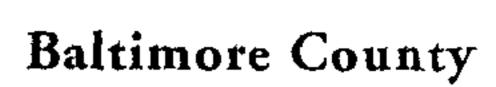
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

Item Number or Case	NumberOS-158. SPU
Petitioner: <u>Dana</u>	IER Properties LLC
Address or Location:	9431 Belvin Rd Brit. Md. 21236
PLEASE FORWARD A	ADVERTISING BILL TC
PLEASE FORWARD A	DVERTISING BILL TO
Name. $\frac{Bick}{C(t)}$	DANNher e/a CO1 Action (DANNHER Properties
Name. Bick	DANABER ela COL Action (DANABER Properties of Belain Rel Mul 21236

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708





James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

November 10, 2004

Kenneth D. Pezzulla Pezzulla & Pezzulla 401 Washington Avenue, Ste. 301 Towson, Maryland 211204

Dear Mr. Pezzulla:

RE: Case Number: 05-158-SPH, 9431 Belair Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 24, 2004.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel Richard Danaher Danaher Properties 9431 Belair Road Baltimore 21236

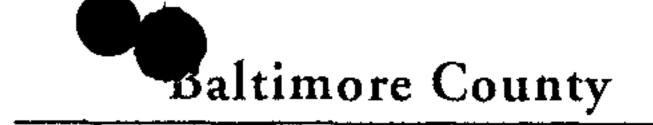


Visit the County's Website at www.baltimorecountyonline.info

Fire Department

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





James T. Smith, Jr., County Executive John J. Hohman, Chief

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

October 11, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: October 11, 2004

Item No.:

156,

[58**/**-166, 168&16

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. 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



Visit the County's Website at www.baltimorecountyonline.info





Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 10.13.04

Ms. Kristen Matthews
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE:

Baltimore County

Item No. 158

JRA

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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,

Steven D. Foster, Chief

1. 1. Andle

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: November 3, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 18, 2004

Item Nos. 156, 158, 159, 161, 164,

165, 166, 168, and 169

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

RWB:CEN:jrb

cc: File



TO:

Tim Kotroco

FROM:

John D. Oltman, Jr Joo

DATE:

October 27, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of October 11, 2004.

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-158

04-160

04-161

04-162

04-163

04-165

04-166

04-168

04-169

Reviewers:

Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: November 15, 2004

ZONING COMMISSIONER

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

9431 Belair Road

INFORMATION:

Item Number:

5-158

Petitioner:

Danaher Properties, LLC,

Zoning:

ROA

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

Per Section 450.4.C of the Baltimore County Zoning Regulations, the only type of enterprise sign permitted on an ROA zoned property is a wall mounted, projection sign. As such, the Office of Planning recommends that the petitioner's request be **DENIED**.

Prepared by:

Division Chief:

AFK/LL:MAC:

RE: PETITION FOR SPECIAL HEARING
9431 Belair Road; E/side of Belair Road,
278' to c/line of Halbert Avenue
11th Election & 6th Councilmanic Districts
Legal Owner(s): Richard Danaher,
Danaher Properties, LLC

Contract Purchaser(s): Richard Danaher

Petitioner(s)

BEFORE THE

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

^k 05-158-SPH

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence and documentation filed in the case.

RECEIVED

OCT 13 Page

Per

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 19th day of October, 2004, a copy of the foregoing Entry of Appearance was mailed to Kenneth D. Pezzulla, Esquire, Pezzulla & Pezzulla, LLC, 401 Washington Avenue, St. 301, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

P.3

Code Inspections, and Inforcement County Office Bugg 111 West Chesapeake Avenue Towson, MD 21204

	Baltimo, jounty Department of Permits and Development Management
Name of Street, Street	The state of the last of the l

Code Enforcement: 410-887-3351 Building Inspection: 410-887-3953

Plumbing Inspection: Electrical Inspection:

410-887-3620 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION SERVE ON RESIDENT AGENT, CORPORATE OFFICER, DWNEE, TENANT, AS APPLICABLE

Citation/C	Sc.No.	Property No. 11080662	200	Zoning:
Name(s):	DANA	4TR PROPET	7E5 L	
	DARL	FAJE A. DAN	AHFE	
.Address:	9431	BELAIR RD	•	2/236
Violation	0112:	DELAID DI		2/236
Location:	77.71	BELAIR RD	<u> </u>	
Violation	01,00	11/10/	211	
Dates:	MORRICOUNT	Y FORMALLY CHARGES THAT	// 44— T TUE ADOMEN	SAMED TERRITORY TO THE
		THE FOLLOWING BALTIMO		, , , , , , , , , , , , , , , , , , ,
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$\Delta \omega T$	FILE	FOR VARI	ANCE	DN 9/15/04
			<u>-</u>	
Fursuant to	Section 1-8, Bal	timore County Code, a civil p	cnalty	
		t of the violation cited herein,	7 1 1	11200.00
the amount	ndicated:			
-		been pre-scheduled in Room 1	16, Da	11/10/01/
III West Co	csabcane Watu	e, Towson, Maryland, for:	Tin	ne:
	······································			4 AM
Citation mus	it be served by:		Da	10/6/04
I do solemniy	y declare and af	firm, under the genalty of per	ury, that the co	entents stated above are true
and correct t		knowledge, information, and	-	<u>. </u>
Print Name:	 	5 /2/11/	11/25	
almil			man of the same	· · · · · · · · · · · · · · · · · · ·
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CITIZEN'S SIGN-IN SHEE

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CASE NAME CASE NUMBER O5 - 158 SPh DATE

PETITIONER'S SIGN-IN SHEET

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SI	Boet, my 2236										
ADDRESS	9431 Belain Mr								•		
•	RICK DANDHER										

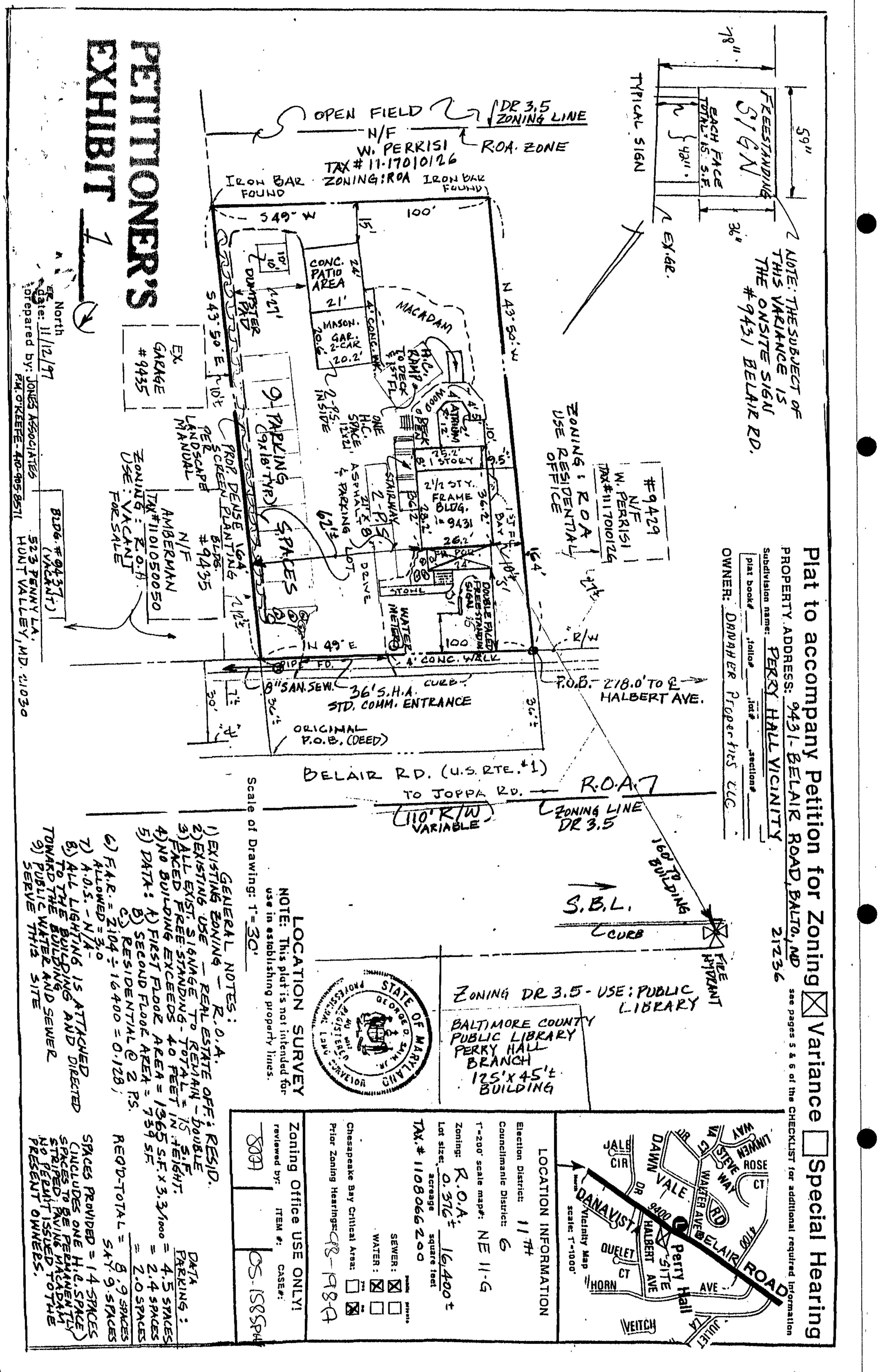
Case No.: 05-158 5

Exhibit Sheet

Petitioner/Developer

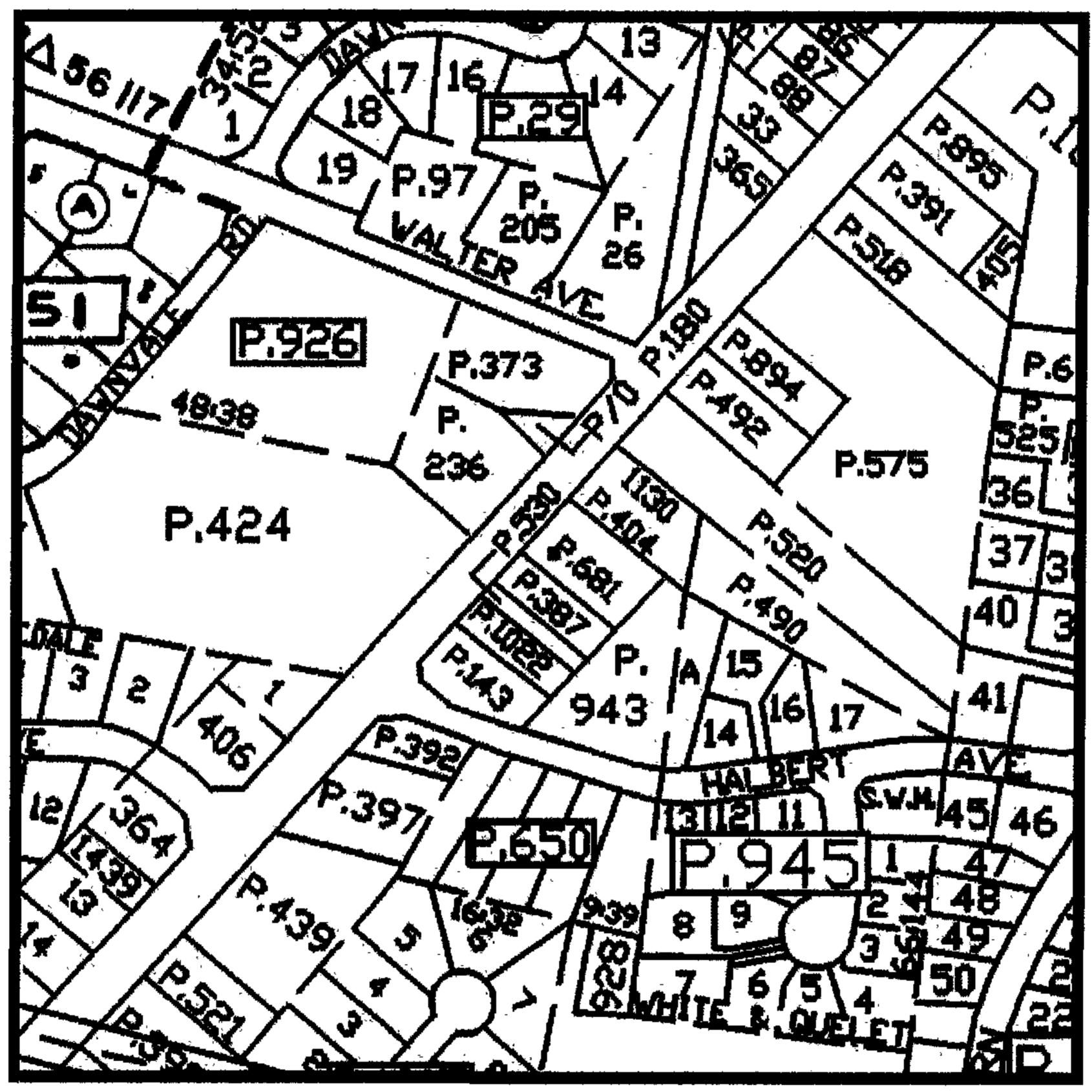
Protestant

No. 1	Site Plan	Spenone
No. 2	Photographs. 2A B C D	Order Care 03-37/1
No. 3	Letter From White March Perry Houl Busines ASSO 2	Findy of Fact 9402
No. 4		
No. 5		
No. 6		
No. 7		
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Go Back View Map New Search

District - 11 Account Number - 1108066200



Property maps provided courtesy of the Maryland Department of Planning ©2001 - 2002. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/webcom/index.html

05-158-SPE

Petition for Sign Variance 9431 Belair Road Baltimore, Maryland 21236 #78-198-A

Reasons for requesting a sign variance for ROA Property

Step 1 Property is unique, unusual and different from surrounding properties

This property is currently used as a real estate office and is trading under the name of Century 21 Action Realty. Most other properties in the area such as a day care provider or residences do not receive the number of contracts by customers that a real estate office receives on a daily basis. A 6 ft. square sign attached to the building, concerning the front footage setback, does not in any way allow persons coming to the office to locate the property without endangering themselves and other motorists traveling either north or south bound

Step 2 Practical difficulty and unreasonable hardship

To operate a successful real estate concern, it is of major importance that the office be visible to the public. This is important not only to attract customers, but it is extremely helpful to current clients who are attempting to locate the business.

As motorists are proceeding north bound on Belair Road, the view is obstructed by the RO zoned property, trees and sign adjacent to and just south of 9431 Belair Road. As motorists are traveling south bound on Belair Road, the property and trees adjacent to and just north of 9431 Belair Road obstructs the view of the public attempting to find 9431 Belair Road.

Prior to the erection of the current 15sq ft. sign that was erected in accordance with the requirements contained in a bill previously before county council, there were numerous instance when customers informed us that they could not find the building and that they were nearly involved in a traffic accident attempting to locate the property.

Relief provided by this variance request will ensure not only that the spirit of sign regulation is maintained, but will assist in avoiding substantial injury to the public health, safety and general welfare that may occur as a result of a traffic accident.

05-158 SIAH.

IN RE: PETITION FOR VARIANCE

S/S Belair Road, 278' N of

Halbert Avenue (9431 Belair Road) 11th Election District 6th Councilmanic District

Dorothy Cunningham and William O. Schmidbauer Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 98-198-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Dorothy Cunningham and William O. Schmidbauer, who is also Contract Lessee. The Petitioners seek relief from Sections 450.4.1 and 202.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a double-faced freestanding sign of 64 sq.ft. (32 sq.ft. per side) in lieu of the maximum permitted 6 sq.ft. The subject property and relief sought are more particularly described on the site plan submitted and photograph of the sign which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were William Schmidbauer, property owner and lessee, Nicholas Palmeri, and Stephen F. Marsalek, Esquire, attorney for the Petitioners. Appearing as a Protestant in the matter was Dorothy McMann, a resident of the area and a representative of the Perry Hall Improvement Association.

Testimony and evidence offered revealed that the subject property consists of 0.376 acres, more or less, zoned R.O.A., and is improved with a two and one-half story frame dwelling and detached two-car garage. The property is located on the east side of Belair Road not far from Joppa Road in Perry Hall. Mr. Schmidbauer testified that he is a real estate

ate . 2/1/18

broker and has been in the business for 30 years. He testified that approximately 3 months ago, he relocated his offices from the 6700 block of Belair Road in Overlea to the subject site, which he co-owns with his mother, Dorothy Cunningham. Mr. Schmidbauer testified that he converted the subject dwelling into real estate offices for his company, known as Schmidbauer Realty and contracted to have a business identification sign erected in the front yard of the property adjacent to Belair Road. It is this sign which is the subject of this variance request.

Schmidbauer testified that he hired "Sign Design" for the Mr. express purpose of designing, manufacturing, and installing the business sign which now exists on his property. A photograph of the sign was submitted into evidence as Petitioner's Exhibit 1. Mr. Schmidbauer testified that Sign Design assured him that all necessary permits had been obtained for the sign and that he paid \$2,485 for the sign, which was installed in mid-October, 1997. Subsequently, during a routine inspection in the area by a Code Enforcement agent of the Department of Permits and Development Management (DPDM), Mr. Schmidbauer was advised that the sign did not comply with the new sign regulations which went into effect in late October, 1997, and that a variance would be required in order to keep the sign as it presently exists. Mr. Schmidbauer was further advised that no permit had been applied for by Sign Design. Apparently, this particular sign company has a history of misrepresenting to its customers that they will obtain all necessary permits, when in fact, they do not. Mr. Schmidbauer believes that since he relied upon the sign company to obtain the required permits, he is an innocent party in this matter and should not be penalized by being forced to replace the sign.

21/18 19/18 RE: PETITION OF DOROTHY CUNNINGHAM AND WILLIAM O. SCHMIDBAUER

IN THE

FOR JUDICIAL REVIEW OF THE DECISION OF THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

CIRCUIT COURT

IN THE MATTER OF THE APPLICATION OF DOROTHY CUNNINGHAM AND WILLIAM O. SCHMIDBAUER FOR A ZONING VARIANCE

FOR

on property located on the south side Belair Road, 278 feet north of Halbert Avenue 11th Election District, 6th Councilmanic District

BALTIMORE COUNTY

Case No. 98-198-A before the County-Board of Appeals of Baltimore County

Civil No. 3-C-98-12704

ORDER

*

Upon review of the record, having heard oral argument on February 2, 2000, it is, this day of February, 2000, by the Circuit Court for Baltimore County,

ORDERED, for reasons stated in the Court's oral opinion, attached hereto, that the Order of the County Board of Appeals dated November 25, 1998, denying the Petition for Zoning Variance, be and is hereby AFFIRMED.

ROBERT E. CADIGAN, Circuit Judge

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IN RE: PETITION FOR VARIANCE
NW/S Belair Road, 475' S of the c/l
Pinedale Drive
(9402 Belair Road)
11th Election District
5th Council District

Javad Varzandeh, et al Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 03-371-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Javad Varzandeh and Guity Varzandeh, and the Contract Lessee, Khashayar Varzandeh. The Petitioners seek relief from Section 450.4.5(m) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a freestanding, illuminated sing of 14 sq.ft. in lieu of the maximum allowed 8 sq.ft., wall-mounted or projecting, non-illuminated sign in an R.O.A. zone. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Javad Varzandeh, Khashayar Varzandeh and Nicole Varzandeh, property owners. Appearing in opposition to the request was William M. Libercci, a representative of the Perry Hall Improvement Association.

The subject property under consideration is a rectangular shaped parcel located on the northwest side of Belair Road, south of Pinedale Drive, across from its intersection with Darnall Road in Perry Hall. The property contains a gross area of 0.468 acres, more or less, zoned R.O.A. and is improved with a one-story stucco building which was previously used as a single family dwelling; however, is proposed to be converted for use as an assisted living facility for up to 10 beds (residents). Interestingly, the Petitioners own the adjacent property, known as 9404 Belair Road, which was also previously used as a single family dwelling; however, is now used as an



assisted living facility for up to 11 beds (residents). The building on the subject property contains 2,418 sq.ft. in area and will be internally modified to accommodate the proposed use. The site plan also shows that the property features a circular driveway that provides access and egress through two curb cuts on Belair Road.

The proposed assisted living facility is permitted by right and is not the subject of the instant request. Rather, the relief requested relates to a proposed sign for the subject use. In this regard, the Petitioners submitted a series of photographs and drawings of the proposed sign. The sign will be approximately 5.5 feet tall and 4 feet wide and will advertise the name of the proposed facility as Ma Maison Senior Assisted Living Facility, with the street address and telephone number below. The Petitioners also propose illuminating the sign. Photographs of a similar sign that advertises the law offices of Fick and Petty in the Towson area were submitted at the hearing.

The Petitioners offered a number of reasons in support of the variance. First, they noted that a photographic studio across the street features a sign in the front yard which is larger than that proposed at the subject site. More importantly, the Petitioners argued that a readily apparent means of identification of the site is necessary. They indicated that ambulances and other emergency vehicles are frequently called to the site to treat the elderly residents. The Petitioners believe that the proposed sign is necessary to more readily identify the location of the site and eliminate confusion and unnecessary delay of treatment. It was also indicated that immediate neighbors of the property have registered no objection to the proposed sign.

Mr. Libercci appeared on behalf of the Perry Hall Improvement Association and offered several reasons in opposition to the request. He noted that the testimony and evidence presented by the Petitioners was not legally sufficient to support the request. I agree. As is well settled, variance relief can be granted only if the requirements of Section 307 of the B.C.Z.R. have been satisfied. Those requirements have been clarified by the appellate courts of this state, most notably in Cromwell v. Ward, 102 Md. App. 691 (1995). In Cromwell, the Court of Special Appeals of Maryland indicated that variance relief can be granted in Baltimore County only upon a showing that the subject property has a unique characteristic which justifies the need for the



November 2, 2004

Mr. Rick Danaher Century 21/Action realty 9431 Belair Rd. Baltimore, MD 21236

Dear Mr. Danaher:

The Perry Hall White Marsh Business Association wishes to express their positive support of your zoning variance for your business sign on Belair Rd.

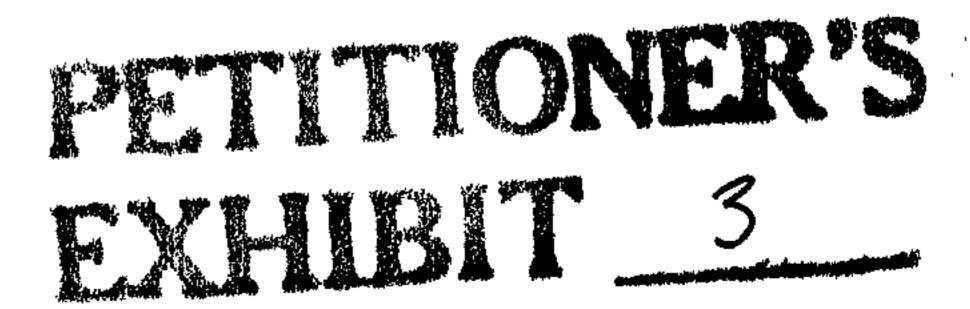
We hope that our input helps you to obtain the variance, and resolves the matter quickly.

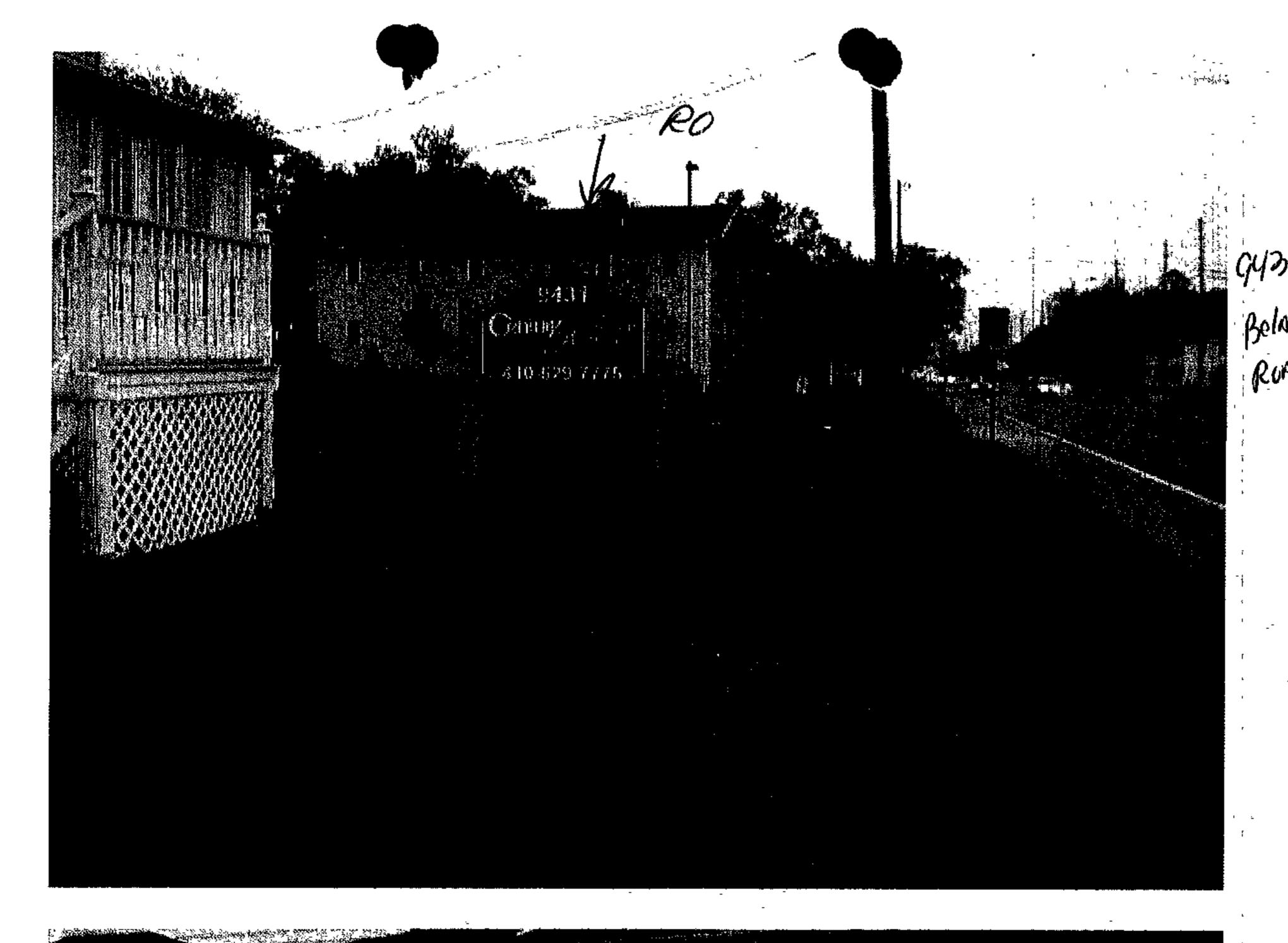
Sincerely,

Lynn Ann Crispens

Kyra am Crispens

President

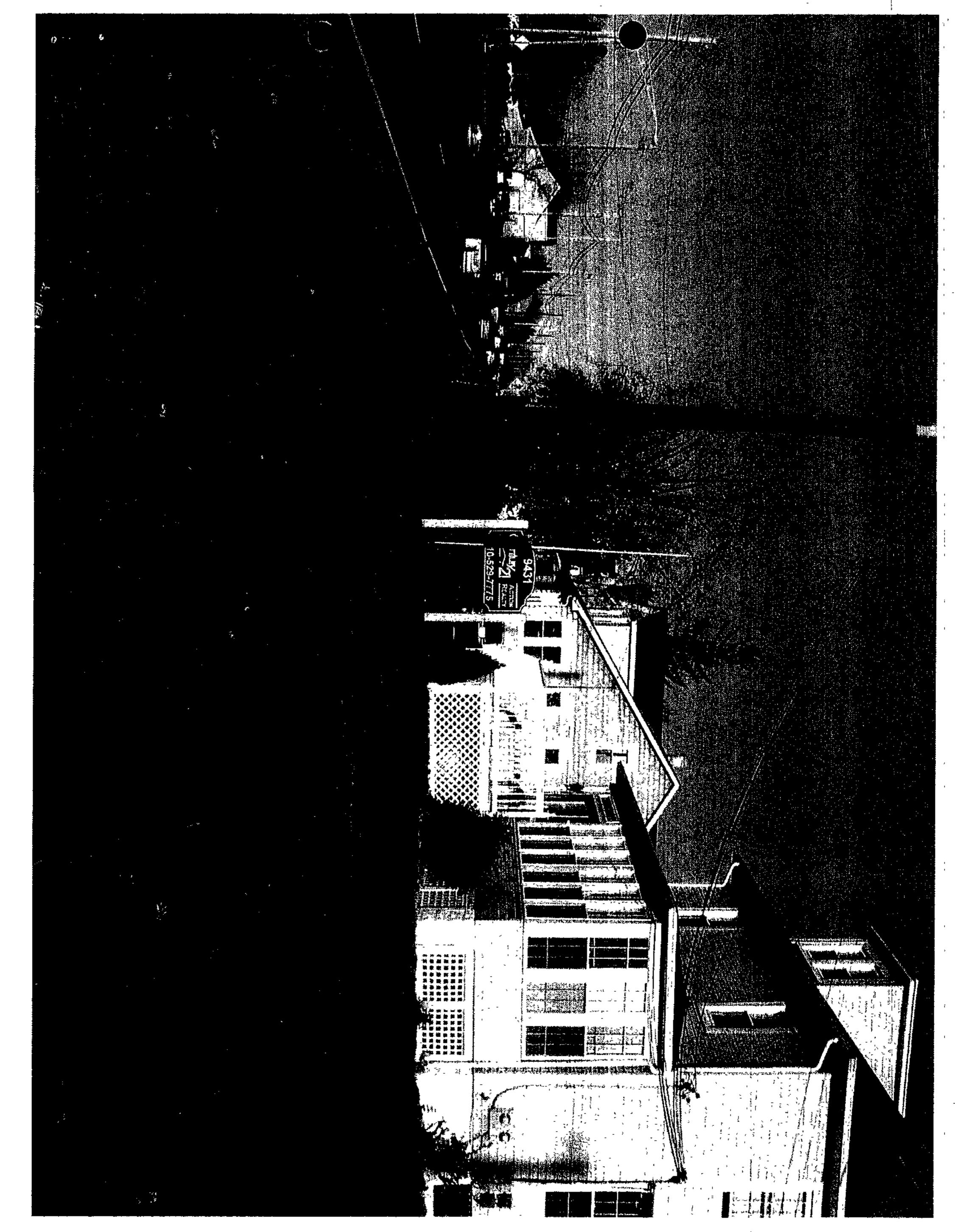






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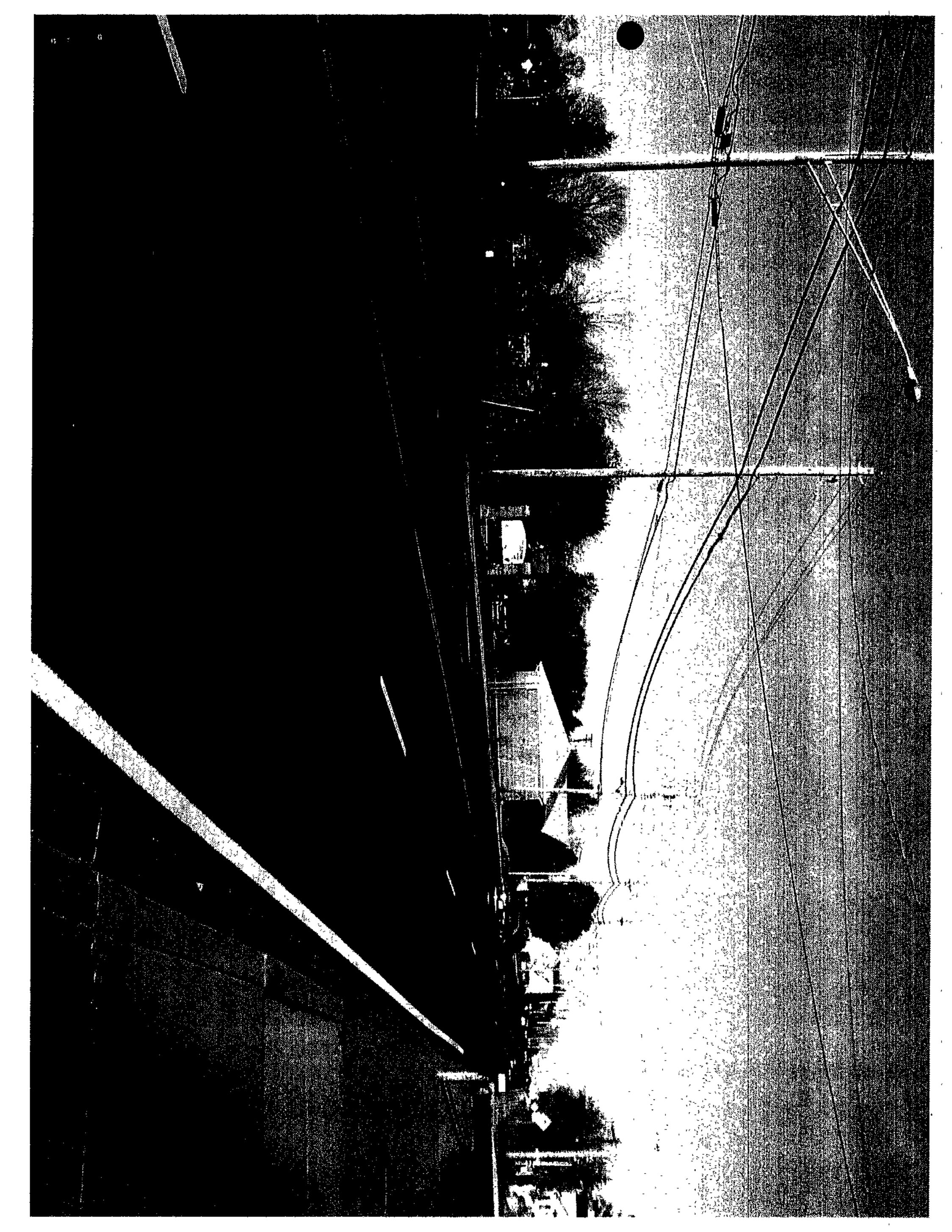
05-158-5PH





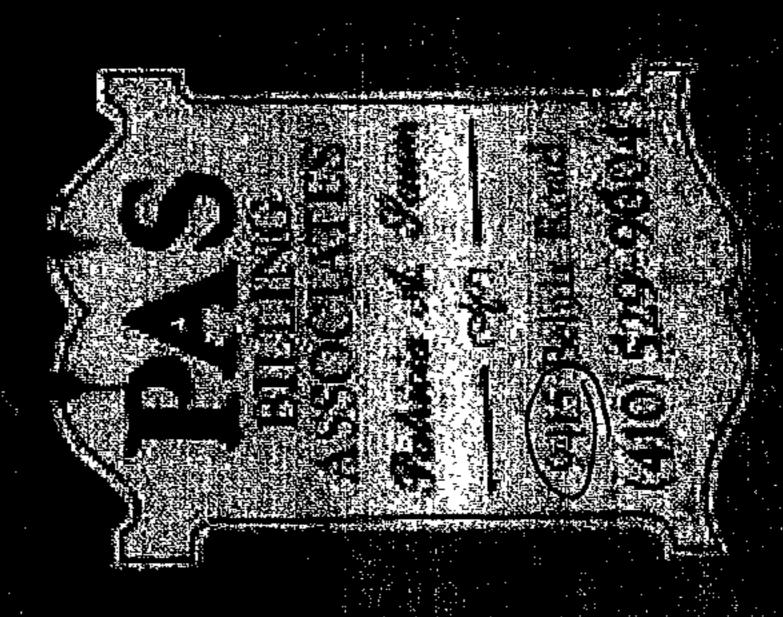


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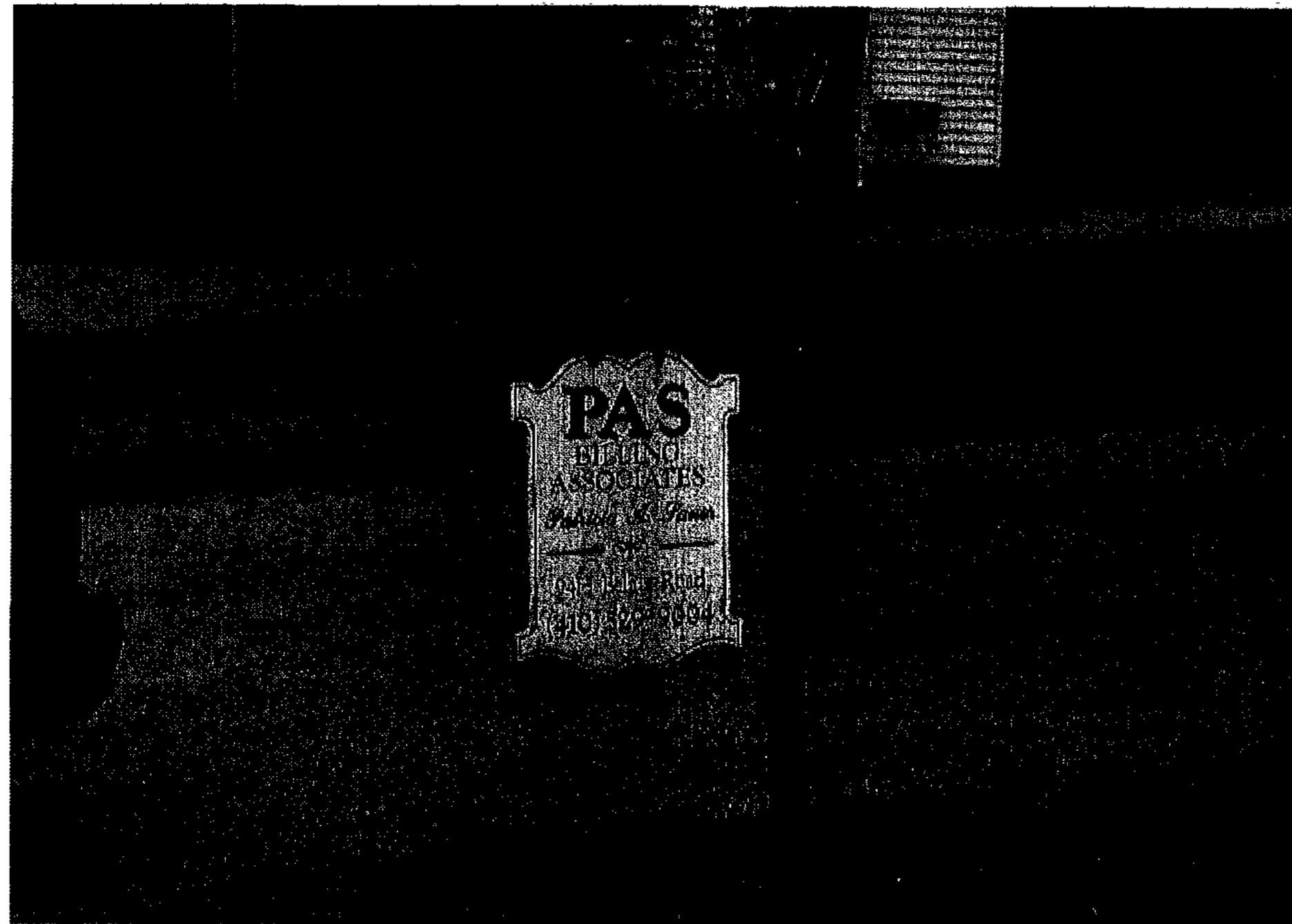






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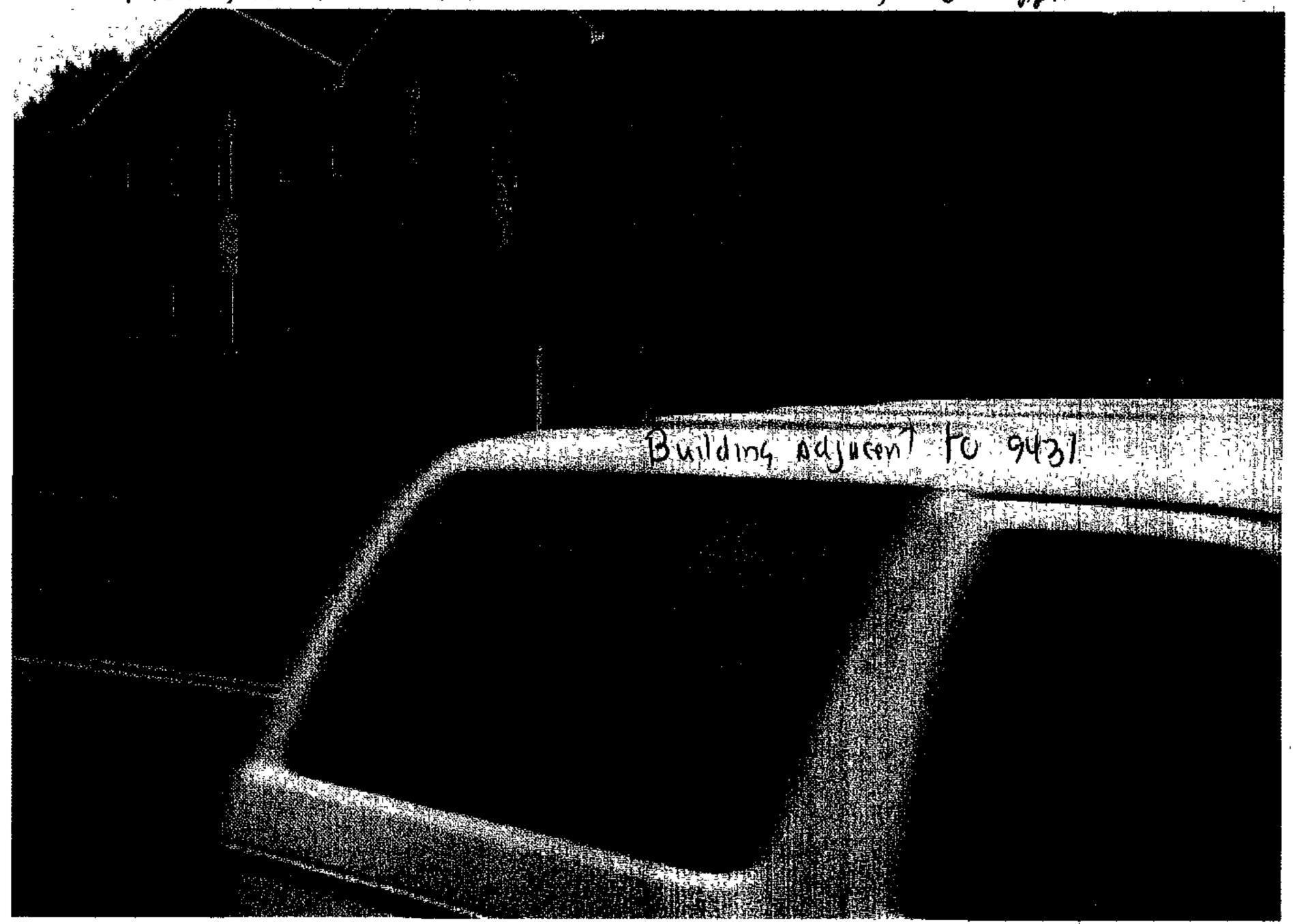


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OS-158-SPH.

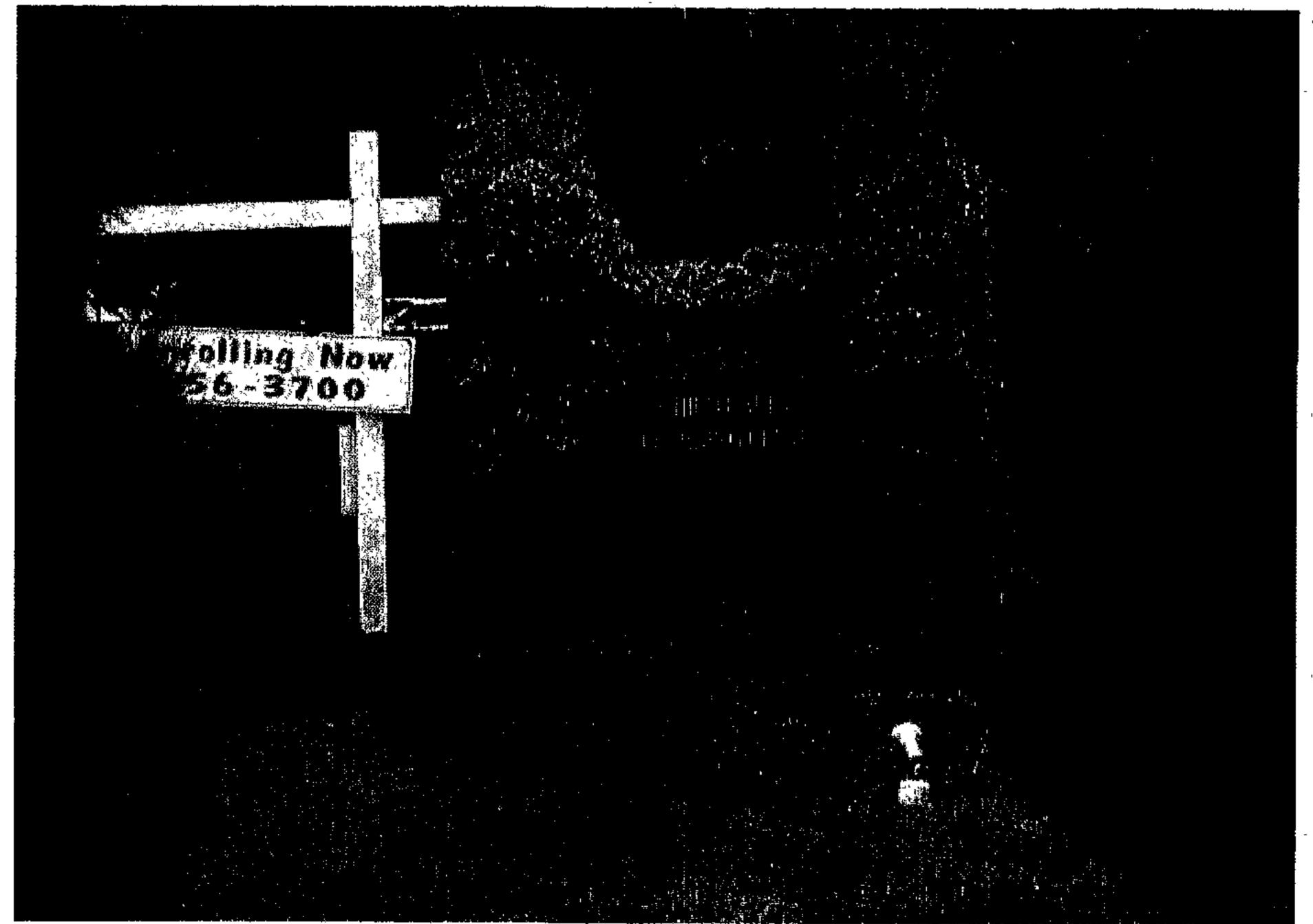


Looking for this T Sign is an accident waiting to happen



05-158-5PH





05-158-SPH.



OS-158-SPH.

Continued from Page A1

times I have been asked for directions and the sign is right there," says Donna Spicer, executive director of the Loch Raven Business Association.

Much of that section of East Joppa lacks the attractive architecture and landscaping thatcould draw more customers and make them feel more welcome, they concluded. The amount of traffic East Joppa Road carries is also a problem, according to sev-

eral at the meeting. People have begun referring to East Joppa as "the inner loop of the Beltway," said Loch Raven Village resident Eric Hadaway.

Now that the new painted lanes on Putty Hill Road are causing more backups at the intersection of Putty Hill Road and Goucher, he expects even more traffic on East Joppa Road.

front lawn and see cars whizzing by at 55 mph, which is twice the speed limit." Kolbe, Hadaway and other members of the task force, led by 5th District county

fine-tuning

to take on the more challenging and

expensive efforts of redeveloping selected

areas by permitting significant changes in

residential projects. In exchange for the

flexibility, developers agree to begin the

development process with a short series of

intensive community meetings called

after the community and the developer

The redevelopment takes place only

"It's narrow in scope but could bring

enormous changes to a community," said

Donna Spicer, a Loch Raven activist.

"That's the whole purpose of revitaliza-

tion. You're trying to make a big hit out

The bill, as introduced, is sponsored by

five councilmen -- Chairman Sam Mox-

ley, Joseph Bartenfelder, Vince Gardina,

passage, it is a safe bet the bill will under-

Ken Oliver and John Olszewski.

go some additional fine tuning.

zoning that allow for both commercial and they had not had a

expected

Further

Continued from Page A1

agree on a plan.

planner Kevin Gambrill, have committed themselves to producing a plan to bring the center section of Joppa Road up to snuff. Ideas put on the table Oct. 25 included: Improvement of signage, perhaps with

some deference to uniformity. ► More speed limit signs and other

devices to slow traffic. ► Introduction of a median strip with an angled top to discourage panhandlers.

▶ Grants for facade improvements. Cooperative parking arrangements, perhaps involving the use of parking lots behind businesses on Loch Raven Boule-

▶ Fewer curb cuts through sharing among businesses.

Landscaping. Easily navigated crosswalks.

► Tailored visual material showing r business owner what a particular business would look like with improvements such as a new paint, new awnings and landscaping. When it comes to getting businesses to make improvements, "If we can knock on doors and show visuals, we'll move at a

much faster pace," Spicer said. "You're not going to win them all, but it would be enough to make a good start." Economic considerations have to be a As it is, Kolbe said, "I go out on my part of any plan, Kolbe said, because the majority of businesses on Joppa Road are

> "If there are rules put in place that are too expensive, a lot of businesses cannot

Barnhart was one of the people asked

"I'm pleased to see that most of the

issues of concern that were articulated in

May have been addressed in the revised

to submit potential amendments to the

small companies.

ing May 17.

bill," Barnhart said.

"It's an important

bill and I encourage

activists said

communities

read it carefully."

chance to read the

latest version but

accept Barnhart's

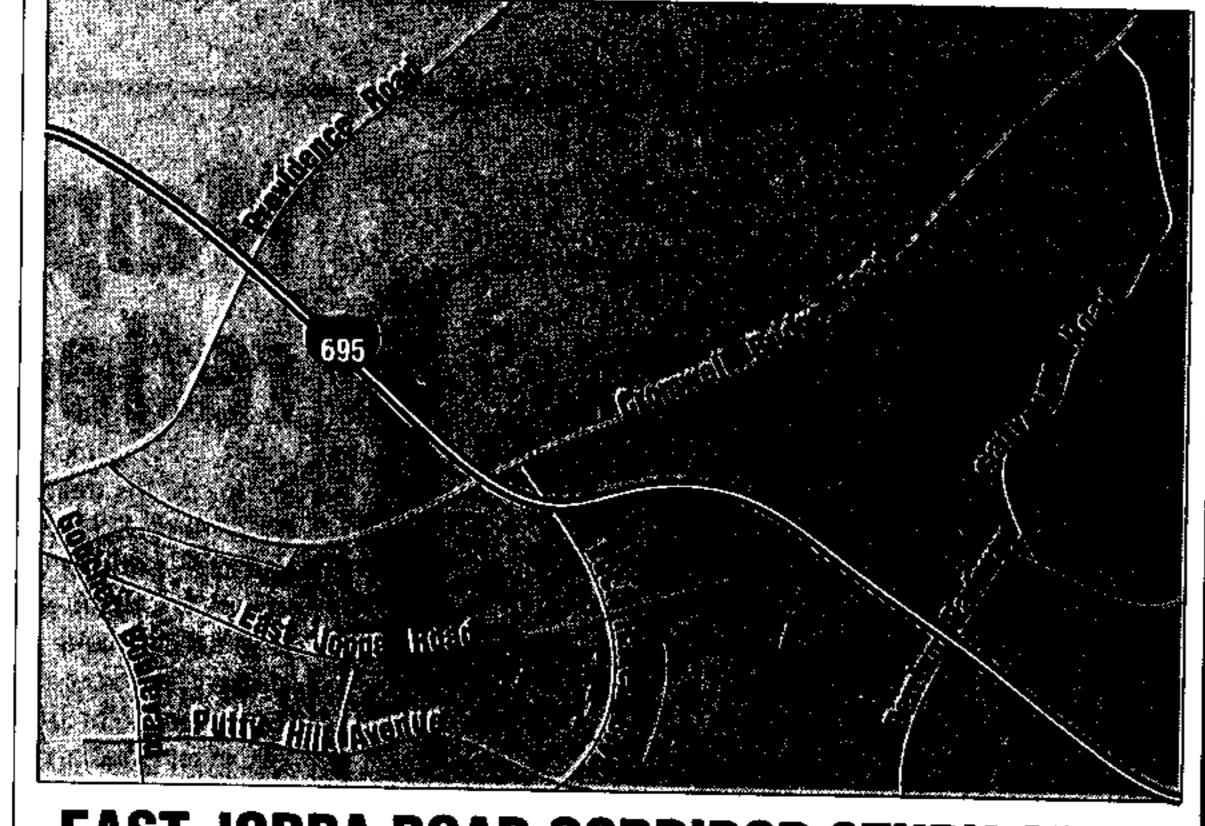
assessment of the

supports the idea

and likes the

Spicer said she

were willing



EAST JOPPA ROAD CORRIDOR STUDY AREA

Source: County Planning Office

afford the money," he said. But improvements could be phased in,

according to Gardina. The plan, like any of the county's community plans, would not have the force of law, but would act as a guide in future government decisions.

"Once we get this thing together, we'll have a strategy to really improve the area.

It won't be just a document. It will have

In any case, this first session was " good start," Gambrill said. "Obviously, the area has potential. But we are going to have to figure out what potential it has."

E-mail Loni Ingraham at lingra-

ROLE REDUCED One other notable change is a reduction

nated the Renaissance Opportunity District

In the current version, the Planning

approval of a plan to the Planning Board had to do with preventing potential legal move to reduce council authority.

cedure or insert council oversight, according to Council Chairman Sam Moxley. Moxley pointed to recently revised PUD regulations that give the council input at the beginning and end of the process.

Moxley said a public hearing on the bill, similar to one held in May, is not likely. Instead, the public will be allowed to tes-

'I think there has been seven or eight ' public hearings on this bill," Moxley said.

E-mail Bryan P. Sears

The latest version of the bill contains However, in a Renaissance District, the who can participate in the charrette proseveral significant changes. property's original zoning remains intact cess. The new bill ties the definition to Some are based on a 13-point memo and in force. The floating zoning that existing county law that recognizes both that former county attorney Virginia Barnallows mixed-use development does not the individual resident and community hart's presented to the council at a hear-"drop down" on a property until a con- associations. Walk

BALTIMORE

space for parking.

include a drive-thru window.

In a victory for York Road commu-

nity groups, Walgreens backed off that

plan and another to use nearby green

store as allowed by current zoning,

without having to seek special excep-

tions from the Baltimore City zoning

Instead, the chain will build the

sensus among the community, developer

The new version of the bill also clearly defines a consensus.

Activists Barnhart to set a benchmark and make the con-'it's an important bill

and I encourage is defined as 80 communities to read

Virginia Barnhart. former county attorney

FLOATING ZONES

During that May hearing, some activists questioned the erasure of current zoning on properties in a Renaissance District. Even though the number of sponsors The new bill creates the concept of a represents more than enough votes for floating zone, similar to the Planned Unit Development zoning already used in the

and government officials is reached. CONSENSUS DEFINED

In prior versions, the concept was neb-

asked the county Now consensus

percent of the people who attend the last of the charrette O'Doherty calls the percentage a "mega-majority" "We wanted to

have more than a super majority, but we also understood that unanimity was not a practical option," O'Dohe-

Some observers said they would like to see one more change that would allow proxy voting for community members who attend the charrette meetings but cannot make the last one.

The bill addresses another suggestion made by Barnhart — clearly defining

of council input. In previous versions, the council desig-

and then approved the final plan. The Planning Board removed that final approval step after hearings this spring. Some members said the move was designed to remove politics from the pro-

cept less subjec- Board is given authority to approve the County officials said leaving final

> problems and was not about a political The council may seek to change this pro-

The council will discuss the bill at its | ciation is making progress in helping Nov. 23 work session. A vote will be taken | county residents come up with a comat the council's Nov. 29 meeting.

tify on the bill after the Nov. 15 council legislative session and at the hearing Nov.

"So, we've had a lot if input, and we'll

bsears@patuxent.com.

Walgreens, residents remain at odds on York Road store

Continued from Page A1

raises

funds for

hot line

coordinator of the Maryland Chapter of the Alzheimer's Association, said money raised in this year's walk-a-thon would go toward establishing a 24-hour hot line where Alzheimer's sufferers and their families and caregivers could get information, advice, tips and referrals specific to the progressive brain disease. The Maryland Chapter of the National Alzheimer's Disease and Related Dis-

orders Association is located in Timonium. The organization is dedicated to advancing research on the treatment of Alzheimer's and providing support services to the families of those afflicted with Alzheimer's in Baltimore, Baltimore County and 17 other Maryland

To get more information or to make donations, call 410-561-9099 or go to www.alzgmd.org.

E-mail Bob Allen at ballen@patiex-

it's supposed to wash out. Meanwhile, I'm not planning on running around town or anything like that.

Millard 'Hap' Cursey. Holly Hill Manor

'It's unlikely people in the community are going to that in effect has

"We're going to do it as a matter of right," an official close to the developers of the store said recently. He requested anonymity because the project has been contentious.

The chain also will build the drugstore closer to the road, so it lines up with other businesses fronting the road, in another concession to community leaders and city planners.

However, in a disappointment to residents, Walgreens abandoned design plans to make the building more aesthetically pleasing. The plans now call for a traditional brick build-

ing with metal awnings. Walgreens and the competing chain Eckerd are planning to open stores of York Road.

opposite each other in the 6300 block The Walgreens store would be on the east side of York at Walker Avenue, just south of Panera Bread. The store would anchor a small strip center that, in recent years, has housed at one time or another a deli and butcher

a hubcap store, a bicycle shop and a

pharmacy.

Eckerd would be across the street, on the west side of York at Gittings Avenue in a spot where the SuperFresh A planned Walgreens drugstore on supermarket, Merchants auto and tire York Road at the city line will not center and a dry cleaner used to be.

patronize a business

flipped us the bird." Lake Walker assessition

Eckerd and Walgreens would be the ninth and 10th drug stores in the stretch of York Road from Govans to plans for a 26-foot-tall sign for the Towson. Critics say the corridor is becoming a "Pharmacy Row." But there is a potentially hig market, with not going to look at home in this newly nearby communities like Evesham redeveloped York Road area." Park, Lake-Evesham, Lake Walker, Bellona-Gittings, Cedircroft, Stoneleigh and Anneslie. Ir the communi- are resigned to it."

ties of Cedarcroft, Fellona-Gittings 2,000 households, according to Lake greens. Walker Community Association President Janet Abramovitz. The aging commercial and residenshop, a coffee shop, a produce market, tial corridor has received a lot of attention lately. The York Road Partnership

is working with the city to revitalize ent.com.

the corridor with a better class and mix

Residents who live east and west of York Road didn't want either Eckerd or Walgreens, but say Eckerd at least has done a good job of reaching out to community groups during the zoning

If Walgreens had done the same, "they could have had the place built by now," with the blessing of surrounding communities, said Jason Canapp, president of the York Road Partnership. Walgreens' decision not to take green space for parking "was a big win for the community," Canapp said. But with the chain reverting to its

original design plan, "it's going to look like your standard Walgreens," | The U.S. Small Business Administra-Canapp said. "A drugstore was not our first choice," said Abramovitz, whose Lake Walker association represents 775 households. But she said she is sorry that the opportunity was lost to make the building more visually striking. She is especially displeased with

store, calling it "hideous signage." She said the building, "is certainly Criticism has died down and Canapp said, "I think many residents

But Abramovitz said there could be and Lake-Evesham aone, there are a consumer backlash against a Wal-"It's unlikely people in the commu-

nity are going to patronize a business that in effect has flipped us the bird," E-mail Larry Perl at lperl@patux-

MacKenzie Commercial Real Estate Ser-

mercial Real Estate Services.

BUSINESS IN BRIEF

Continued from Page A1

again anyway.

prior to the election, as required in the

McDaniel said elections officials are not planning to use the fire company

"I'm just happy to be out of there. It's just one less load of baloney for us to deal with," McDaniel said. -Bryan P. Sears

Insurance company moves 30 jobs to Owings Mills

Harleysville Insurance Co. has relocated a regional office from Howard County to Redland Court off Red Run Boulevard in Owings Mills. The office, part of a Pennsylvania-

based insurance company that has been

in Maryland since 1983, employs 30 peo-

The office offers insurance through agents to small and mid-sized businesses in Delaware, Maryland and the District of

County Executive James Smith visited the Harleysville office Nov. 9 as part of a series of visits to companies around the county. Smith also has visited BD Diagnostics, AAI, Lockheed Martin and Shire Pharmaceutical

— Virginia Terhune

Business association could form in Lansdowne

The creation of a business association for Lansdowne and the surrounding area was a hot topic at the most recent meeting of the Greater Baltimore Highlands Lansdowne Riverview Alliance.

Brenda Harney, co-director of the alliance, announced Nov. 3 that her group is looking to form a business association to promote and assist local businesses.

"We feel that we need a business association," Harney said. "We're really looking forward to getting this started. It's going to be an asset to the community." The first president of the group will be Lansdowne business owner Kelly Donkin, who recently opened Big Daddy's sub shop and gas station on Hammonds

In other news, alliance co-director Theresa Lowry and Harney announced that Citizens Planning and Housing Assomunity plan for the greater Lansdowne

- Michele D. Manigault

Founder of Perry Hall honored with bridge

historic "Long Calm" section of Gun-

powder River. Before 1692, it was used

Both bridges will have signs with their

There will also be a sign at the

entrance to the state park with a descrip-

tion of the historic value of the Long

Calm Bridge, said Fran Ward of State

Shareholders in the Columbia-based

Rouse Co., which owns Owings Mills

Mall, Towson Town Center and White

Marsh Mall, approved the sale of their

company Nov. 9 to Chicago-based Gener-

United Industrial Corp., which owns

AAI Corp. in Hunt Valley, reported net

income of \$7.4 million, 56 cents per dilut-

ed share, for the three months ended Sept.

30, up from net losses of \$14 million.

\$1.03 per diluted share, for the same peri-

od a year before. Net sales were \$98.7 mil-

lion, an increase of 43 percent from the

tion's Baltimore office is accepting nomi-

nations for its Small-Business Person of

the Year award through Nov. 19. For nom-

ination criteria, call Rachel Howard at 410-

962-6795, Ext. 319, or go to

► A new State Employees Credit Union

branch has opened at 7906 Rossville Blvd.

▶ Dr. Carol Newill has leased 1,447 square

feet of space from Yorkdale L/P in York

at Terracedale, 7801 York Road in Tow-

son. Leasing agents were William Whitty

Jr. and Matt Mueller of MacKenzie Com-

▶ Nottingham Properties Inc. has leased

1,160 square feet of space from Bio-Med-

ical Applications of Maryland Inc. in the

White Marsh Professional Center, 7939

Honeygo Blvd. in White Marsh. The leas-

ing agent was William Whitty Jr. of

--- Staff

Highway Administration.

al Growth Properties Inc.

third quarter of 2003.

www.sba.gov/md or

Et cetera

The Maryland Department of Transportation and the Maryland Transportation Commission dedicated the Route 1 bridge over the Great Gunpowder Falls to Harry Dorsey Gough, founder of Perry Hall, on Nov. 9. Also dedicated was the Md. 7 bridge over the Great Gunpowder Falls to the

> Development. The company, which

Cronhill Drive. Quest, based in the Netherlands, has been operating in Maryland since 1986. The Owings Mills facilities generate revenue of \$73 million a year, Cohen said.

Election judges

'screwed up' The president of the Glyndon Volunteer Fire Company is firing back at reports that he gave elections judges the bum's rush and locked them out of the building shortly after the polls closed Nov. 2.

Elections director Jaqueline McDaniel said Schultz has a

voted before the election to stop renting to the Board of Elections because the station does not have an area where the machines can be locked Continued on Page A8

manager anger

RALLTIMORE COUNTY'S BUSINESS NEWSPAPER



BEER MAN He has a head

for promotion

BUSINESS

The latest business news from the county and state

Democrats prepare for special session

ANNAPOLIS — The House Democratic caucus prepared for a special legislawrong about the rest of East Joppa tive session on medical malpractice insurance, in case Gov. Robert Ehrlich isn't. House Speaker Michael

Busch circulated a petition a closed-door meeting Nov. that could force Ehrlich to call a special session. By law, only the governor has the power to call a special session, but he is required to convene the General Assem-

bly if a majority of the members of both chambers petition to do so and agree on a date. Busch said he hopes it won't come to that. "A special session called by the Senate President and the House is really a last solu-

tion," Busch said. "Ideally the

governor would bring this issue to fruition." The petition did not include a date, but Busch told House members they should prepare to return to Annapolis at the ' end of November or the beginning of December.

-- Capital News Service

Quest to expand in Owings Mills

Quest International Flavors plans to spend \$5.3 million to add 1,400 square feet ' to its warehouse space on Cronhill Drive in Owings Mills, said Fronda Cohen, spokeswoman for the county Department of Economic

employs 106 people, makes flavorings for kosher food, Kool Aid and other products. It occupies 80,000 square feet on Painters Mill Road and 24,000 square feet on '

Quest is a division of IC in the United Kingdom.

— Virginia Terhune

Ted Schultz said he helped

judges clean the room that was used and collect folding chairs while judges packed up the machines. He denied chasing elections officials out of the building and said one judge even hugged him as she left. "It was their (judges) that screwed up," Schultz said. "They didn't take the cards from the machines."

reputation of being grumpy with elections officials, and that she stood by the stories from her judges. She conceded, however, that judges should have taken the cards from the machines. Schultz said members of the fire department's board

> to dye his hair purple if his staff raised \$2,000 for charity.

MAP, PAGE A8

By next summer, the Baltimore f East Joppa Road looks great, b County Planning Office will have: a plan in place to right what is

BY LONI INGRAHAM

But, in the middle, where his store is located, it's just "so run-East Joppa Road looks great west of Goucher Boulevard, points Indeed, the East Joppa Road out Stephen Kolbe, who owns a commercial corridor between Goucher Boulevard and Perring computer store in the 1800 block of the busy thoroughfare. And since Phase I of the East

Parkway has an overabundance of unattractiveness, according to 5th clutter. Joppa Road Corridor Community District Councilman Vince Gardi-Plan, which called for improvena, who asked the Baltimore ments to East Joppa Road east of County Planning Office to come Perring Parkway, was completed up with a plan to improve that two years ago, the Perry Hall end stretch.

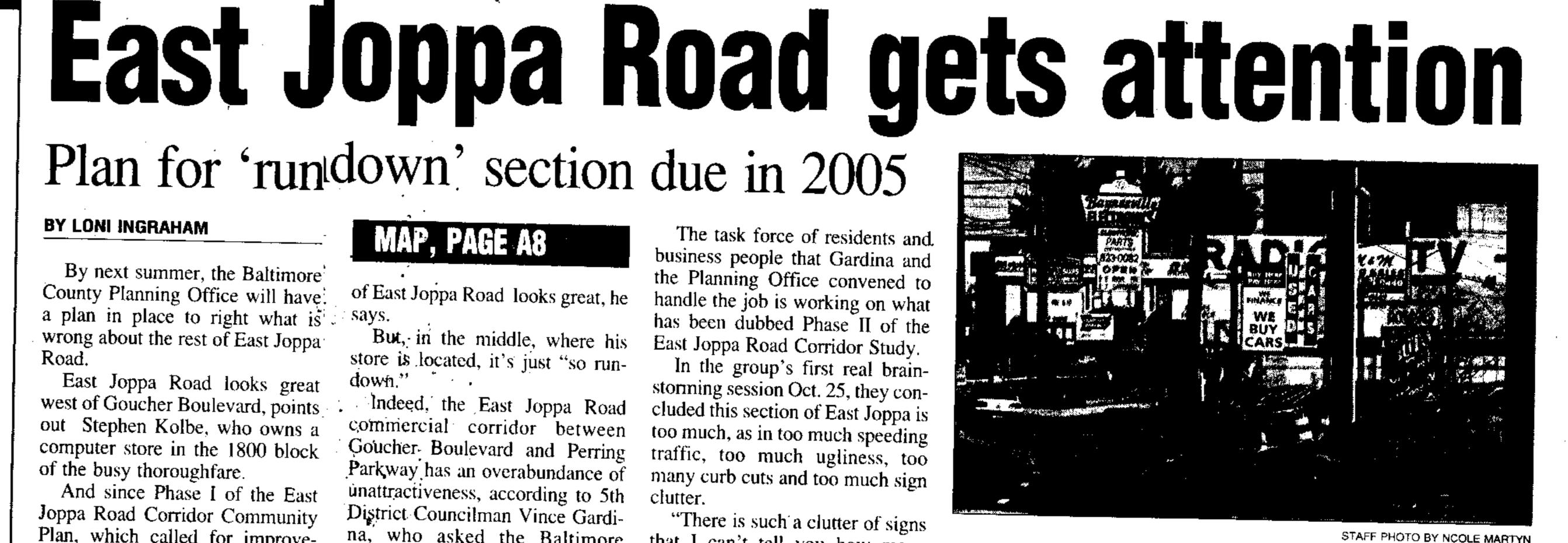
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The task force of residents and business people that Gardina and the Planning Office convened to handle the job is working on what has been dubbed Phase II of the East Joppa Road Corridor Study. In the group's first real brainstorning session Oct. 25, they concluded this section of East Joppa is

"There is such a clutter of signs that I can't tell you how many

'INNER LOOP' Page A8



VOLUME 94, NUMBER 6 : THURSDAY, NOVEMBER 11, 2008

A car enters East Joppa Road near Loch Raven Boulevard, County planners characterize this section as congested and cluttered with commercial signs.

vote on renewal nears

Testimony still allowed

BY BRYAN P. SEARS

A plan to revitalize older areas of the county is moving toward a final County Council vote. The revised Renaissance Redevelopment Pilot Program bill addresses community activists' concerns raised during a council hearing earlier this year, according to Damian O'Doherty, special

assistant to County Executive James Smith. "We made some technical and legal changes in order to resolve concerns raised during the council's public hearing," O'Doherty said. "This is a big idea with a fair-

ly narrow scope.'

The plan is to entice developers See FURTHER FINE-TUNING EXPECTED

Copies of the revised ren assunce bill can be obtained rom the County Council's countycouncil.org, or by call-The public will have two after the Nev. 15 council's islative session. While nor the Old Courthouse in Te son, 400 Washington Ave. ► The second chance

BY BOB ALLEN Millard "Hap" Cursey, adminstrator of the Holly Hill Manor assisted living facility in Towson, offered employees a dare.

MORRIS MEADOWS HOSTS

VETERANS APPRECIATION DAY

land, held its annual Veterans Appreciation Day Nov. 7.

Morris Meadows, a recreation park and museum in Free-

Greater Maryland Chapter of) he Alzheimer's Association,

could raise some additional Last month, a team of Holly Hill Manor employees met their boss's challenge — and then

Cursey promised he'd get out the purple hair spray if his team raised \$2,000 by participating in involved with donations to the Association Chapter's annual "Memory Walk" walk-a-thon. Holly Hill Manor raised \$2,400 in which we've supported for a long the Oct. 17 event, which was held rime," Cursey said. "The sugges- at Goucher College and raised a

Cursey made good on his promise. On the morning of Nov. 3, he went to work early with the purple spray so he could show off his new "do" at Holly Hill's annual employee appreciation luncheon. When asked how long he was

Cursey replied without hesitation. Until tonight It's supposed to wash out. Meanwhile, I'm not planning on running around town or anything like that." Alzheimer's afflicts about 84,000 people statewide.

FOR HOT LINE Page A8

WAR AND REMEMBRANCE

About 300 people — half of thenn veterans — attended, estimated Lorraine Mapp, a Morris Meadows employee and a member of the Veterans Appreciation Day committee. An hourlong ceremony included a color guard, a bugler and bagpiper, and talks by several Veterans, Mapp said. Above, Robert Mullan looks over a collection of medi-Right, Korean War veteran Vincent Krepps talks with Terri Allen. Krepps said he was suirprised to learn that a motorcycle on display came from the unit with which he The Morris Meadows Historic Preservation Museum includes military items from 1632 tc³ the present. Wearing purple hair on a dare

Holly Hill Maner

cal supplies from World War II.

Millard 'Hap' Curse promised

Staff raises \$2,400 on 'Memory Walk'

It led to him wearing purple 'I did it to encourage my staff and their family members to get the Greater Maryland Alzheimer's

ion was made that if I did this we total of more than \$80,000.

going to keep the purple look,

Kelly Meltzer, special events

See WALK RAISES FUNDS

Page A8 PUBLIC COMMENT Web site, www.baltimore ing 410-887-3196 votes on it. ► The first comportunity

Continued from Page A1

plan, if approved, would extend from 2006 until 2030. State officials estimate that needed transportation improvements in Maryland surpass expected financing by \$27 billion to \$30 billion over that period That shortfall could have a big impact

Even if governments complete all the projects recommended in Transportation 2030, the amount of time that area highways are congested each day would jump from 12.4 percent currently to 23.8 percent in 2030, the board projected. Meanwhile, the amount of time arterial roads. such as Reisterstown Road and York Road, are congested each day is expected to swell from 4 percent to 10.5 per-

Regina Aris, a spokeswoman for the board, said the growing congestion is fueled by two factors - a 14 percent annual growth rate in the region's population and the number of vehicles owned by each household. In 2001, 94 percent of suburban households in the Baltimore region had at least one vehicle, while 20 percent had at least three, she said. The average vehicle occupancy is also expected to remain constant through 2030 at one person per car for work-related trips and 1.4 for others, the board reported. "There is no place in the United States of America, no matter how transit-friendly, that the VMTs (vehicle miles traveled per day) are decreasing," Forrest said.

What we are trying to do is cut into the ate of increase." The region needs to complete a mix of highway and mass transit projects specially the Red Line, to meet transortation needs, he said.

Yet Forrest said some recommended rojects may not be completed on time, he construction of the I-795 interchange t Dolfield Boulevard has been the ounty's top transportation priority for ve or six years, he said. The state proect, however, has not yet secured fundig or met key planning requirements. "I will be very surprised if it is built efore 2015," he said. However, Forrest, who has worked in

ansportation planning for 44 years, said

e Baltimore region overall is doing a ood job at meeting transportation needs. "This is a bold statement for me, but ere really isn't a traffic problem or a insportation problem in the Baltimore zion," Forrest said. Baltimore does not experience the kind intense congestion seen in other major nerican cities, and most periods of constion on Baltimore roads are triggered accidents, he said. Area roads, he said, are crowded and netimes clogged, but rarely experience Solute bumper-to-bumper gridlock." That is one of the reasons why there

t a significant demand for (mass) isit," he said, "because there is no ariding issue that is driving people out he board plans to hold a public hearon the Transportation 2030 plan at Fp.m. Nov. 15 at 2700 Lighthouse nt East, third floor, Baltimore, The rd is scheduled to vote on the final ort Dec. 14.

-mail Linda Strowbridge at Istrow-

print

ued from Page A1

uming, incorrectly, that the revised as bound by the same zoning restric-

Wasmund waited in vain for notice iblic hearing.

"From our perspective, it's one of those r mind what Wasmund or some of thbors would have preferred, such ter site requiring no fake chimney

ise the antennas, nund agreed, saying that, at 10 feet, chimney won't match the Knights imbus' two existing, authentic

he said.

o, which are about three or four

patiexent.com.

creatures

together, and now they live in Pikesville. "We just come here to shoot the breeze and talk politics," says Ned Levy. "And we all stick it to each other. Ribs and jibs." Everyone's a comedian in this bunch, constantly making wisecracks and jokes across the table at one another. "It's called Alzheimer's," says Ed Hankin, teasing a friend. "He goes to Starbucks and thinks he's in Guatemala."

"We only let him in on Friday mornings," replies Dave Katz. "That's the only time he showers.

"just work their mouths." While they come for a few laughs and fresh bagels, Ron Shapiro says there's one

"The best part about coming here is the camaraderie," he says. Suburban House Restaurant at 911 Reisterstown Road has been a fixture c'

And so have some of its customers. "Some come in every day," says cashier Ceil Leonard. Her shiny gray hair complements the sparkle from her roundframed glasses. Leonard has worked the cash register at Suburban House for count-

But she's good for their business. She adds a personal touch. Customers are "just like family. When they don't come in for blueberry blintzes. a while, we miss 'em and wonder what

Customers call the restaurant's fare Jewish-style food. Joe Stowe, one of the meet people we went to high school with owners, says they've found their niche and or people we haven't seen for years," she are sticking to it. That philosophy, he says, says. is what keeps them coming back.

Fred Frank and Herman Schwartz, both of Pikesville, exchanged hellos one partic- years ago. ular Sunday morning. The two grew up



Some of them work part time, others are retired, and some, says Glen Marks,

thing about being at Joan and Gary's that stands above the rest.

Pikesville's downtown scenery for over 40

less years (the owners joke she came with the property)

happened," she says.

"It's a meeting place," he says.

Continued from Page A1

An armchair

you going to do all day while I'm at work?" recalls Altman.

It took him no time at all to find a way to pass the time.

"I spent the entire day there (and) watched the changing

Altman decided what worked in Minnesota, could easily

by the door



From left, Ned Levy, Irv Deane, Eddie Hankin, Eddle Ehudin, Stanley Engel and Mike David gather at Joan

together and went to rival high schools, Forest Park and City. "Look how good you look!" Frank teased Herman. "Has he been a good boy?" he asked Herman's wife. Herman and his wife, Judie, come to

THE BACK PAGE

Suburban House every Sunday. Bettye and Norman Steinberg, of Pikesville, have been coming to Suburban House since the 1960s.

"It stands alone," says Norman, whose favorite dishes include lox and bagels and Bettye says every visit is like a home-"We never come here when we don't

At CJ's Restaurant the theme is family, and rightly so, since the restaurant has been

a family business since its inception 28 pickers.

Sanders, one of three brothers who own CJ's, located at 10117 Reisterstown Road in Owings Mills. The restaurant, known for its crabs, is

named for Gary, Terry and Jeff's parents, Charlie and Jean, who started the restau-Milton and Al Zlatin, brothers who live

in Owings Mills, have been patrons since "We've been eating crabs every Tuesy night for the last 35 years," Milton says, 28 of them at CJ's. "People think after Labor Day, crabs are be here."

over," says Al, as he sips his crab soup. "But they're not! It's the best time." Most of the waitresses know the Zlatin brothers pretty well. One particular evening, waitress Betty Bopst slides a tray piled high with hot, Old Bay encrusted crabs to the veteran crab-

"I pretty much know what they want No corporation stuff here," says Gary when they walk in," Bopst says with a ent.com.

smile. "They're creatures of habit." Chris Frantz and Eddie Toulan are also CJ's regulars. The two work together and come in for an after-work drink and con-

'You never have to wait for a beer when Liz is bartending," he says of Liz Betskoff, who has been bartending at CJ's for seven years. "She's got a sixth sense for it." Buck Sevil, who works in the kitchen, likes to tease the group.

"Take a picture and come back tomorrow," he says. "The same five people will That doesn't bother Betskoff, though. She's glad to have such a pleasant crowd .

"We all argue, but we all get along," Betskoff says. Sounds just like family — as it should in hangouts that are more like homes

away from home. E-mail Lisa Rosato at Irosato@patux-

you see when you walk into the spacious Seattle's Best.
This self-proclaimed coffeehouse tanatic sits in a big leath-He found his favorite hangout in Seattle's Best. For him, it's just right.

"This place has more eccentrics," he says. "If you like mingling, this is the best place." He's developed a number of close friendships with other

> about politics. Sean Rogan, the coffeehouse manager, doesn't mind Altman's patronage. He said Altman adds to the mood of his coffeehouse, especially when he starts discussing politics. "It makes for an interesting cacophony," says Rogan. Seattle's Best works perfectly for Altman. He says the forever-changing scenery is what chases away loneliness and

customers and isn't afraid to start conversations, especially

"I think it's added a few years to my life," he says. E-mail Lisa Rosato at Irosato@patuxent.com.

Smith hears suggestions for a better Arbutus

work here. Today, Altman is most likely to be the first person

er armichair hear the door. He's usually dressed in a polo

In one hand he's holding a National Public Radio travel cof-

I get NPR news every hour," he says, holding the radio

The retired officer stops in his favorite hangout at least

"I don't think in all of Baltimore they have more comfort-

Altman has tried other local coffeeshops, but he doesn't

able chairs," he says, stroking the smooth, brown leather. "It's

shirt, jeans, white sneakers and blue military baseball cap.

fee cup "filled with the freshest regular coffee," he says. In

the other hand is his trademark, portable radio.

Continued from Page A1

needs a permanent location for the area's cold weather shelter and year-round facilities to serve the homeless. Other problems identified during the panel discussion included loitering and a lack of curbs, sidewalks and gutters on portions of Sulphur Spring Road and the burning issue of a location for a commu-

we're trying to keep residential."

"We specifically designed this site to

"We're never trying to surprise anybody

nity center in Arbutus. "But another concern is what material they use for it and whether it's maintained," he said, noting also the unwanted

Sprint public relations manager Lisa get the county to consider buying the Julio to worry about kitchen licensing regulations. Ihde said last week that she, too, was surproperty," said Gina Hrybrk, referring to "This was a solution that we felt was

a poor man's Suburban (Country) Club."

"You can't walk in our area because there are no sidewalks," said Briscoe, who will work with neighbors to identify probparticipated in the panel discussion. "Children on their way to Arbutus Middle have to walk in the street. I hold my breath every

addition of "commercial things in an area million center.

Avenue in Relay. "We've been through three county executives on this issue," Hrybrk said. "We've asked for fields for our kids or senior housing. Huntsmoore doesn't want the center, but we say, 'Give it to us.'"

After the panel discussion, Smith took the floor to offer solutions for some of the Road," Dorothy Briscoe said that the 1100 problems he heard,

On the issue of cut-through traffic, Smith said, "That's something we can work on." He promised that county staff lem streets and appropriate street signs. A more diverse business district?

The county can help with that, too, said Smith, who said the county's economic development office will work with com-

community as a possible home for the \$1.8 related events sponsored by nonprofits, Community Alliance; Vince Orlando, Smith advised that as long as the events are "We have been working since 1991 to not advertised to the public, there is no need "If you advertise that you are serving 23 acres of undeveloped land near Clarke food to the public, you have to have a cer-

tified kitchen," Smith said. The issue is that a lot of people have gotten sick and some have died. The state has said that all counties have to adopt regulations that are consistent with their stan-

Smith said the county offers free certification classes and is allowing churches and nonprofit agencies up to a year to get their kitchens certified.

"The government has a responsibility to protect people from getting sick," Smith said. "I know it's difficult, but we're mak-

Smith's community meetings were part of an election pledge to visit communities and talk monthly with neighbors. Arbutus is the ninth community to participate in the

The panel of participants included Paula As for church bake sales and other food- Wolfe, president of the Greater Arbutus Arbutus Business and Professional Association president; Gina Hrybrk, Relay Community Association president; Marge Scholl, Arbutus Middle School principal: Dick Goodwin, pastor, St. Stephen church: Dorothy Briscoe, a member of the Cowdensville Community Association, and Joe Kinsey, president of the Halethorpe Improvement Association. E-mail Michele D. Manigault at mman-

Complaints flooding

The complaints come from all over the Several community activists told the county Planning Board about their storm drain problems during an Oct. 7 capital budget input meeting.

Stephen Showers, a resident of Trappe Lane near Bellona Avenue, joked that flooding had become such an issue that he joined the neighborhood's bucket brigade. yet available, according to David Fidler, a spokesman for the county Department of Public Works,

higher still, maybe approaching 1,000, light for construction. because some calls go to other county

wash with some. Lewis said she knows the cause of her trouble. It's as clear as the map she has that shows all the storm drains that feed into the

few homes were on the line running between her home and her neighbor. But development has increased the amount of water flowing through the drain. The problems, once sporadic, became

it," Lewis said Nancy Worden Horst, executive direc- Fidler said. "You have to take each prob-Figures for complaints in 2004 are not tor of the Ruxton-Riderwood-Lake Roland lem as it comes." . Improvement Association, agreed. She said county officials need to consider the effects of additional housing in established bsears@patuxent.com.

igault@patuxent.com

contributing factor. In some cases, engineers are fighting development guidelines that were in place 50 years ago, he said.

"If it is a county problem, it does take a "It seems like they just keep building up couple of years to come up with a plan and "I don't think there's a silver bullet,"

MALPRACTICE CLAIMS: Doctors practice defensive medicine A5



ON THE JOB Crossing guards earn as they serve

DI

www.theleffersonian.com

BALTIMORE COUNTY'S BUSINESS NEWSPAPER

THURSDAY, OCTOBER 28, 2004

Long-range plan predicts more congestion traffic congestion will rise signif-

4664 4627 4627

The Baltimore Regional Transportation Board's new long-range plan calls for spending \$6.6 billion to widen the Beltway and oughfares in Owings Mills, Towson and Perry Hall; and building a new subway line from Security Boulevard to Fells Point.

The board, which guides trans-Harford and Howard counties,

Craig Forrest, Baltimore North. County's top transportation plan-

, line, and adding two lanes to released its draft "Transportation Beltway from I-95 South up the hiking and biking trails in the area Road, widening Perry Hall west side of the Beltway to I.-95

captial projects in the county.

In the Owings Mills area, it riec- Gwynn Oak Park, another from two lanes to four, and widening ner, said the document closely ommends widening Reisterstown Gwynns Falls, near the city line, Klausmier Road from Gunview But even with these projects— reflects the county's priorities for Road between St. Thomas Lane to Soldiers Delight Natural Envi- Road to Belair Road from two and others — the board predicts transportation projects; more than and Owings Mills Boulevard from ronment Area on Deer Park Road. lanes to four.

\$1 billion has been earmarked for four to six lanes by 2010, building a new Interstate 795 inter- plan calls for widening York mends constructing Metro's pro-The plan calls for adding two change at Dolfield Boulevard by Road from Ridgely Road to posed Red Line from the Securiportation planning for the area, lanes to I-95 South from Inter-Boulevard to McDonogh Road by five, realigning Paper Mill Road — a \$2 billion project — by the 2025. It also proposes extensive from York Road to Hunters Run 2015.

— one from Glyndon through Boulevard from Rossville Boule- its recommended projects to Owings Mills Town Center to vard to Honeygo Boulevard from match expected transportation

Elsewhere in the county, the The master plan also recom-

budgets, Forrest said. The current

See BOARD SUPPORTS BUILDING RED LINE Page A8

Al Zlatin, center, and his brother, Milton, right, have had crabs at CJ's weekly for about 40 yea^{yrs.} Al's son, Ted, left, has joined in for about half that time.

HANGOUTS

Customers, gentle ribbing are fixtures at restaurants along Reisterstown Road

BY LISA ROSATO

On "Seinfeld" there was Monk's coffee shop. On "Friends," the gang gath-

ered at Central Perk. "Cheers" was named after, and even based on the concept of, a quintessential neighborhood bar Road. It's no secret why many where everybody knows your

ent forms, from breakfast stops

lishment it may be, hangouts usually have some things in common: the service is friendly and efficient, the food or drink they offer is good and it's located near home or work. Here are three well-known establishments along Reisterstown

BAGELS WITH BUDDIES where you grab coffee and Danish, to lunch joints, greasy spoons and terstown Road. Most of the break-between 10 to 15 people. restaurants offering comfort food fast crowd has left, except for a See 'THEY'RE CREATURES OF HABIT' rowdy table of older gentleman

locals call these hangouts home.

No matter what kind of estabwhose lively banter rises above the clatter of the open kitchen. "They're here everyday till 11 , a.m.," says Debbie Anderson. Anderson been bringing this group bagels for five years. "They're the

The group has been meeting at

Joan and Gary's, in Pikesville, for the past 10 years, almost every morning from 9:30 to 11 a.m. "They're sweet, particular old It's 10 a.m. at Joan and Gary's men," Anderson says of the Original Bagel Co. at 1496 Reis-group, which usually numbers

Watching the changing scenery

BY LISA ROSATO

ville, Jerry Altman has seen reunions between old friends and mothers with their children enjoyfellow customer tell him about a apolis. weekend at a nudist colony. According to Altman, this is typical of a coffeehouse. "There's See AN ARMCHAIR BY THE DOOR drama almost every day," says

From his cozy leather armchair at Seattle's Best Coffee in Pikeshouses began in the late 1980s. His wife had recently died and ing a coffee break. He even had a he was visiting his son in Minne-

the 83-year-old Pikesville resident and retired Air Force colonel "Some of it tragic, some of it

"My son would ask, 'What are

Page A8

tight

Sprint has right in historic district **BY MARCIA AMES** ______

When it comes to mounting cell phone antennas on residentially zoned rooftops, there ought to be a

Or a better one. That's the opinion of some local residents who oppose a Sprint installation going up in their Old Catonsville national historic district — at the Knights of Colum-

bus hall at 1010 Frederick Road "There is almost nothing we can do because it's by right," said David Wasmund, citing what he considers a loophole in Baltimore County's zoning regulations on "wireless telecommunications facilities."

That fact — a loophole Wasmund thinks should be corrected — came as a shock to him and many of his neighbors, who had assumed Sprint had no more right to install antennas on the roof than to plant an antenna tower in the

"The first time we knew was when the digging was going on," he said last week, having contacted the country as soon as dirt start-

ed to fly in early October. Sprint had begun laying the groundwork for installing antennas in a planned chimney-like structure atop the Knights of Columbus roof. The arrangement includes an equipment cabinet in the yard, next

to the building. Although Sprint had alerted neighbors to the project, which is a revision of the company's 2002 proposal for a cell tower disguised as a 50-foot flag pole, Wasmund had counted on having a say in its

approval. Sprint would have needed county approval to build the origi-See REACTION SURPRISES SPRINT Page A8

Arbutus group wants economic diversity

'Our business district is nice if you are into pizza,' alliance president says BY MICHELE D. MANIGAULT

County Executive Jim Smith at his ciation. roundtable discussion Oct. 20. Neighbors said that Arbutus' proximity to major interstate highways is great

and local favorites.

roads, which are often clogged with drivers from out of the area. "Because we're so convenient, we see are into pizza," Wolf said, adding that a lot of cut-through traffic," said Paula the business district includes at least four Wolf, president of the Greater Arbutus Community Alliance.

for commuters, but terrible for local

Other panelists agreed. We also see a lot of cut-through traf-Arbutus needs less traffic and more fic," said Gina Hrybrk, a Relay resident diversity in its businesses, residents told who heads that area's community asso-

> problem-solving session held at Arbutus Middle School. After a panel discussion and comments by Smith, neighbors were free to speak out. "Our business district is nice if you pizza restaurants. "But I think we could

use more diversity."

Dick Goodlin, pastor of St. Stephen church, said the biggest problem facing area churches is a confusing set of new county regulations governing church

Close to 200 people attended the "The codes are not made with churches in mind," said Goodlin, who heads up the Arbutus Ministerial Allliance. "We never know when we are in the regulations and out of the regulatic^{ons}. In addition to clarity on church kitch-

BETTER ARBUTUS Page A8

Complaints of flooding double;

stream behind Margaret Lewis' home has School. been trouble for more than a decade.

and dislodges the concrete slab that sits on the ground above the pipe and serves as an

The surge hopped the curb and climbed

her front porch up to the front door. "It was all up and down the street," Lewis said. "It was like a little river," County officials said unusually wet

See COMPLAINTS FLOODING COUNTY

ge(a patuxent.com. eaction urprises

prised -— by such a negative reaction. going to be a win-win," she said, noting that the location would improve Sprint's proposed cell tower in a residential wireless phone coverage for the Catonsinstead of a strictly commercial area, ville area while the chimney design would position it 40 and 125 and 130 feet, tively, from 1010 Frederick Road's east and south boundaries, instead of blend in and to not disturb the historic look 0 feet required by law. and feel of this neighborhood and this county zoning commissioner or his building, she said. would have conducted a public g before deciding the case, allowing The plan was announced to the community this summer via e-mail, using the Old 2 interested to voice an opinion. Catonsville Neighborhood Association's electronic list service, according to Ihde.

or spring anything on a community," she ording to zoning regulations, estab-Responses to the announcement were by the County Council in 1998, mixed, but included "nothing terribly negantennas, being no more than 15 th or three feet across, are permitative," she said. the Knights of Columbus building

thought provided for public hearing in cases of rooftop antenna installation. Requests for comment from the Knights ould be out of proportion with the

cases where you think you're doing everything right and creating a solution that is going to fit," she said. First District Councilman Sam Moxley said he was looking into the zoning regulations on cell facilities, which he had

of Columbus went unanswered. E-mail Marcia Ames at mames(a

Calling her neighborhood the "most neglected portion of Sulphur Spring

Armed with a book, a copy of the daily newspaper and a three times a week, where he enjoys coffee and indulges in

small portable radio, he settled into an overstuffed chair at a a few moist, blueberry muffins.

block needs curbs, sidewalks and gutters installed immediately.

time I see them dodge traffic." While people from the Huntsmoor neighborhood restated their objection to a munity leaders to attract new businesses to community center in their neighborhood, the area. several Relay residents offered up their

departments. But the county's explanation doesn't

one running near her home.

and building up and (the drain) can't take

Fidler said the 2003 figures could be neighborhoods before giving the green "I always think of it as 'be good to your neighbors'," she said. "When you build here, these people were here first." Fidler did not dismiss development as a

"There's a tendency to think that all sys-When she moved there in 1955, only a tems will work perfectly all the time. ... it's complicated," Fidler said. "It's an aging system and development and weather change. It's often hard to pinpoint the exact cause." Fidler said county engineers respond to

E-mail Bryan P. Sears at

en codes, Goodlin said the community

See SMITH HEARS SUGGESTIO'NS FOR A

BY BRYAN P. SEARS

But the flooding problem that occurs when water running to the drain backs up has worsened over the last several years. Overflow from heavy storms are washing away soil from her backyard and garden more frequently. Water sometimes erupts

access point to the pipe. Last year, the rain was so heavy it over-

whelmed the drainage system. Suddenly there was water in front of her home on The storm drain pipe that empties into a Avondale Road near Parkville Middle

> weather is to blame for the doubling of flooding complaints related to storm drains from 284 in 2002 to 568 in 2003.

> > Page A8