IN THE MATTER OF	* BEFORE THE
THE APPLICATION OF	
ALEXANDER G. WIGHTMAN –LEGAL OWNER	* COUNTY BOARD OF APPEALS
/ PETITIONER FOR ZONING RECLASSIFICATION	
ON PROPERTY LOCATED ON THE SW/S	* OF
REISTERSTOWN RD, 390' +/- NEOF C/L OF	
GENTLEBROOK ROAD	* BALTIMORE COUNTY
(11024 REISTERSTOWN ROAD)	
4TH Election District	* CASE NO. CR-07-224
4TH Councilmanic District	Cycle IV, 2006-2007

* * * * * * * * *

ORDER OF DISMISSAL OF PETITION

This matter comes before this Board on a Petition for Reclassification filed by Alfred J. Szczerbicki, Esquire, on behalf of Petitioner Alexander G. Wightman, Legal Owner, for a zoning reclassification from OR 1 to C.B. for the property known as 11024 Reisterstown Road, located on the southwest side Reisterstown Road, 390' +/- northeast of the centerline of Gentlebrook Road in the Fourth Election District of Baltimore County; and

WHEREAS, the Board of Appeals is in receipt of a letter of withdrawal of Petition filed June 8, 2007, by Alfred J. Szczerbicki, Esquire, Counsel for Petitioner, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel, on behalf of Petitioner, requests that the Petition for Reclassification filed herein be withdrawn as of the above date,

IT IS HEREBY ORDERED this 12th day of June, 2007, by the County Board of Appeals of Baltimore County that said Petition be and the same is hereby **WITHDRAWN AND DISMISSED**.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Wendell H Grier

Lawrence M. Stahl

Robert W. Witt

RE: PETITION FOR RECLASSIFICATION 11024 Reisterstown Road; SW/S Reisterstown Rd, 580' NW Pleasant Hill Rd 4th Election & 4th Councilmanic Districts Legal Owners: Alexander & Larisa Wightman Petitioner(s)	* * * *	BEFORE THE BOARD OF APPEALS FOR BALTIMORE COUNTY R-07-224

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

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 sent and all documentation filed in the case.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

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NOV 20 2006
BALTIMORE COUNTY
BOARD OF APPEALS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of November, 2006, a copy of the foregoing Entry of Appearance was mailed to, Thomas A. Church, P.E., Development Engineering Consultants, 6603 York Road, Baltimore, MD 21212 and Alfred J. Szczerbicki, Esquire, 28 Alllegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS
FOR THE ZONING RECLASSIFICATION CYCLE IV
OCTOBER 2006 – APRIL 2007

WESTERN SECTOR

Item #1

Property Owner:	Alexander G. & Larisa M. Wightman
Case No./Hearing Date:	R-07-224 – ~~Tuesday, June 5, 2007 at 10:00 a.m.~~ Thursday, April 26, 2007 @ 9:30 a.m.
Contract Purchaser:	N/A
Location:	SW/S Reisterstown Road, 580 ft. +/- NW Pleasant Hill Road
Address:	11024 Reisterstown Road
Existing Zoning:	O.R.-1, D.R. 3.5
Election District:	4th
Councilmanic District:	4th
Area:	1.63
Proposed Zoning:	CB
Miscellaneous:	Open plan filed

24-F1

NORTHERN SECTOR

No Petitions Were Filed In This Sector

CENTRAL SECTOR

No Petitions Were Filed In This Sector

EASTERN SECTOR

No Petitions Were Filed In This Sector

Needs to be posted by April 4, 2007

4-4-07 @ 9:30AM
JASON SKIDELMAN

BALTIMORE COUNTY, MARYLAND

MEMORANDUM

TO: Lawrence S. Wescott
Chairman, Board of Appeals

DATE: January 19, 2007

FROM: Arnold F. 'Pat' Keller, III
Secretary to the Planning Board

SUBJECT: Cycle IV Zoning Reclassification Petition – 11024 Reisterstown Rd. (Case No. R-07-224) - County Council District 4

A Petition for Reclassification was filed with the Department of Permits and Development Management and forwarded to the Office of Planning for presentation to the Baltimore County Planning Board, seeking a zoning change for the property at 11024 Reisterstown Rd. from OR-1 to CB per parameters set for Cycle IV zoning changes.

The issue was introduced to the Planning Board on January 18, 2007. (Copy of the Staff Report is attached.) Insofar as zoning history is concerned, the property was rezoned from DR-16 to OR-1 during the 1988 CZMP. The petitioner cited high volume of traffic on Reisterstown Road as the prime reason to change the zoning to accommodate office uses on the site. During the 2000 and 2004 CZMP, the site was the subject of unsuccessful requests to change the zoning from OR-1 to MLR. Since this Petition has an "open" site plan at this time, the Planning Board voted against changing the current zoning designations of OR-1 without a documented site plan.

If you have any questions, please contact Mr. Jeffrey Long, Deputy Director, at 410-887-3213.

AFK:bjw
Enclosure
c: Kenneth N. Oliver, County Council, 4th District
John Beverungen, County Attorney
Fred Homan, Acting Administrative Officer
Thomas Peddicord, Legislative Counsel/Secretary
Peter M. Zimmerman, People's Counsel
Tim Kotroco, Director, Permits & Development Management
Alfred J. Szczerbicki, Petitioner's Attorney
Jeffrey Long, Deputy Director, Office of Planning
Dave Green, Community Planner
Jeff Mayhew, Office of Planning

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JAN 23 2007
BALTIMORE COUNTY
BOARD OF APPEALS

Cycle IV Zoning Reclassification Report
11024 Reisterstown Rd.
November 30, 2006

CASE NO:
R-07-224

PETITIONER:
Alexander G. Wightman

RECLASSIFY ZONING TO
Change zoning to CB.

EXISTING ZONING:
OR 1

LOCATION:
11024 Reisterstown Rd.

AREA OF SITE:
4.9± acres

ZONING OF ADJACENT PROPERTY/USE:

North:	OR 1/OR 2	Townhouses
South:	OR 1/ DR 3.5	Single Family/ Office
East:	BL	Office
West	OR 1/ DR 10.5	Townhouses

SITE DESCRIPTION:
This vacant site is located on Reisterstown Road (a major artery) and is flanked by houses converted to offices and across the street from a townhouse community. Single family homes are located a short distance away on Pleasant Valley Road. The site has environmental constraints such as streams, flood plains, steep slopes, forested and wetlands.

PROPERTIES IN THE VICINITY:
The properties in the vicinity of the site include residential and office uses. The predominate land use in the immediate vicinity of the site is townhouses

WATER AND SEWERAGE:
The site and surrounding area are designated as W-1, S-1 (Existing Service Area) according to the Master Water and Sewer Plan.

TRAFFIC AND ROADS:
The property is located on principal arterial (Reisterstown Road.)

ZONING HISTORY:

The property was rezoned from DR 16 and DR 3.5 to OR-1 during the 1988 CZMP. The petitioner cited the high volume of traffic on Reisterstown Road as the prime reason to change the zoning to accommodate office uses on the site. During the 2000 and 2004 CZMP the site was the subject of unsuccessful requests to change the zoning from OR-1 to MLR. The owner wanted to build mini-storage facilities on the site.

MASTER PLAN:

The proposed Land Use map, adopted by the County Council on February 22, 2000, designate the site as being Single Family Attached Residential.

EXISTING vs. PROPOSED ZONING:

The existing zoning allows medium density residential zoning (5.5 dwelling units per acre) and office buildings in a campus like setting. The proposed zoning would allow small community oriented retail and service uses subject to performance standards. Performance standards guarantee high quality design for signage, parking, landscaping and lighting.

LAND MANAGEMENT AREA:

The site is located in the Owings Mills Growth Area and is situated immediately west and north of a significant Employment Center.

DOCUMENTED PLAN:

There is no documented site plan with this request.

OFFICE OF PLANNING RECOMMENDATON:

The Office of Planning does not support the proposed zoning change without a documented site plan. The petitioner should submit a documented site plan to guarantee a use and design compatible with the surrounding community.

DG:lsn

BALTIMORE COUNTY, MARYLAND

MEMORANDUM

TO: Lawrence S. Wescott
Chairman, Board of Appeals

DATE: June 11, 2007

FROM: Arnold F. 'Pat' Keller, III
Secretary to the Planning Board

SUBJECT: Cycle IV Zoning Reclassification – Petition for Reclassification – 11024 Reisterstown Road, Council District 4, (Case No. R-07-224)

On June 7, 2007, the Baltimore County Planning Board voted against supporting the above-referenced Petition for Reclassification of zoning from OR 1 to CB.

Previously, the matter came before the Board in January 2007. At that time, the Board voted against recommending approval of the Petition without a documented site plan. Subsequently, a documented site plan was received. Staff's recommendation was still against approval, per attached report, based on Master Plan 2010 policy that suggests the County should "focus special attention on strengthening the ability of older commercial and industrial areas to support new and expanded business activity." The Planning Board concurred with the staff recommendations.

Comments from concerned residents are attached along with the Staff's Report. Please contact Dave Green, Community Planner, or Jeff Mayhew, Chief, Community Planning, at 410-887-3480 if there are any questions.

AFK:bjw
Attachments

c: S. G. Samuel Moxley, Chairman, County Council
Kenneth Oliver, County Council, 4th District
John Beverungen, County Attorney
Fred Homan, Acting Administrative Officer
Thomas Peddicord, Legislative Counsel/Secretary
Peter M. Zimmerman, People's Counsel
Tim Kotroco, Director, Permits & Development Management
Alfred J. Szczerbicki, Petitioner's Attorney

Cycle IV Zoning Reclassification Report
11024 Reisterstown Rd.
May 21, 2007

CASE NO:
R-07-224

PETITIONER:
Alexander G. Wightman

RECLASSIFY ZONING TO
Change zoning to CB.

EXISTING ZONING:
OR 1

LOCATION:
11024 Reisterstown Rd.

AREA OF SITE:
4.9± acres

ZONING OF ADJACENT PROPERTY/USE:

North:	OR 1/OR 2	Townhouses
South:	OR 1/ DR 3.5	Single Family/ Office
East:	BL	Office
West	OR 1/ DR 10.5	Townhouses

SITE DESCRIPTION:
This vacant site is located on Reisterstown Road (a major artery) and is flanked by houses converted to offices and across the street from a townhouse community. Single family homes are located a short distance away on Pleasant Valley Road. The site has environmental constraints including streams flood plains, steep slopes, forest and wetlands.

PROPERTIES IN THE VICINITY:
The properties in the vicinity of the site include residential and office uses. The predominate land use in the immediate vicinity of the site is townhouses

WATER AND SEWERAGE:
The site and surrounding area are designated as W-1, S-1 (Existing Service Area) according to the Master Water and Sewer Plan.

TRAFFIC AND ROADS:
The property is located on principal arterial (Reisterstown Road.)

ZONING HISTORY:

The property was rezoned from DR 16 and DR 3.5 to OR-1 during the 1988 CZMP. The petitioner cited the high volume of traffic on Reisterstown Road as the prime reason to change the zoning to accommodate office uses on the site. During the 2000 and 2004 CZMP the site was the subject of unsuccessful requests to change the zoning from OR-1 to MLR. The owner wanted to build mini-storage facilities on the site.

MASTER PLAN:

The proposed Land Use map, adopted by the County Council on February 22, 2000, designates the site as being Single Family Attached Residential.

EXISTING vs. PROPOSED ZONING:

The existing zoning allows medium density residential zoning (5.5 dwelling units per acre) and office buildings in a campus like setting. The proposed zoning would allow small community oriented retail and service uses subject to performance standards. Performance standards in the OR- 1 zone require high quality design and compatibility for parking, architecture, signage, landscaping and lighting.

LAND MANAGEMENT AREA:

The site is located in the Owings Mills Growth Area and is situated immediately west and north of a significant Employment Center.

DOCUMENTED PLAN:

A documented site plan proposes, which proposes a 6856 square foot standard restaurant and carryout with required parking on 1.63 acres of land zoned CB, has been submitted to the Baltimore County Board of Appeals as an amendment to a previously submitted open site plan requesting the CB zone. The documented site plan establishes the use and operation of the site as a standard restaurant and carryout. The petitioner has indicated intent to preserve the balance (3.27 acres) acres of the site as forest conservation. However, the petitioner has not identified a means to preserve the conservation area shown on the site plan

OFFICE OF PLANNING RECOMMENDATON:

A Master Plan 2010 policy suggest the County should "focus special attention on strengthening the ability of older commercial and industrial areas to support new and expanded business activity." The petitioner's request could compete with efforts to attract new business to older commercial and industrial areas. Consequently, the Office of Planning does not support the proposed zoning change.

David Green - Proposed Rezoning of Property at 11024 Reisterstown Road

From: dennis baughan <dennismbaughan@yahoo.com>
To: <dagreen@baltimorecountymd.gov>
Date: 5/22/2007 9:09 PM
Subject: Proposed Rezoning of Property at 11024 Reisterstown Road

Mr. Green,

I have been around and known this area for many years. The house my family and I live in we purchased from my grandparents. I have seen many changes, some good and some bad, to this area. I think the proposed change in zoning at 11024 Reisterstown Road would have a negative impact on the community. With the expansion of Dolfield Blvd., I feel the traffic on our little street would become worse than it already is. As a parent of two young children I am always concerned about their safety. Pleasant Hill Road is already used as a cut through for traffic traveling from Red Run Blvd to Reisterstown Road and vice verse. The speed at which they travel is unbelievable. I feel adding a new business to an already crowded Reisterstown Road would only create more traffic headaches on both Reisterstown Road and cause us to have more "cut through" traffic on Pleasant Hill Road. We are a community that enjoys the little peace and quiet that our neighborhood has left and I feel we do not need to add more "noise" to the area that more traffic would create. Please just "SAY NO!" to the proposed rezoning of the property located at 11024 Reisterstown Road. Thank You!

Peggy Baughan

Get the Yahoo! toolbar and be alerted to new email wherever you're surfing.

David Green - Re: opposition to the zoning request (#CR-07-224), 11024 Reisterstown Road

From: "Kevin Faison" <kgfaison@msn.com>
To: <dagreen@baltimorecountymd.gov>
Date: 6/6/2007 10:38 PM
Subject: Re: opposition to the zoning request (#CR-07-224), 11024 Reisterstown Road
CC: <GPBENZ@aol.com>, <frfaison@msn.com>, <kgfaison@msn.com>

6/6/07

Dear Mr. Green,

I am writing to express our opposition to the zoning request (#CR-07-224) for the property 11024 Reisterstown Road. Unfortunately we can not attend the hearing on June 7th, nevertheless I did wish to inform you of our views.

We have been residents of 16 Pleasant Hill Road for twenty years. We believe the intended use for this property presents many difficulties in the areas of traffic, noise and lighting. As you know, this stretch of Reisterstown road already poses many challenges and is particularly dangerous. Putting a restaurant there would clearly degrade the situation.

We also believe it would contribute to a significant decrease in the quality of life for our family and many of our neighbors and would result in a loss of property values. Moreover we believe there are already many other available and more suitable locations for the proposed restaurant. Examples include the unoccupied buildings at Reisterstown Road and Tollgate (the former location of Franks & Highs, both now out of business). There is also the Denny's restaurant, located within a quarter mile, also out of business and now unoccupied. There are many other unoccupied facilities in close proximity such as those on Red Run Blvd. These are just a few of many examples.

Given the proposed location and accessibility problems and the availability of alternative sites we just do not see how this zoning change and business can have any positive impact on the community whatsoever. We just do not need another failed business and eyesore pulling down the neighborhood.

Thank you for consideration of our concerns.

Kindest Regards,

Kevin & Renee Faison

410-356-7088 H

410-750-6944 W

RECLASSIFICATION & REDISTRICTING PETITIONS
ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS
FOR THE OCTOBER 2006 - APRIL 2007 ZONING RECLASSIFICATION CYCLE IV

* Agenda Only
\+ Agenda and Petition
& Agenda and Plat
\# Agenda, Petition and Plat

Distribution:

\# Board of Appeals Hearing File (Kathleen Bianco)
\# PDM (Kristen Matthews)
* Zoning Commissioner's Office (William Wiseman, III); MS #2112
\# PDM, Zoning Review Work File (W. Carl Richards, Jr.)
* PDM, Code Enforcement
* PDM, Building Inspection (Karen Hopkins)
& PDM, Development Plans Review (Dennis Kennedy)
\# Planning Office (Jeffrey Mayhew); *Director (Pat Keller)
* Recreation and Parks (Jean Tansey); MS #52
\# DEPRM (Jeff Livingston) - 2 plats
& State Highway Administration, Access Permits Division (Mike B.
& PDM, Building Plans Review (John Bryant)
* Economic Develop. Commission, Business Develop.; MS #2M07
* Highways (Tim Burgess); MS #1003
* Community Conservation (Mary Harvey); MS #1102M
\+ People's Counsel (Peter Zimmerman); MS #2010
* Honorable McIntire, County Council, District 3; MS #2201
\# IF CRITICAL AREA, Maryland Office of Planning (Bill Carroll)
\# IF FLOODPLAIN, Department of Natural Resources (John Joyce)
\# IF FLOODPLAIN, Public Works (David Thomas); MS #1315
* IF FLOODPLAIN, Permits (Donald Brand)
* IF FLOODPLAIN, Code Enforcement (Rick Wisnom)
\# IF ELDERLY HOUSING, Community Development; MS #1102M
\# IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
\# IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder); MS #1102E

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NOV 17 2006
BALTIMORE COUNTY
BOARD OF APPEALS

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the case number. All comments received will be compiled and included in the zoning/reclassification file for review and consideration by the Board of Appeals during the course of the upcoming reclassification hearing (as referenced on the agenda).

You should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Matthews.

If you have any questions regarding these zoning reclassifications, please contact either Kristen or Carl Richards at 410-887-3391.

ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS
FOR THE ZONING RECLASSIFICATION CYCLE IV
OCTOBER 2006 – APRIL 2007

WESTERN SECTOR

Item #1

Property Owner:	Alexander G. & Larisa M. Wightman
Case No./Hearing Date:	R-07-224 – Tuesday, June 5, 2007 at 10:00 a.m.
Contract Purchaser:	N/A
Location:	SW/S Reisterstown Road, 580 ft. +/- NW Pleasant Hill Road
Address:	11024 Reisterstown Road
Existing Zoning:	O.R.-1, D.R. 3.5
Election District:	4th
Councilmanic District:	4th
Area:	1.63
Proposed Zoning:	CB
Miscellaneous:	Open plan filed

NORTHERN SECTOR

No Petitions Were Filed In This Sector

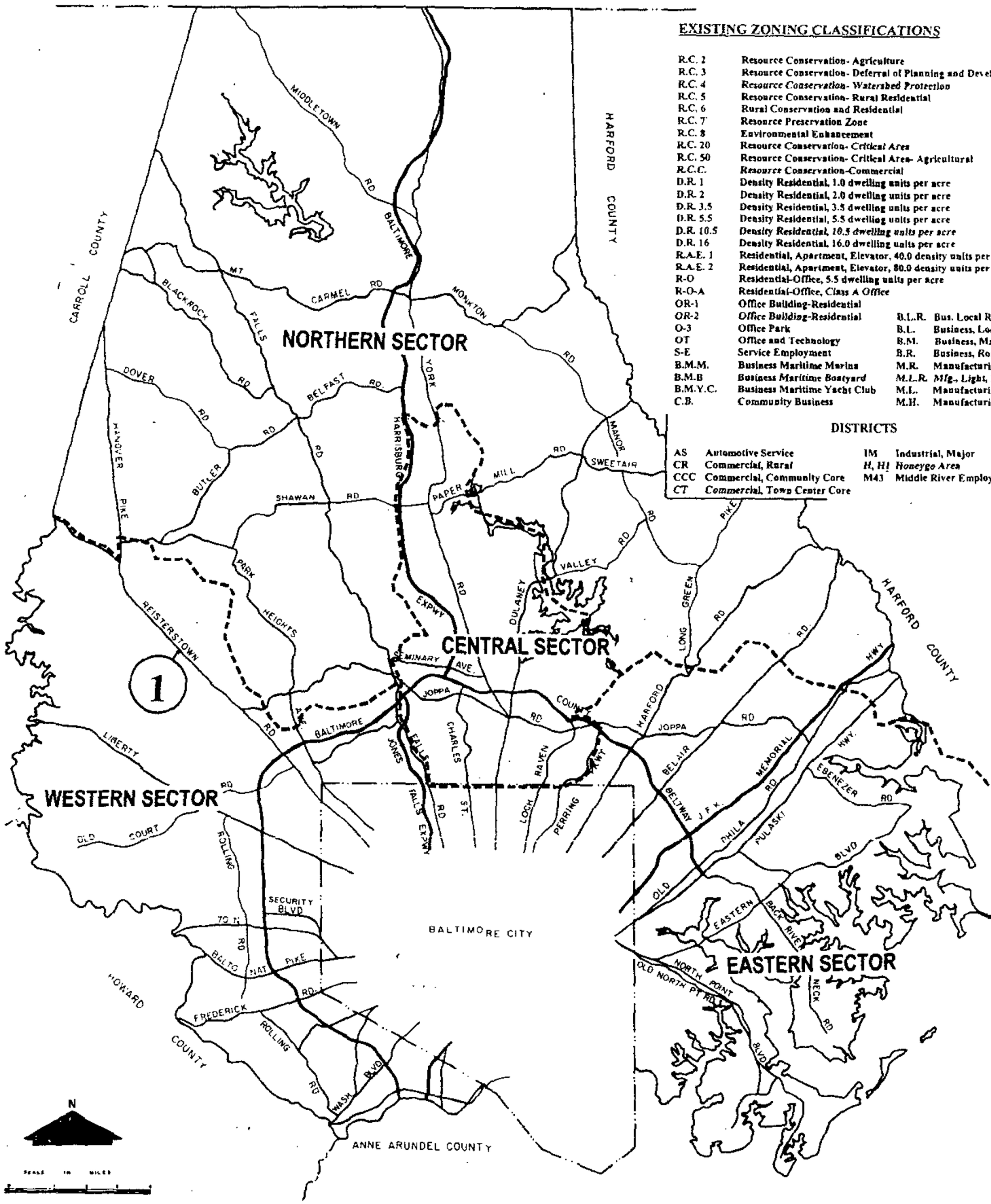
CENTRAL SECTOR

No Petitions Were Filed In This Sector

EASTERN SECTOR

No Petitions Were Filed In This Sector

LOCATIONS OF PROPERTIES UNDER PETITION CYCLE 4
OCTOBER 2006 ------APRIL 2007



EXISTING ZONING CLASSIFICATIONS

R.C. 2	Resource Conservation- Agriculture
R.C. 3	Resource Conservation- Deferral of Planning and Development
R.C. 4	*Resource Conservation- Watershed Protection*
R.C. 5	Resource Conservation- Rural Residential
R.C. 6	Rural Conservation and Residential
R.C. 7	Resource Preservation Zone
R.C. 8	Environmental Enhancement
R.C. 20	Resource Conservation- *Critical Area*
R.C. 50	Resource Conservation- Critical Area- Agricultural
R.C.C.	*Resource Conservation-Commercial*
D.R. 1	Density Residential, 1.0 dwelling units per acre
D.R. 2	Density Residential, 2.0 dwelling units per acre
D.R. 3.5	Density Residential, 3.5 dwelling units per acre
D.R. 5.5	Density Residential, 5.5 dwelling units per acre
D.R. 10.5	*Density Residential, 10.5 dwelling units per acre*
D.R. 16	Density Residential, 16.0 dwelling units per acre
R.A.E. 1	Residential, Apartment, Elevator, 40.0 density units per acre
R.A.E. 2	Residential, Apartment, Elevator, 80.0 density units per acre
R-O	Residential-Office, 5.5 dwelling units per acre
R-O-A	Residential-Office, *Class A Office*
OR-1	Office Building-Residential
OR-2	*Office Building-Residential*
O-3	Office Park
OT	Office and Technology
S-E	Service Employment
B.M.M.	Business Maritime Marina
B.M.B	Business *Maritime Boatyard*
B.M.Y.C.	Business Maritime Yacht Club
C.B.	Community Business

B.L.R.	Bus. Local Restricted
B.L.	Business, Local
B.M.	Business, Major
B.R.	Business, Roadside
M.R.	Manufacturing, Restricted
M.L.R.	*Mfg., Light, Restricted*
M.L.	Manufacturing Light
M.H.	Manufacturing Heavy

DISTRICTS

AS	Automotive Service
CR	Commercial, Rural
CCC	Commercial, Community Core
CT	*Commercial, Town Center Core*
IM	Industrial, Major
H, H1	*Honeygo Area*
M43	Middle River Employment Center

BALTIMORE COUNTY DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT/ZONING REVIEW

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

TO : Timothy M. Kotroco
Department of Permits
& Development Management
Attn: Carl Richards

DATE: April 19, 2007

FROM : Kathleen C. Bianco
County Board of Appeals

SUBJECT: Amendment to Petition for Reclassification /Case No. R-07-224 (Amendment / DOCUMENTED SITE PLAN) *In the Matter of: Alexander and Larisa Wightman – Legal Owners /Petitioners*

In accordance with the appropriate sections of the *Baltimore County Code*, the Amended Petition for Reclassification and accompanying Documented Site Plan in the subject matter were submitted to the County Board of Appeals on the record and at a public hearing on April 19, 2007. This amended petition, including the Amended (Documented) Site Plan and accompanying documentation, is herewith transmitted to your office for processing pursuant to § 32-3-513(a) of the Code. I have pulled one complete set for inclusion in the Board's temporary file.

The case will be opened and continued on the advertised date of June 5, 2007; a hearing on the merits has been scheduled for June 12, 2007 at 10:00 a.m. A copy of the Notice of Assignment, which was sent to all parties this date, is attached for your information and reference.

Should you require any additional information, please call me at extension 3180.

Attachment

FILE

c: Alfred J. Szczerbicki, Esquire
Thomas A. Church /Development Engineering Consultants
People's Counsel for Baltimore County
Pat Keller, Planning Director
Jeffrey Long, Deputy Director /Planning

Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

State Highway Administration

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

May 17, 2007

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

RE: Baltimore County
MD 140 (Reisterstown RD)
460' south of Gentlebrook Road
11024 Reisterstown Road Property
CR 07-224
Reclassification Petition

Dear Ms. Matthews:

Thank you for the opportunity to review the documented plan to accompany reclassification petition on the subject of the above captioned. We understand that the aforementioned submission illustrates request to a changes use of residential dwelling to allow a 1-story restaurant with basement and surface parking for 110 vehicles.

Based on a review and evaluation of existing conditions our inspection reveals that a permit is required to widen or alter the access driveway onto MD 140 (Reisterstown Road). In accordance with the State Highway Access Manual guidelines a two-way commercial entrance is required for the above noted change in use. Further consultation with this office is necessary. We request that the County condition the applicant at the time of land use approval and prior to building permit issuance that compliance with State Highway Administration (SHA) rules and regulations governing access to state highways is required. Please include our remarks in your staff report to the Zoning Commissioner.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. Thomas Church, Consultant Engineer, Development Engineering Consultants, Inc.
Mr. Dennis A. Kennedy, Bureau of Development Plans Review, Baltimore County
Mr. John Murphy, Zoning Commissioner, Baltimore County
Mr. David Malkowski, District Engineer, SHA
Mr. Alexander G. Wightman, Applicant

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: November 28, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 27, 2006
Item Nos. 07-72, 139, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 226, 227, and 228

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-11272006.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: May 21, 2007

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 21, 2007
Item Nos. 07-224, 500, 501, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, and 511

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS- 05212007.doc

Fire Department

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

Baltimore County

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

November 22,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 20, 2006

Item Number(s): 213 through 228

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

Printed on Recycled Paper

X = NON COMPLIANCE OR CONFLICT

BALTIMORE COUNTY BOARD OF APPEALS

GUIDE FOR PREPARATION OF RECLASSIFICATION PETITIONS

4/27/07 COMMENTS JL TO UCR,

ENG. RETURN THIS MARK UP CHECKLIST WITH ALL REVISIONS ON A HIGHLIGHTED SINGLE REV. SET.

Each Petition Request Must Include:

1. Three (3) completed printed or typewritten petition forms, indicating the existing and requested zoning. If applicable, the special exception use, the section number of the Baltimore County Zoning Regulations (BCZR) from which an accompanying variance is requested, as well as the nature and extent of the variance requested. All petition forms must be signed (original signature and title, if applicable; xerox copies are unacceptable) by the petitioner, contract purchaser or his legally authorized representative and the attorney. For persons signing in place of the legal owner or contract purchaser, an authorization letter or copy of the power of attorney is required at the time of petition filing.

1 FORM NOT SIGNED BY OWNERS

3 IN PACK

X CHECK PLAN BAD CALL(S)

2. Four (4) copies of the property description (saving and excepting all adjacent areas of public right-of-ways) FOR THE AREA OF RECLASSIFICATION ONLY, prepared and sealed by a surveyor or civil engineer. (See #4 of the reclassification checklist for sites where additional hearings are requested.)

DOESN'T AGREE WITH PLAN

SHOULDN'T THE DIRECTION FROM GENTLEBROOK RD BE CALLED SOUTHEAST NOT NORTHEAST? SEE PLAN

SOME E/W CALLS ARE REVERSE OF THOSE ON PLAN

CALL # 7 IS MISSING

3. Four (4) copies of a brief or an explanation of the reasons why, in the petitioner's opinion, the reclassification sought should be made, set forth in sufficient detail to properly advise the county authorities required to review the petition of the petitioner's case. Any allegation of change in conditions as justification for the action sought shall be supported in the petition by precise description of such change, and any allegation of error shall be so supported in similar detail and as further required by Section 2-356.(j) of the Baltimore County Code (BCC). If the petition filed is not a documented conditional use request, then this brief cannot document a proposed use without filing a complete documented petition, pursuant to Section 2-356.(l), BCC.

OK

BUT ON PLAN AS SUCH

3 EA. IN PACK

4. Four (4) xerox copies each of that part of the appropriate official 1" = 200' and 1" = 1,000' scale zoning maps, with the scaled outline of the property to be reclassified.

NO # IN PACK

5. The appropriate filing fee and sign posting fee should accompany the petition request. An advertising form must be submitted; advertising costs will be billed by the appropriate newspaper and should be paid as soon as possible. Opinions may not be issued until all such costs are paid.

SHOULDN'T THEY BE AT LEAST PAYING FOR REVISIONS

6. Fourteen (14) copies of a site plan, the boundaries and location of which have been certified (sealed) by a registered surveyor or professional (civil) engineer. The site plan shall include all applicable items on the attached checklist for reclassification petitions.

12 IN PACK

7. DOCUMENTED --- If the petition includes a "documentation" which identifies a proposed use and development of the property, that documentation must include the following information:

GIN PACK

A. Seven (7) copies of an environmental impact statement, as defined in Section 101 of the BCZR, that concerns the proposed use of the property under petition and that has been completely prepared and certified (sealed) by a professional engineer or planner of appropriate qualifications.

? IN BOOKLET WITH DEC. INC COVER. NO OTHER AUTHORSHIP QUALIFICATIONS INDICATED.

B. All information (items 1-22) on the attached checklist.

C. If a precise building envelope is used in lieu of the exact positioning of the building(s) on the site plan, the proposed building(s) floor plan and elevation, including character and exterior materials, must be shown elsewhere on the site plan or on attached plans together with other documentation required in the aforementioned checklist. Said envelope may be larger than the actual proposed building, but must be precise enough in size and location to allow for a complete functional site layout, including but not necessarily limited to: entrances, driveways, parking and loading facilities, paved areas, proposed landscaping, screening, and major vegetation to be retained, etc. If an envelope is used, the envelope must meet all bulk and parking requirements or variances must be included in the petition.

D. No such petition may be accepted for filing unless it complies with these rules of practice and procedure, and all other pertinent zoning laws and regulations. These include the informational requirements of the current zoning public hearing checklists, which are required for determination of zoning compliance.

* 8. OPEN --- The petitioner may choose to submit "open" plans that do not show any proposed use of the property under petition, regardless of any requirement in these rules to the contrary. If an intended use is not indicated, the site plans must indicate only items 1-8 on the attached checklist. (Also, no existing buildings or uses can be shown on this "open" plan.)

RECLASSIFICATION PETITIONS - CHECKLIST FOR SITE PLANS

* 1. North arrow (indicating the direction of north). Scale of drawing (engineer's scale).

* 2. Title plan: "Undocumented Plan to Accompany Reclassification Petition" or "Documented Plan to Accompany Reclassification Petition" (whichever applies). Include name, address, telephone number, and signed certification seal of engineer or surveyor preparing the plan. -SHEET 1 SEALED WITH ALL INFO - SHEET A1 HAS NONE OF THIS AIA Seal

* 3. Election district, councilmanic district, and whether or not the property is located in the Chesapeake Bay Critical Area (CBCA). Note on the plan that the site is or is not in a 100 year floodplain. Note on the plan if the site is within a moratorium area or in an area where failure of the basic services maps currently exists per Section 4A02 (BCZR). Identify the nature of the moratorium area or basic service failure. Any zoning variance requests from a failed basic services map is a "special variance" requiring additional fees and information. If this is to be requested, contact Zoning Review (410-887-3391) for additional information before filing the petition.
Not in Critical Area

OBVIOUSLY NOT, BUT MISSING ON PLAN IN "SITE INFO" BLOCK

* 4. Dimensions of the property TO BE RECLASSIFIED (including bearings). Parcel under petition should be in bold outline. If separate areas within the area of reclassification require individual zoning hearings, these must be shown on all separate bearings and distances and individually described as required on guide sheet (#2). SEE N/W CALLS ARE REVERSE OF DESCRIPTION CALL # 7 IS NORTH NOT SOUTH ? AREA ON DESC 1.63 AC ON PLAN 4.9 AC

DOESN'T AGREE WITH DESC.

* 5. Relation of tract in question to additional property owned and ownership of all adjacent properties, including the adjacent public roads. WHO OWNES PARCEL TWEEN SANSBURY + SCOTT ? (THATS A ZONING LINE

* 6. Area of property to be reclassified (acres or square feet). If separate areas in reclassification require zoning hearings, these areas must be shown also. PLAN SITE INFO DISAGREES WITH DESCRIPT 4.9 AC VS 1.63 AC.

* 7. Distance from property line (corner) to nearest intersecting street or county road and a scaled vicinity sketch, clearly outlining the area of the petition request. NOT SHOWN FOR POB DISTANCE ON DESC.

* 8. Existing and proposed zoning of the property under petition and adjoining properties.

→ TRY AGAIN (FAR)

P/O SHEET A 1 ALSO NEED SEALED ETC.

Uses, locations, coverage, floor areas, heights (including engineered scaled and dimensioned elevation drawings), dimensions, character and exterior materials of all proposed ~~and existing~~ structures ~~to be retained~~. Also, all existing structures to be removed must be indicated. NOTE #4 CONFLICTS WITH THIS SECTION
NO EXIST. STRUCTURES ARE TO BE RETAINED PLAN N/A

10. Location, use, and orientation of all principal building(s) within a distance of 200 feet from each joint side property line. Distance from said buildings to centerline of street must be shown in order to determine street setback line of proposed building(s) on the subject site. INFO PER 229.6 A.1.B. FOR SETBACK FROM ULT. R/W MISSING

11. Hours of operation, maximum number of employees, and maximum levels of emanations (including sound and other vibrations, dust, odors, gases, light, and heat). In cases where method of operation is not obvious, an explanation of same must be provided (i.e., proposed nursery school should include days and hours of operation, maximum number of teachers and students, method of transportation, etc.).

MISSING ALL

SHOW NOTE INDICATING EMANOTIONS WILL BE WHAT IS TYPICAL TO RESTAURANT (PER J. LEWIS, 5/7/07)

12. Existing and proposed public and quasi-public facilities on, and adjacent to, the site, including storm drain systems, water lines, sewerage, streets and drives, and railroad sidings. In the event public water and/or sewer do not exist, location of the private system must be indicated.

13. Existing ponds, streams, natural drainage courses and other bodies of water, watercourses, 100-year floodplains, major vegetation, unusual natural formation, and proposed changes with respect to any of these must be indicated.

14. Dimensions of existing and proposed right-of-ways and types of paving of any street adjacent to the site. OK MISSING

15. Location and width of proposed ingress and egress and all directional arrows indicating interior circulation of traffic. OK SHOULD SAY "STANDARD" RESTAURANT PER 229.4.A.1

16. Parking and loading facilities in accordance with Section 409 (BCZR). THE CALCS ARE OK ~~SHEET~~ FOR RESTAURANT TAVERN NOT ALLOWED IN "CB" @ 16/1000 IF A CLASS "D" LIQ LIC IS GIVEN IT CHANGES USE TO TAVERN @ 20/1000

ON PLAN NONE OBVIOUSLY PLAN

17. Screening and landscaping must be indicated as required in the Baltimore County Landscape Manual and the BCZR. ALSO SEE 229.6.E

18. Existing topography and proposed major changes in grade.

OK NOT SHOWN

19. Location, dimension height, square footage, single/double-face, illumination, and content of all signs visible outdoors. Must be shown to comply with the BCZR or a variance must be included in the reclassification petition. ~~NOTE~~ PLAN NOTE 2 CONFLICT (50' Max) N/A N/A OK. NO CONFLICT WITH DETAIL SHOWN.

20. Buildings must meet building code, as well as fire code, requirements with regard to type of construction, windows, etc. DO THEY? Yes!

21. Location of all existing and proposed fire hydrants.

22. A scaled location plan, inserted on the site plan, must accurately reflect the outline of the parcel(s) for zoning action.

23. All site plans must be folded to 8-1/2 inches by 11 inches, with clear distinct lettering.

In order to alleviate any future delays, prior to preparing the required plan, the petitioner or his/her engineer should contact PDM, Zoning Review, and the following agencies and/or State agency, if located on a state road, for pertinent information that may be required:

Permits and Development Management, Zoning Review	410-887-3391
Environmental Protection and Resource Management	410-887-3980
Public Works, Development Plan Review and Traffic	410-887-3751
Planning and Community Conservation	410-887-3211
Recreation and Parks	410-887-3822
Fire Department	410-887-3985
Solid Waste Management	410-887-3185
Permits and Development Management, Land Acquisition	410-887-3217
House Numbers and Street Names	410-887-3710
State Highway Administration (Access Permits)	410-545-5600
Assessments	410-321-2272

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ZONING DESCRIPTION
FOR
11024 REISTERSTOWN ROAD

BEGINNING FOR THE SAME, at a point on the southwest side of Reisterstown Road, 66 feet wide, more or less, said point being 385 feet, more or less southeast of the centerline of Gentlebrook Road, 76 feet wide, more or less, thence the following courses and distances:

1) South 35 degrees 10 minutes East, 125 feet
2) South 54 degrees 45 minutes West, 475 feet
3) North 13 degrees 30 minutes West, 45 feet
4) Due North, 73 feet
5) South 68 degrees 30 minutes West, 110 feet
6) North 21 degrees 30 minutes West, 80 feet
7) North 68 degrees 30 minutes East, 135 feet
8) North 79 degrees 05 minutes East, 310 feet
9) North 68 degrees 30 minutes East, 75 feet

to the point of beginning.

Containing 1.63 acres of land, more or less

Being a portion of the parcels of land recorded in the Land Records of Baltimore County, Maryland in Liber S.M. 23185, Folio 644.

Also being known as 11024 Reisterstown Road and located in the 4th Election District.

STATE OF MARYLAND
THOMAS A. CHURCH
No. 6179
REGISTERED
PROFESSIONAL ENGINEER

Trans

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

TO : Timothy M. Kotroco
Department of Permits
& Development Management
Attn: Carl Richards

DATE: April 19, 2007

FROM : Kathleen C. Bianco
County Board of Appeals

SUBJECT: Amendment to Petition for Reclassification /Case No. R-07-224 (Amendment / DOCUMENTED SITE PLAN) *In the Matter of: Alexander and Larisa Wightman – Legal Owners /Petitioners*

In accordance with the appropriate sections of the *Baltimore County Code*, the Amended Petition for Reclassification and accompanying Documented Site Plan in the subject matter were submitted to the County Board of Appeals on the record and at a public hearing on April 19, 2007. This amended petition, including the Amended (Documented) Site Plan and accompanying documentation, is herewith transmitted to your office for processing pursuant to § 32-3-513(a) of the Code. I have pulled one complete set for inclusion in the Board's temporary file.

The case will be opened and continued on the advertised date of June 5, 2007; a hearing on the merits has been scheduled for June 12, 2007 at 10:00 a.m. A copy of the Notice of Assignment, which was sent to all parties this date, is attached for your information and reference.

Should you require any additional information, please call me at extension 3180.

Attachment

c: Alfred J. Szczerbicki, Esquire
Thomas A. Church /Development Engineering Consultants
People's Counsel for Baltimore County
Pat Keller, Planning Director
Jeffrey Long, Deputy Director /Planning

To Planning from Tom Church (David Greene)

1 PETITION
1 ZONING DESCRIPTION
1 PITITION RECLASS (REASON)
1000 SCALE AND 200 SCALE
SIGHT 1 OF 1
RENDERING 1A
EIS

TAKEN FROM FILE FOR O.P. REVIEW
BY MR CHURCH (ENGINEER) 5/09/07

7
revised
EIS

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

Date: ~~April 19, 2007~~ May 8, 2007

To: BaltimoreCounty
Board of Appeals
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204

Subject: Amended/Documented Plat &
Petition for 11024 Reisterstown Road
Contract No.: 06-125

Attention: Ms. Kathleen C. Bianco, Administrator

Gentlemen:

☑ We are submitting ☑ Herewith ☐ Under separate cover
☐ We are forwarding
☐ We are returning

No.	Description
3	Completed Petition Forms
4	Copies of the Property Description
4	Copies of a an Explanation of the Reasons Why the Reclassification is Sought
~~4~~ 3 Copies Board kept one copy.	Copies of the 200 Scale and 1,000 Scale Zoning Maps
14	Copies of the Site Plan and Elevations
7	Copies of an Environmental Impact Statement

Remarks:

☐ In accordance with your request ☐ For your use
☐ For your review ☐ Approval requested
☑ For processing ☐ Please return to this office

For further information, please contact the writer at this office.

Very truly yours,

Thomas A. Church, P.E.
President

cc: Mr. Alex Wightman
A. J. Szczerbicki, Esquire

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

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To: BaltimoreCounty
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7	Copies of an Environmental Impact Statement

Remarks:

☐ In accordance with your request ☐ For your use
☐ For your review ☐ Approval requested
☑ For processing ☐ Please return to this office

For further information, please contact the writer at this office.

Very truly yours,

Thomas A. Church, P.E.
President

RECEIVED
APR 19 2007
BALTIMORE COUNTY
BOARD OF APPEALS

cc: Mr. Alex Wightman
A. J. Szczerbicki, Esquire

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

May 2, 2007

Baltimore County
Board of Appeals
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204

RECEIVED
MAY - 8 2007
BALTIMORE COUNTY
BOARD OF APPEALS

Attention: Ms. Kathleen C. Bianco, Administrator

Gentlemen:

Subject: 11024 Reisterstown Road
Environmental Impact Statement
Our Contract No.: 06-125

We received the comments from the Zoning Office's review of our submittal for the Reisterstown Road submittal and have revised the Environmental Impact Statement to include the name of the author with a professional seal.

As you recall, this report was prepared by KCI Technologies, Inc., 10 North Park Drive, Hunt Valley, Maryland 21030. This document is signed and sealed by a professional from their firm.

Very truly yours,

Thomas A. Church, P.E.
President

County Council
of
Baltimore County

Court House
Towson, Maryland 21204

410-887-3196
Fax: 410-887-5791

S.G. Samuel Moxley
FIRST DISTRICT

Kevin Kamenetz
SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

Kenneth N. Oliver
FOURTH DISTRICT

Vincent J. Gardina
FIFTH DISTRICT

Joseph Bartenfelder
SIXTH DISTRICT

John Olszewski, Sr.
SEVENTH DISTRICT

Thomas J. Peddicord, Jr.
LEGISLATIVE COUNSEL
SECRETARY

May 8, 2006

Margaret Brassil, Chairman
Baltimore County Board of Appeals
400 Washington Avenue
Towson, Maryland 21204

Dear Ms. Brassil:

Attached please find a copy of Resolution 44-07 to approve the Planning Board's certification that the zoning reclassification petition filed for the property located at 1924 and 1928 Powers Lane and situated in the First Councilmanic District, should be exempted from the regular cyclical procedure of Article 32, Subtitle 5 of the Baltimore County Code, 2003, as amended.

This Resolution was approved by the County Council at its May 7, 2007 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
r04407.board of appeals.wpd

RECEIVED
MAY 09 2007
BALTIMORE COUNTY
BOARD OF APPEALS

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2007, Legislative Day No. 9

Resolution No. 44-07

Mr. S. G. Samuel Moxley, Councilman

By the County Council, May 7, 2007

A RESOLUTION of the Baltimore County Council to approve the Planning Board's certification that the zoning reclassification petition filed for the property located at 1924 and 1928 Powers Lane and situated in the First Councilmanic District, should be exempted from the regular cyclical procedure of Article 32, Title 3, Subtitle 5 of the Baltimore County Code, 2003, as amended.

WHEREAS, the Planning Board, by Resolution dated March 15, 2007, has certified that early action on the Petition for Zoning Reclassification requesting a reclassification of the above described property is manifestly required in the public interest; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 32-3-509, may approve said certification and exempt the Petition for Zoning Reclassification from the regular procedures of Article 32, Title 3, Subtitle 5.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the zoning reclassification is manifestly required in the public interest, be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 32-3-509(b) of the Baltimore County Code.

r04407.wpd

READ AND PASSED this ***7TH*** day of ***MAY,*** 2007.

BY ORDER

Thomas J. Peddicord, Jr.
Secretary

ITEM: ***RESOLUTION 44-07***

32 Pleasant Hill Road
Owings Mills, MD 21117

RECEIVED
JUN 13 2007
BALTIMORE COUNTY
BOARD OF APPEALS

RE: CASE # CR-07-224-RECLASSIFICATION FROM ORI TO CB – 11024 REISTERSTOWN ROAD. HEARING TODAY 10 AM

I am writing on behalf of myself, Faith Kiessling and my Mom, JoAnn Hastings Kiessling. I am a 15 year old freshman at Carver Center for Arts and Technology, this year went to New York to participate in the Model United Nations and have been challenged to use conflict resolution strategies learned for macro purposes on the world scale in the micro scale of grassroots community level effort. In this case it is providing perspective on CASE # CR-O7-224 – RECLASSIFICATION FROM ORI TO CB – 11024 REISTERSTOWN ROAD..

Certainly this property will be developed in some capacity and the decision is how can we encourage the use that will best preserve the benefits it has provided to the community in its undeveloped state.

I think we will show a different approach based on our experience of integrated walkable communities that we have lived in Europe and Florida that allowed one to walk or bike to shops and restaurants. Transformation of communities is a crucial goal to energy conservation and physical fitness. The less we use our cars in the near future as well as other conservation efforts, the less the threat of climate change you decision makers will leave to my generation. I am sorry to inform you that community planning so far has been far too automobile oriented and seems very outdated to our current needs. We need to have mixed use areas that places restaurants, and shops in clusters close to residential areas. In this respect, a restaurant on the commercial corridor of Reisterstown Road is appropriate. There are no sit down restaurants in the immediate proximity to this property on Reisterstown Road. We only support this coupled with the promise made by the developer on the Baltimore County televised planning meeting. It was offered that the developer would work with the BC Environmental Department to put the substantial rear and side portion of the property in preservation trust.

This would add to a substantial and highly successful green way that runs between Pleasant Hill Rd and Gentlebrook Brook that supports an incredible amount of flora and fauna that enriches the community immensely. To be brief, I will highlight only 2 such successes. We heard a talk by the author of the book Nature Deficit Syndrome at which he lamented that all the areas of wildness are being clear cut leaving my generation with no personal connection to environmental causes. In a huge old growth tree in the green space directly behind #32 Pleasant Hill we have watched every stage of a nest of red shouldered hawks being raised by their parents. They are huge babies that grow to be the apex raptors that balance the mix of animals that live in this space. With binoculars we have watched their development and they often reuse their nesting sites. By extending this greenspace with the portion offered by the developer we will provide continued habitat for the next generation of hawks and wood peckers that depend on old growth tree stands to survive. We also need to provide this kind of mixed use to allow people to experience the benefits of nature without driving 30 minutes to a State Park.

Some suggest this parcel should be used for residential use. When we look at the communities close to this property such as Pleasant Hills, Gentlewoods, and an additional townhouse development directly across from Pleasant Hill Road in contrast we see complete clear cut environments with no preserved areas whatsoever. This does not seem at all a more favorable situation than accepting the promise of the approximate half of the property to remain as a mature forest buffer.

RECEIVED
POST – APPEAL

We would like to work with the developers to make this project the best it can be for the community.

Sincerely, Faith and JoAnn Hastings Kiessling

JoAnn Hastings Kiessling

Faith Kiessling - Be Green -
Protect our Habitats - Make
Baltimore County Livable!

JULIA WRIGHT

From: "JULIA WRIGHT" <barnwife@verizon.net>
To: <dagreen@baltimorecountymd.gov>
Sent: Tuesday, June 12, 2007 2:17 PM
Subject: Cae #CR-07-224

Mr. Green-

I was unable to attend the meeting of the Planning Board last week, nor was I able to attend the Appeals hearing at 10 AM today. If it is not too late I would like to voice my opposition to the above referenced case number, and the construction of a restaraunt on the site at 11024 Reisterstown Road.

As a resident of Pleasant Hill Road whose property would be directly affected by a business of this kind, and who has experienced a commercial venture on an adjacent parcel I strongly object to the interruption of the tranquils neighborhood setting that the community of Pleasant Hill provides for it's residents.

I realize there is a place for businesses such as this type of restaraunt but I do not think the proposed location is ideal. Not only does the parcel abutt residential properties, but the site location on Reisterstown Road is a traffic hazard. Traffic going in and out of a parking lot would be done in a blind area at the bottom of a hill with limited sight in a heavily trafficed, and ignored speed limit restrictions.

I could continue, but I think you realize that I, and many others oppose the development possibility of this piece of property.

Thank you for your time and consideration.

Julia Wright
8 Pleasant Hill Road
Owings Mills, MD 21117

Featherdown

Date 6/12/07

Fax to:

Board of Appeals
Towson Courthouse

Numbers of pages following cover sheet 1

Message:

Phone **Fax** 410 887 - 3182

People's Counsel Sign-In Sheet

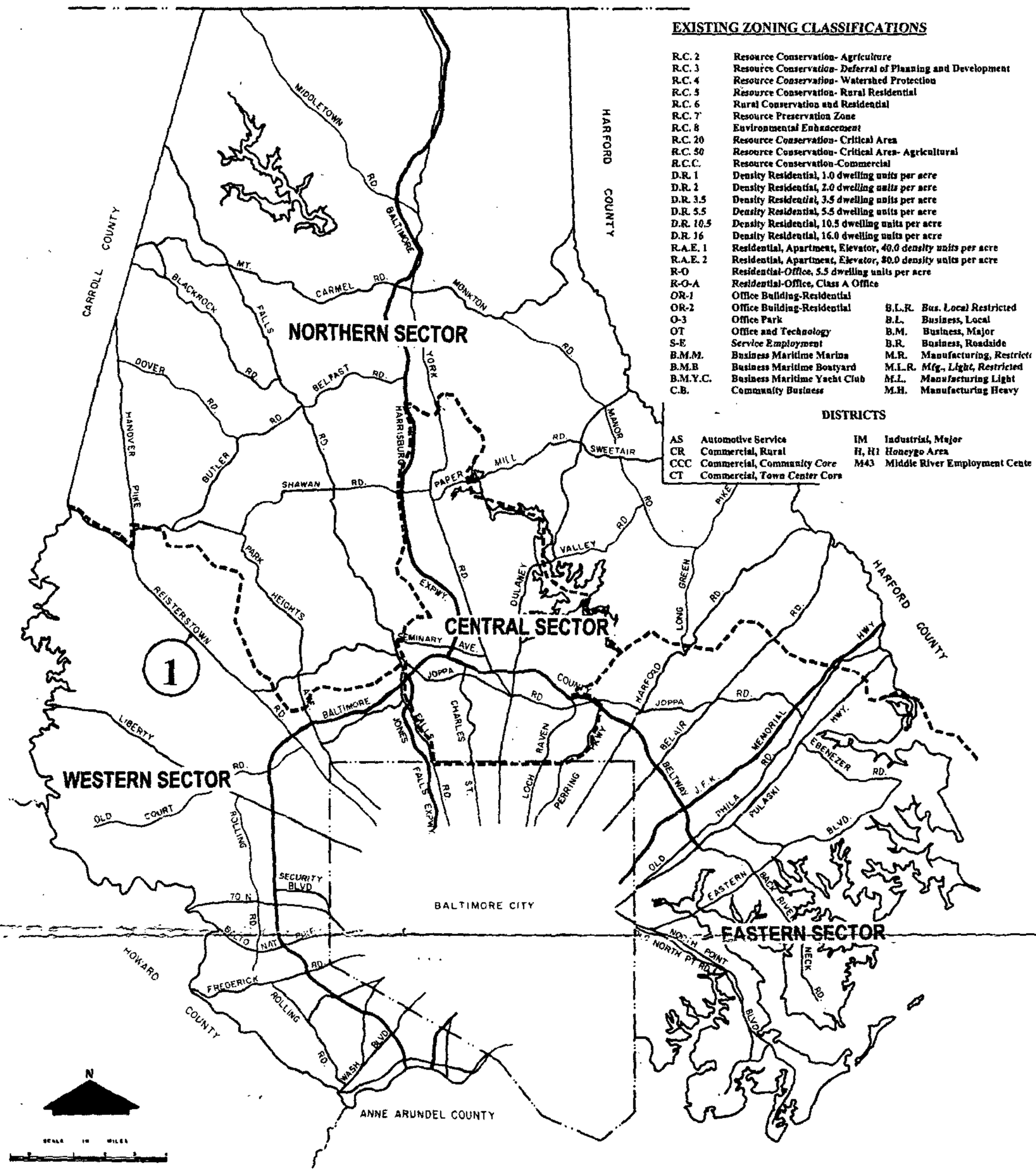
Case Name: ALEXANDER G. WIGHTMAN
Case No.: R-07-224
Date: APRIL 19, 2007

The Office of People's Counsel was created by the County Charter to participate in zoning matters on behalf of the public interest. While it does not actually represent community groups or protestants, it will assist in the presentation of their concerns, whether they have their own attorney or not. If you wish to be assisted by People's Counsel, please sign below.

Check to testify	Name	Address	Phone #	Email	Group you represent	Basis of your concerns
	Ann G. Benz	24 Pleasant Hill Rd. Owings Mills	410-581-9868	gpbenz@aol.com	Pleasant Hill Road HOA	CB zoning incompatible w/ our residential community

Steven
Scott
9494
9494 Hill
Pleasant Rd
13
Olympia

LOCATIONS OF PROPERTIES UNDER PETITION CYCLE 4
OCTOBER 2006 ------APRIL 2007



BALTIMORE COUNTY DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT/ZONING REVIEW

ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE ZONING RECLASSIFICATION CYCLE 4 OCTOBER 2006 - APRIL 2007

WESTERN SECTOR

ITEM #1

Property Owner:	Alexander G. & Larisa M. Wightman
Case No./Hearing Date:	R-07-224-Tuesday, June 5, 2007 at 10:00 a.m.
Contract Purchaser:	N/A
Location:	SW/S Reisterstown Road, 580 ft. +/- NW Pleasant Hill Road
Address:	11024 Reisterstown Road
Existing Zoning:	O.R.-1, D.R. 3.5
Election District:	4th
Councilmanic District:	4th
Area:	1.63
Proposed Zoning:	CB
Miscellaneous:	Open plan filed

NORTHERN SECTOR

No Petitions Were Filed in the Northern Sector for Cycle 3

CENTRAL SECTOR

No Petitions Were Filed in the Central Sector for Cycle 3

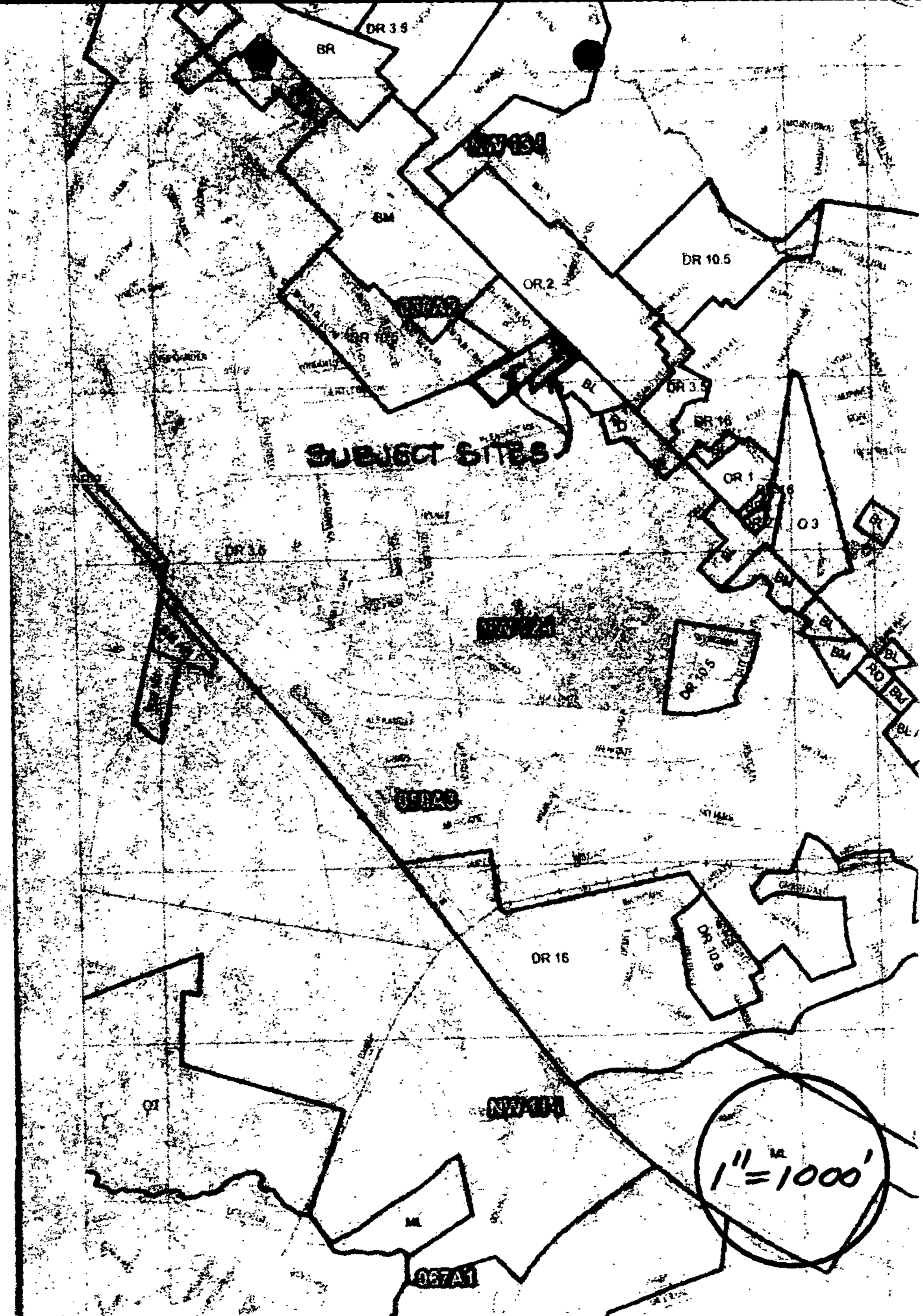
EASTERN SECTOR

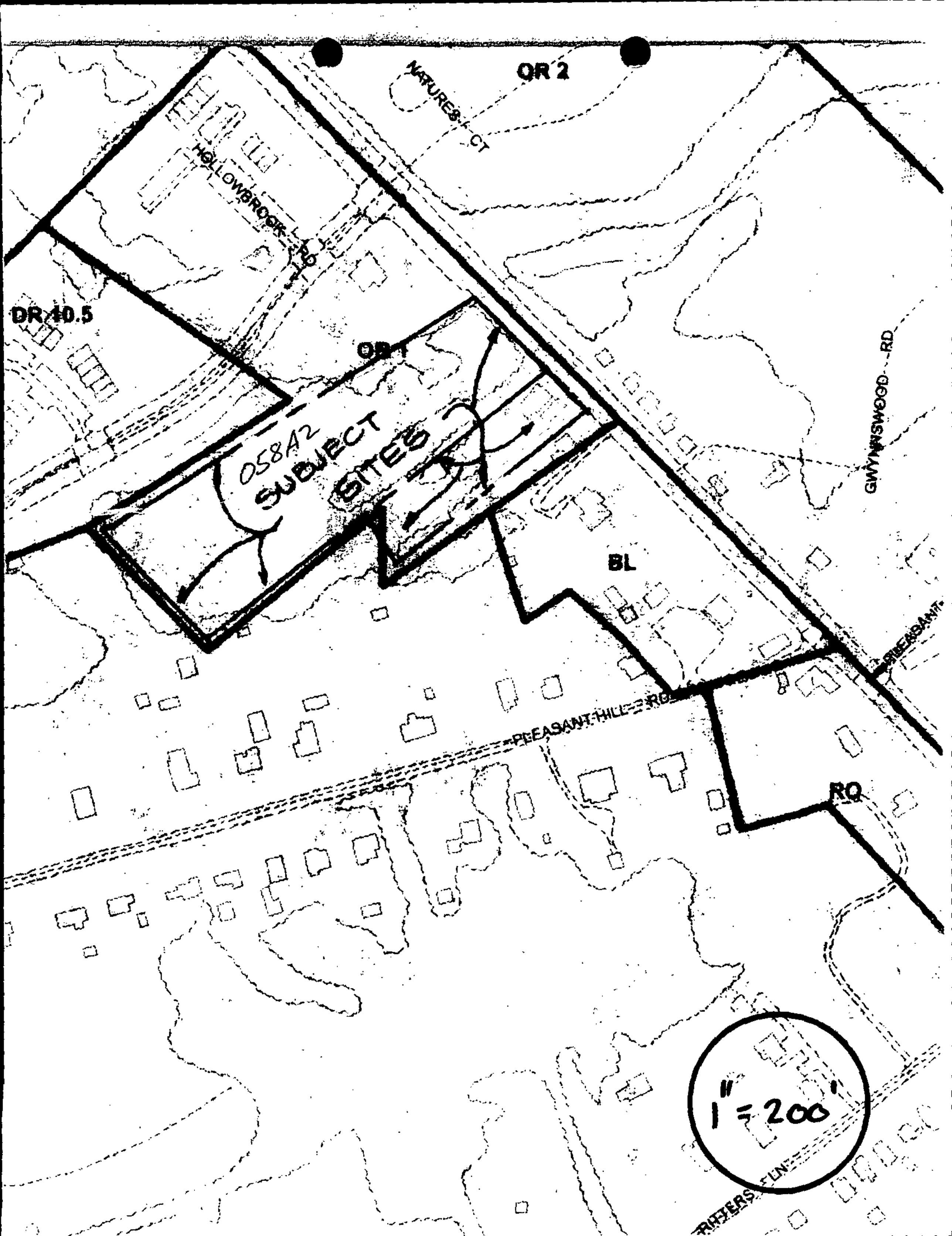
No Petitions Were Filed in the Eastern Sector for Cycle 3

BY ORDER OF
LAWRENCE M. STAHL, CHAIRMAN,
BALTIMORE COUNTY
BOARD OF APPEALS

ARNOLD F. KELLER, III, DIRECTOR
OFFICE OF PLANNING AND
COMMUNITY CONSERVATION

JT 12/December 19 - May 22


DR 3.5
BR
SM
DR 10.5
OR 2
DR 3.5
DR 16
SUBJECT SITES
OR 1
O3
DR 3.5
DR 10.5
DR 16
DR 10.5
O1
1" = 1000'


QR 2
NATURESWAY CT
HOLLOWBROOK RD
DR 10.5
QR 1
058A2
SUBJECT
SITES
GWYNNSWOOD RD
BL
PLEASANT HILL RD
PLEASANT
RQ
1" = 200'
TRIFFERS LN

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

SITE ENGINEERS & SURVEYORS

BALTIMORE MARYLAND

CR-07-224 REV.

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ENVIRONMENTAL IMPACT STATEMENT
FOR
11024 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

Contract No.: 06-125

December, 2006

KCI
TECHNOLOGIES

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS
10 North Park Drive • Hunt Valley, MD 21030-1846 • Phone 410-316-7800 • Fax 410-316-7885

May 2, 2007

Mr. Thomas Church
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, MD 21212

Subject: 11024 Reisterstown Road
KCI Job Order No. 01065844

Dear Mr. Church:

This letter is to confirm that KCI Technologies, Inc. prepared the environmental impact statement to accompany the rezoning request for the above referenced site. The review of the proposed site was conducted and the report was prepared under my direction. I have reviewed the final document and certify that it accurately presents the likely effects of the proposed site plan on the natural features in the area.

Thanks you for this opportunity to assist Development Engineering Consultants, Inc.

Respectfully,

Jacquelyn Seneschal

Jacquelyn Magness Seneschal, AICP
Senior Associate

Ms. Seneschal's Direct Dial Number: (410) 316-7806
Fax Number: (410) 316-7895

JMS

cc: Robyn Byers, KCI

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Environmental Impact Statement
for
11024 Reisterstown Road, Reisterstown, Maryland
Baltimore County

1.0 Background and Project Description

This Environmental Impact Statement was completed for a Baltimore County Re-Zoning application for 11024 Reisterstown Road, Reisterstown, Maryland. This property, Map 58, parcel 199 and portion of parcel 198, is currently zoned OR1, Office/Residential 1, and is proposed to be re-zoned CB, Community Business, to allow for the placement of a restaurant and associated parking (see Figure 1). Below is a review of the site's current environmental conditions with a discussion of the implications of the proposed use.

1.1 Property Description

The site proposed for re-zoning is north of the intersection of Reisterstown Road and Pleasant Hill Road, and south of the intersection of Reisterstown Road and Gentlebrook Road (see Figure 2). Roughly 125 feet of the site fronts on the west side of Reisterstown Road, and stretches 480 feet west. The site is comprised of 1.63 acres on two parcels, 198 and 199, including all of parcel 199 and the southeastern portion of parcel 198. An unnamed tributary to the Gwynns Falls runs approximately 125 feet to the north of the proposed re-zoning site. The site is currently wooded with two boarded-up residential-type structures 25 feet west of Reisterstown Road. There is a general slope on the property toward the stream that increases closer to the stream.

1.2 Development Description

Proposed uses are a restaurant with required parking and associated carry-out area. The restaurant is a 70-foot by 100-foot one-story building approximately 45-feet west of Reisterstown Road (see Figure 1). Adjacent to the building will be a 10-foot sidewalk and a 20-foot wide driveway for vehicular traffic. The parking lot is west of the restaurant and includes 115 parking spaces, five being handicapped and two of those being van accessible. This site design encompasses 1.3 acres of impervious surface cover, 7,000 square feet from the restaurant and another 48,500 square feet for parking, loading/unloading, and vehicular access. The impervious surface cover will be approximately 80% of the total site to be re-zoned to CB and approximately 27% over the whole of the two parcels used in the project, 4.9 acres.

2.0 Existing Site Conditions

This property is currently wooded with two boarded-up structures just off of Reisterstown Road. There are two maps attached for reference.

2.1 Land Use/Zoning

"Deciduous Forest" is the land use designated by Baltimore County for about 75% of the proposed re-zoning site, meaning "forested areas in which the trees characteristically lose their leaves at the end of the growing season." The

remaining 25% of the site is under the "Commercial" land use category, defined as "retail and wholesale services - areas used primarily for the sale of products and services, including associated yards and parking areas." Surrounding land uses are "High-Density Residential" to the north, "Commercial" to the east, "Low-Density Residential" to the south and "Deciduous Forest" to the west. The portion of the site that borders Reisterstown Road is designated as "Commercial," making the site part of the commercial use corridor along Reisterstown Road. Given that the areas to the north and south of the site are residential, a restaurant would serve the people that live around the area and would not be a contradicting use.

The current zoning for the site is OR1, Office/Residential 1, which is defined, "permits development or limited enlargement of a single medium-sized office building or residential development potential to DR 5.5 [Density Residential with 5.5 units allowed per acre]." The surrounding zoning classifications are OR1 to the north, OR2 (Office/Residential 2) to the east, BL (Business Local) to the southeast, DR 3.5 (Density Residential 3.5 units/acre) to the southwest and west, and DR 10.5 (Density Residential 10.5 units/acre) to the northwest. The current zoning establishes commercial uses along the Reisterstown Road corridor, with residential uses west of the site. Given that the areas to the north and south bordering Reisterstown Road are commercial, be it OR1, OR2, or BL, the re-zoning to CB would not conflict with surrounding uses fronting on Reisterstown Road.

2.2 Wetlands and Waters of the US

Wetlands and the waters of the US were assessed using ArcGIS with the National Wetlands Inventory (NWI) digital vector layer. There are no NWI wetlands designated directly on or adjacent to the proposed site. The closest NWI wetland is roughly 2,600 feet southeast of the site, located on the northeast corner Reisterstown Road and Pleasant Ridge Road. This wetland is designated as POWZH, which means it is in the Palustrine system, it has open water and/or an unknown bottom, and the site is permanently flooded and/or intermittently exposed/permanent. The site does not directly drain to the wetland. Given the distance between the site and the wetland, this site would not have direct adverse impacts to the wetland.

2.3 Floodplains

According to plat 61/54, there is a 100-year floodplain designated on parcel 198, adjacent to the unnamed tributary of the Gwynns Falls that runs north of the site. The floodplain boundary is about 50 feet north of the proposed re-zoning site, but still within parcel 198. According to FEMA digital vector data, the next closest floodplain area is also a 100-year floodplain designation, Zone A, which is about 1,320 feet northeast of the site, by Pleasant Hill Road. Neither of these floodplains have a base flood elevation determined that would affect the development of the site. The site development would indirectly impact the floodplain on parcel 198, mainly during construction of the site by sedimentation,

and with respect to increased stormwater runoff after construction. No fill will be required in the floodplain to complete development. Proper mitigation measures, such as silt fencing, would need to be followed during and after site construction to protect the floodplain area, which will be required via the permitting.

2.4 Soils

The majority of the site has Glenelg Loam soils, GcC2, with a small portion of Glenville Silt Loam soils, GnB, to the north. Both of these soil types have a K-value of 0.32, making them moderately erodible. The Glenelg series is characterized by having deep, well-drained soils; whereas the portion of the Glenville series has moderately-drained soils. There is a stand of deciduous forest vegetation on the site, and adjacent to the unnamed tributary, which alleviate any current erodibility issues in the soils. Overall, the soils are conducive to the proposed use of this site, and no adverse impacts would occur, as long as Erosion and Sediment Control measures are used and maintained through the development phases of the site.

2.5 Vegetation/Buffer

The unnamed tributary to the Gwynns Falls north of the proposed re-zoning site currently has at least a 170-foot mature forest buffer on its south side. The site itself is 90% forested, with a stand of deciduous forest vegetation. The site is 125 feet away from the stream, which will ensure that there is no encroachment into the stream buffer, designated by Baltimore County as a 100-foot buffer. A significant amount of tree cover would be removed during the development of this site, reducing the stability of the soils and the ability to retain runoff. However, the areas would be re-planted with vegetation or made impervious cover, which would re-stabilize the soil. Assuming proper Erosion and Sediment Control and Stormwater Management measures are in place prior to development, adverse impacts would be limited. Likewise, the measures in place would mitigate stormwater issues.

2.6 Slopes

Over a distance of 500 feet from the unnamed tributary to Gwynns Falls, south across the site, the elevation increases from 584 feet to 634 feet. This 50-foot change over a 500-foot span creates a 10% change in slope, which is at the threshold for determining "steep slopes." Currently, with the stand of deciduous forest vegetation along the stream, the 10% slope does not present any noticeable concerns for nearby development. With development, the amount of vegetation would be reduced, but a sizeable stand of vegetation would still create at least a 100-foot buffer along the stream to stabilize the stream bank and alleviate any adverse impacts.

2.7 Drainage and Stormwater Management

The proposed re-zoning site drains to the northeast, toward the nearby stream. With the development of roughly 55,500 square feet of impervious surface, 1.3 acres, over two parcels totaling 4.9 acres, 26.5% of the two parcels would have

impervious surface cover. The percentage suggests the need for stormwater management on the site. The proper Best Management Practices (BMP) would need to be employed in order to retard the runoff effects and protect the surrounding forested areas, floodplains, and the nearby stream.

2.8 Living Resources

In response to inquiries, the Maryland Department of Natural Resources (DNR) has stated that this proposed re-zoning site appears to have no aquatic resources issues. Likewise, there are no records of rare, threatened or endangered species on the state or federal level for the site. DNR does state that if any state authorized permits are required a more in-depth evaluation may be needed, with recommendations given by DNR.

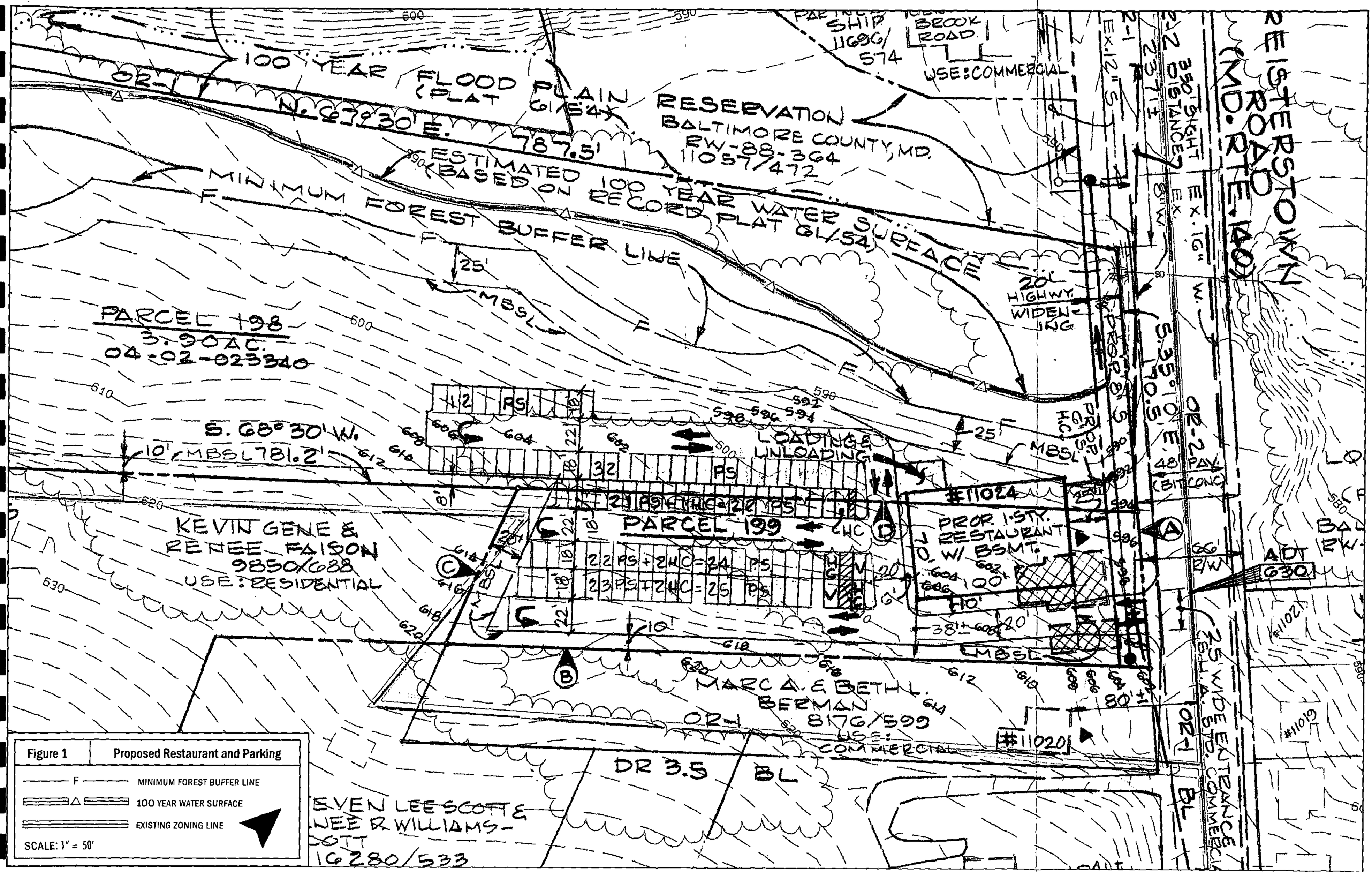
The US Fish and Wildlife Service was also contacted for information regarding the proposed re-zoning site. They stated that there are no federal proposed or listed, endangered or threatened species within the site. Therefore, no Biological Assessment is required for this site.

3.0 Affected Resources Summary

Two resources will be affected by the proposed restaurant and parking area; the unnamed tributary to the Gwynns Falls, and the stand of deciduous forest vegetation on site. Construction will affect the unnamed tributary by increasing the disturbed soil area resulting in sediment washing away from the site. Post-construction conditions will affect the tributary by increasing impervious surface cover and the associated stormwater implications. At the closest point, the unnamed tributary is 125 feet north of the site's boundary, resulting in a wide riparian buffer. The majority of vegetation on site would need to be cleared, though the riparian buffer off site will be maintained. Impacts to the vegetation are inevitable with development, but mitigation to keep as much vegetation as possible should be taken. Impacts to the stream would be minimal as long as all BMPs are in place and maintained.

4.0 Conclusion

The proposed re-zoning site currently has a stand of deciduous forest vegetation with two dilapidated structures. Re-zoning this site would allow the owner to tear down the structures and construct a restaurant and associated parking area. This restaurant is not allowed by right in the current OR1 zoning, but would be allowed in a CB zoning district. A portion of this site has a designated commercial land use, in which the proposed restaurant is in compliance. There would be 1.3 acres of impervious surface created on the 1.63 acres site for re-zoning, which would necessitate erosion and sediment control and stormwater maintenance. Even with the current vegetation being stripped from the site, there is a significant amount of vegetation abutting the site to retard an increase in pollution into the nearby, off-site unnamed tributary to Gwynns Falls. As long as all construction regulations and BMPs are put into place and followed/maintained, the site would not have adverse impacts on the surrounding environment.


100 YEAR FLOOD PLAIN (PLAT 61/54)
RESERVATION BALTIMORE COUNTY, MD. EW-88-364 11057/472
N. 67°30' E. 787.5'
ESTIMATED 100 YEAR WATER SURFACE (BASED ON RECORD PLAT 61/54)
MINIMUM FOREST BUFFER LINE
PARCEL 198
3.90 AC.
04-02-023340
S. 68° 30' W.
KEVIN GENE & RENEE FAISON
9850/688
USE: RESIDENTIAL
PARCEL 199
LOADING & UNLOADING
#11024
PROP. 1-STY. RESTAURANT W/ BSMT.
MARC A. & BETH L. BERMAN
8176/599
USE: COMMERCIAL
#11020
DR 3.5
BL
OR-1
OR-2
48' PAV. (BIT CONC)
66' R/W
ADT 630
20' HIGHWAY WIDENING
25' WIDE EXTENSION TO COMMERCIAL
SHIP 11696/574
BROOK ROAD
USE: COMMERCIAL
350' SIGHT DISTANCE
EX. 12" S.
EX. 16" W.
EASTON RD. (MD. RTE. 50)
Figure 1 Proposed Restaurant and Parking
MINIMUM FOREST BUFFER LINE
100 YEAR WATER SURFACE
EXISTING ZONING LINE
SCALE: 1" = 50'

GENTLEBROOK ROAD

REISTERSTOWN ROAD

140

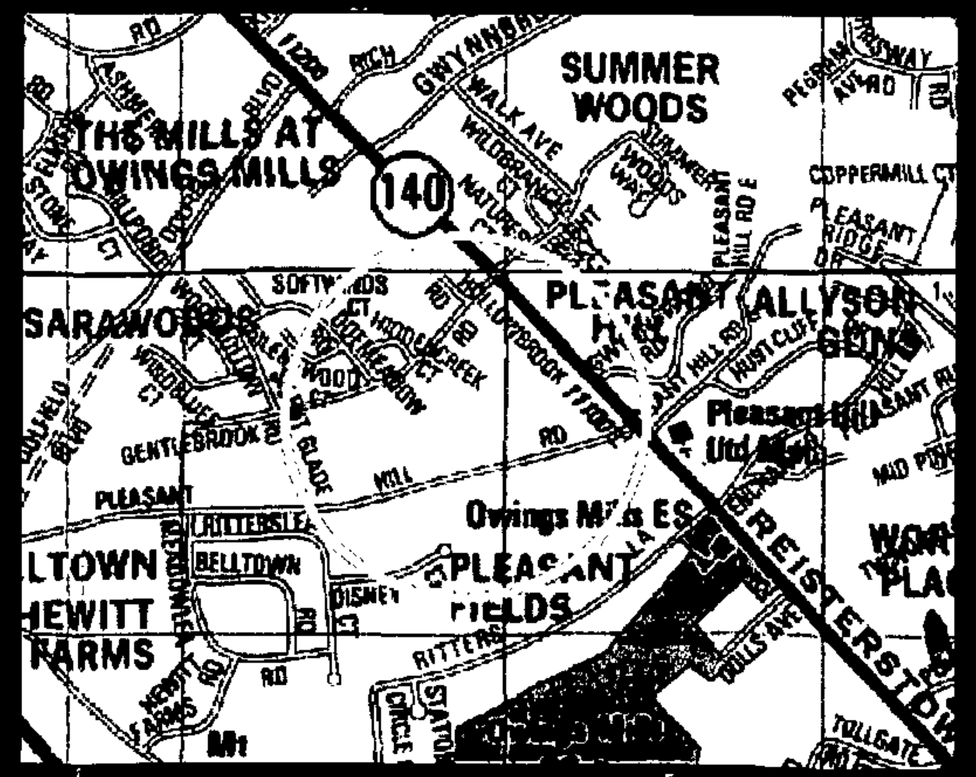


Figure 2	Proposed Re-zoning Site

UNAMED TRIBUTARIES TO THE GWYNNS FALLS

PROPOSED RE-ZONING SITE

SCALE: 1" = 50'

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

SITE ENGINEERS & SURVEYORS

BALTIMORE MARYLAND

REVISED CR 07 224

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ENVIRONMENTAL IMPACT STATEMENT
FOR
11024 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

Contract No.: 06-125

December, 2006

KCI TECHNOLOGIES

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

10 North Park Drive • Hunt Valley, MD 21030-1846 • Phone 410-316-7800 • Fax 410-316-7885

May 2, 2007

Mr. Thomas Church
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, MD 21212

Subject: 11024 Reisterstown Road
KCI Job Order No. 01065844

Dear Mr. Church:

This letter is to confirm that KCI Technologies, Inc. prepared the environmental impact statement to accompany the rezoning request for the above referenced site. The review of the proposed site was conducted and the report was prepared under my direction. I have reviewed the final document and certify that it accurately presents the likely effects of the proposed site plan on the natural features in the area.

Thanks you for this opportunity to assist Development Engineering Consultants, Inc.

Respectfully,

Jacquelyn Seneschal

Jacquelyn Magness Seneschal, AICP
Senior Associate

Ms. Seneschal's Direct Dial Number: (410) 316-7806
Fax Number: (410) 316-7895

JMS

cc: Robyn Byers, KCI

M:\0199909.enp\DATA\STAFFAREA\Jackie\ExpertWitnessCases\Reisterstown Road EIS.doc

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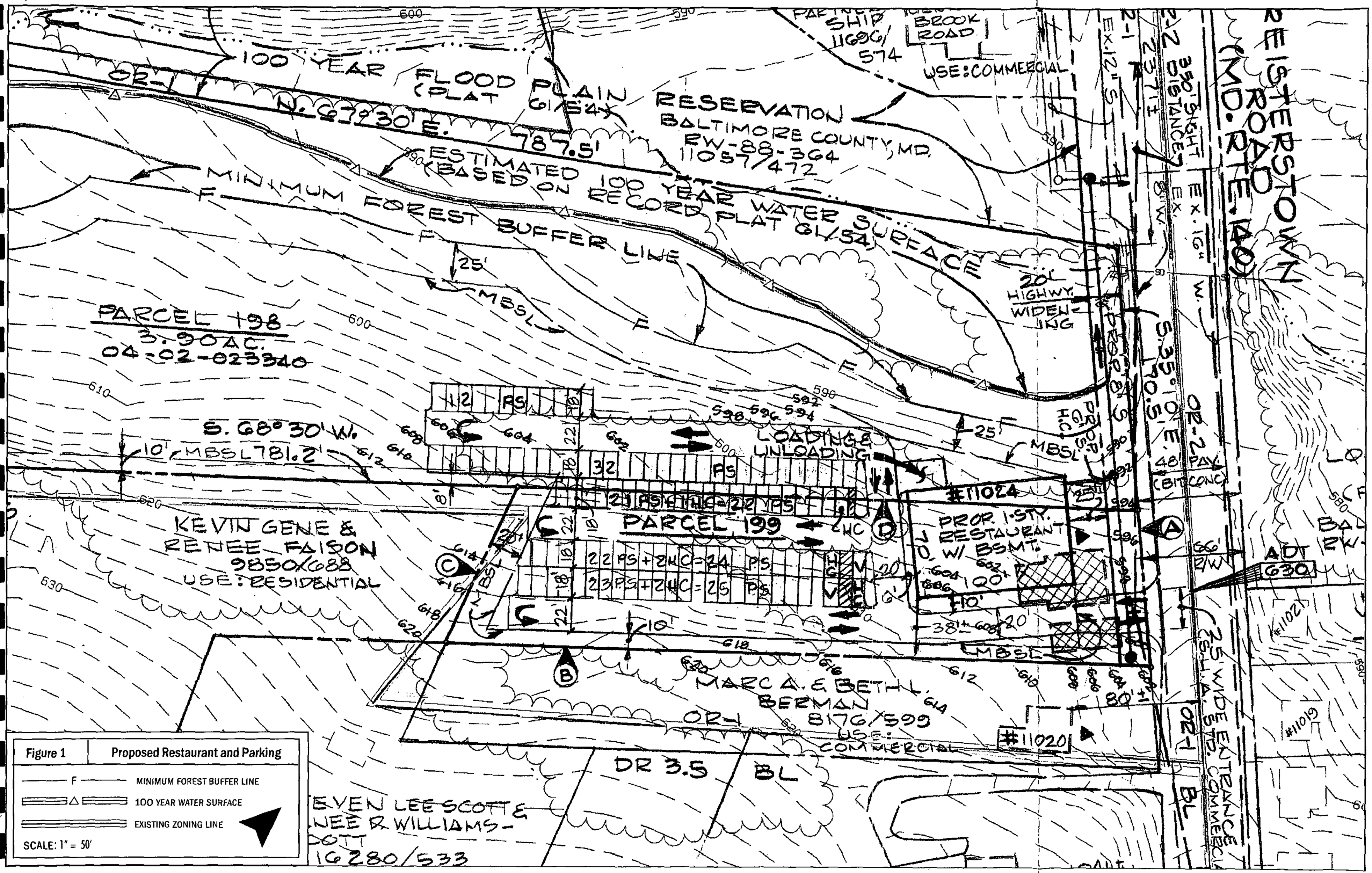

Figure 1 Proposed Restaurant and Parking

F — MINIMUM FOREST BUFFER LINE

△ — 100 YEAR WATER SURFACE

EXISTING ZONING LINE

SCALE: 1" = 50'

GENTLEBROOK ROAD

REISTERSTOWN ROAD

140

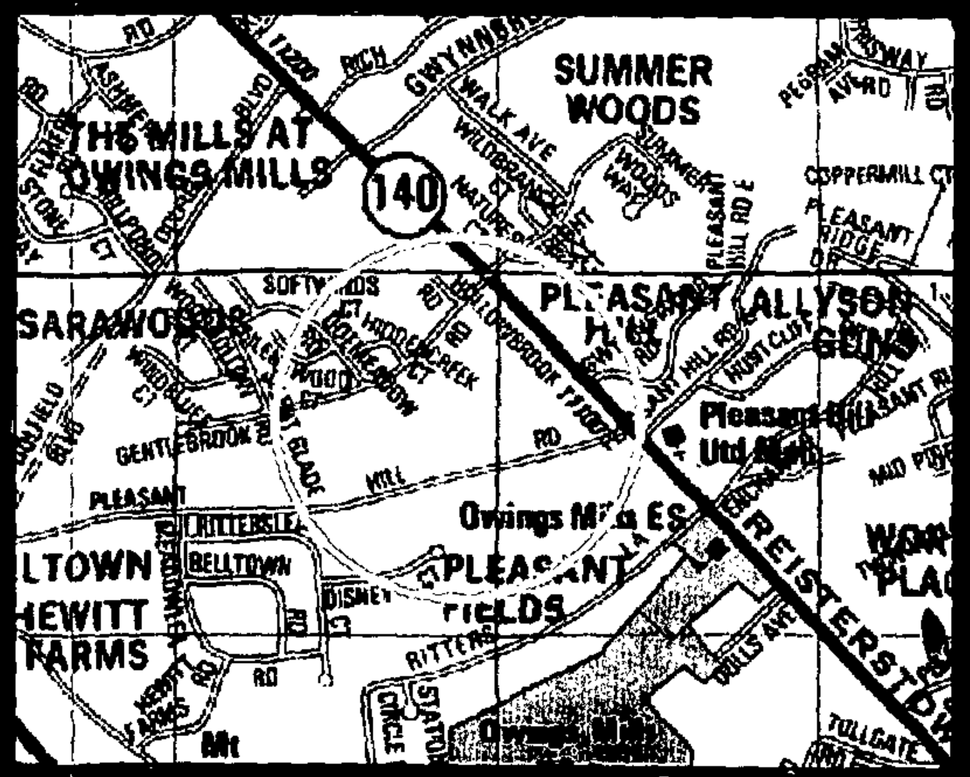

Figure 2	Proposed Re-zoning Site

UNAMED TRIBUTARIES TO THE GWYNNS FALLS

PROPOSED RE-ZONING SITE

SCALE: 1" = 50'

County Board of Appeals of Baltimore County

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

June 22, 2007

Alfred J. Szczerbicki, Esquire
28 Allegheny Avenue
Suite 500
Towson, MD 21204

RE: *In the Matter of: Alexander G. Wightman –Legal Owner/Petitioner*
Case No. R-06-230 /Order of Dismissal of Petition for Reclassification

Dear Mr. Szczerbicki:

Enclosed please find a copy of the Order of Dismissal of Petition issued this date by the County Board of Appeals of Baltimore County in the subject matter in which the subject Petition for Reclassification has been withdrawn and dismissed.

Very truly yours,

Kathleen C. Bianco, Jr.

Kathleen C. Bianco
Administrator

Enclosure

c: Alexander G. and Larisa M. Wightman
Thomas A. Church /Development Engineering Consultants
Steven Scott
Ann Benz
Margaret-Ann F. Howie, Esquire,
Counsel to the Superintendent
Board of Education / MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director
Jeffrey Long /Planning
W. Carl Richards /PDM
Baltimore County Council, 4th District
Timothy M. Kotroco, Director /PDM
William J. Wiseman III /Zoning Commissioner
John E. Beverungen, County Attorney

Printed with Soybean Ink
on Recycled Paper

ALFRED J. SZCZERBICKI
ATTORNEY AT LAW
28 W. ALLEGHENY AVENUE
THE PENTHOUSE, SUITE 500
TOWSON, MARYLAND 21204
(410) 337-8068 FAX (410) 583-7840
E-MAIL: LAWSZCZ@AOL.COM

June 8, 2007

County Board of Appeals for Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204
Hand Delivered

Re: In the Matter of: Alexander G. Wightman
Case No. CR-07-224

Dear Sir/Madam:

This office represents Alexander and Larissa Wightman, the owners of 11024 Reisterstown Road.

Please accept this letter as notice of withdrawal of my clients' Petition for Reclassification filed in the above captioned matter. Consequently, the hearing on the merits scheduled for this matter on June 12, 2007 should be cancelled.

My clients will seek reclassification of the parcel during the normal comprehensive zoning process. Thank you for your prompt attention to this matter.

Sincerely,

A. J. Szczerbicki

cc: Mr. Alexander Wightman
Mr. Tom Church

RECEIVED
JUN - 8 2007
BALTIMORE COUNTY
BOARD OF APPEALS

Petition for Reclassification

to the Board of Appeals of Baltimore County

for the property located at 11024 Reisterstown Road
which is presently zoned/districted OR-1

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and
made a part hereof, hereby petition: (1) that the zoning/district status of the herein described property be reclassified,

pursuant to the zoning law of Baltimore County from a OR-1 zone/district to a CB zone/district, for the reasons given in the attached

See attached Exhibit A

and (3) for the reasons given in the attached statement, a variance from the following sections of the zoning regulations of Baltimore County:

RECEIVED
AUG 31 2006
BALTIMORE COUNTY
BOARD OF APPEALS

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Alexander G. Wightman
Name - Type or Print

Signature

Larisa M. Wightman
Name - Type or Print

Signature

1077 Westminster Pike (410) 868-8100
Address Telephone No.

Reisterstown, MD 21136
City State Zip Code

Attorney For Petitioner:

Alfred J. Szczerbicki, Esq.
Name - Type or Print

Signature

Company

28 Allegheny Ave., Suite 500
Address Telephone No.

Towson, MD 21204
City State Zip Code

Representative to be Contacted:

Thomas A. Church
Development Engineering Consultants
Name

6603 York Road (410) 377-2606
Address Telephone No.

Baltimore, MD 21212
City State Zip Code

REV 9/18/98

S-294-06 TBA

OK to file

PETITION FOR RECLASSIFICATION

I. PARCELS TO BE RECLASSIFIED

1. The purpose of this petition is to reclassify the zoning to CB on a 1.0 acre parcel of land and a portion of a 3.90 acre parcel of land located on Reisterstown Road. The Petitioner wishes to maintain the OR-1 zoning on the remainder of 3.90 acre parcel not involved in this Petition

2. The 1.0 acre parcel of land is known as 11024 Reisterstown Road and is designated as Parcel 199 on the Baltimore County tax map. This parcel of land shall hereinafter be referred to as "Parcel 199". Most of Parcel 199 is presently zoned OR-1. A small portion of Parcel 199 is zoned DR 3.5. Parcel 199 is "improved" by two abandoned and boarded-up residences.

3. The 3.90 acre parcel of land is presently unimproved and designated as Parcel 198 on the Baltimore county tax map. This parcel of land shall hereinafter be referred to as "Parcel 198". Parcel 198 is zoned OR-1 and is presently unimproved.

II. REASONS FOR RECLASSIFICATION OF PARCEL 199 TO CB

1. Parcel 199 should be reclassified to CB because: (a) a substantial change has occurred in the character of the neighborhood since this parcel was last classified and (b) the last classification of Parcel 199 was established in error.

2. Rezoning Parcel 199 to CB will allow commercial development that serves the daily shopping needs of nearby residents. This zoning classification is particularly suited to Parcel 199 since the CB classification is used primarily on small parcels of land. Non-commercial purposes such as residential development of DR 3.5 or DR 5.5 housing are no longer desirable for this parcel.

3. A substantial change has occurred in the immediate area where the Parcel 199 is located. The improvements located on this parcel are abandoned and decaying residences that were in this condition at the time the Petitioners purchased Parcel 199 in October of 2005. The homes have been deteriorating steadily since that time. A residence almost directly across from Parcel 199 has suffered the same fate - it appears as if it has been abandoned and is presently boarded-up.

4. The area where Parcel 199 is located is not really a neighborhood. The parcels of land fronting on Reisterstown Road to the south of the Petitioners' land is zoned BL and OR-1. Businesses

EXHIBIT A

located on these parcels include a chiropractor's office, a soon-to-be-opened day care center, clothing store and photographer's studio. There are no single family residences fronting on the Petitioner's side of Reisterstown Road for several miles in either direction.

5. The last zoning classification of Parcel 199 was established in error. Parcel 199 is presently zoned both OR-1 and DR 3.5. This one acre parcel will not support the development contemplated by this classification - an office building with supportive commercial uses or residential development to the density of DR-5.5 or DR-3.5. This zoning is impractical. Baltimore County will no longer grant OR-1 zoning. It is unlikely that a family would desire to own a home fronting on this portion of Reisterstown Road. Rezoning the Parcel to CB will impact the surrounding residential areas to a lesser degree than BL or OR-1 zoning. Consequently, a reclassification of the zoning of the Parcel to CB from its present status as both OR-1 and DR-3.5 will be consistent with and support the zoning process in the County.

III. REASONS FOR RECLASSIFICATION OF A PORTION OF PARCEL 198 TO CB

1. As shown on the site plans accompanying this Petition, a 0.63 acre portion of Parcel 198 should be reclassified to CB because: (a) a substantial change has occurred in the character of the neighborhood since this parcel was last classified.

2. Rezoning a 0.63 acre portion of Parcel 198 to CB will allow commercial development on Parcel 199 that will serve the daily shopping needs of nearby residents.

3. A substantial change has occurred in the immediate area where Parcel 198 is located. The area where Parcel 198 is located is not really a neighborhood. The parcels of land fronting on Reisterstown Road to the south of the Petitioners' land is zoned BL and businesses located on these parcels have been described above.

IV. RELIEF REQUESTED

For the reasons stated above and other reasons as may be presented at a hearing on this matter, it is respectfully requested that Parcel 199 and a portion of Parcel 198 described in this Petition and the attached documents prepared by Development Engineering Consultants, Inc. be reclassified pursuant to the zoning laws of Baltimore County from a DR-3.5 zone and OR-1 zone to a CB zone.

EXHIBIT A

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

Portition of Parcel 198

ZONING DESCRIPTION
FOR
11024 REISTERSTOWN ROAD

BEGINNING FOR THE FIRST PARCEL, at a point on the southwest side of Reisterstown Road, 66 feet wide, more or less, said point being 390 feet, more or less, northeast of the centerline of Gentlebrook Road, 76 feet wide, more or less, thence the following courses and distances:

1) South 35 degrees 10 minutes East, 17.5 feet,
2) South 54 degrees 45 minutes West 483 feet,
3) North 35 degrees 15 minutes West 78 feet,
4) North 54 degrees 45 minutes East 130 feet,
5) North 66 degrees 15 minutes East 316 feet,
6) North 54 degrees 45 minutes East 41 feet

to the point of beginning.

Containing 0.63 acres of land, more or less

STATE OF MARYLAND
THOMAS A. CHURCH
No. 6179
Professional Engineer

Contract No. 06-125

August 23, 2006

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ZONING DESCRIPTION
FOR
11024 REISTERSTOWN ROAD
PARCEL 199

BEGINNING FOR THE SECOND PARCEL, at a point on the southwest side of Reisterstown Road, 66 feet wide, more or less, said point being 408 feet, more or less, northeast of the centerline of Gentlebrook Road, 76 feet wide, more or less, also being the end of the first line of the first herein described parcel, thence the following course and distances:

1) South 42 degrees East, 100 feet
2) South 54 degrees 45 minutes West, 448.5 feet
3) North 13 degrees 30 minutes West, 109 feet
4) North 54 degrees 45 minutes East, 393.5 feet

to the point of beginning.

Containing 1.00 acres of land, more or less

Both parcels being the same parcels of land recorded in the Land Records of Baltimore County, Maryland in Liber S.M. 23185, Folio 644.

Also being known as 11024 Reisterstown Road and located in the 4th Election District.

STATE OF MARYLAND
THOMAS A. CHURCH
No. 6179
REGISTERED
PROFESSIONAL ENGINEER

Petition for Reclassification

to the Board of Appeals of Baltimore County

for the property located at 11024 Reisterstown Road
which is presently zoned/districted OR-1

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and
made a part hereof, hereby petition: (1) that the zoning/district status of the herein described property be reclassified,

pursuant to the zoning law of Baltimore County from a OR-1 zone/district to a CB zone/district, for the reasons given in the attached

See attached Exhibit A

and (3) for the reasons given in the attached statement, a Variance from the following sections of the zoning regulations of Baltimore County:

RECEIVED
APR 19 2007
BALTIMORE COUNTY
BOARD OF APPEALS

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

NA
Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Alfred J. Szczerbicki, Esq.
Name - Type or Print

Signature

Company

28 Allegheny Ave., Suite 500
Address Telephone No.

Towson, MD 21204
City State Zip Code

Legal Owner(s):

Alexander G. Wightman
Name - Type or Print

Signature

Larisa M. Wightman
Name - Type or Print

Signature

1077 Westminster Pike (410) 868-8100
Address Telephone No.

Reisterstown, MD 21136
City State Zip Code

Representative to be Contacted:

Thomas A. Church
Development Engineering Consultants
Name

6603 York Road (410) 377-2606
Address Telephone No.

Baltimore, MD 21212
City State Zip Code

REV 9/18/98

REVISED 0R 07224

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ZONING DESCRIPTION
FOR
11024 REISTERSTOWN ROAD

BEGINNING FOR THE SAME, at a point on the southwest side of Reisterstown Road, 66 feet wide, more or less, said point being 385 feet, more or less, southeast of the centerline of Gentlebrook Road, 76 feet wide, more or less, thence the following courses and distances:

1) South 35 degrees 10 minutes East, 125 feet
2) South 54 degrees 45 minutes West, 475 feet
3) North 13 degrees 30 minutes West, 45 feet
4) Due North, 73 feet
5) South 68 degrees 30 minutes West, 110 feet
6) North 21 degrees 30 minutes West, 80 feet
7) North 68 degrees 30 minutes East, 135 feet
8) North 79 degrees 05 minutes East, 310 feet
9) North 68 degrees 30 minutes East, 75 feet

to the point of beginning.

Containing 1.63 acres of land, more or less

Being a portion of the parcels of land recorded in the Land Records of Baltimore County, Maryland in Liber S.M. 23185, Folio 644.

Also being known as 11024 Reisterstown Road and located in the 4th Election District.

STATE OF MARYLAND
THOMAS A. CHURCH
No. 5179
REGISTERED
PROFESSIONAL ENGINEER

PETITION FOR RECLASSIFICATION

I. PARCELS TO BE RECLASSIFIED

1. The purpose of this petition is to reclassify the zoning to CB on a 1.0 acre parcel of land and a portion of a 3.90 acre parcel of land located on Reisterstown Road. The Petitioner wishes to maintain the OR-1 zoning on the remainder of 3.90 acre parcel not involved in this Petition

2. The 1.0 acre parcel of land is known as 11024 Reisterstown Road and is designated as Parcel 199 on the Baltimore County tax map. This parcel of land shall hereinafter be referred to as "Parcel 199". Most of Parcel 199 is presently zoned OR-1. A small portion of Parcel 199 is zoned DR 3.5. Parcel 199 is "improved" by two abandoned and boarded-up residences.

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II. REASONS FOR RECLASSIFICATION OF PARCEL 199 TO CB

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EXHIBIT A

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EXHIBIT A

CERTIFICATE OF PUBLICATION

3/22/, 2007

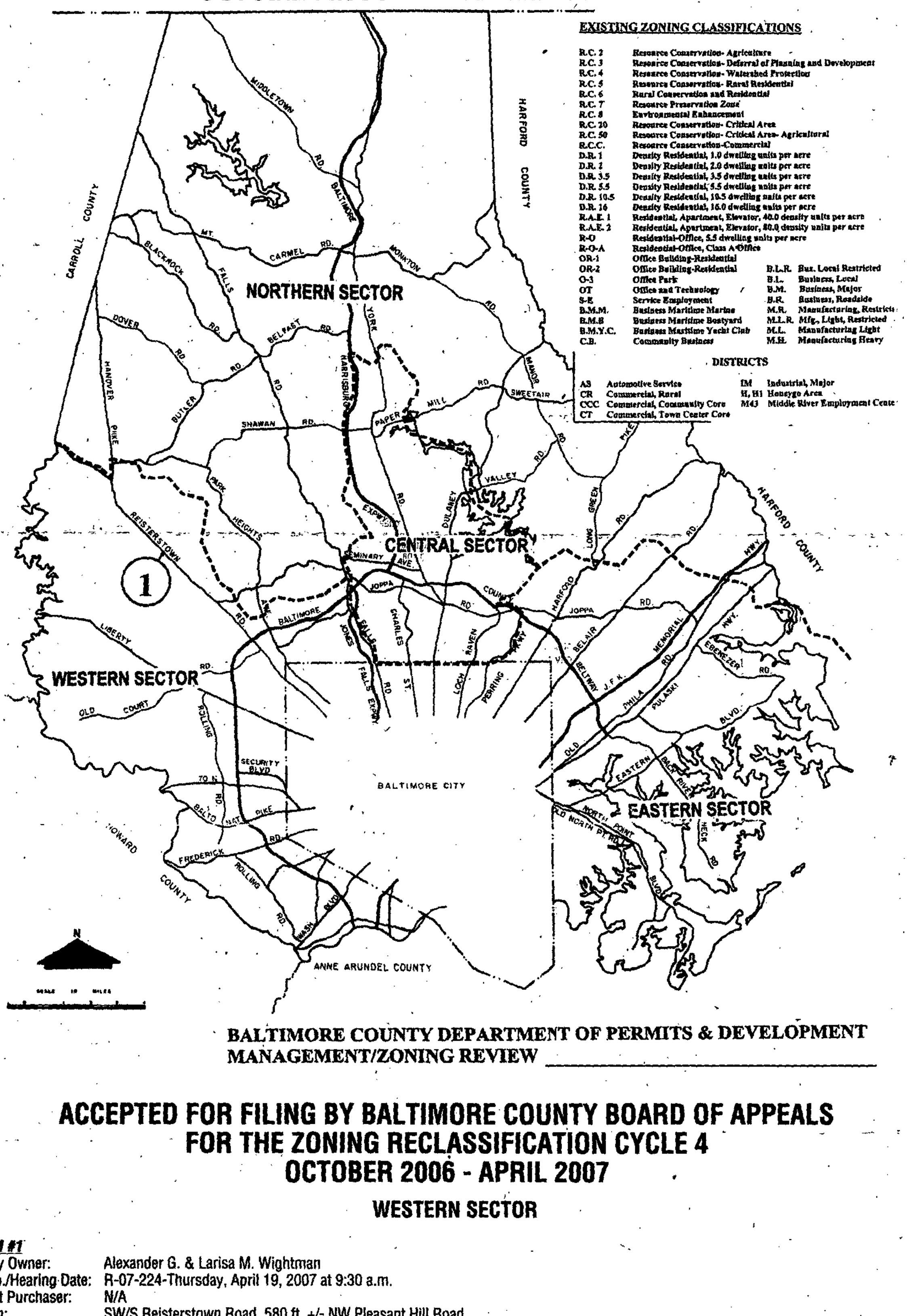
THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 2 ~~successive~~ weeks, the first publication appearing on 12/19/2006 & 3/22/2007

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

S. Wilkinson

LEGAL ADVERTISING

LOCATIONS OF PROPERTIES UNDER PETITION CYCLE 4
OCTOBER 2006 ------APRIL 2007



BALTIMORE COUNTY DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT/ZONING REVIEW

ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE ZONING RECLASSIFICATION CYCLE 4 OCTOBER 2006 - APRIL 2007

WESTERN SECTOR

ITEM #1

Property Owner:	Alexander G. & Larisa M. Wightman
Case No./Hearing Date:	R-07-224-Thursday, April 19, 2007 at 9:30 a.m.
Contract Purchaser:	N/A
Location:	SW/S Reisterstown Road, 580 ft. +/- NW Pleasant Hill Road
Address:	11024 Reisterstown Road
Existing Zoning:	O.R.-1, D.R. 3.5
Election District:	4th
Councilmanic District:	4th
Area:	1.63
Proposed Zoning:	CB
Miscellaneous:	Open plan filed

NORTHERN SECTOR

No Petitions Were Filed in the Northern Sector for Cycle 3

CENTRAL SECTOR

No Petitions Were Filed in the Central Sector for Cycle 3

EASTERN SECTOR

No Petitions Were Filed in the Eastern Sector for Cycle 3

BY ORDER OF
LAWRENCE M. STAHL, CHAIRMAN,
BALTIMORE COUNTY
BOARD OF APPEALS

ARNOLD F. KELLER, III, DIRECTOR
OFFICE OF PLANNING AND
COMMUNITY CONSERVATION

NOTICE TO UNKNOWN HEIRS
PERSONS INTERESTED IN THE ESTATE OF
RUTH ELIZABETH STUCKRATH

ice is given that Edward G. Stuckrath, Jr., Susan L. ski, and Barbara Martin Benway, c/o William E. oltes, Saul Ewing LLP, P.O. Box 17050, Baltimore, aryland 21297 was (were) on February 27, 2007 appointed personal representative(s) of the estate of Ruth Elizabeth Stuckrath who died on September 27, 2006, without a will.

Further information can be obtained by reviewing the estate file in the office of the Register of Wills or by contacting the personal representative(s) or the attorney.

All persons having any objection to the appointment shall file their objections with the Register of Wills on or before the 27th day of August, 2007.

Any person having a claim against the decedent must present the claim to the undersigned personal representative(s) or file it with the Register of Wills with a copy to the undersigned on or before the earlier of the following dates:

(1) Six months from the date of the decedent's death, except if the decedent died before October 1, 1992, nine months from the date of the decedent's death; or

(2) Two months after the personal representative(s) mail(s) or otherwise deliver(s) to the creditor a copy of this published notice or other written notice, notifying the creditor that the claim will be barred unless the creditor presents the claims within two months from the mailing or other delivery of the notice. A claim not presented or filed on or before that date, or any extension provided by law, is unenforceable thereafter. Claim forms may be obtained from the Register of Wills.

EDWARD G. STUCKRATH, JR.
SUSAN L. ZARANSKI
BARBARA MARTIN BENWAY
Personal Representative(s)

Date of first publication: March 8, 2007
True Copy--Test
GRACE G. CONNOLLY,
Register of Wills, Baltimore County
3/140 March 8, 15, 22 127101

Huesman, Jones and Miles, LLC, Solicitors
Executive Plaza III, Suite 300
11350 McCormick Road
Hunt Valley, Maryland 21031
(443) 589-0150

TRUSTEES' SALE
OF
VALUABLE IMPROVED
FEE SIMPLE PROPERTY
SALE AT THE CIRCUIT COURTHOUSE
FOR BALTIMORE COUNTY
COUNTY COURTS BUILDING,
401 BOSLEY AVENUE
(BOSLEY AVENUE ENTRANCE) IN TOWSON
NO. 520 EPSOM ROAD
TOWSON, MD 21286

Under and by virtue of the power and authority contained in a certain Deed of Trust from Sedigheh Rozegar and Gholam R. Shahbazi, to Chicago Title Insurance Company, Trustee(s), dated May 19, 2005, and recorded among the Land Records of Baltimore County, in Liber 0021938, Folio 568, (R. Douglas Jones and/or Lisa K. Jenkins, having been appointed as Substituted Trustees therein by the present holder of the Note secured thereby), default having occurred in the payment of the indebtedness thereby secured, and at the request of the party secured thereby, the undersigned Substituted Trustees will offer for sale at public auction at The Circuit Courthouse for Baltimore County, County Courts Building, 401 Bosley Avenue, (Bosley Avenue Entrance) in Towson, on

TUESDAY, APRIL 10, 2007
AT 9:00 AM

all that land and premises described in said Deed of Trust as follows:

Beginning for the same at a point on the north side of Epsom Road, said point being 527.12 feet as measured along the west side of Squires Road and the north side of Epsom Road from the center line of Goucher Boulevard, thence North 70 degrees 05 minutes 14 seconds West 70.00 feet binding on the north side of Epsom Road, thence North 19 degrees 54 minutes 46 seconds East 117.00 feet, then South 70 degrees 05 minutes 14 seconds East 70.00 feet thence South 19 degrees 54 minutes 46 seconds West 117.00 feet to the point of beginning. The improvements thereon being known as No. 520 Epsom Road. Being Lot No. 20, Block B, as shown on the Plat of "Campus Hills", Section South 1A, which Plat is recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 22, folio 30.

The property will be sold in "AS IS" condition, subject to conditions, restrictions and agreements of record, if any.

The property is improved by a DWELLING.

TERMS OF SALE: $34,000.00 cash, cashier's check, certified check, or in such other form as the Trustees may determine acceptable, in their sole discretion, will be required of the purchaser, (other than the above named Note holder) at the time and place of sale, balance of the purchase money in cash upon final ratification of sale by the Circuit Court for Baltimore County and to bear interest at 7.875%, per annum from the day of sale to the day of settlement. In the event the above named Note holder purchases the property no deposit will be required and the requirement of interest on the balance of the purchase price shall be waived. All charges for conveyancing, recording, stamp taxes, transfer taxes, certificate of title, etc., to be at the cost of the purchaser.

All charges for private water, private sewage, private front-foot benefit charges and all other private utility charges, including legal fees assessed on behalf of private utility companies, to be at the costs of the purchaser, regardless of the date of accrual of said charges. All other expenses, water rent, and real estate taxes and all other assessments and public charges, payable on annual basis including special paving tax, if any, to be adjusted to the date of sale, and assumed thereafter by purchaser. Any special assessments made by a condominium association or homeowners association are the responsibility of the purchaser. It shall be the purchaser's responsibility to obtain possession of the property in the event it is occupied.

Time is of the essence and terms of sale are to be complied with within ten days after final ratification thereof by the Court, otherwise the deposit will be forfeited and the property will be resold at the risk and cost of the defaulting purchaser. This sale is subject to Ratification by the Circuit Court for Baltimore County. If the sale is not ratified, or if for any reason the Substituted Trustees are unable to convey clear, marketable title, the sale shall be void and the purchaser's sole remedy shall be the return of the deposit.

R. DOUGLAS JONES and/or
LISA K. JENKINS, Substituted Trustees

EXPRESSAUCTION.com
Real Estate Auction Specialists
Phone: 410-737-1500 Fax: 410-737-0202
Substituted Trustees' File No.: 6793-18622
3/334 March 22, 29 - Apr. 5 128675

STANFORD Z. ROTHSCHILD, JR
[illegible]EDERICK STEINMANN
[illegible]nal Representative(s)

Date of first publication: March 8, 2007
True Copy--Test
GRACE G. CONNOLLY,
Register of Wills, Baltimore County
3/154 March 8, 15, 22 127132

Edwin G. Fee, Jr., Esquire
Whiteford, Taylor & Preston L.L.P.
210 West Pennsylvania Avenue, Suite 400
Towson, Maryland 21204-4515

NOTICE OF APPOINTMENT NOTICE TO CREDITORS
NOTICE TO UNKNOWN HEIRS
TO ALL PERSONS INTERESTED IN THE ESTATE OF
SARAH FRANCES MOORE RAND EWALD

Notice is given that Mary Frances Rand and Helen Octavia Rand c/o Edwin G. Fee, Jr., Esquire, 210 West Pennsylvania Avenue, Suite 400, Towson, MD 21204 was (were) on February 28, 2007 appointed personal representative(s) of the estate of Sarah Frances Moore Rand Ewald who died on January 7, 2007, with a will.

Further information can be obtained by reviewing the estate file in the office of the Register of Wills or by contacting the personal representative(s) or the attorney.

All persons having any objection to the appointment (or to the probate of the decedent's will) shall file their objections with the Register of Wills on or before the 28th day of August, 2007.

Any person having a claim against the decedent must present the claim to the undersigned personal representative(s) or file it with the Register of Wills with a copy to the undersigned on or before the earlier of the following dates:

(1) Six months from the date of the decedent's death, except if the decedent died before October 1, 1992, nine months from the date of the decedent's death; or

(2) Two months after the personal representative(s) mail(s) or otherwise deliver(s) to the creditor a copy of this published notice or other written notice, notifying the creditor that the claim will be barred unless the creditor presents the claims within two months from the mailing or other delivery of the notice. A claim not presented or filed on or before that date, or any extension provided by law, is unenforceable thereafter. Claim forms may be obtained from the Register of Wills.

MARY FRANCES RAND
HELEN OCTAVIA RAND
Personal Representative(s)

Date of first publication: March 8, 2007
True Copy--Test
GRACE G. CONNOLLY,
Register of Wills, Baltimore County
3/137 Mar. 8, 15, 22 127080

Huesman, Jones and Miles, LLC, Solicitors
Executive Plaza III, Suite 300
11350 McCormick Road
Hunt Valley, Maryland 21031
(443) 589-0150

TRUSTEES' SALE
OF
VALUABLE IMPROVED
FEE SIMPLE PROPERTY
SALE AT THE CIRCUIT COURTHOUSE
FOR BALTIMORE COUNTY
COUNTY COURTS BUILDING,
401 BOSLEY AVENUE
(BOSLEY AVENUE ENTRANCE) IN TOWSON
NO. 24 MARGERY COURT
NOTTINGHAM, MD 21236

Under and by virtue of the power and authority contained in a certain Deed of Trust from Cynthia L. Constantino, to Gary Olschansky, Trustee(s), dated September 25, 2006, and recorded among the Land Records of Baltimore County, in Liber 0024715, Folio 357, (R. Douglas Jones and/or Lisa K. Jenkins, having been appointed as Substituted Trustees therein by the present holder of the Note secured thereby), default having occurred in the payment of the indebtedness thereby secured, and at the request of the party secured thereby, the undersigned Substituted Trustees will offer for sale at public auction at The Circuit Courthouse for Baltimore County, County Courts Building, 401 Bosley Avenue, (Bosley Avenue Entrance) in Towson, on

FRIDAY, MARCH 30, 2007
AT 1:06 PM

all that land and premises described in said Deed of Trust as follows:

Lot 29, in Block "A", as shown on a Plat Subdivision entitled "Southfield at Whitemarsh - Section II - Phase 3-A", as per plat thereof recorded among the Land Records of Baltimore County, Maryland in Plat Book 58 at Plat No. 125.

The property will be sold in "AS IS" condition, subject to conditions, restrictions and agreements of record, if any.

The property is improved by a DWELLING.

TERMS OF SALE: $16,000.00 cash, cashier's check, certified check, or in such other form as the Trustees may determine acceptable, in their sole discretion, will be required of the purchaser, (other than the above named Note holder) at the time and place of sale, balance of the purchase money in cash upon final ratification of sale by the Circuit Court for Baltimore County and to bear interest at 11.00%, per annum from the day of sale to the day of settlement. In the event the above named Note holder purchases the property no deposit will be required and the requirement of interest on the balance of the purchase price shall be waived. All charges for conveyancing, recording, stamp taxes, transfer taxes, certificate of title, etc., to be at the cost of the purchaser.

All charges for private water, private sewage, private front-foot benefit charges and all other private utility charges, including legal fees assessed on behalf of private utility companies, to be at the costs of the purchaser, regardless of the date of accrual of said charges. All other expenses, water rent, and real estate taxes and all other assessments and public charges, payable on annual basis including special paving tax, if any, to be adjusted to the date of sale, and assumed thereafter by purchaser. Any special assessments made by a condominium association or homeowners association are the responsibility of the purchaser. It shall be the purchaser's responsibility to obtain possession of the property in the event it is occupied.

Time is of the essence and terms of sale are to be complied with within ten days after final ratification thereof by the Court, otherwise the deposit will be forfeited and the property will be resold at the risk and cost of the defaulting purchaser. This sale is subject to Ratification by the Circuit Court for Baltimore County. If the sale is not ratified, or if for any reason the Substituted Trustees are unable to convey clear, marketable title, the sale shall be void and the purchaser's sole remedy shall be the return of the deposit.

R. DOUGLAS JONES and/or
LISA K. JENKINS, Substituted Trustees

EXPRESSAUCTION.com
Real Estate Auction Specialists
Phone: 410-737-1500 Fax: 410-737-0202
Substituted Trustees' File No.: 6841-18604
3/220 March 15, 22, 29 127793

R. BRUCE HAMILTON, III
Personal Representative(s)

Date of first publication: March 22, 2007
True Copy--Test
GRACE G. CONNOLLY,
Register of Wills, Baltimore County
3/359 Mar. 22, 29 - Apr. 5 128796

R. Taylor McLean, Esquire
102 West Pennsylvania Avenue, Suite 600
Towson, Maryland 21204-4510

NOTICE OF APPOINTMENT NOTICE TO CREDITORS
NOTICE TO UNKNOWN HEIRS
TO ALL PERSONS INTERESTED IN THE ESTATE OF
WILLIAM G. ROBERTSON, JR.

Notice is given that Patricia M. Robertson, 601 Brightwood Club Drive, Lutherville, MD 21093 and R. Taylor McLean, 102 W. Pennsylvania Avenue, Suite 600, Towson, MD 21204 was (were) on March 13, 2007 appointed personal representative(s) of the estate of William G. Robertson, Jr. who died on February 25, 2007, with a will.

Further information can be obtained by reviewing the estate file in the office of the Register of Wills or by contacting the personal representative(s) or the attorney.

All persons having any objection to the appointment (or to the probate of the decedent's will) shall file their objections with the Register of Wills on or before the 13th day of September, 2007.

Any person having a claim against the decedent must present the claim to the undersigned personal representative(s) or file it with the Register of Wills with a copy to the undersigned on or before the earlier of the following dates:

(1) Six months from the date of the decedent's death, except if the decedent died before October 1, 1992, nine months from the date of the decedent's death; or

(2) Two months after the personal representative(s) mail(s) or otherwise deliver(s) to the creditor a copy of this published notice or other written notice, notifying the creditor that the claim will be barred unless the creditor presents the claims within two months from the mailing or other delivery of the notice. A claim not presented or filed on or before that date, or any extension provided by law, is unenforceable thereafter. Claim forms may be obtained from the Register of Wills.

PATRICIA M. ROBERTSON
R. TAYLOR MCLEAN
Personal Representative(s)

Date of first publication: March 22, 2007
True Copy--Test
GRACE G. CONNOLLY,
Register of Wills, Baltimore County
3/337 Mar. 22, 29 - Apr. 5 128731

Futrovsky, Nitkin & Scherr, Chartered
77 South Washington Street, Suite 206
Rockville, Maryland 20850

TRUSTEES' SALE
OF VALUABLE, IMPROVED REAL ESTATE
LOCATED IN BALTIMORE COUNTY, MARYLAND
IMPROVED BY PREMISES KNOWN AS
5906 POINT PLEASANT ROAD
BALTIMORE, MD 21206

By virtue of the power and authority contained in a Deed of Trust from Francis Raspa and Bernadette Raspa, and recorded among the Land Records of Baltimore County, Maryland, in Liber 0021945, folio 197 and at the request of the party secured thereby, default having occurred in the terms and conditions thereof, the undersigned, as Substitute Trustees for the Trustees named in said Deed of Trust, will sell at public auction in front of the County Courts Building, (entrance at 401 Bosley Avenue), Towson, Maryland on

THURSDAY, APRIL 5, 2007
AT 10:30 A.M.

all the property in described in said Deed of Trust as follows:

KNOWN AND DESIGNATED AS LOT NO. 2 BLOCK C AS SHOWN ON THE PLAT OF "PLEASANT PROSPECT" SAID PLAT BEING RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK E.H.K. JR. NO. 36, FOLIO 94. THE IMPROVEMENTS THEREON BEING KNOWN AS NO. 5906 POINT PLEASANT ROAD.

SUBJECT TO BUILDING SETBACK LINE AND EASEMENT AS SHOWN ON ABOVE REFERRED TO PLAT.

SUBJECT TO any unpaid water and sewer charges, building or housing violations, easements, agreements, restrictions, terms, rights of way, covenants, conditions, if any, affecting subject property, whether or not of record.

The property is improved by a dwelling.

Terms of Sale

The property will be sold in "AS IS" condition.

A deposit of Fifteen Thousand Dollars ($15,000.00) will be required at the time of sale, such deposit to be by Bank Cashier's check, or in such other form as the Trustees may determine, in their sole discretion. The balance in cash, with interest at Nine per centum (9.0%) per annum from the date of sale to the date of settlement payable within ten (10) days after final ratification of sale. TIME IS OF THE ESSENCE FOR THE PURCHASER.

The purchaser shall be responsible for obtaining possession of the property and shall assume the risk of loss or damage to the property as of the date of the foreclosure sale. In the event of delay of Court Ratification of the sale for any reason, there shall be no abatement of interest payable by the purchaser. The purchaser will pay a fee of $350.00 to seller's counsel for settlement documents review, and a document review fee of $500.00 for any requested substitution of purchaser.

Adjustment of all taxes, public charges and special or regular assessments, except water and sewer charges, will be made as of the date of sale and thereafter be assumed by the purchaser. Title examination, conveyancing, state revenue stamps, state and county transfer taxes, title insurance and all other costs incident to settlement are to be paid by the purchaser. Conveyance of the property shall be by Substitute Trustees' Deed, without covenant or warranty, express or implied, unless otherwise required by statute, court rule or the Deed of Trust. In the event the Substitute Trustees are unable for any reason to convey title, the purchaser's sole remedy at law or in equity shall be to request and receive a return of the deposit. Upon return of the deposit, this sale shall be void and of no effect and the purchaser shall have no further claim against the Substitute Trustees.

Compliance with terms of sale shall be made within ten (10) days after final ratification of sale or deposit shall be forfeited to the Trustees for application against all expenses, attorney's fees and the full commission on the sale price of the above-scheduled foreclosure sale. In the event of default, all expenses of this sale (including attorney's fees and the full commission on the gross sale price of this sale) shall be charged against and paid out of the forfeited deposit. The Substitute Trustees may then readvertise and resell the property at the risk and cost of the defaultant purchaser; or, without reselling the property, the Substitute Trustees may avail themselves of any legal or equitable remedies against the defaulting purchaser.

MARK EDWARD FUTROVSKY, TODD P. FORSTER,
KALLE M. BANNISTER, Substitute Trustees
3/304 Mar. 15, 22, 29 128158

MERRILL ALTERMAN
Personal Representative(s)

Date of first publication: March 15, 2007
True Copy--Test
GRACE G. CONNOLLY,
Register of Wills, Baltimore County
3/244 March 15, 22, 29 128008

Robert A. Rombro, PA
22 Light Street, Ste. 402
Baltimore, MD 21202

NOTICE OF APPOINTMENT NOTICE TO CREDITORS
NOTICE TO UNKNOWN HEIRS
TO ALL PERSONS INTERESTED IN THE ESTATE OF
EMANUEL MASSING

Notice is given that Michael Massing, 878 West End Ave., Apt. 14B, New York, NY 10025 and Robert A. Rombro, 22 Light St., Suite 402, Baltimore, MD 21202 were on March 2, 2007 appointed personal representative(s) of the estate of Emanuel Massing who died on January 9, 2007 with a will.

Further information can be obtained by reviewing the estate file in the office of the Register of Wills or by contacting the personal representative(s) or the attorney.

All persons having any objection to the appointment (or to the probate of the decedent's will) shall file their objections with the Register of Wills on or before the 2nd day of September, 2007.

Any person having a claim against the decedent must present the claim to the undersigned personal representative(s) or file it with the Register of Wills with a copy to the undersigned on or before the earlier of the following dates:

(1) Six months from the date of the decedent's death, except if the decedent died before October 1, 1992, nine months from the date of the decedent's death; or

(2) Two months after the personal representative(s) mail(s) or otherwise deliver(s) to the creditor a copy of this published notice or other written notice, notifying the creditor that the claim will be barred unless the creditor presents the claims within two months from the mailing or other delivery of the notice. A claim not presented or filed on or before that date, or any extension provided by law, is unenforceable thereafter. Claim forms may be obtained from the Register of Wills.

MICHAEL MASSING
ROBERT A. ROMBRO
Personal Representative(s)

Date of first publication: March 8, 2007
True Copy--Test
GRACE G. CONNOLLY,
Register of Wills, Baltimore County
3/197 Mar. 8, 15, 22 127437

Law Offices
GOOZMAN, BERNSTEIN & MARKUSKI
9101 Cherry Lane, Suite 207
Laurel, Maryland 20708
(301) 953-7480 (410) 792-0075

TRUSTEE'S SALE
Case No. 03-C-07-2407
Of Valuable Improved Real Estate
located in Baltimore County, Maryland
improved by premises located at
3701 Cassen Road
Randallstown, Maryland 21133

Under and by virtue of a Power of Sale contained in a certain Deed of Trust from Marion B. Eldridge and Celestine Eldridge to Roger J. Pederson, Trustee, dated the 6th day of March, 2006, and duly recorded among the Land Records of Baltimore County, Maryland, in Liber 0023535, at Folio 149, docketed for foreclosure in Civil No. 03-C-07-2407, the holder of the indebtedness secured by the Deed Of Trust having appointed Martin L. Goozman and Jeffrey W. Bernstein as Substitute Trustees by instrument duly executed, acknowledged and recorded among the Land Records of the said County, default having occurred under the terms thereof and at the request of the holder of the Note secured thereby, the undersigned Substitute Trustees will offer for sale in "AS IS" condition at public auction in front of the Circuit Court for Baltimore County, Maryland, 401 Bosley Avenue, Courthouse, Towson, Maryland 21204, on

Wednesday, April 4, 2007
at 11:00 a.m.

all that property described in the said Deed Of Trust as follows:

BEING KNOWN AND DESIGNATED as Lot No. 1, in Block B, as shown on the plat of Section 1, Fells Forest, which plat is recorded among the Land Records of Baltimore County in Plat Book GLB No. 24, folio 132.

Said property is improved by a single family residence.

The property will be sold subject to all conditions, restrictions, easements, covenants, rights-of-way and agreements of record affecting the property, and subject to whatever an accurate survey or inspection of the property would disclose, in "AS IS" condition, without any express or implied warranty as to suitability, quality, condition or description, including any contained herein.

A deposit of $10,000.00 cash, certified or cashier's check, payable to the undersigned Trustees, shall be required at the time and place of sale. The balance of purchase price shall bear interest at the rate of 10% per annum from the date of sale to the date of settlement. No deposit shall be required of the noteholder where the noteholder bids on the property at sale and payment of the purchase price by the noteholder shall be made by crediting the purchase price against foreclosure costs and expenses and the indebtedness secured by said Deed Of Trust.

Adjustment on all taxes, public charges and special or regular assessments, annual front foot benefit charges and deferred connection fees, homeowner's association fees and condominium association fees, if any, shall be made as of the date of sale and thereafter assumed by the purchaser. Title examination, conveyancing, transfer tax, recordation tax and all other costs incident to settlement shall be paid by the purchaser.

The Property is sold subject to the right of any persons in possession of all or any part of the premises under recorded or unrecorded leases or rights of occupancy, if any. Purchaser shall be responsible for obtaining possession of the premises.

Compliance with the terms of sale shall be made within ten (10) days after final ratification of the sale unless said time is extended by the undersigned Trustees in their sole discretion for good cause shown, time being of the essence; otherwise the deposit shall be forfeited and the property will be resold at the risk and expense of the defaulting purchaser.

The Trustees are not liable, individually or otherwise, for any reason. If title to the property is not or cannot be transferred consistent with the terms hereof for any reason, the Trustee's liability is limited, at its sole discretion, to return any deposit, thereby rescinding the sale, and there is no other right or remedy against the Trustees at law or in equity.

Martin L. Goozman and Jeffrey W. Bernstein
Substitute Trustees
3/260 Mar. 15, 22, 29 128021

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 9675

DATE 08-28-06 ACCOUNT 001-006-6181.

AMOUNT $ 1325.00

RECEIVED FROM: ALEXANDER & CARICO, LLC

FOR: GENERAL REGISTRATION
11024 REISTERSTOWN RD
R-07-324

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE	ACTUAL DATE	TIME	TRAN
8/28/2006	8/28/2006	10:37:30	2

REG USR2 MAIL JEWN FEE
>>RECEIPT # 473747 08/28/2006 OFLM
Dept 5 532 COMPL/TITLE ISSUING FEE
CR NO. 009675
Rcpt Tot $1,325.00
$1,325.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

ZONING

11024 REISTERSTOWN RD 4-4-07 JBS (JASON SEIDERMAN)

11024 REISTERSTOWN RD 4-4-07 JSS (JASON SEIDELMAN)

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

TO : Timothy Kotroco, Director
Department of Permits and
Development Management
Attn: Carl Richards

DATE: October 30, 2006

FROM : Kathleen C. Bianco
Board of Appeals of Baltimore County

SUBJECT: Cycle IV, 2006-2007 – Reclassification Petitions

Carl:

As promised when you picked up the Petitions for Reclassification filed in Cycle IV, attached is a preliminary listing of thosetwo (2) Petitions for Reclassification filed on July 31, 2006 (14104 Old Hanover Road) and August 24, 2006 (11024 Reisterstown Road). Both are open plans.

Inasmuch as the Petition for 14104 Old Hanover Road has been put on hold, as we discussed last week, I did not assign a hearing date for that particular reclassification petition.

I have included the date of hearing for 11024 Reisterstown Road (Alexander and Larisa M. Wightman). **The hearing for this Petition is scheduled for Tuesday, June 5, 2007 at 10:00 a.m.**

Please forward to me when available the **assigned case number** and any necessary corrections to names and locations so that our docketing work for these files can be completed.

In addition, **please send me a copy of the Notice of Assignment when it is sent out from your office. Lawrence S. Wescott is the current Chairman of the Board (calendar year 2006); Margaret Brassil, Ph.D., will most likely follow him as Chairperson for calendar year 2007, should the notice go out after 12/31/06.**

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

NOTE: PETITIONS AND ACCOMPANYING DOCUMENTS PICKED UP BY MR. RICHARDS FROM CBA OFFICE.

c: Jeffrey Long
Kristen Matthews /PDM
Office of People's Counsel

RECEIVED
NOV 15 2006
BALTIMORE COUNTY
BOARD OF APPEALS

Preliminary List Only

Case # (to be assigned) **Petitioner**

Case No. R-07-224
(Open Plan)

Alexander G. Wightman and Larisa M. Wightman, Legal Owners /Petitioners
11024 Reisterstown Road
SW/s Reisterstown Road, 390', +/-, NE of c/l of Gentlebrook Road
0.63 acre 4th Election District; 4th Councilmanic District

Day /Date of Hearing:

TUESDAY, JUNE 5, 2007 at 10:00 a.m.

Case No. R-07-_____

The Wells Byrd, LLC – Legal Owner /Petitioner
14104 Old Hanover Road
E/s of Hanover Road, 66' of r/w at distance of 2180' to the c/l of the nearest improved intersecting street Old Hanover Road.
97.434 acres +/- 2nd Election District; 3rd Councilmanic District

Day /Date of Hearing:

NONE ASSIGNED; PETITION ON HOLD PER CR

SURVEYING INC.

200 E. Joppa Road
Shell Building, Suite 101
Towson, MD 21286

tel. 410.828.9060
fax. 410.828.9066

www.alterlitesurveying.com

August 3, 2006

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

Re: The Wells Byrd LLC #1
#076 Reclass, #080 Sign
14104 Old Hanover Road

TO WHOM IT MAY CONCERN:

The above project was filed on July 31, 2006. We are requesting that a hold be placed on the file at this time, We will contact you when to reactivate the file.

Sincerely,

Vincent J. Moskunas, Sr

Vincent J. Moskunas., Sr
President

cc: Donna Thompson

l.m. 9/18/06
V. Moskunas
Do call me on
9/20/06

County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

March 23, 2007

NOTICE OF ASSIGNMENT –
TO SUBMIT AMENDED /DOCUMENTED PLAN AND PETITION

CASE #: R-07-224

(Cycle IV, 2006/2007)

IN THE MATTER OF: ***ALEXANDER G. WIGHTMAN, ET UX*** **–Legal Owners /Petitioners**
11024 Reisterstown Road 4th Election District; 4th Councilmanic District

Reclassification: From OR to CB

THIS HEARING HAS BEEN SPECIALLY ASSIGNED FOR THE PURPOSE OF SUBMITTAL OF A DOCUMENTED /AMENDED SITE PLAN AND ACCOMPANYING DOCUMENTATION. NO EVIDENCE OR TESTIMONY AS TO THE MERITS OF THE CASE WILL BE PRESENTED AT THIS HEARING.

ASSIGNED FOR: **THURSDAY, APRIL 19, 2007 at 9:30 a.m.**

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

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

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

Kathleen C. Bianco /Administrator

c: Counsel for Petitioners /Legal Owners : Alfred J. Szczerbicki, Esquire
Petitioners /Legal Owners : Alexander G. and Larisa M. Wightman

Thomas A. Church /Development Engineering Consultants

Carol Saffran-Brinks, Assistant County Attorney
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director
Jeffrey Long /Planning
Baltimore County Council, 4th District
William J. Wiseman III /Zoning Commissioner
W. Carl Richards /PDM
Timothy M. Kotroco, Director /PDM
John E. Beverungen, County Attorney

Printed with Soybean Ink
on Recycled Paper

County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 19, 2007

NOTICE OF ASSIGNMENT

CASE #: CR-07-224

(Cycle IV, 2006/2007)

IN THE MATTER OF: ***ALEXANDER G. WIGHTMAN, ET UX*** **–Legal Owners /Petitioners**
11024 Reisterstown Road 4th Election District; 4th Councilmanic District

Reclassification: From OR 1 to CB in accordance with Documented Site Plan and related documentation submitted on 4-19-07 in open hearing

SCHEDULED FOR THE FOLLOWING DATES:

TO OPEN CASE ONLY: TUESDAY, JUNE 5, 2007 at 10:00 a.m. (AS ADVERTISED)

HEARING ON MERITS: ~~TUESDAY, JUNE 12, 2007 at 10:00 a.m.~~

NOTE: This matter will be opened on the advertised date of 6/05/2007; however, the hearing on the merits, including evidence and testimony, is scheduled for Tuesday, June 12, 2007 at 10:00 a.m.

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

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

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

---

c: Counsel for Petitioners /Legal Owners : Alfred J. Szczerbicki, Esquire
Petitioners /Legal Owners : Alexander G. and Larisa M. Wightman
Thomas A. Church /Development Engineering Consultants

Interested Parties : Steven Scott
Ann Benz

Carol Saffran-Brinks, Assistant County Attorney
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director
Jeffrey Long /Planning
Baltimore County Council, 4th District
William J. Wiseman III /Zoning Commissioner

W. Carl Richards /PDM
Timothy M. Kotroco, Director /PDM
John E. Beverungen, County Attorney

Printed with Soybean Ink
on Recycled Paper

Case No. CR-07-224

IN THE MATTER OF: ALEXANDER G. WIGHTMAN, ET UX
Legal Owners /Petitioners
11024 Reisterstown Road
4th Election District; 4th Councilmanic District

Cycle IV, 2006/2007

Reclassification from OR 1 to CB

0.63 acre

DOCUMENTED SITE PLAN

Filed as Open Plan - Scheduled for hearing on merits – June 5, 2007 as filed
Request for early hearing date from T. Church – to amend on record to DOCUMENTED PLAN

3/23/07 – Confirmed with Kristen M. /PDM that ad has been placed for this matter to be scheduled and opened on April 19, 2007 at 9:30 a.m.
-- Notice of Assignment /To Submit Amended /Documented Plan and Petition sent to parties this date; assigned for Thursday, April 19, 2006 at 9:30 a.m. for sole purpose of submittal of amended / docuented site plan and accompanying documentation. No evidence or testimony as to the merits of the petition will be received on 4/19/06. FYI copy to Kristen Matthews and Carl Richards.
-- Hearing is scheduled for 6/05/07 on the merits, as originally advertised.

AMENDED PLAN TO BE SUBMITTED ON 4/19/07 – DOCUMENTED SITE PLAN. TO BE OPENED ON ASSIGNED DATE OF 6/05/07; HEARING ON MERITS TO TAKE PLACE ON TUESDAY, JUNE 12, 2007 AT 10:00 A.M. TO ALLOW TIME FOR RESPONSE FROM PLANNING BOARD PRIOR TO HEARING ON MERITS. NOTICE TO BE SENT.

4/19/07 – Board convened for purpose of receiving amended /documented plan and related material (3-5-1).
-- Memo to T. Kotroco forwarding Amended /Documented Site Plan and accompanying documentation for processing.
-- Notice of Assignment /to open as advertised only and second date for hearing on the merits-- **Assigned to be opened on Tuesday, June 5, 2007 at 10 a.m. as advertised; hearing on merits to take place on Tuesday, June 12, 2007 at 10:00 a.m.**

5/24/07 NOTE – Changed legal counsel to Superintendent, Board of Education, to Margaret-Ann F. Howie, Esquire; same mailstop #.

6/05/07 – Board convened for purpose of opening this case on the advertised date (Wescott, Mohler M, Crizer); case was opened and continued for hearing on the merits of the case on Tuesday, June 12, 2007 at 10 a.m. Same panel will not be required since no testimony or evidence was received.

6/08/07 – Notice of withdrawal of petition filed by A. J. Szczerbicki, Esquire, on behalf of Petitioners. Order of Dismissal to be issued. Hearing pulled from schedule.

ALEXANDER G. WIGHTMAN
–Legal Owner /Petitioner

CR-07-224

2006-2007 /CYCLE IV

SW/s Reisterstown Road, 390' +/- NE of c/l
of Gentlebrook Road
11024 Reisterstown Road

4th Election District
4th Councilmanic District

From: OR 1 to CB
0.63 acre

Filed as Open Plan

August 24, 2006 — Petition for Reclassification filed by Alfred J. Szczerbicki, Esquire, behalf of Alexander G. Wightman and Larisa M. Wightman, Legal Owners /Petitioners.

Alfred J. Szczerbicki, Esquire
28 Allegheny Avenue
Suite 500
Towson, MD 21204

Counsel for Legal Owner /Petitioner

Alexander G. Wightman and
Larisa M. Wightman
1977 Westminster Pike
Reisterstown, MD 21136

Petitioners /Legal Owners

Thomas A. Church
Development Engineering Consultants
6603 York Road
Baltimore, MD 21212

GREGORY & ANN BENZ
24 PLEASANT HILL RD
OWINGS MILLS, MD 21117-2423

(410) 581-9868

Carol Saffran-Brinks
Assistant County Attorney
Office of Law –Bd of Education
Mail Stop #1102-J

STEVEN SCOTT
12 PLEASANT HILL ROAD
OWINGS MILLS MD 21117

(410) 949-9494

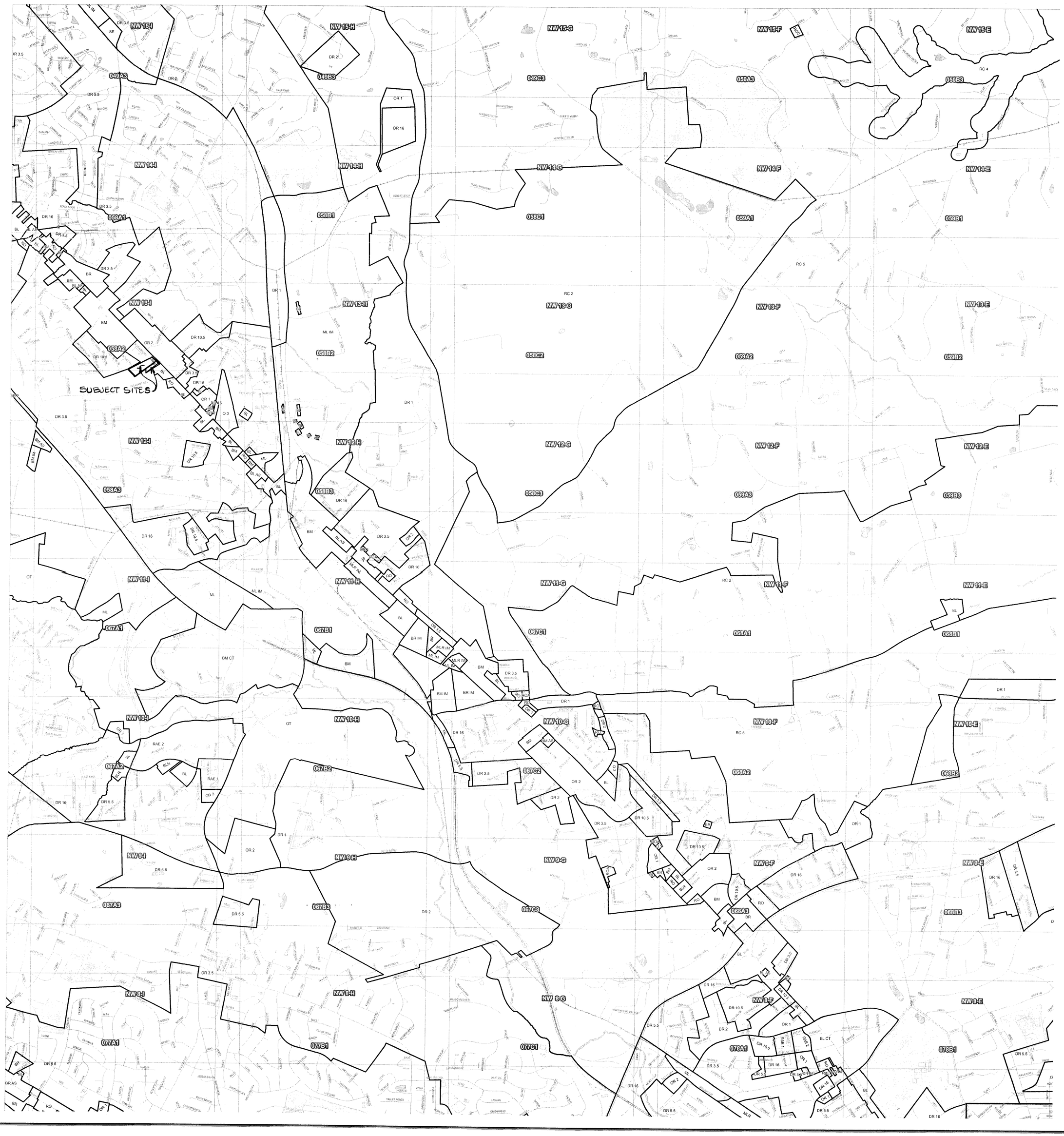
People's Counsel for Baltimore County

Jeffrey Long, Deputy Director /Planning
Pat Keller, Planning Director
William J. Wiseman III /Zoning Commissioner
W. Carl Richards /PDM
Timothy M. Kotroco, Director /PDM
Baltimore County Council, 4th District
John E. Beverungen, County Attorney

ALEXANDER AND LARISA WIGHTMAN –LEGAL OWNERS
CASE NO. CR-07-224

FILE 1 OF 2 – Board's case file.

(File #2 contains additional petitions, plans, and related documentation.)

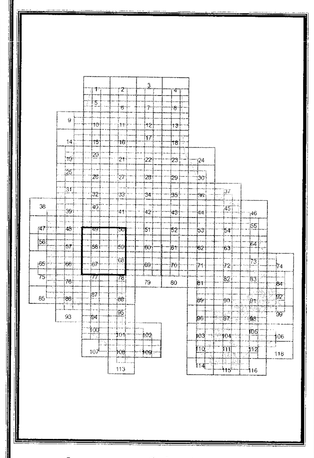


BALTIMORE COUNTY

Permits & Development Zoning Maps

Legend

- Zoning
- New 200' Scale Grid
- Old 200' Scale Grid
- Railroad
- Roads
- County Border
- Board of Education
- Military
- Recreation And Parks



Area of Interest

N

©

Scale: 1:12000
1" = 1000'

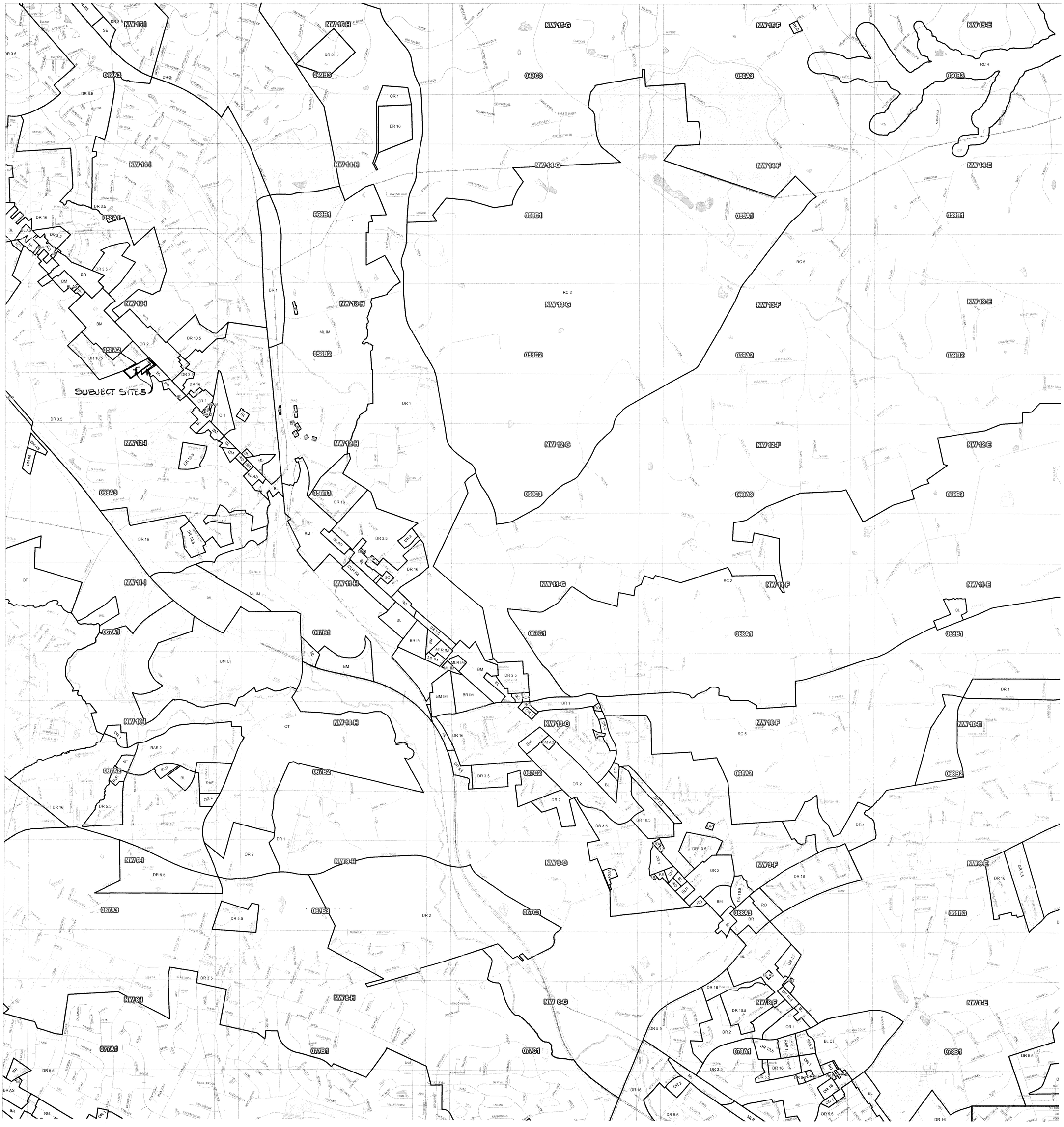
0 700 1,400 2,800 Feet

DISCLAIMER:

The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Data Sources:
Planimetric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

Prepared By LACQGIS. JSM.
Baltimore County Department of
Permits & Development.
March 1, 2005 d:\arcmap\PDM Zoning Maps.mxd



BALTIMORE COUNTY

Permits & Development Zoning Maps

Legend

- Zoning
- New 200' Scale Grid
- Old 200' Scale Grid
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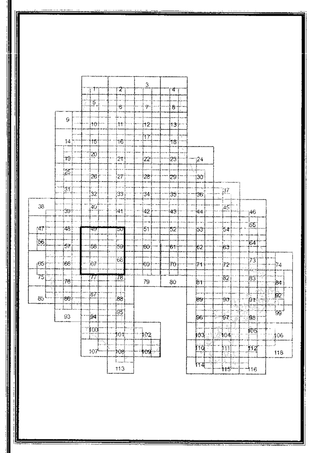

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1:2400, from 1995/96 photography
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Prepared By LACQGIS. JSM.
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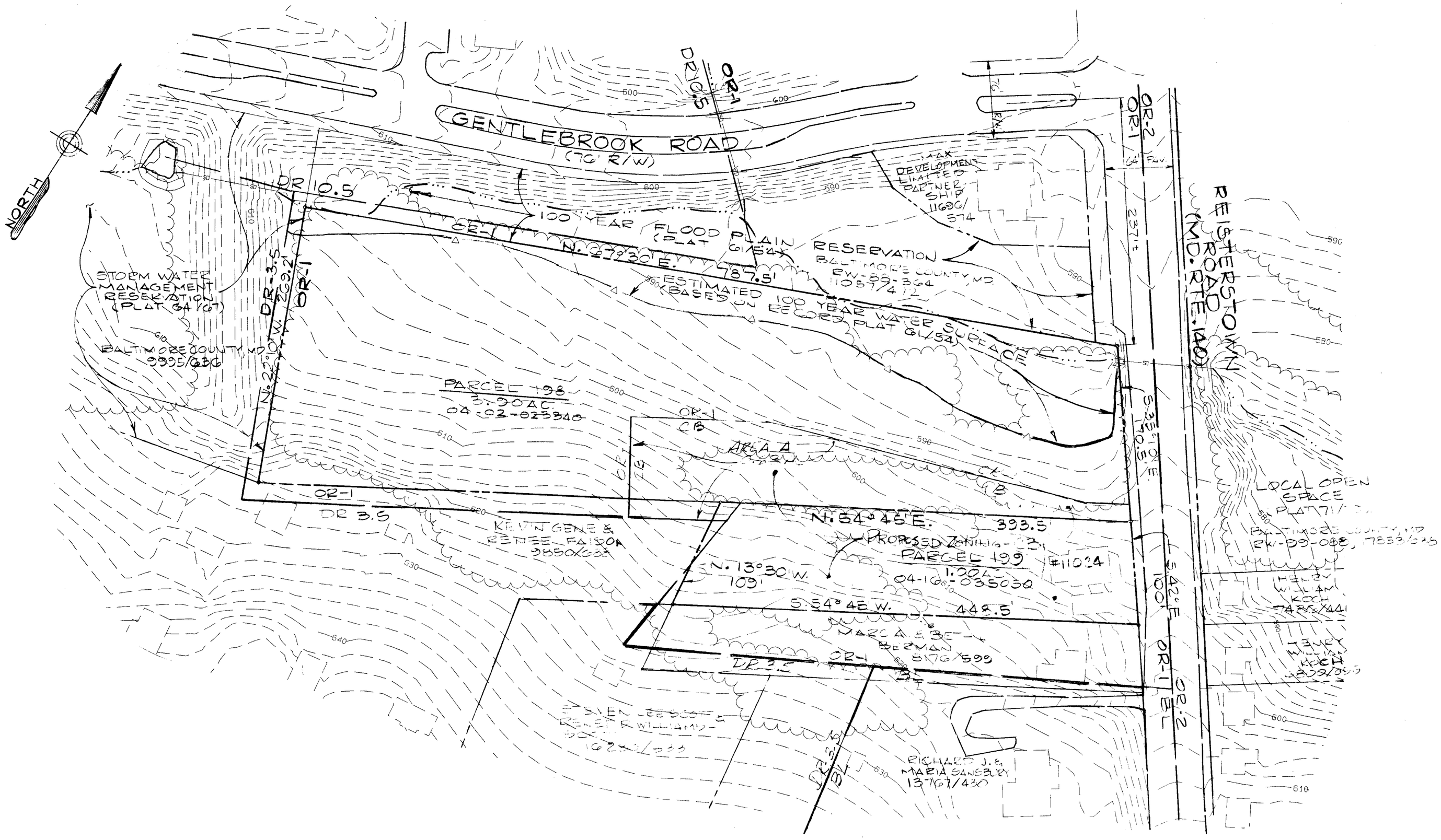
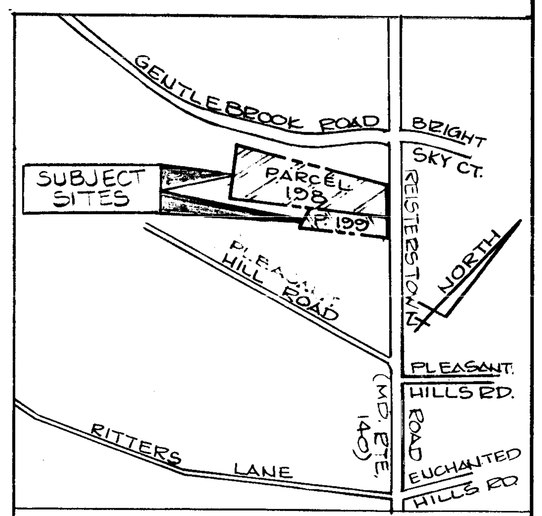




VICINITY MAP
SCALE: 1" = 500'

SITE INFORMATION

ELECTION DISTRICT NO.: 4 TH

COUNCILMANIC DISTRICT NO.: 4TH

ZONING: OR-1 (EXIST.)
(REFERENCE MAP: 058 A2) CB (PROP.)

ADC MAP: 24 E, F 1

AREA OF SITE: (FROM M.D.A.T. RECORDS)
NET= 213,444 S.F. = 4.90 AC. +/-
GROSS= 221,553 S.F. = 5.09 AC. +/-
(AREA IS TOTAL FOR BOTH PARCELS

	PUBLIC	PRIVATE
SEWER	X	
WATER	X	

	YES	NO
CHESAPEAKE AREA CRITICAL AREA		X

AREA DESIGNATION: N/A

NOTE:
THIS SITE IS NOT IN A MORATORIUM OR "FAILURE OF BASIC SERVICES" AREA ON THE "BASIC SERVICES MAPS" IN ROOM 123 OF THE BALTIMORE CO. OFFICE BUILDING

ZONING OFFICE USE ONLY

REVIEWED BY ISSUE # CASE #

PROPERTY DATA
OWNER: ALEXANDER G. & LARISA M. WIGHTMAN
ADDRESS: 1077 WESTMINSTER ROAD
REISTERSTOWN, MD., 21136
TAX ACCOUNT NUMBERS: 04-02-023340 & 04-16-035050
DEED REFERENCE: 23185/644
TAX MAP AND PARCEL NO.:
MAP: 58 PARCEL 198 & 199

A 100 YEAR FLOODPLAIN EXISTS ON PARCEL 198.

NOTE: ALL BEARINGS AND DISTANCES SHOWN FOR THE SUBJECT SITES ARE TAKEN FROM THE RESPECTIVE DESCRIPTIONS IN DEED 23185/644, AND THEY DO NOT REFLECT A PROPERTY LINE SURVEY.

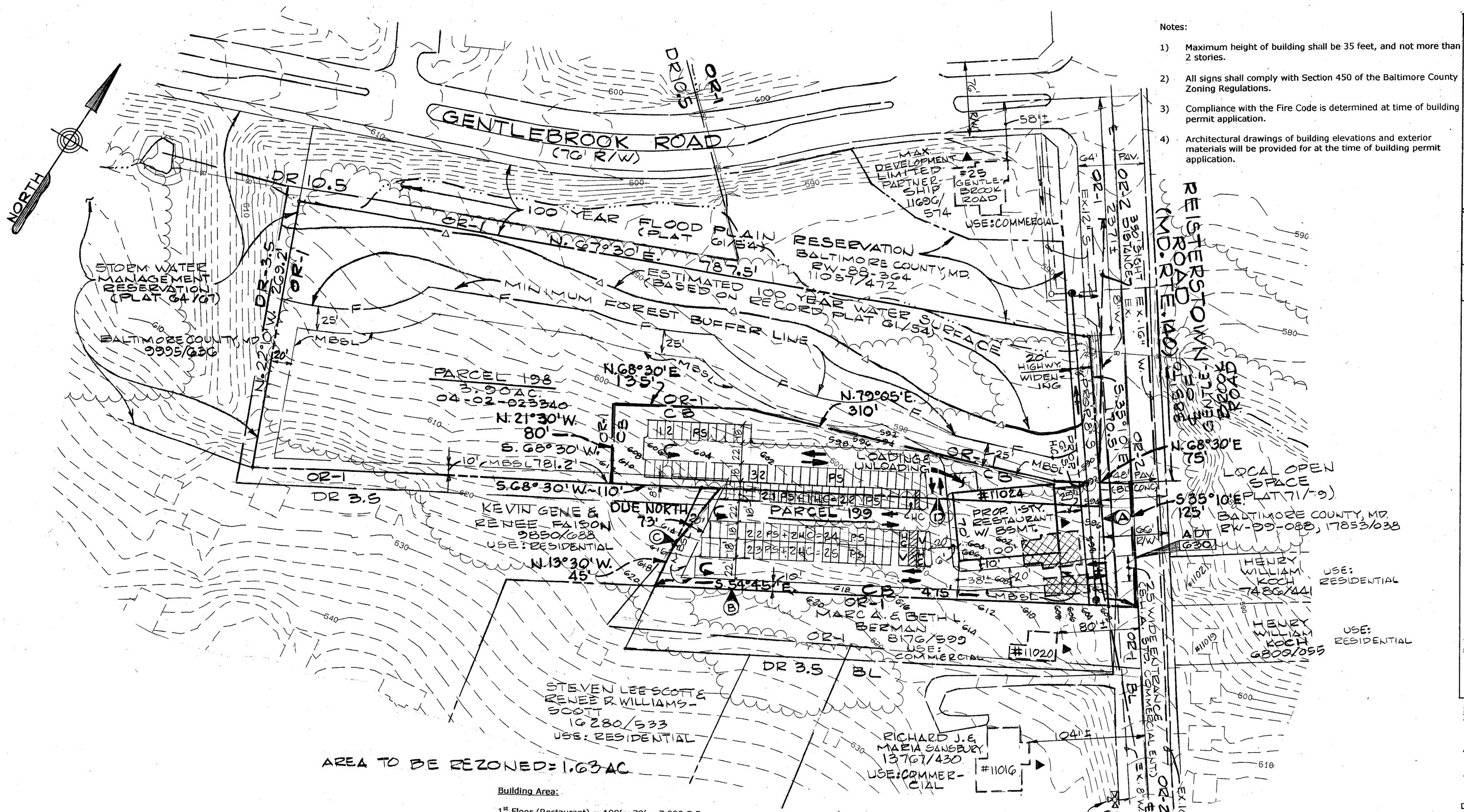
Drafting T.L.B.		
Check T.A.C.		
Design		
Check	DATE	REVISIONS

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6603 YORK ROAD (410) 377-2600 BALTIMORE, MARYLAND 21212

APPLICANTS
ALEXANDER G. & LARISA M. WIGHTMAN
1077 WESTMINSTER ROAD
REISTERSTOWN, MD. 21136

UNDOCUMENTED PLAN TO ACCOMPANY
RECLASSIFICATION PETITION
11024 REISTERSTOWN ROAD
ELECTION DISTRICT 4 C 4 ~ BALTIMORE COUNTY, MD.

SHEET	DATE	CONTRACT NUMBER
1 OF 1	AUG. 22, 2006	06-125
	SCALE 1" = 50'	



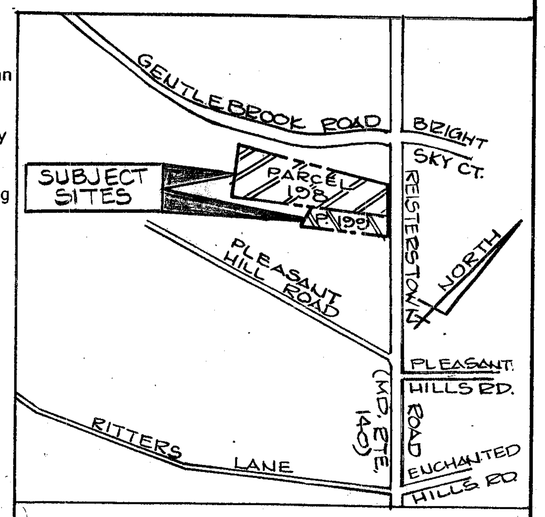
Notes:

1) Maximum height of building shall be 35 feet, and not more than 2 stories.

2) All signs shall comply with Section 450 of the Baltimore County Zoning Regulations.

3) Compliance with the Fire Code is determined at time of building permit application.

4) Architectural drawings of building elevations and exterior materials will be provided for at the time of building permit application.



VICINITY MAP
SCALE: 1" = 500'

SITE INFORMATION

ELECTION DISTRICT NO.: 4 TH

COUNCILMANIC DISTRICT NO.: 4 TH

ZONING: OR-1 (EXIST.)
(REFERENCE MAP: 058 A2.) CB (PROP.)

ADC MAP: 24 E,F 1

AREA OF SITE: (FROM M.D.A.T. RECORDS)
NET= 213,444 S.F. = 4.90 AC +/-
GROSS= 221,559 S.F. = 5.09 AC +/-
(AREA IS TOTAL FOR BOTH PARCELS)

EXISTING USE		PUBLIC	PRIVATE
COMMERCIAL	SEWER	X	
PROPOSED USE	WATER	X	

	YES	NO
STANDARD RESTAURANT W/ CARRY OUT (AUXILLARY USE) CHESAPEAKE AREA CRITICAL AREA		X
AREA DESIGNATION: N/A		

PRIOR ZONING HEARINGS:
CASE 1401-S: CHANGE FROM "A" RESIDENCE ZONE TO "E" COMMERCIAL ZONE FOR SERVICE STATION. GRANTED. 3/18/49
PREVIOUS COMMERCIAL PERMITS:
NONE ON FILE

ZONING OFFICE USE ONLY

REVIEWED BY | ISSUE # | CASE #

PROPERTY DATA
OWNER: ALEXADER G. & LARISA M. WIGHTMAN
ADDRESS: 1077 WESTMINSTER ROAD
REISTERSTOWN, MD., 21136
TAX ACCOUNT NUMBERS: 04-02-023340 & 04-16-035050
DEED REFERENCE: 23185/644
TAX MAP AND PARCEL NO.:
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A 100 YEAR FLOODPLAIN EXISTS ON PARCEL 198. THIS WILL NOT ADVERSELY AFFECT THE PROPOSED PRINCIPAL USE STRUCTURE.

Building Area:

1st Floor (Restaurant) = 100' x 70' = 7,000 S.F.
(Basement will only be used for storage and will only have an 8 foot ceiling)

Parking Data:

Required:
(Restaurant Only, None Required for Storage)
(7,000 S.F. x 16)/1,000 = 112 P.S.
Provided:
(Includes 5 H.C. with 2 being Van Accessible = 115 P.S.

Floor Area Ratio (FAR):
FAR = 7,000 S.F./221,559 S.F. = 0.03 (Less than 0.33)

NOTE:
THIS SITE IS NOT IN A MORATORIUM "FAILURE OF BASIC SERVICES" AREA ON THE "BASIC SERVICES MAPS" IN ROOM 123 OF BALTIMORE COUNTY OFFICE BUILDING

BEARINGS & DISTANCES FOR PARCEL 199 (1.00 AC.) (04-16-035050)

A	S. 42° E.	100'
B	S. 54° 45' W.	448.5'
C	N. 13° 30' W.	109'
D	N. 54° 45' E.	393.5'

NOTE: ALL BEARINGS AND DISTANCES SHOWN FOR THE SUBJECT SITES ARE TAKEN FROM THE RESPECTIVE DESCRIPTIONS IN DEED 23185/644, AND THEY DO NOT REFLECT A PROPERTY LINE SURVEY.

LEGEND

- EXISTING ON-SITE BUILDINGS TO BE RAZED.
- FRONT ORIENTATION ARROW
- TRAFFIC FLOW ARROW
- M.B.S.L. MINIMUM BUILDING SETBACK
- —A— 100 YEAR WATER SURFACE (100 YEAR FLOOD PLAIN)
- —F— MINIMUM FOREST BUFFER LINE
- PROPERTY LINE
- EXISTING TREE LINE
- ADT 630 AVERAGE DAILY TRIPS [(7,000 SF x 90)/1000 = 630]
- OR-1 BL ZONING LINE

STATE OF MARYLAND — THOMAS A. CHURCH — No. 6611 — REGISTERED PROFESSIONAL ENGINEER

Drafting T.L.B.		
Check T.A.C.		
Design		
Check	DATE	REVISIONS

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
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11024 REISTERSTOWN ROAD
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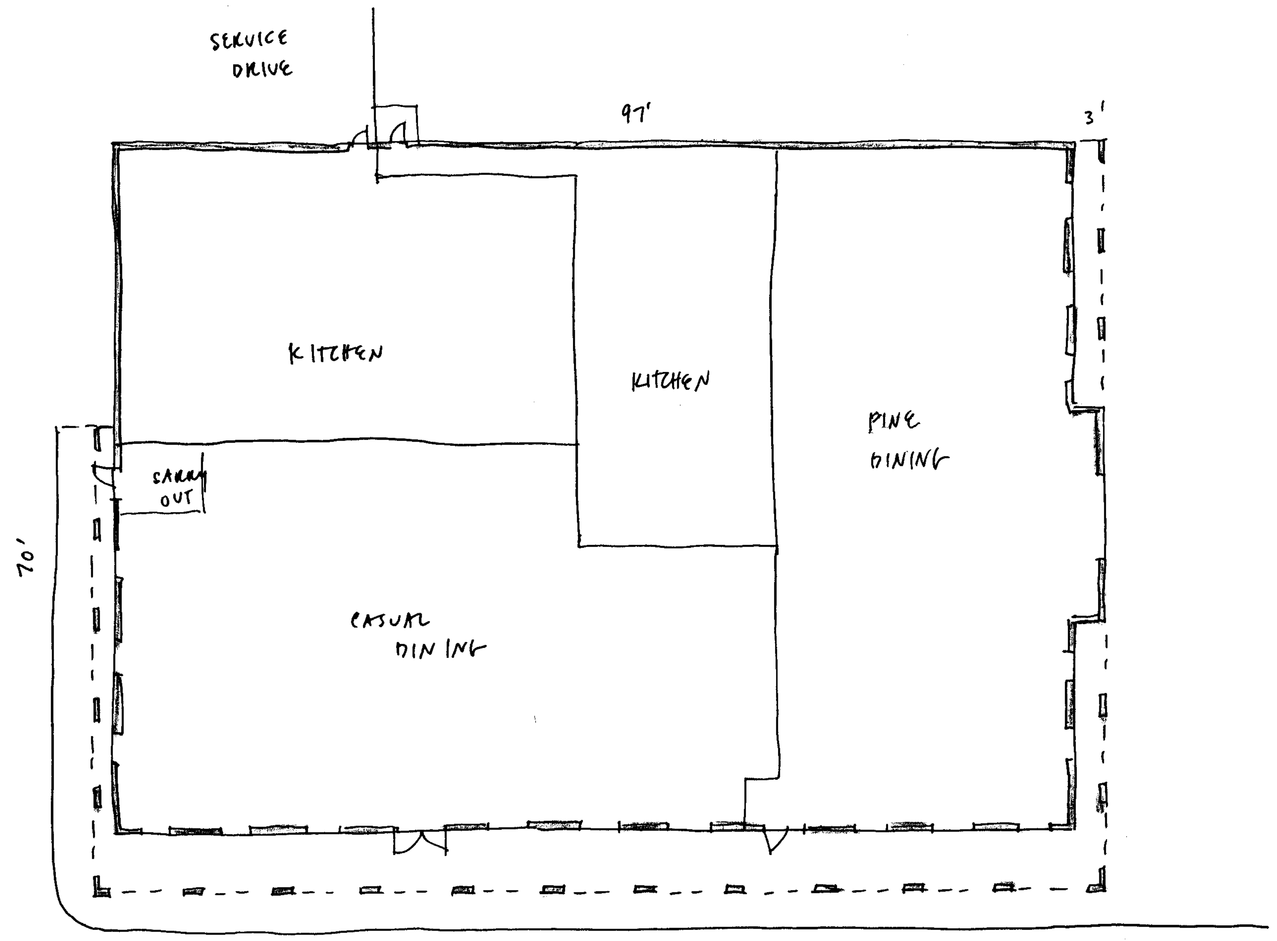
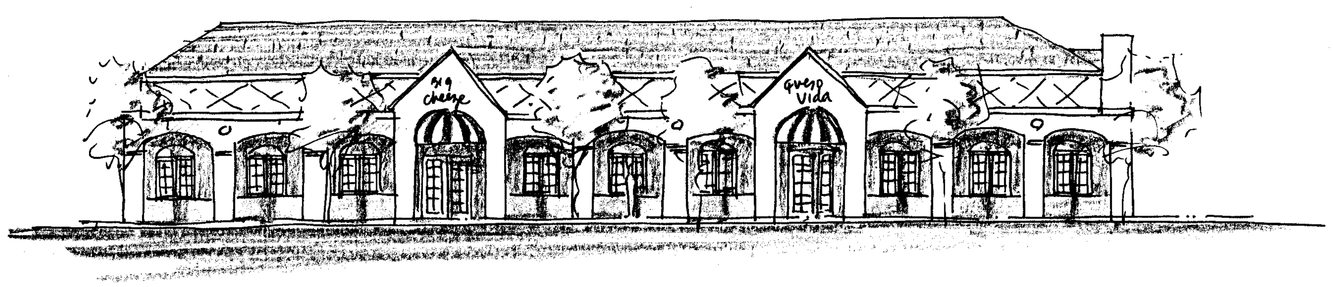
SHEET	DATE	CONTRACT NUMBER
1 OF 1	APR. 18, 2007	06-125
	SCALE 1" = 50'	



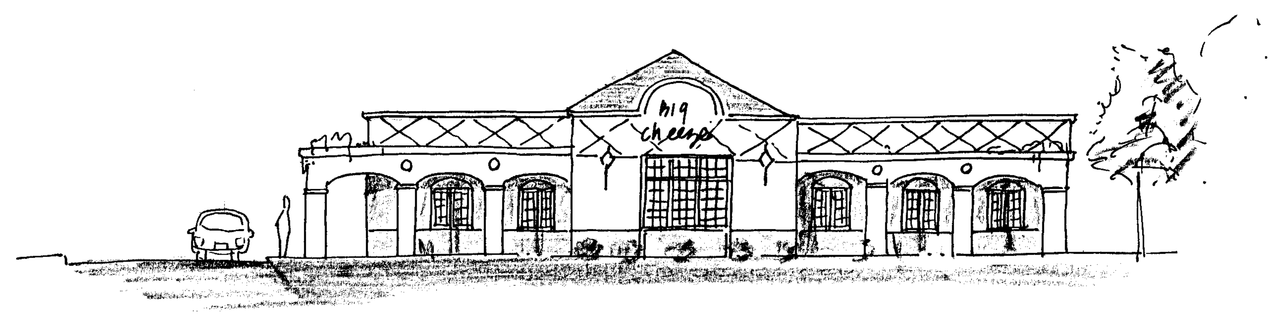
FLOOR PLAN

SCALE: 1"=10'



ELEVATION

SCALE: 1"=10'



ELEVATION FRONT

SCALE: 1"=10'

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE STATE OF MARYLAND, LICENSE 1622 EXPIRATION 06.11.07

CONSULTANTS

MECHANICAL & ELECTRICAL | CIVIL | CONTRACTOR

PAUL J. GORMAN, ARCHITECT
MEMBER OF THE AMERICAN INSTITUTE OF ARCHITECTS
205 E. JOPPA ROAD, SUITE 605
TOWSON, MD 21286
OFC. 410-832-7666 FAX. 410-832-7668
EMAIL: GORMANARCHITECTS@EROLS.COM

ARCHITECT

THE BIG CHEESE

11024 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

PROJECT NUMBER
00000

SCALE
AS NOTED

DRAWN BY
XXXXXXXX

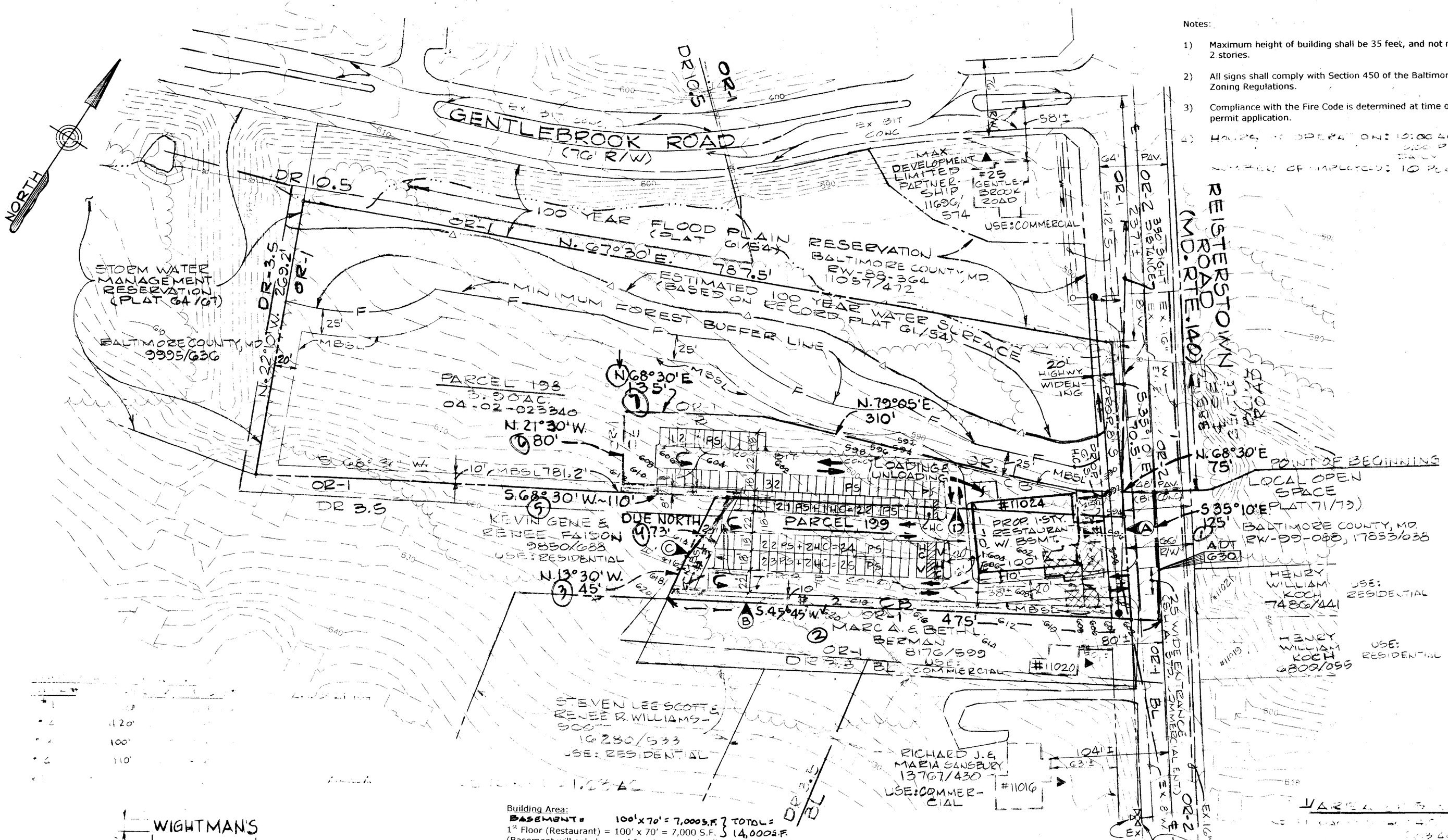
DATE
03/01/07

SHEET TITLE

REVISIONS

SHEET NUMBER

A-1



Notes:

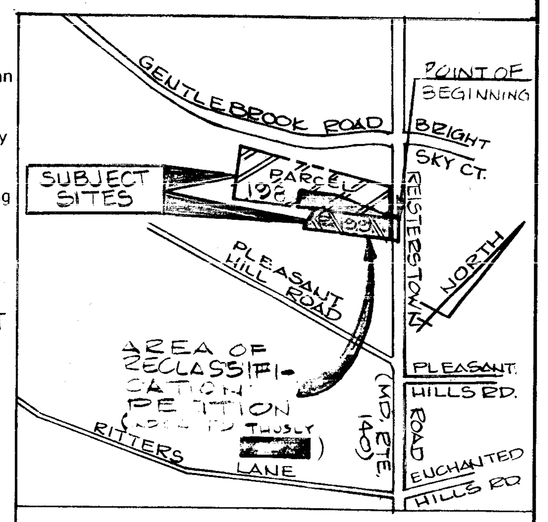
1) Maximum height of building shall be 35 feet, and not more than 2 stories.

2) All signs shall comply with Section 450 of the Baltimore County Zoning Regulations.

3) Compliance with the Fire Code is determined at time of building permit application.

4) HOURS OF OPERATION: 10:00 A.M. TO 10:00 P.M. DAILY

NUMBER OF EMPLOYEES: 10 PER SHIFT



VICINITY MAP
SCALE: 1" = 500'

SITE INFORMATION

ELECTION DISTRICT NO.:	4TH
COUNCILMANIC DISTRICT NO.:	4TH
ZONING: (REFERENCE MAP: 058 A 2)	OR-1 (EXIST.) CB (PROP.)
ADC MAP:	24 E, F 1

AREA OF SITE: TO BE REZONED
NET= 71,503 S.F.= 1.63 AC.+/-
GROSS= 71,003 S.F.= 1.63 AC.+/-
(AREA IS TOTAL FOR BOTH PARCELS)

EXISTING USE		PUBLIC	PRIVATE
COMMERCIAL	SEWER	X	
PROPOSED USE	WATER	X	

STANDARD RESTAURANT W/ CARRYOUT (AUXILLARY USE)	YES	NO
CHESAPEAKE AREA CRITICAL AREA		X

AREA DESIGNATION: N/A

PRIOR ZONING HEARINGS:
CASE 1401-S: CHANGE FROM "A" RESIDENCE ZONE TO "E" COMMERCIAL ZONE FOR SERVICE STATION, GRANTED. 3/18/49

PREVIOUS COMMERCIAL PERMITS:
NONE ON FILE

ZONING OFFICE USE ONLY

REVIEWED BY | ISSUE # | CASE #

PROPERTY DATA
OWNER: ALEXADER G. & LARISA M. WIGHTMAN.

ADDRESS: 1077 WESTMINSTER ROAD
REISTERSTOWN, MD., 21136

TAX ACCOUNT NUMBERS: 04-02-023340 & 04-16-035050

DEED REFERENCE: 23185/644

TAX MAP AND PARCEL NO.:
MAP: 58 PARCEL 198 & 199

A 100 YEAR FLOODPLAIN EXISTS ON PARCEL 198. THIS WILL NOT ADVERSELY AFFECT THE PROPOSED PRINCIPAL USE STRUCTURE.

Building Area:
BASEMENT = 100' x 70' = 7,000 S.F. } TOTAL = 14,000 S.F.
1st Floor (Restaurant) = 100' x 70' = 7,000 S.F.
(Basement will only be used for storage and will only have an 8 foot ceiling)

Parking Data:

Required:
(7,000 S.F. x 16)/1,000 = 112 P.S.
Provided:
(Includes 5 H.C. with 2 being Van Accessible = 115 P.S.

Floor Area Ratio (FAR): BASED ON ENTIRE SITE AREA =
FAR = 14,000 S.F./221,559 S.F. = 0.06 (Less than 0.33) (221,559 S.F.)

NOTE:
THIS SITE IS NOT IN A MORATORIUM "FAILURE OF BASIC SERVICES" AREA ON THE "BASIC SERVICES MAPS" IN ROOM 123 OF BALTIMORE COUNTY OFFICE BUILDING

WIGHTMAN'S
20'
(FRONT OF BUILDING)
SIGN DETAIL
20' x 2.5' = 50 S.F.

BEARINGS & DISTANCES FOR PARCEL 199 (04-16-035050)

A	S. 42° E.	100'
B	S. 54° 45' W.	448.5'
C	N. 13° 30' W.	109'
D	N. 54° 45' E	393.5'

NOTE: ALL BEARINGS AND DISTANCES SHOWN FOR THE SUBJECT SITES ARE TAKEN FROM THE RESPECTIVE DESCRIPTIONS IN DEED 23185/644, AND THEY DO NOT REFLECT A PROPERTY LINE SURVEY.

AREA TABULATION (PER M.P.A.)
4.90 AC. ± 0.19 AC. = 5.09 AC. (221,559 S.F.)

LEGEND
- EXISTING ON-SITE BUILDINGS TO BE RAZED.
- FRONT ORIENTATION ARROW
- TRAFFIC FLOW ARROW
- M.B.S.L. MINIMUM BUILDING SETBACK
- A — 100 YEAR WATER SURFACE (100 YEAR FLOOD PLAIN)
- F — MINIMUM FOREST BUFFER LINE
- PROPERTY LINE
- EXISTING TREE LINE
- ADT 630 — AVERAGE DAILY TRIPS [(7,000 SF x 90)/1000 = 630]
- OR-1 BL — ZONING LINE

Revised

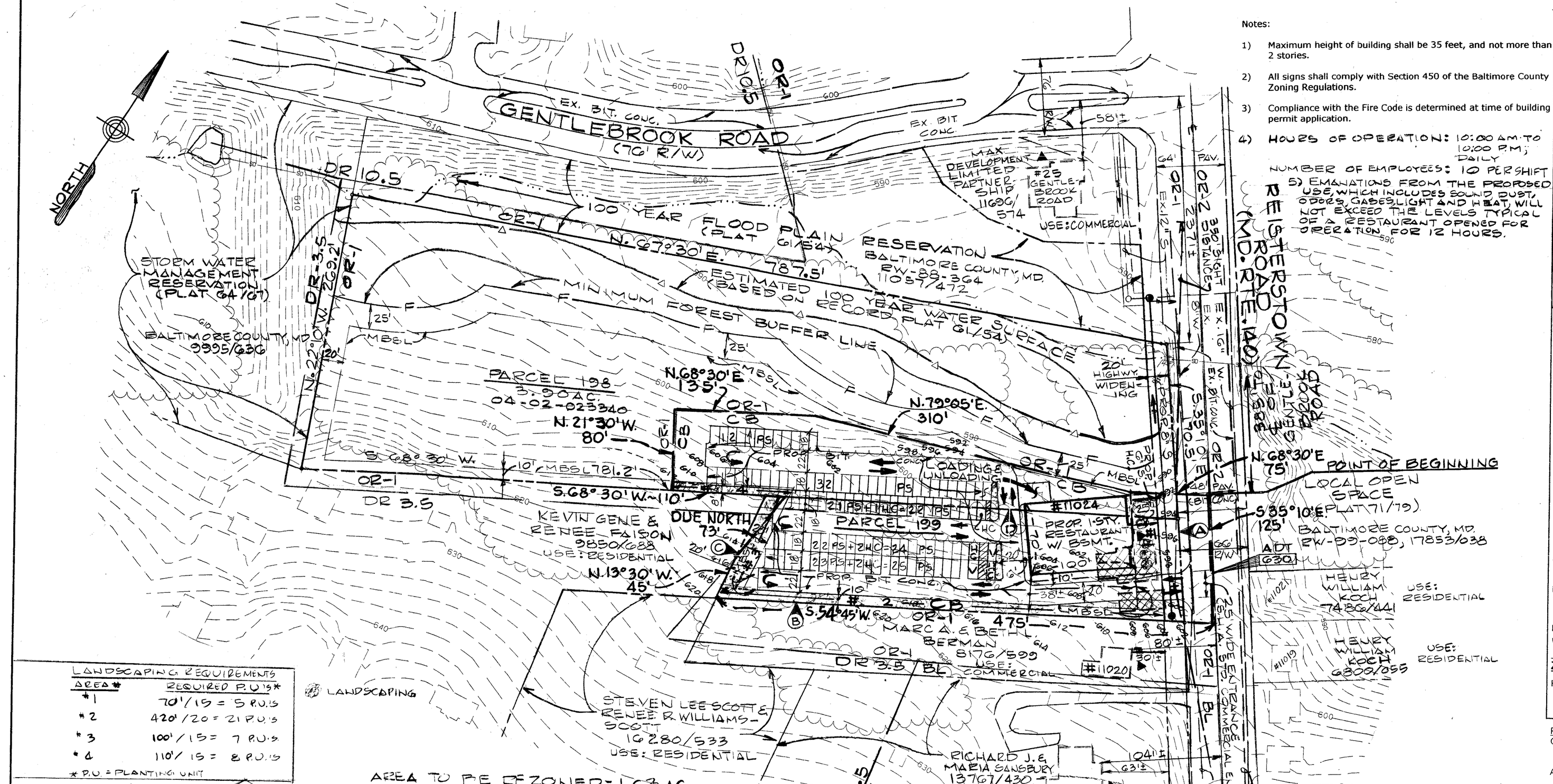
Drafted: T.L.B.			
Checked: T.A.C.			
Date: 02	DATE	REVISIONS	
Check:			

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6603 YORK ROAD (410) 377-2600 BALTIMORE, MARYLAND 21212

APPLICANTS
ALEXANDER G. & LARISA M. WIGHTMAN
1077 WESTMINSTER ROAD
REISTERSTOWN, MD. 21136

DOCUMENTED PLAN TO ACCOMPANY
RECLASSIFICATION PETITION
11024 REISTERSTOWN ROAD
ELECTION DISTRICT 4 C 4 ~ BALTIMORE COUNTY, MD.

SHEET	DATE	CONTRACT NUMBER
1 OF 1	APR. 15 2002 REV. 05/02/02	06-125
	SCALE 1" = 50'	



Notes:

1) Maximum height of building shall be 35 feet, and not more than 2 stories.

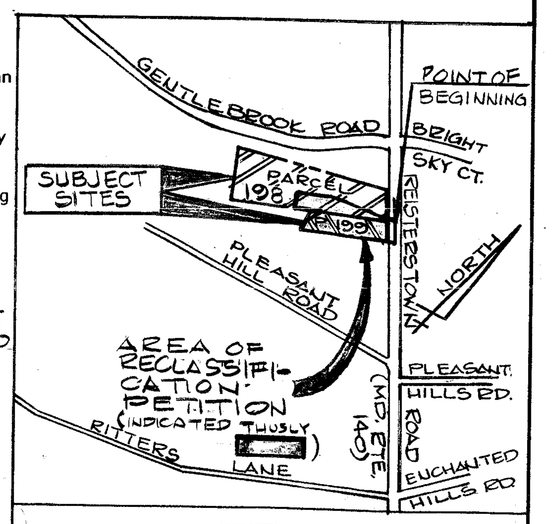
2) All signs shall comply with Section 450 of the Baltimore County Zoning Regulations.

3) Compliance with the Fire Code is determined at time of building permit application.

4) HOURS OF OPERATION: 10:00 AM TO 10:00 P.M; DAILY

NUMBER OF EMPLOYEES: 10 PER SHIFT

5) EMANATIONS FROM THE PROPOSED USE, WHICH INCLUDES SOUND, DUST, ODORS, GASES, LIGHT AND HEAT, WILL NOT EXCEED THE LEVELS TYPICAL OF A RESTAURANT OPENED FOR OPERATION FOR 12 HOURS.



VICINITY MAP
SCALE: 1" = 500'

SITE INFORMATION

ELECTION DISTRICT NO.:	4 TH
COUNCILMANIC DISTRICT NO.:	4 TH
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ADC MAP:	24 E, F 1

AREA OF SITE: TO BE REZONED
NET= 71,003 S.F. = 1.63 AC +/-
GROSS= 71,003 S.F. = 1.63 AC +/-
(AREA IS TOTAL FOR BOTH PARCELS)

EXISTING USE		PUBLIC	PRIVATE
COMMERCIAL	SEWER	X	
PROPOSED USE	WATER	X	

STANDARD RESTAURANT W/ CARRY OUT (AUXILLARY USE)	YES	NO
CHESAPEAKE AREA CRITICAL AREA AREA DESIGNATION: N/A		X

PRIOR ZONING HEARINGS:
CASE 1401-S: CHANGE FROM "A" RESIDENCE ZONE TO "B" COMMERCIAL ZONE FOR SERVICE STATION, GRANTED.
PREVIOUS COMMERCIAL PERMITS: 3/18/49
NONE ON FILE

ZONING OFFICE USE ONLY

REVIEWED BY	ISSUE #	CASE #

PROPERTY DATA
OWNER: ALEXADER G. & LARISA M. WIGHTMAN
ADDRESS: 1077 WESTMINSTER ROAD REISTERSTOWN, MD., 21136
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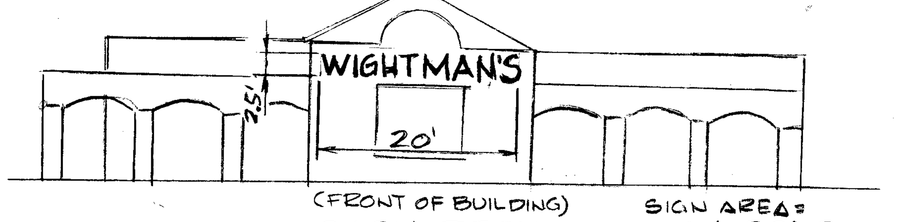
TAX MAP AND PARCEL NO.: MAP: 58 PARCEL 198 & 199

A 100 YEAR FLOODPLAIN EXISTS ON PARCEL 198. THIS WILL NOT ADVERSELY AFFECT THE PROPOSED PRINCIPAL USE STRUCTURE.

LANDSCAPING REQUIREMENTS

AREA #	REQUIRED P.U.'S*
#1	70'/15 = 5 P.U.'S
#2	420'/20 = 21 P.U.'S
#3	100'/15 = 7 P.U.'S
#4	110'/15 = 8 P.U.'S

* P.U. = PLANTING UNIT



(FRONT OF BUILDING)
SIGN DETAIL
SCALE: 1" = 10'
SIGN AREA = 20' x 2.5' = 50 S.F.

Building Area:
BASEMENT = 100' x 70' = 7,000 S.F. } TOTAL = 14,000 S.F.
1st Floor (Restaurant) = 100' x 70' = 7,000 S.F.
(Basement will only be used for storage and will only have an 8 foot ceiling)

Parking Data:

Required:
(Standard Restaurant Only, Not Req'd For Storage)
(7,000 S.F. x 16)/1,000 = 112 P.S.
Provided:
(Includes 5 H.C. with 2 being Van Accessible = 115 P.S.

Floor Area Ratio (FAR): (BASED ON ENTIRE SITE GROSS AREA = 221,559 S.F.)
FAR = 14,000 S.F./221,559 S.F. = 0.06 (Less than 0.33)

NOTE:
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BEARINGS & DISTANCES FOR PARCEL 199 (1.00 AC.) (04-16-035050)

A	S. 42° E.	100'
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D	N. 54° 45' E	393.5'

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AREA OF SITE (PER M.P.A.T.)
NET = 1.00 AC + 3.90 AC = 4.90 AC (213,444 S.F.)
GROSS = 4.90 AC + 0.19 AC = 5.09 AC (221,559 S.F.)

LEGEND
- EXISTING ON-SITE BUILDINGS TO BE RAZED
- FRONT ORIENTATION ARROW
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- M.B.S.L. MINIMUM BUILDING SETBACK
- 100 YEAR WATER SURFACE (100 YEAR FLOOD PLAIN)
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- OR-1 / BL — ZONING LINE

STATE OF MARYLAND — THOMAS A. CRUTCH — No. 6179 — REGISTERED PROFESSIONAL ENGINEER

Drafting T.L.B.			
Check T.A.C.	05/09/01	ADDRESS COMMENTS FROM ZONING, DATED 04/27/2007	
Design			
Check	DATE	REVISIONS	

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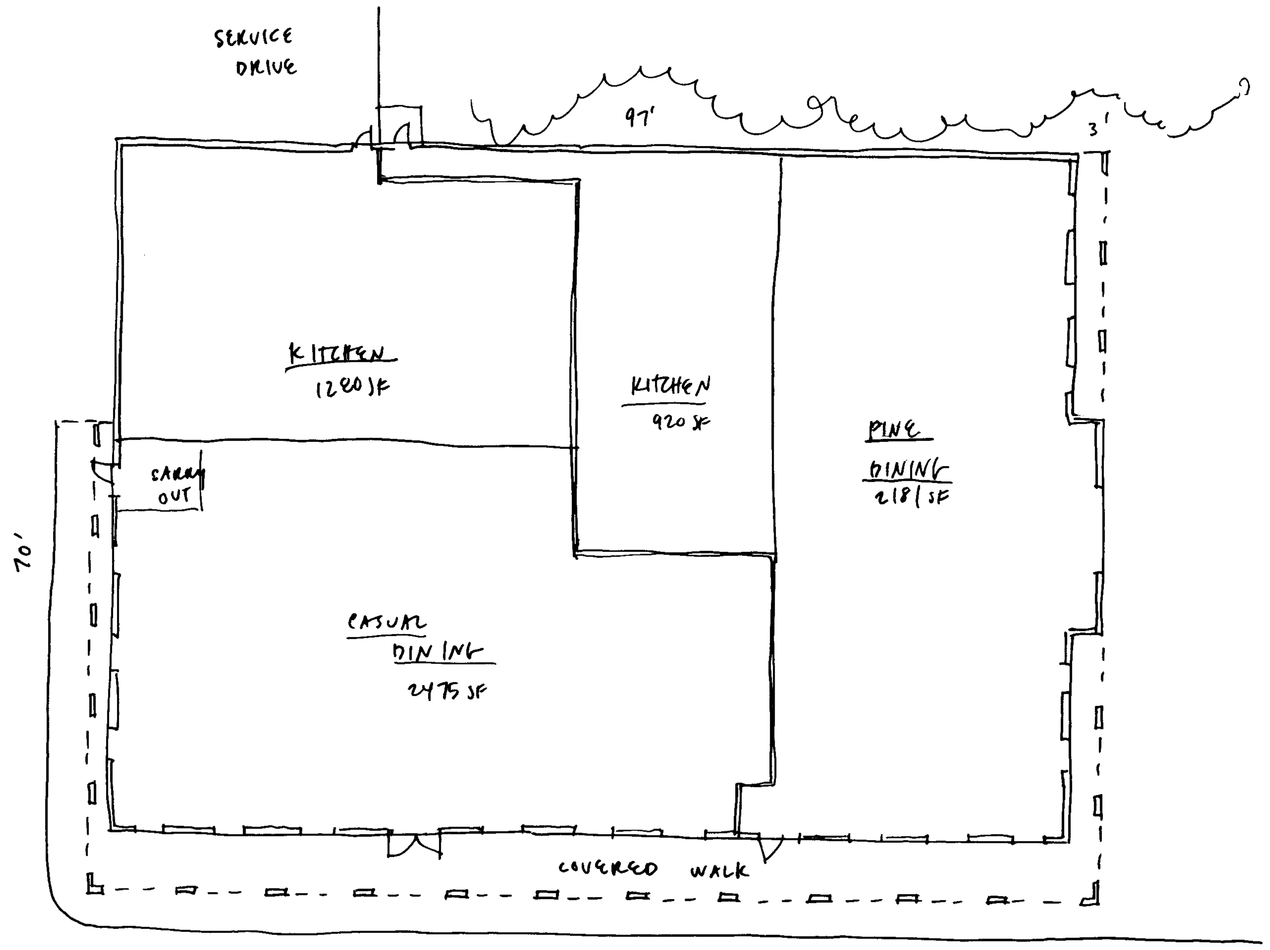
SHEET	DATE	CONTRACT NUMBER
1 OF 2	APR. 18, 2007 REV. 05/02/07	OG-125
	SCALE 1" = 50'	

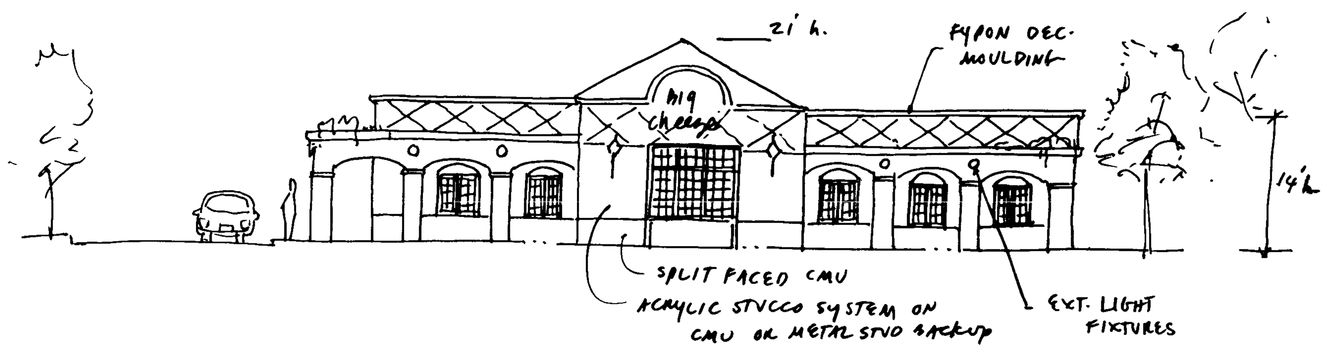


TOTAL FLOOR AREA = 6,856 SF

FLOOR PLAN

SCALE: 1"=10'

ELEVATION



ELEVATION FRONT

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE STATE OF MARYLAND, LICENSE 1622 EXPIRATION 05.11.07

CONSULTANTS

MECHANICAL + ELECTRICAL	CIVIL	CONTRACTOR

PAUL J. GORMAN, ARCHITECT
MEMBER OF THE AMERICAN INSTITUTE OF ARCHITECTS
205 E. JOPPA ROAD, SUITE 605
TOWSON, MD 21286
OFC: 410-832-7666 FAX: 410-832-7668
EMAIL: GORMANARCHITECTS@BOLS.COM

ARCHITECT

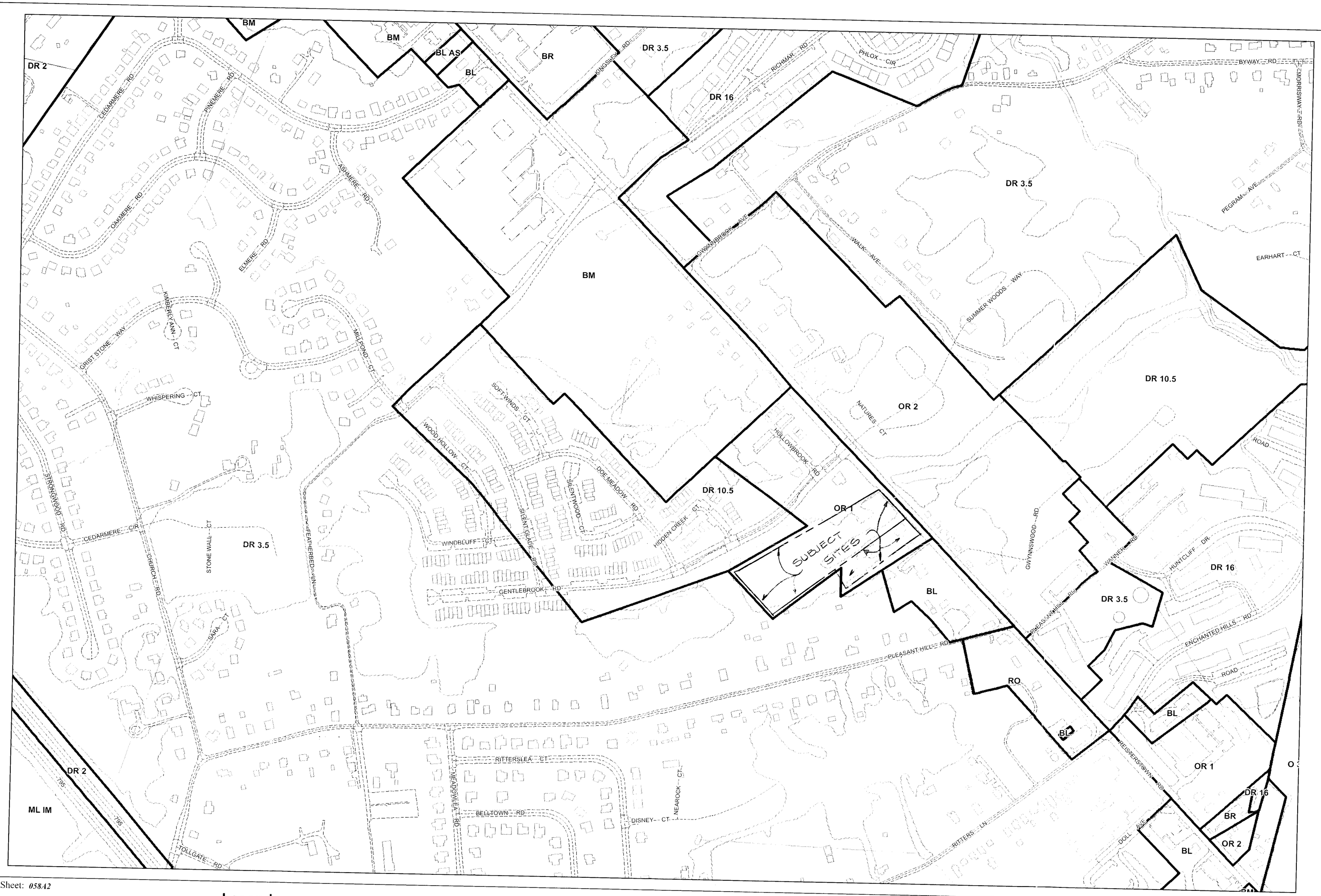
THE BIG CHEESE
11024 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

PROJECT NUMBER
00000
SCALE
AS NOTED
DRAWN BY
XXXXXXXX
DATE
03/01/07

SHEET TITLE

REVISIONS
5.7.07

SHEET NUMBER
2
OF
2



Plan Sheet: *058A2*

Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

Zoning — Streams — Vegetation
Buildings — Roads — Rail Lines

Baltimore County
Office of Planning and Zoning
Official Zoning Map

057B1	057C1	058A1	058B1	058C1
057B2	057C2	058A2	058B2	058C2
057B3	057C3	058A3	058B3	058C3

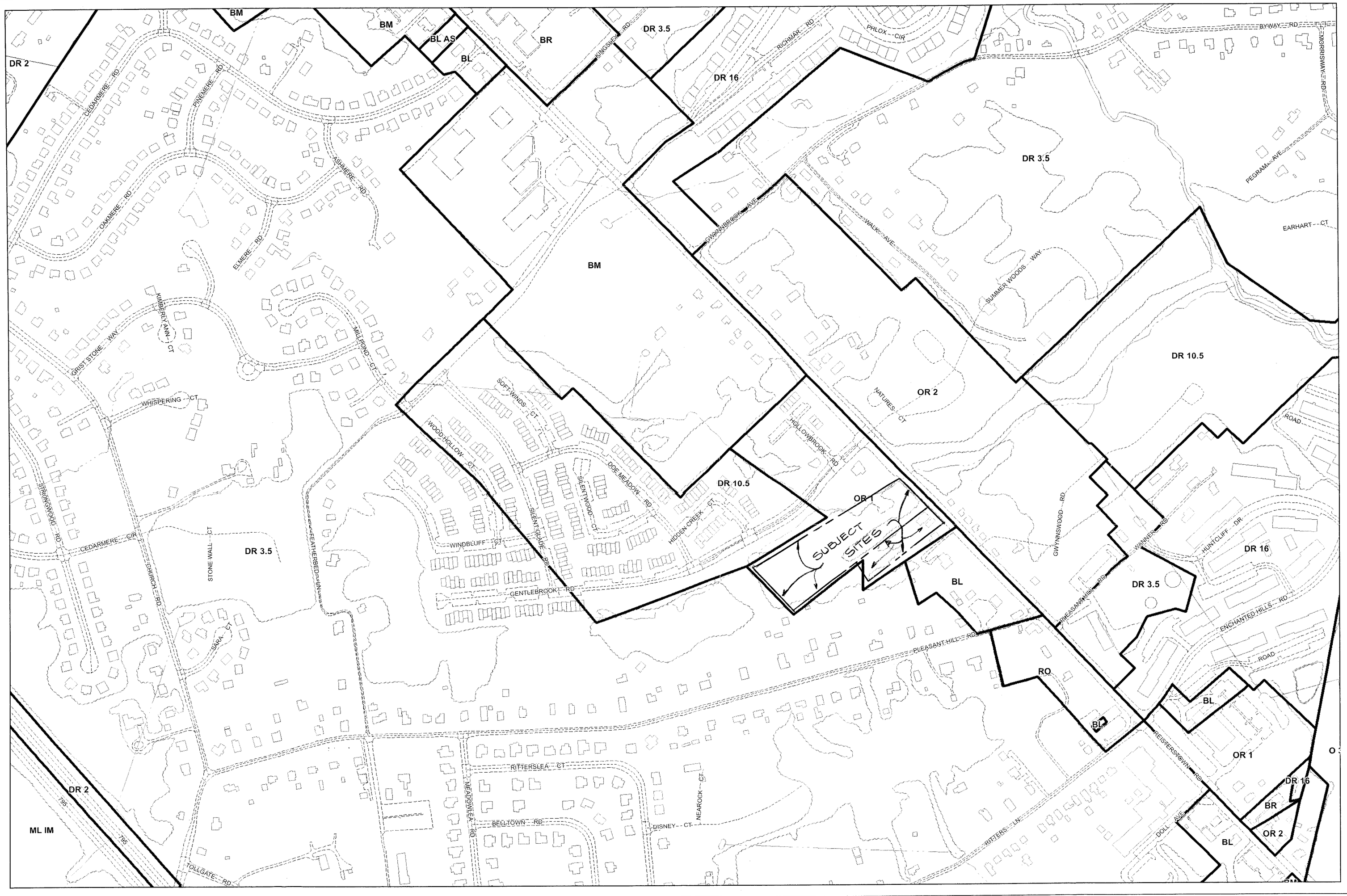
Scale

1" = 200'

0 100 200 400 Feet

1

Data Sources:
Planametric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004



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Legend

Zoning — Streams — Vegetation
Buildings — Roads — Rail Lines

Baltimore County
Office of Planning and Zoning
Official Zoning Map

057B1	057C1	058A1	058B1	058C1
057B2	057C2	058A2	058B2	058C2
057B3	057C3	058A3	058B3	058C3

Scale

1" = 200'

0 100 200 400 Feet

1

Data Sources:
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1:2400, from 1995/96 photography
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