

**IN RE: PETITION FOR VARIANCE**  
**(Pomona Drive)**  
3<sup>rd</sup> Election District  
2<sup>nd</sup> Councilman District  
SMC Pomona Apartments, LLC  
Petitioner

\* BEFORE THE OFFICE  
\* OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* **CASE NO. 2014-0099-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Patricia A. Malone, Esquire, on behalf of the legal owner of the subject property. The Petitioner is requesting Variance relief from §450.4 Attachment 1.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow two ground-mounted community signs, each with a sign area/face of 66.5 sq. ft. and 113 inches<sup>1</sup> in height, in lieu of the permitted 25 sq. ft. and 6 ft. in height. The subject property and requested relief is more fully depicted on the two-sheet site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Rebecca Hodnett, Ronald T. Frank, David Thaler and Victoria Ballestero. David Karceski, Esquire and Justin Williams, Esquire of Venable, LLP appeared as counsel and represented the Petitioner. The file reveals that the Petition was properly advertised and posted as required by the Baltimore County Zoning Regulations. Mike Pierce, on behalf of the Pikesville Communities Corporation, attended the hearing and opposed the relief.

<sup>1</sup> At the hearing, the Petitioner submitted an Amended Petition, reflecting that the proposed height is in fact 121 inches, and this figure will be used in the Order that follows.

By \_\_\_\_\_  
Date 12-23-13  
MS  
ORDER RECEIVED FOR FILING

There were no substantive Zoning Advisory Committee (ZAC) comments received.

Testimony and evidence revealed that the subject property is approximately 77 +/- acres and is zoned DR 2 and DR 10.5. The property is improved with a large apartment complex (441 units) constructed in the 1970's. A new owner has purchased the property, and is in the midst of a \$25M renovation project. The Petitioner proposes to erect two "community" signs on the property, and requires height and sign face area variances to do so.

Based upon the testimony and evidence presented, I will grant the request.

To obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

*Trinity Assembly of God v. People's Counsel*, 407 Md. 53, 80 (2008).

Petitioner has met this test. As noted by Mr. Thaler, the large property is irregularly shaped, and the residential portion of the site is "tucked behind" business zoned land, on which is constructed a restaurant and other stores. As such, the property is unique.

If the B.C.Z.R. were strictly interpreted, the Petitioner would indeed suffer a practical difficulty, given it would be unable to install the proposed signs. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of County agency opposition.

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

THEREFORE, IT IS ORDERED, this 23<sup>rd</sup> day of December, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to

ORDER RECEIVED FOR FILING

Date

12-23-13

By

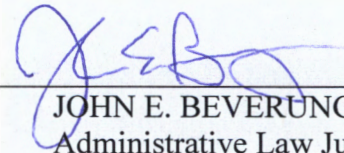
Sen

Baltimore County Zoning Regulations ("B.C.Z.R") to allow two ground-mounted community signs, each with a sign area/face of 66.5 sq. ft. and 121 inches in height, in lieu of the permitted 25 sq. ft. and 6 ft. in height, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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



JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 12-23-13  
By Sen





KEVIN KAMENETZ  
County Executive

LAWRENCE M. STAHL  
Managing Administrative Law Judge  
JOHN E. BEVERUNGEN  
Administrative Law Judge

December 23, 2013

David Karceski, Esquire  
Justin Williams, Esquire  
Venable, LLP  
210 W. Pennsylvania Avenue  
Suite 500  
Towson, Maryland 21204

RE: Petitions for Variance  
Property: Pomona Drive  
Case No.: 2014-0099-A

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:sln  
Enclosure

c: Mike Pierce, 7448 Bradshaw Road, Kingsville, Maryland 21087  
Rebecca Hodnett, 1 Pomona North, Pikesville, Maryland 21208  
Ronald T. Frank, 1950 Old Gallows Road, Vienna, VA 22182  
David S. Thaler & Victoria Ballestero, 7115 Ambassador Road, PO 47428,  
Baltimore, Maryland 21244

Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103 | Towson, Maryland 21204 | Phone 410-887-3868 | Fax 410-887-3468  
[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)





*Anaded*

# PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

address Pomona Drive which is presently zoned DR 2 / DR 10.5  
Deed Reference 33302 / 85 10 Digit Tax Account # 2 2 0 0 0 2 6 7 0 5  
Property Owner(s) Printed Name(s) SMC Pomona Apartments LLC

CASE NUMBER 2014-0099-A Filing Date     /     /     Estimated Posting Date     /     /     Reviewer    

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1.     a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2.     a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a **Variance** from Section(s)

See Attached.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: **(Indicate below your hardship or practical difficulty or indicate below "To Be Presented At Hearing". If you need additional space, you may add an attachment to this petition)**

To be presented at the hearing.

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.

**Legal Owner(s) Affirmation:** I / we do so 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 / these Petition(s).

### Contract Purchaser/Lessee:

Name- Type or Print \_\_\_\_\_

Signature \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

### Legal Owners:

SMC Pomona Apartments, LLC

Name #1 - Type or Print \_\_\_\_\_ Name #2 - Type or Print \_\_\_\_\_

*David Hillman*  
Signature #1 David Hillman Signature # 2 \_\_\_\_\_  
c/o Southern Management Corp.

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
1950 Old Gallows Road, Suite 600, Vienna VA

22182 / 703-902-2000 / \_\_\_\_\_

Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

### Attorney for Petitioner:

Patricia A. Malone

Name- Type or Print \_\_\_\_\_

*Patricia A. Malone*  
Signature \_\_\_\_\_

210 W. Pennsylvania Avenue, Towson MD

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

### Representative to be contacted:

Patricia A. Malone

Name - Type or Print \_\_\_\_\_

*Patricia A. Malone*  
Signature \_\_\_\_\_

210 W. Pennsylvania Avenue, Towson MD

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

21204 / 410-494-6206

Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

2014-0099-A

RECEIVED FOR FILING  
Date 12-23-13  
By den

*Amended*

**Attachment to  
Petition for Variance**

**Pomona Drive**

Variance from BCZR Section 450.4 Attachment 1.2 to allow ground-mounted community signs, each with a sign area/face of 66.5 square feet and ~~113~~ inches in height in lieu of the permitted 25 square feet and 6 feet in height.

121  
↑



# PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

address Pomona Drive which is presently zoned DR 2 / DR 10.5  
Deed Reference 33302 / 85 10 Digit Tax Account # 2 2 0 0 0 2 6 7 0 5  
Property Owner(s) Printed Name(s) SMC Pomona Apartments LLC

CASE NUMBER 2014-0099-A Filing Date 10/18/13 Estimated Posting Date 10/27/13 Reviewer JS

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1.      a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2.      a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3.  X  a **Variance** from Section(s)

See Attached.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "To Be Presented At Hearing". If you need additional space, you may add an attachment to this petition)

To be presented at the hearing.

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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

### Contract Purchaser/Lessee:

Name- Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_  
By \_\_\_\_\_ Date 12-23-13

### Legal Owners:

SMC Pomona Apartments, LLC  
Name #1 - Type or Print \_\_\_\_\_ Name #2 - Type or Print \_\_\_\_\_  
Signature #1 David Hillman Signature #2 \_\_\_\_\_  
c/o Southern Management Corp.  
Mailing Address 1950 Old Gallows Road, Suite 600, Vienna VA City \_\_\_\_\_ State \_\_\_\_\_  
Zip Code 22182 Telephone # 703-902-2000 Email Address \_\_\_\_\_

### Attorney for Petitioner:

Patricia A. Malone  
Name- Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Mailing Address 210 W. Pennsylvania Avenue, Towson MD City \_\_\_\_\_ State \_\_\_\_\_  
Zip Code 21204 Telephone # 410-494-6285 Email Address dhkarceski@venable.com

### Representative to be contacted:

Patricia A. Malone  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Mailing Address 210 W. Pennsylvania Avenue, Towson MD City \_\_\_\_\_ State \_\_\_\_\_  
Zip Code 21204 Telephone # 410-494-6206 Email Address \_\_\_\_\_



**Attachment to  
Petition for Variance**

**Pomona Drive**

Variance from BCZR Section 450.4 Attachment 1.2 to allow ground-mounted inches in community signs, each with a sign area/face of 66.5 square feet and 113 height in lieu of the permitted 25 square feet and 6 feet in height.

October 14, 2013

## ZONING DESCRIPTION

### POMONA

Beginning for the first at a point on the northerly side of Naylors Lane, 60 foot wide right-of-way, said point being South 50°03'09" West 507 feet, more or less, distant from the center of Reisterstown Road (MD Route 140), thence running for the following courses and distances, all bearings referenced to the Maryland Coordinate System, NAD 83/91.

1. South 50°03'09" West 80.00 feet, more or less, to a point; thence,
2. North 88°21'15" West 37.66 feet, more or less, to a point; thence,
3. North 39°56'51" West 25.00 feet, more or less, to a point; thence,
4. North 50°03'09" East 108.16 feet, more or less, to a point; thence,
5. South 39°56'51" East 50.00 feet, more or less, to the point of beginning.

Containing 5056 square feet or 0.12 acres of land, more or less.

Beginning for the second at a point on the northerly side of Naylors Lane, 60 foot wide right-of-way, said point being South 50°03'09" West 65 feet, more or less, distant from the center of Reisterstown Road (MD Route 140), thence running the following courses and distances,

1. South 50°03'09" West 21.75 feet, more or less, to a point; thence,
2. North 41°24'22" West 70.02 feet, more or less, to a point; thence,
3. North 50°04'57" East 39.56 feet, more or less, to a point; thence,

2014-0099-1

4. South 42°31'15" East 50.70 feet, more or less, to a point; thence,
  5. South 03°29'05" West 26.62 feet, more or less, to the point of beginning.
- Containing 2631 square feet or 0.06 acres of land, more or less.

Being in the Second Councilmanic District and the Third Election District of  
Baltimore County, Maryland.



2014-0099-1



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

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**For Newspaper Advertising:**

Item Number or Case Number: 2014-0099-A

Petitioner: SMC Pomona Apartments, LLC

Address or Location: Pomona Drive

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Barbara Lukasevich

Address: Venable, LLP

210 W. Pennsylvania Avenue, Suite 500

Towson, MD 21204

Telephone Number: 410-494-6200

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF BUDGET AND FINANCE  
 MISCELLANEOUS CASH RECEIPT

No. **105016**

Date: **10/18/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW  
 10/21/2013 10/18/2013 11:16:56 5

RES WSDS WALKIN RROS LRB  
 >> RECEIPT # 702094 10/18/2013 OFLH

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$ 500.00

Dept 5 528 ZONING VERIFICATION  
 CR NO. 105016  
 Recpt Tot \$500.00  
 \$500.00 CK \$1.00 CA  
 Baltimore County, Maryland

Total: \$ 500.00

Rec From: SMC POMONA APARTMENTS, LLC

For: 2014-0099-A



# CERTIFICATE OF POSTING

**ATTENTION:** KRISTEN LEWIS

**DATE:** 12/01/2013

**Case Number:** 2014-0099-A

**Petitioner / Developer:** PATRICIA MALONE, ESQ.~DAVID HILLMAN

**Date of Hearing (Closing):** DECEMBER 19, 2013

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: POMONA DRIVE – NORTH WEST CORNER OF NAYLORS LN. & REISTERSTOWN RD. (ON-SITE)

**The sign(s) were posted on: NOVEMBER 29, 2013**



Linda O'Keefe  
(Signature of Sign Poster)

Linda O'Keefe  
(Printed Name of Sign Poster)

523 Penny Lane  
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030  
(City, State, Zip of Sign Poster)

410 – 666 – 5366  
(Telephone Number of Sign Poster)





**THE BALTIMORE SUN  
MEDIA GROUP**

Baltimore, Maryland 21278-0001

November 28, 2013

**THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on November 26, 2013**

The Jeffersonian

**THE BALTIMORE SUN MEDIA GROUP**

By: Susan Wilkinson

*Susan Wilkinson*

**NOTICE OF ZONING HEARING**

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

**Case: #2014-0099-A**

Pomona Drive

N/W corner of intersection of Naylor Ln. & Reisterstown Rd., & N/e corner of Naylor & Pomona

3rd Election District - 2nd Councilmanic District

Legal Owner(s): SMC Pomona Apartments, LLC

**Variance:** to allow ground-mounted community signs, each with a sign area/face of 66.5 sq. ft. and 113 inches in height in lieu of the permitted 25 sq. ft. and 6 ft. in height.

**Hearing: Thursday, December 19, 2013 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.**

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 11/806 Nov. 26

959506



KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

November 13, 2013

## NOTICE OF ZONING HEARING

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

**CASE NUMBER: 2014-0099-A**

Pomona Drive

N/w corner of intersection of Naylors Ln. & Reisterstown Rd., & N/e corner of Naylors & Pomona  
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: SMC Pomona Apartments, LLC

Variance to allow a ground-mounted community signs, each with a sign area/face of 66.5 sq. ft. and 113 inches in height in lieu of the permitted 25 sq. ft. and 6 ft. in height.

Hearing: Thursday, December 19, 2013 at 2:30 p.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

AJ:kl

C: Patricia Malone, 210 W. Pennsylvania Ave., Towson 21204  
David Hillman, SMC Pomona Apts, LLC, 1950 Old Gallows Road, Ste. 600 Vienna VA 22182

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 29, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY  
Tuesday, November 26, 2013 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich

410-494-6200

Venable

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

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## NOTICE OF ZONING HEARING

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

**CASE NUMBER: 2014-0099-A**

Pomona Drive

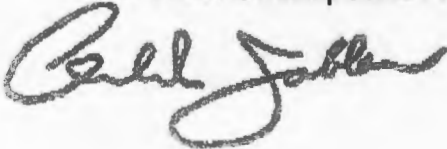
N/w corner of intersection of Naylor Ln. & Reisterstown Rd., & N/e corner of Naylor & Pomona

3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: SMC Pomona Apartments, LLC

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Hearing: Thursday, December 19, 2013 at 2:30 p.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



**M E M O R A N D U M**

DATE: January 27, 2014  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2014-0099-A – Appeal Period Expired

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The appeal period for the above-referenced case expired on January 22, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ~~Case File~~  
Office of Administrative Hearings

RE: PETITION FOR VARIANCE \* BEFORE THE OFFICE  
 Pomona Drive; NW corner of Naylor's Lane &  
 Reisterstown Rd; NE of Naylor's Ln & Pomona Dr\* OF ADMINISTRATIVE  
 3<sup>rd</sup> Election & 2<sup>nd</sup> Councilmanic Districts HEARINGS FOR  
 Legal Owner(s): SMC Pomona Apartments LLC\*  
 Petitioner(s) \* BALTIMORE COUNTY  
 \* 2014-099-A

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED

OCT 28 2013

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
 People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
 Deputy People's Counsel  
 Jefferson Building, Room 204  
 105 West Chesapeake Avenue  
 Towson, MD. 21204  
 (410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 28th day of October, 2013, a copy of the foregoing Entry of Appearance was mailed to Patricia Malone, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
 People's Counsel for Baltimore County

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
10/23	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
10/22	STATE HIGHWAY ADMINISTRATION	No Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 11/26/13	
SIGN POSTING	Date: 11/29/13 by O'Keefe	
PEOPLE'S COUNSEL APPEARANCE	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
PEOPLE'S COUNSEL COMMENT LETTER	Yes <input type="checkbox"/> No <input type="checkbox"/>	

Comments, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



KEVIN KAMENETZ  
*County Executive*

ARNOLD JABLON  
*Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections*

December 12, 2013

SMC Pomona Apartments LLC  
David Hillman  
C/O Southern Management Corporation  
1950 Old Gallows Road  
Suite 600  
Vienna VA 22182

RE: Case Number: 2014-0099 A, Address: Pomona Drive

Dear Mr. Hillman:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 18, 2013. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel  
Patricia A Malone, 210 W. Pennsylvania Avenue, Towson MD 21204



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



James T. Smith, Jr., Secretary  
Melinda B. Peters, Administrator

Date: 10-22-13

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

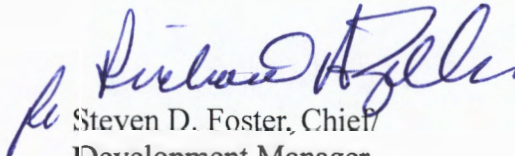
RE: Baltimore County  
Item No. 2014-0099-A  
Variance  
SMC Pannona Apartments LLC  
Pannona Drive.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2014-0099-A

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

  
Steven D. Foster, Chief  
Development Manager  
Access Management Division

SDF/raz

My telephone number/toll-free number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits, Approvals  
And Inspections

**DATE:** October 23, 2013

**FROM:** Dennis A. <sup>DAK</sup>Kennedy, Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For October 28, 2013  
Item No. 2014-0087, 0091, 0092, 0093, 0095, 0096, 0098 and 0099

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

DAK:CEN  
Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC10282013 -.doc

Real Property Data Search ( w3)

Search Result for BALTIMORE COUNTY

[View Map](#)      [View GroundRent Redemption](#)      [View GroundRent Register](#)

**Account Identifier:**      **District - 03 Account Number - 2200026705**

Owner Information

<b>Owner Name:</b>	SMC POMONA APARTMENTS LLC	<b>Use:</b>	APART
	C/O SOUTHERN MANAGMENT CORP	<b>Principal Residence:</b>	NO
<b>Mailing Address:</b>	1950 OLD GALLOWS RD STE 600	<b>Deed Reference:</b>	1) /3330
	VIENNA VA 22182-		2)

Location & Structure Information

<b>Premises Address:</b>	POMONA EAST 0-0000	<b>Legal Description:</b>	9.492 A ES PON POMO
--------------------------	-----------------------	---------------------------	---------------------------

<b>Map:</b>	<b>Grid:</b>	<b>Parcel:</b>	<b>Sub District:</b>	<b>Subdivision:</b>	<b>Section:</b>	<b>Block:</b>	<b>Lot:</b>	<b>Assessment Year:</b>	<b>Plat No:</b>
0078	0002	0004		0000				2013	
									<b>Plat Ref:</b>
									NONE

<b>Special Tax Areas:</b>	<b>Town:</b>	
	<b>Ad Valorem:</b>	
	<b>Tax Class:</b>	

<b>Primary Structure Built</b>	<b>Above Grade Enclosed Area</b>	<b>Finished Basement Area</b>	<b>Property Land Area</b>
			9.4900 AC

<b>Stories</b>	<b>Basement</b>	<b>Type</b>	<b>Exterior</b>	<b>Full/Half Bath</b>	<b>Garage</b>	<b>Last Major Renovation</b>
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Value Information

	<u>Base Value</u>	<u>Value</u>	<u>Phase-in Assessments</u>	
		As of	As of	As of
		01/01/2013	07/01/2013	07/01/
<b>Land:</b>	2,373,000	2,373,000		
<b>Improvements</b>	3,689,600	4,658,500		
<b>Total:</b>	6,062,600	7,031,500	6,385,567	6,708,
<b>Preferential Land:</b>	0			0

Transfer Information

<b>Seller:</b>	<b>Date:</b> 03/13/2013	<b>Price:</b> \$41,945,607
<b>Type:</b> ARMS LENGTH MULTIPLE	<b>Deed1:</b> /33302/ 00085	<b>Deed2:</b>
<b>Seller:</b>	<b>Date:</b>	<b>Price:</b>
<b>Type:</b>	<b>Deed1:</b>	<b>Deed2:</b>
<b>Seller:</b>	<b>Date:</b>	<b>Price:</b>
<b>Type:</b>	<b>Deed1:</b>	<b>Deed2:</b>

Exemption Information

<b>Partial Exempt Assessments:</b>	<b>Class</b>		07/01/2013	07/01/2013
<b>County:</b>	000		0.00	
<b>State:</b>	000		0.00	
<b>Municipal:</b>	000		0.00 0.00	0.00 0.0

<b>Tax Exempt:</b>	<b>Special Tax Recapture:</b>
<b>Exempt Class:</b>	NONE

Homestead Application Information

**Homestead Application Status:** No Application



Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)

District: **03** Account Number: **2200026705**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at [www.plats.net](http://www.plats.net) (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml) (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



<http://fmsweb05.mdp.state.md.us/website/mosp/>

Loading... Please

Loading... Please Wait.

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PRINT CLEARLY

CASE NAME POMONA Drive  
CASE NUMBER 2014-99-A  
DATE 12/19/13

**PETITIONER'S SIGN-IN SHEET**

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
David Karceski	210 W. Pennsylvania Avenue, Towson MD 21204		dkarceski@verable.com
Justin Williams			justin.williams@verable.com
Rebecca Hodnett	1 Pomona North	Pikesville, Md. 21208	rhodnett@gmail.com
RONALD T. FRANK	1950 OLD GALLOW'S Rd.	VIENNA VA. 22182	RONFRANK@SMCMail.com
David S. Thaler	7115 Ambassador Rd PO 47428	Baltimore, MD 21244	dsthaler@dsthale.com
Victoria Ballesteros	7115 Ambassador Rd PO 47428	Baltimore, MD 21244	vballesteros@dsthale.com



**SOUTHERN**  
MANAGEMENT CORPORATION  
*Leaders In Quality Apartment Home Living And Service Since 1965.*

Ronald T. Frank  
President  
Chief Operating Officer

1950 Old Gallows Road • Suite 600 • Vienna, VA 22182  
D: 703.902.9444 T: 703.902.2000 M: 703.919.9444 F: 703.902.9491  
ronfrank@smcmail.com • southernmanagement.com




**The Residences At Pomona Park**  
APARTMENT HOMES

**Becky Hodnett**  
Property Manager

**Pomona-Apartments.com**  
E bhodnett@smcmail.com  
T 410.486.6394  
F 410.486.0775  
1 Pomona North  
Pikesville, MD 21208







Case No.:

2014 - 0099 - A

Exhibit Sheet

Petitioner/Developer

DW  
1-27-14

Protestants

ALN  
12-23-13

No. 1	1A Site plan 1B	
No. 2	Thaler resume	
No. 3	My Neighborhood Map	
No. 4	4A-4J color photos	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

## PROFESSIONAL QUALIFICATIONS

**DAVID S. THALER**  
P.E., L.S., F., ASCE, F., NSPE

7115 Ambassador Road, PO Box 47428  
Baltimore, Maryland 21244-7428  
Tel: 410-944-3647

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### EDUCATION

Baltimore Polytechnic Institute	1966
Lehigh University—BS, Civil Engineering	1970
Lehigh University—MBA, Management	1971
Lehigh University—MA, Economics	1978
Lehigh University—Ph.D., Business & Economics (completed all but dissertation)	

### PROFESSIONAL ENGINEER

• Maryland • Virginia • Pennsylvania • District of Columbia • Delaware (inactive)

REGISTERED LAND SURVEYOR—Maryland

LICENSED REAL ESTATE BROKER—Maryland

MARYLAND DEFENSE FORCE—Lt. Colonel, Engineer Corps

GUEST SCHOLAR—University of Baltimore School of Law

### MEMBERSHIP IN PROFESSIONAL OR TECHNICAL SOCIETIES

*American Society of Civil Engineers*, since 1970—**Fellow**.

*National Society of Professional Engineers*, since 1971—**Fellow**.

*Professional Engineers in Construction Division*—1972-2005—**Charter Member**

*Maryland Society of Professional Engineers*:

— **President** — 2007-2008  
— President-Elect — 2006-2007  
— Vice President — 2005-2006  
— Director — 1985-1989  
— Baltimore Chapter — **President** — 1985-1986

*Engineering Society of Baltimore*—1977-1995.

*Editorial Board - Baltimore Engineer*—1992.

*Society of American Military Engineers*—1972-1990.

*Beta Gamma Sigma* (National Business Honorary)—1975.

*Maryland Society of Surveyors*—1979-1992; 2008-2010.

PETITIONER'S

EXHIBIT NO. 2



- *Penn v. Lord Baltimore: Resolving the greatest boundary dispute of them all*—University of Baltimore School of Law—January, 2009
- *The Transit in the Tower: The Mystery of America's Most Historic Scientific Instrument* Independence National Historic Park, Philadelphia, PA—April, 2009
- *Thaler on Land Use*—Fall Lecture Series, University of Baltimore School of Law—Fall, 2009
- *My Take on Regulatory Takings*—University of Maryland School of Architecture—November, 2009
- *Boundary and ALTA Surveys*—University of Baltimore School of Law—November, 2009
- *Euclid v. Ambler Realty – How the Supreme Court Changed the Face of America*—University of Maryland School of Architecture, College Park, MD—March, 2010
- *Zoning for the 21<sup>st</sup> Century*—Baltimore County Planning Board—May, 2010

### EXPERT TESTIMONY

- Qualified as an Expert Witness before the Courts of Baltimore County, Baltimore City, and Carroll County.
- Qualified as an Expert Witness before the Boards of Appeal of Baltimore and Anne Arundel Counties.
- Expert testimony before the Maryland General Assembly, Environmental Matters Committee, Subcommittee on Sediment Control and Storm Water Management, July 1981.
- Expert testimony before the Congress of the United States, Joint Economic Committee, Subcommittee on Investment, Jobs and Prices, August 1981.

### EMPLOYMENT HISTORY

President & Managing Principal — D.S. Thaler & Associates, Inc. — since 1976  
(Civil and Environmental Engineers, Landscape Architects, Surveyors and Land Planners)

### PUBLICATIONS

Over 200 articles on a variety of subjects and four books:

Schrader, Richard J., Editor, *A New Census of H. L. Mencken's Ventures Into Verse*, Baltimore: D.S. Thaler & Associates, Inc., 2005

Schrader, Richard J., Editor, *Erez Israel: A facsimile reprint*, Baltimore: D.S. Thaler & Associates, Inc., 2005

Thaler, David S., *The Mencken Paradox*, Baltimore: Mercury House Press, 2006

Thaler, David S., Marion Elizabeth Rodgers, Roger Brunyate, *A Little Light Music: The Artist, A Drama Without Words*. Baltimore: Mercury House Press, 2007

2014-0099-A Approximate Photograph Locations



PETITIONER'S

EXHIBIT NO. 4





















F





E





POMONA  
Apartments

D





ona











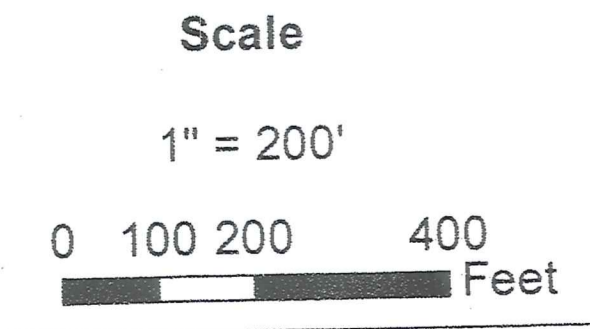
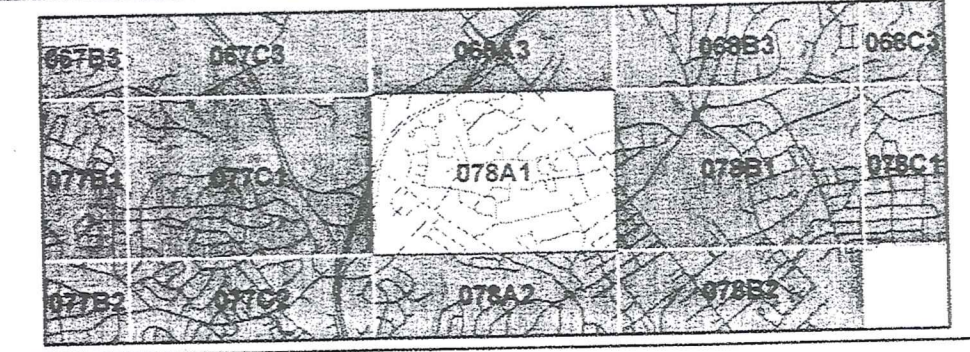


Plan Sheet: 078A1

Note:  
The zoning depicted in this map incorporates the actions associated with 2012 Comprehensive Zoning Map Process and Baltimore County Board of Appeals actions through December 31, 2012.

- Legend**
- Zoning
  - Streams
  - Rail Lines
  - Buildings
  - Roads
  - Vegetation

**Baltimore County  
Department of Planning  
Official Zoning Map**



2014-0099-A

Data Sources:  
Planimetric Data - Baltimore County  
OIT/GIS Services Unit  
1:2400, from 2008 photography  
Zoning - Baltimore County Office of Planning  
1:2400, 2012

BALTIMORE COUNTY 200 SCALE ZONING MAP  
TO ACCOMPANY PETITION  
**THE RESIDENCES AT POMONA PARK**

OCTOBER, 2013





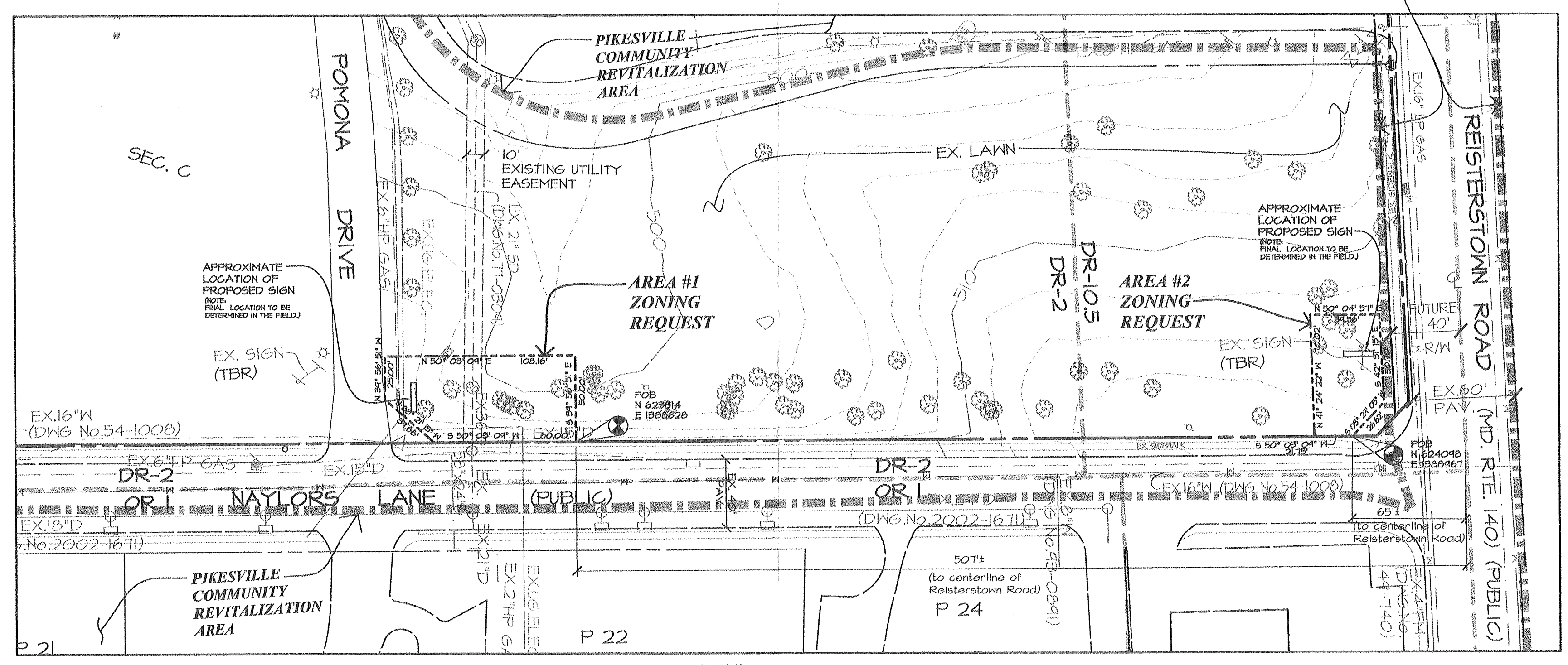
66.50 Sq Foot = Total Sign Face AREA

SCALE: 1/2"=1'

NOTE: SIGN DETAIL INFORMATION PROVIDED BY

APPLE SIGNS  
404 SERENDIPITY DR.  
MILLERSVILLE, MD 21108  
410-487-1446

Parcel #	Lot #	Name / Company	Address	Town / City	State	Zip Code	Acct #	Deed #	Land Use
315		Pikesville Hotel Limited Partnership	1205 York Road Pk	Lutherville	MD	21078-6347	1600002870	0917V/00022	Commercial
316		State of Md Highway Administration	2835 N. Joppa Road	Brooklands	MD	21022-2200	2600010026	1930A/00090	Envrnt. Comm.
320		Apex, Inc.	1718 Reisterstown Road	Baltimore	MD	21028-0000	1700010009	1700010009	Commercial
325		Neel, Inc. c/o Howard Curran	1108 Reisterstown Road	Baltimore	MD	21028-0000	2100010083	0812J/00066	Commercial
319		Griff, LLC	4824 Reisterstown Road	Gaithersburg	MD	21114-2000	0901002860	2998J/00029	Commercial
328		H. & S. Enterprises c/o H&S/Devo Corp. QH40381	P.O. Box 18271	Columbia	CH	43226-1827	0901000000	0901000000	Commercial
314		Gohan Fader Partnership c/o B&W of Towson	700 Kennaforth Drive	Fusion	MD	21264-0000	0811003260	0760V/00091	Commercial
314		Nikon Photo, LLC	16 N. Reed St.	Baltimore	MD	21201-8808	0811003170	2610V/00040	Commercial
345		Carol M. Brown, Sr.	1930 Falls Rd. Road	Reisterstown	MD	21158-1223	0918000490	1434V/00041	Commercial
671		1105 Reel, LLC	P.O. Box 1201	Baltimore	MD	21083-2111	0918000370	1434V/00081	Commercial
656		7301 Reisterstown Road, LLC	2800 Stone Hill Dr., 1201	Baltimore	MD	21028-0000	0902000878		Commercial
1		Woodbine Green HOA, Inc. c/o Pristige Title Co.	4850 Dullford Road	Columbia	MD	21046-0000	2800020010		Residential
1	152	Shelly D. Conway	58 Esperanza Court	Baltimore	MD	21068-2889	2100000071	1498J/00041	Residential
1	151	Paula L. Ellis & Roger	57 Esperanza Court	Baltimore	MD	21068-2889	2100000070	1027V/00112	Residential
1	11	Daria R. Dixon	31 Esperanza Court	Baltimore	MD	21068-2889	2100000078	1028V/00104	Residential
1	124	Richard P. Bartlett & Claire J. Bakowski	1208 Fort Road	Park	MD	21081-4628	2100000074	0918V/00000	Residential
1	126	Patricia E. Brown	49 Esperanza Court	Baltimore	MD	21068-2889	2100000073	1838A/00017	Residential
1	121	Jacqueline J. Hill	49 Esperanza Court	Baltimore	MD	21068-2889	2100000072	2807V/00012	Residential
1	126	David H. & Nancy G. DeWitt	49 Esperanza Court	Baltimore	MD	21068-2889	2100000071	1028V/00011	Residential
3	105	David H. & Nancy G. DeWitt	4020 Old Court Road	Baltimore	MD	21068-2807	2800000001		Residential
15		Cedarwood Estates HOA, Inc.	15 Cedarwood Circle	Baltimore	MD	21068-4401	2100000044	1144V/00010	Residential
15		Cedarwood Estates HOA, Inc.	1220 E. Churchville Road	Bel Air	MD	21034-3412	2100000043	1144V/00010	Residential
15		Cedarwood Estates HOA, Inc.	1220 E. Churchville Road, Ste 200	Bel Air	MD	21034-3412	2100000042	1144V/00010	Residential
15		Cedarwood Estates HOA, Inc.	28 Cedarwood Circle	Baltimore	MD	21068-4402	2100000045	1878V/00001	Residential
15	20	Nelson M. Poston c/o J&J Industries, Inc.	1230 E. Churchville Road	Bel Air	MD	21034-3411	2100000044	0912V/00041	Residential
15	20	Teddy L. & Melissa A. Green	28 Cedarwood Circle	Baltimore	MD	21068-4402	2100000046	1932V/00001	Residential
15	21	Renata Pedersoli	28 Cedarwood Circle	Baltimore	MD	21068-4402	2100000047	2102V/00001	Residential
15	26	Tamara Tompkins	91 Cedarwood Circle	Baltimore	MD	21068-4402	2100000041	3003B/00160	Residential
15	25	James H. Green	28 Cedarwood Circle	Baltimore	MD	21068-4402	2100000040	2102V/00001	Residential
15	24	Nathaniel Carter	41 Cedarwood Circle	Baltimore	MD	21068-4402	2100000049	1510V/00001	Residential
15	23	Laura E. & Chris Teague	133 Nelson Avenue	Baltimore	MD	21027-1111	2100000040	2912M/00001	Residential
15	22	Andra L. King	28 Cedarwood Circle	Baltimore	MD	21068-4402	2100000041	2417V/00000	Residential
15	21	Margi Allison Clark	41 Cedarwood Circle	Baltimore	MD	21068-4402	2100000046	1928V/00001	Residential
15	20	Margaret L. & Harriette B. Larson	28 Cedarwood Circle	Baltimore	MD	21068-4402	2100000048	2910V/00000	Residential
15	19	Carol A. Adams	28 Cedarwood Circle	Baltimore	MD	21068-4402	2100000049	2848V/00000	Residential
15	18	Lisa Burnside Sears	39 Cedarwood Circle	Baltimore	MD	21068-4402	2100000043	1417V/00026	Residential
15	17	Camilla & Dan Rubin	39 Cedarwood Circle	Baltimore	MD	21068-4402	2100000042	2018V/00000	Residential
15	16	Colleen T. Pitt	31 Cedarwood Circle	Baltimore	MD	21068-4402	2100000041	2411V/00047	Residential
15	15	Shirley G. Taylor	24 Cedarwood Circle	Baltimore	MD	21068-4401	2100000040	1462V/00000	Residential
15	14	Richard L. Kitchin, Trustee c/o Beverly Robinson	2107 Thoroughbred Lane	Gaithersburg	MD	21111-1219	2100000041	3805V/00108	Residential
15	13	Kevin S. Dozier	28 Cedarwood Circle	Baltimore	MD	21068-4401	2100000042	2103V/00118	Residential
15	12	Shan Zhong, Xiang Ying & Jian Chen	28 Cedarwood Circle	Baltimore	MD	21068-4401	2100000043	2103V/00118	Residential
15	11	Janifer R. Lippold	21 Cedarwood Circle	Baltimore	MD	21068-4401	2100000044	2914V/00001	Residential
15	10	Vivian C. Mohr-Smith & Kay A. Burke	14 Cedarwood Circle	Baltimore	MD	21068-4401	2100000045	1838B/00000	Residential
15	9	Michael Emanuel Harner	11 Cedarwood Circle	Baltimore	MD	21068-4401	2100000046	1461V/00001	Residential
15	8	Carlson A. Kearney & Tanya R. Peltz-Kearney	12 Cedarwood Circle	Baltimore	MD	21068-4401	2100000047	1932V/00000	Residential
15	7	Michael A. Huster	18 Cedarwood Circle	Baltimore	MD	21068-4401	2100000048	1878B/00001	Residential
15	6	Andra L. King	11 Cedarwood Circle	Baltimore	MD	21068-4401	2100000049	2806V/00001	Residential
15	5	John Gammart	4 Cedarwood Circle	Baltimore	MD	21068-4401	2100000050	1402V/00040	Residential
15	4	Janet D. Pardo	1 Cedarwood Circle	Baltimore	MD	21068-4401	2100000051	2623V/00103	Residential
15	3	James & Dominique Mandersheugh	1 Cedarwood Circle	Baltimore	MD	21068-4401	2100000052	2144V/00000	Residential
15	2	Shirley Keady	3 Cedarwood Circle	Baltimore	MD	21068-4401	2100000053	2414V/00004	Residential
15	1	W. L. & Kathleen S. Griffin, Sr.	1 Cedarwood Circle	Baltimore	MD	21068-4401	2100000054	2507V/00000	Residential
462		Shelley A. & Marlene H. Schwartz	1601 Pooling Way	Baltimore	MD	21068-2889	2801000001	0954V/00109	Residential
462	6	Chico, Inc.	4818 Seton Drive	Baltimore	MD	21068-2811	0919000076	1224V/00010	Residential
462	5	Bradley F. & Stephanie M. Berlowe	1601 Pooling Way	Baltimore	MD	21068-2889	0918100000	1461V/00014	Residential
462	4	Margaret Jefferson	1601 Pooling Way	Baltimore	MD	21068-2889	0918000000	1461V/00014	Residential
462	3	Bar D. & Susan S. Kaufman	1601 Pooling Way	Baltimore	MD	21068-2889	0911000000	0902V/00000	Residential
462	2	Kenneth L. Lott & Nancy	1601 Pooling Way	Baltimore	MD	21068-2889	0918100000	1461V/00014	Residential
462	1	Katecil R. Neff	4011 Old Court Road	Baltimore	MD	21068-2808	2100000006	1630V/00001	Residential
462		Katecil Neff, Rose J. Neff & Chuwoneta J. Neff	4011 Old Court Road	Baltimore	MD	21068-2808	0918000000	2630V/00000	Residential
462		Baltimore County Maryland - c/o H&S/Devo Corp.	Court House	Baltimore	MD	21024	0902000012	0439V/00001	Residential
12		Katecil & Rose Neff	4011 Old Court Road	Baltimore	MD	21068-2808	0906000010	2414V/00000	Residential
461		Damon Frenzy & Kimberly Merritt	4011 Old Court Road	Baltimore	MD	21068-2808	0918000000	1076V/00000	Residential
461		Damon Frenzy & Kimberly Merritt	4011 Old Court Road	Baltimore	MD	21068-2808	0918000001	1076V/00000	Residential
14		Marjorie M. Osterlaker	4008 Old Court Road	Baltimore	MD	21068	0918010010	1193V/00001	Residential
11		19th Medical Clinic Properties Trust c/o R&K Legal & Research, LLC	289 Washington St., Ste 200	Nepton	MA	3480	1600000001	3781V/00109	Commercial
21		Najura Office Property Venture, LLC	2005 Najura Lane	Baltimore	MD	21068	2400000003	1877V/00001	Commercial
22		Pivotal Medical, LLC	P.O. Box 1010	Carlisle	CA	95010	2100000008	1511V/00001	Commercial
24		I & E Professional Center, LLC	3839 Najura Lane	Baltimore	MD	21068-2405	0928000001	1838V/00042	Commercial
465		Village Development, LLC	1112 Columbia Baltimore Dr., #400	Columbia	MD	21046-2900	0928000008	2118V/00001	Commercial
471		Drugs Retail Company Co. c/o Bell Department	P.O. Box 1020	New Orleans	LA	70161-1290	2800000005	2408V/00042	Commercial
115		SHD Incorporated c/o The Mills Group	6990 Crab Hay	Lumata	MD	20646-4207	0914000004	2621V/00018	Commercial



DETAIL Scale: 1" = 50'

LEGEND

TRACT BOUNDARY	ROAD	TELEPHONE RISER	WATER VALVE
EASEMENT	STORM DRAIN	TELEVISION RISER	EXISTING FRONT ORIENTATION
ZONING LINE	LIGHT	TRANSFORMER	
STORM DRAIN INLET	UTILITY POLE	ELECTRIC METER	
SEWER MANHOLE	FIRE HYDRANT	TELEPHONE VAULT	
SANITARY CLEANOUT	SIGN	STORM DRAIN MANHOLE	
PIKESVILLE COMMUNITY REVITALIZATION AREA	MAILBOX		

SCALE: 1"=100'

NORTH MGS

PROJECT NAME: THE RESIDENCES AT POMONA PARK

PLAN TITLE: PLAT TO ACCOMPANY ZONING VARIANCE

COUNCILMANIC DIST. 2nd  
ELECTION DIST. 3rd  
REGIONAL PLANNING DISTRICT: PIKESVILLE

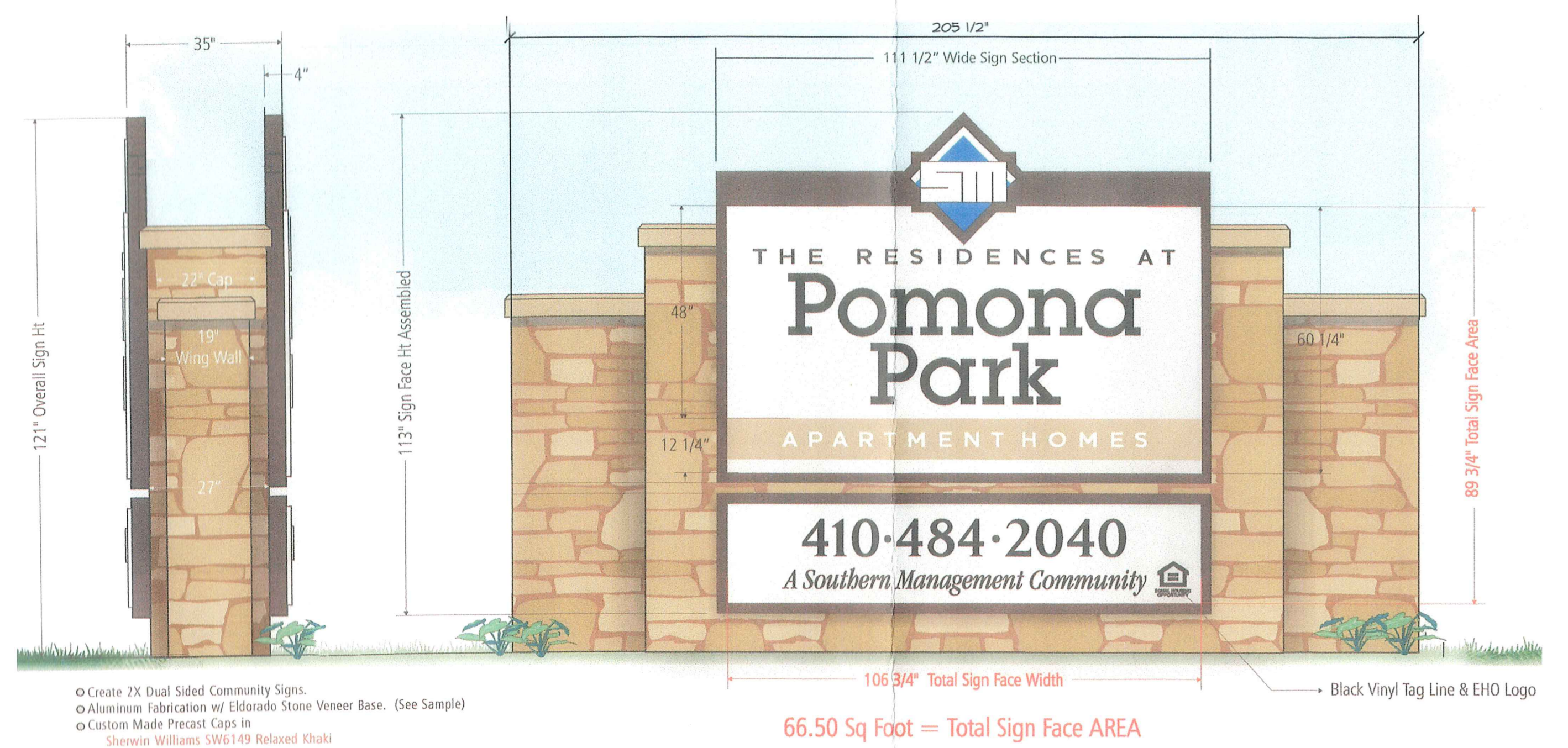
OWNER/APPLICANT:  
SMC POMONA APARTMENTS, LLC  
C/O SOUTHERN MANAGEMENT CORP.  
1950 OLD GALLOPS ROAD, SUITE 600  
VIENNA, VA 22182  
703.902.2000

REVISIONS:

DSThaler & ASSOCIATES, INC.  
CIVIL AND ENVIRONMENTAL ENGINEERS, SURVEYORS  
LANDSCAPE ARCHITECTS & LAND PLANNERS  
1115 AMBASSADOR ROAD  
P.O. BOX 47428  
BALTIMORE, MARYLAND 21244-7428  
410-444-3641 www.dsthaler.com

DATE: 10.18.13  
SCALE: AS SHOWN  
C.I.  
PROJ. NO. 03181D  
SHEET 2 OF 2

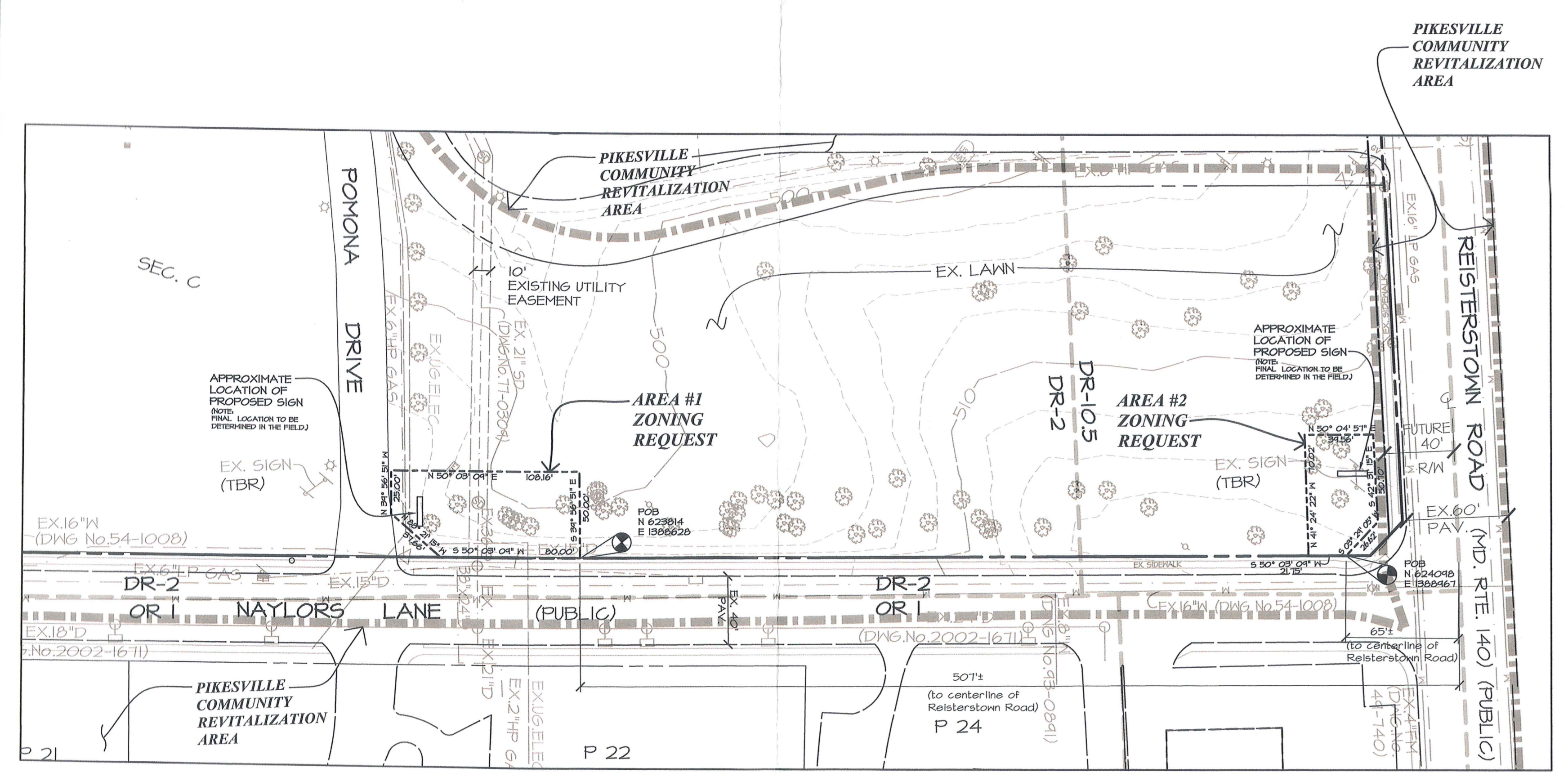




NOTE: SIGN DETAIL INFORMATION PROVIDED BY  
**APPLE SIGNS**  
 404 SERENDIPITY DR.  
 MILLERVILLE, MD 21108  
 410-487-1446

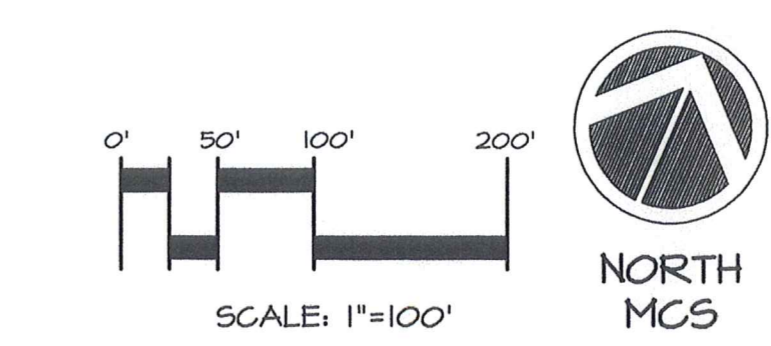
**SIGN DETAIL**  
 SCALE: 1/2"=1'

Parcel #	Lot #	Name/Company	Address	Town/City	State	Zip Code	Acct #	Deed #	Land Use
518		Pikesville Hotel Limited Partnership	1305 York Road PH	Baltimore	MD	21204-6241	160002819	0917/0393	Commercial
519		State of Md Highways Administration-Ann Impnt	2028 R. R. Road	Baltimore	MD	21222-00	280001008	1806/0098	Emply Comm
220		Aphton, Inc.	1118 Reisterstown Road	Baltimore	MD	21208-00	170000180	11/30/0093	Commercial
589		NHL, Inc. c/o Howard Cummins	1108 Reisterstown Road	Baltimore	MD	21208-00	210001989	08/13/0086	Commercial
578		ORNL, LLC	1108 Reisterstown Road	Baltimore	MD	21208-00	080000260	28/24/0028	Commercial
328		R. K. Enterprises c/o McDonalds Corp. 01/10/201	P.O. Box 102711	Columbia	MD	21046-2811	080000800	08/17/0044	Commercial
534		Golden Field Partnership c/o BHM of Towson	100 Kentsforth Drive	Towson	MD	21284-00	091702850	07/07/0091	Commercial
844		Robert Field, LLC	100 Kentsforth Drive	Baltimore	MD	21208-00	09128170	28/12/0040	Commercial
649		Garol H. Brown, Sr.	3900 Falls Run Road	Randallstown	MD	21188-1202	09120910	14/24/0091	Commercial
674		1108 REIS, LLC	P.O. Box 10211	Baltimore	MD	21208-2111	091400190	14/24/0081	Commercial
526		1101 Reisterstown Road, LLC	2900 Stone Cliff Dr. #201	Baltimore	MD	21204-00	090000800	28/07/0090	Commercial
1		Woodlawn Green HGA, Inc. c/o Prestige 1342 Co.	1119 Guilford Road	Columbia	MD	21046-00	200003070		Residential
1	153	Shelby D. Conway	31 Esperanza Court	Baltimore	MD	21208-2888	210000671	14/26/0091	Residential
1	181	India & Willie B. Butler	31 Esperanza Court	Baltimore	MD	21208	210000676	10/24/0112	Residential
1	150	Carla R. Dixon	31 Esperanza Court	Baltimore	MD	21208	210000678	10/26/0091	Residential
1	128	Raymond F. Barlett & Claire L. Bakowski	1300 Park Road	Baltimore	MD	21208-4028	210000674	10/27/0093	Residential
1	128	Patricia E. Brooks	49 Esperanza Court	Baltimore	MD	21208-2888	210000678	18/06/0061	Residential
1	121	Alcigrette J. Hill	49 Esperanza Court	Baltimore	MD	21208-2888	210000673	20/07/0092	Residential
1	136	Cheryl J. Hobbs DeWitte Clerk	49 Esperanza Court	Baltimore	MD	21208	210000671	12/26/0071	Residential
3	148	David M. & Nancy E. Paige	4020 Old Court Road	Baltimore	MD	21208-2801	280000991		Residential
18		Cedarwood Estates HOA, Inc.	15 Cedarwood Circle	Baltimore	MD	21208-4401	210000944	11/40/0070	Residential
18		Cedarwood Estates HOA, Inc.	1202 E. Churchville Road	Bel Air	MD	21034-9412	210000948	11/40/0070	Residential
18		Cedarwood Estates HOA, Inc.	1202 E. Churchville Road	Bel Air	MD	21034-9413	210000941	11/40/0070	Residential
18		Cedarwood Estates HOA, Inc.	1202 E. Churchville Road, Site 300	Baltimore	MD	21034-9412	210000948	11/40/0070	Residential
18	30	Jesse H. & Terrie Hood	54 Cedarwood Circle	Baltimore	MD	21208-4402	210000949	10/17/0001	Residential
18	21	Nelson H. Polan c/o J&J Industries, Inc.	1202 E. Churchville Road	Bel Air	MD	21034-9411	210000944	09/27/0041	Residential
18	29	Toby L. Hollibaugh	54 Cedarwood Circle	Baltimore	MD	21208-4402	210000948	24/17/0000	Residential
18	21	Renee Deleaux	54 Cedarwood Circle	Baltimore	MD	21208-4402	210000942	21/06/0023	Residential
18	26	Taranea Tompkins	54 Cedarwood Circle	Baltimore	MD	21208-4402	210000941	10/26/0100	Residential
18	28	James H. Brink	54 Cedarwood Circle	Baltimore	MD	21208-4402	210000940	27/06/0018	Residential
18	24	Nathaniel Carter	41 Cedarwood Circle	Baltimore	MD	21208-4402	210000941	19/10/0094	Residential
18	23	Leon & Elise Tweig	102 Wilson Avenue	Baltimore	MD	21071-4716	210000980	21/24/0094	Residential
18	22	Antia E. Litig	54 Cedarwood Circle	Baltimore	MD	21208-4409	210000981	22/06/0001	Residential
18	21	Mary Allison Clark	41 Cedarwood Circle	Baltimore	MD	21208	210000986	11/26/0081	Residential
18	30	Margaret L. & Warren H. Latham	54 Cedarwood Circle	Baltimore	MD	21208-4409	210000988	23/02/0026	Residential
18	11	Carol A. Adkins	54 Cedarwood Circle	Baltimore	MD	21208-4409	210000984	25/04/0100	Residential
18	18	Lisa Burnett Sears	54 Cedarwood Circle	Baltimore	MD	21208-4409	210000989	14/17/0026	Residential
18	11	Genelia & Ernie Ruffo	54 Cedarwood Circle	Baltimore	MD	21208-4409	210000982	20/06/0000	Residential
18	16	Colleen T. Peir	54 Cedarwood Circle	Baltimore	MD	21208-4409	210000981	24/18/0041	Residential
18	18	Shelby C. Taylor	54 Cedarwood Circle	Baltimore	MD	21208-4401	210000980	14/27/0028	Residential
18	14	Howard L. Rothchild, Trustee c/o Beverly Rothchild	2941 Thornhollow Lane	Ching-Hua	MD	21113-2819	210000981	28/06/0018	Residential
18	18	Kevin S. Dwyer	25 Cedarwood Circle	Baltimore	MD	21208-4401	210000980	21/01/0115	Residential
18	12	Ben Zhong Wang Ying & Jan Chen	25 Cedarwood Circle	Baltimore	MD	21208-4401	210000981	28/04/0064	Residential
18	11	Jeffrey R. Lepagosa	21 Cedarwood Circle	Baltimore	MD	21208-4401	210000986	01/20/0024	Residential
18	10	Yvonne C. Mohr-Smith & Jay A. Burke	14 Cedarwood Circle	Baltimore	MD	21208-4401	210000928	18/09/0098	Residential
18	1	Michael Emanuel Harter	11 Cedarwood Circle	Baltimore	MD	21208-4401	210000984	18/17/0021	Residential
18	8	Carlton A. Kearney & Tatala R. Parks-Kearney	15 Cedarwood Circle	Baltimore	MD	21208-4401	210000939	01/24/0008	Residential
18	7	Michael A. Hunter	15 Cedarwood Circle	Baltimore	MD	21208-4401	210000922	10/16/0041	Residential
18	6	Antia E. Litig	11 Cedarwood Circle	Baltimore	MD	21208-4401	210000901	28/06/0001	Residential
18	5	Joan Callahan	4 Cedarwood Circle	Baltimore	MD	21208-4401	210000930	10/20/0042	Residential
18	4	Janet D. Fields	1 Cedarwood Circle	Baltimore	MD	21208-4401	210000991	26/20/0023	Residential
18	3	Joanna & Dominique Hardestrough	5 Cedarwood Circle	Baltimore	MD	21208-4401	210000940	21/06/0028	Residential
18	2	Richard Eady	3 Cedarwood Circle	Baltimore	MD	21208-4401	210000911	24/14/0024	Residential
18	1	Ng J. & Helen L. Griffin, Sr.	1 Cedarwood Circle	Baltimore	MD	21208-4401	210000918	20/02/0008	Residential
482		Shelton J. & Marlene H. Schwartz	1601 Pooling Way	Baltimore	MD	21208-2888	091010611	09/04/0106	Residential
482	6	Gillette, Inc.	4819 Seton Drive	Baltimore	MD	21218-2011	091010676	12/24/0070	Residential
482	8	Bradley P. & Stephanie K. Davidson	1601 Pooling Way	Baltimore	MD	21208-2888	091010620	14/07/0074	Residential
482	4	Margaret Jefferson	1601 Pooling Way	Baltimore	MD	21208-2888	091010630	13/07/0049	Residential
482	3	Bar D. & Beth B. Kaufman	1601 Pooling Way	Baltimore	MD	21208-2888	091010630	09/24/0026	Residential
482	2	Robert E. Lot A. Harbo	1601 Pooling Way	Baltimore	MD	21208-2888	091010602	19/07/0001	Residential
482	1	Kabaci R. Hazi	4011 Old Court Road	Baltimore	MD	21208-2808	091020266	18/06/0001	Residential
482		Kabaci R. Hazi, Rose U. Hazi & Chasoumika J. Hazi	4011 Old Court Road	Baltimore	MD	21208-2808	091020260	28/04/0100	Residential
11		Baltimore County Maryland - C-4-RV-64-MD-23	Court House	Baltimore	MD	21208-2808	091020260	28/04/0100	Residential
12		Kabaci & Rose Hazi	4011 Old Court Road	Baltimore	MD	21208-2808	091020260	24/14/0020	Residential
484		Daniel Fenoy & Kimberly Herlihy	4001 Old Court Road	Baltimore	MD	21208-2808	091020260	30/06/0118	Residential
484		Daniel Fenoy & Kimberly Herlihy	4001 Old Court Road	Baltimore	MD	21208-2808	091020260	30/06/0118	Residential
14		Margorie M. Odehewer	4009 Old Court Road	Baltimore	MD	21208	091078040	11/17/0027	Residential
14		Sign Medical Office Properties Trust c/o Matt Sign & Research, LLC	295 Washington St., Ste 290	Newton	MA	02459	160000181	27/01/0078	Commercial
21		Sign Medical Office Properties Trust c/o Matt Sign & Research, LLC	2103 Hagley Lane	Baltimore	MD	21208	240000188	18/17/0081	Commercial
22		Pikesville Assisted Living, LLC	P.O. Box 647	Carlsbad	CA	92018	210000038	10/16/0081	Commercial
24		J & E Professional Center, LLC	5839 Naylors Lane	Baltimore	MD	21208-2848	092800427	18/08/0042	Commercial
489		Village Enterprises, LLC	3122 Columbia Gateway Dr. #400	Columbia	MD	21046-2800	093300428	22/05/0074	Commercial
817		Druid Ridge Cemetery Co. c/o B&B Dispensary	P.O. Box 11290	New Orleans	LA	70181-1290	280000028	24/03/0042	Commercial
818		SHD Incorporated c/o The PWB Group	6999 Grant Hwy	Lafayette	MD	20946-4261	091028964	28/16/0094	Commercial



**DETAIL**  
 Scale: 1" = 50'

**LEGEND**

**PROJECT NAME:**  
 THE RESIDENCES AT POMONA PARK

**PLAN TITLE:**  
 PLAT TO ACCOMPANY ZONING VARIANCE

**COUNCILMANIC DIST.:** 2nd  
**ELECTION DIST.:** 3rd  
**REGIONAL PLANNING DISTRICT:** PIKESVILLE

**OWNER/APPLICANT:**  
 SMC POMONA APARTMENTS, LLC  
 C/O SOUTHERN MANAGEMENT CORP.  
 1950 OLD GALLOWAY ROAD, SUITE 600  
 VIENNA, VA 22182  
 703.402.2000

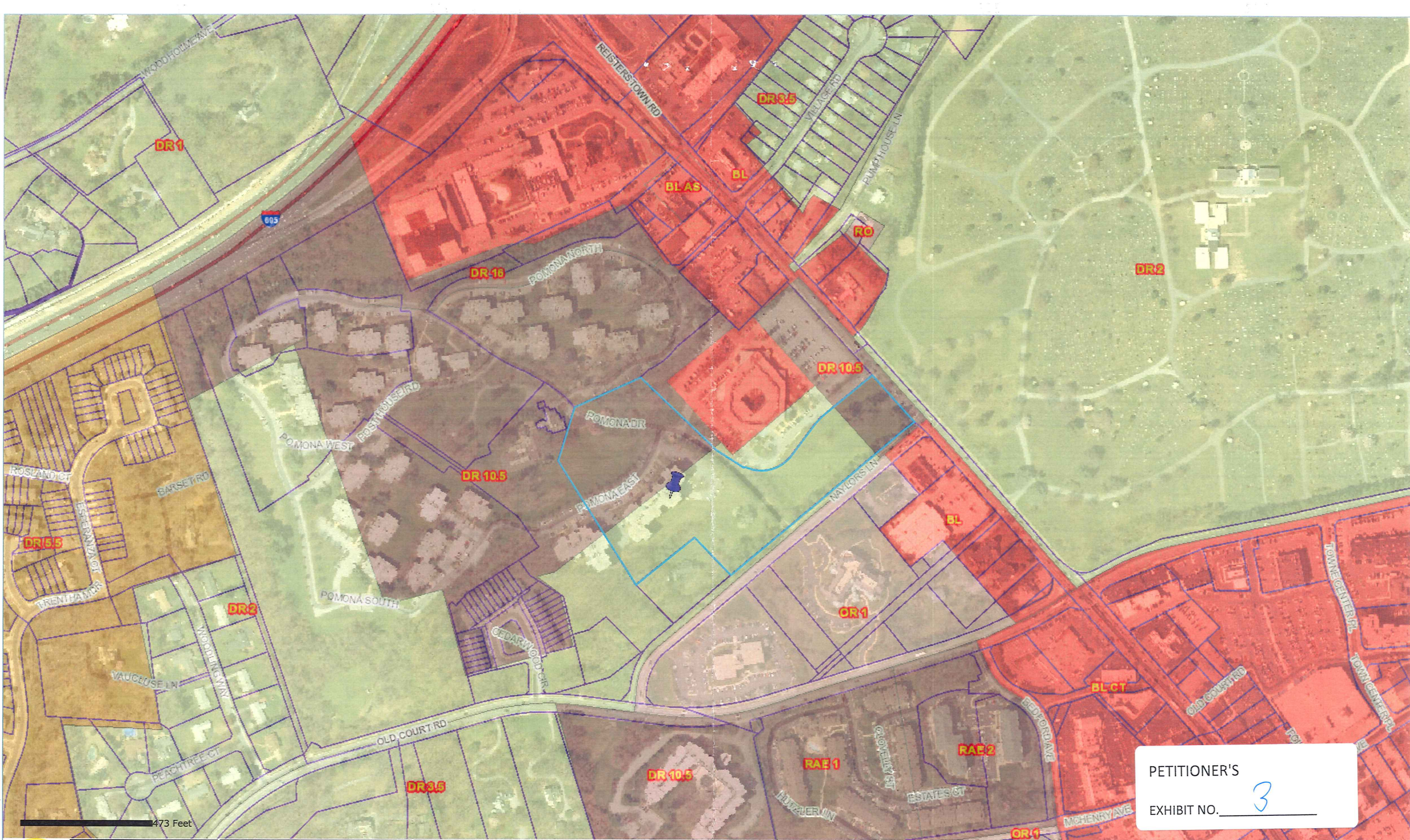
**PETITIONER'S:**  
 EXHIBIT NO. 2B

**DATE:** 10.18.13  
**SCALE:** AS SHOWN  
**C.I.:**  
**PROJ. NO.:** 0313TD  
**SHEET 2 OF 2**

**DSThaler & ASSOCIATES, INC.**  
 CIVIL AND ENVIRONMENTAL ENGINEERS, SURVEYORS  
 LANDSCAPE ARCHITECTS & LAND PLANNERS  
 7115 AMBASSADOR ROAD  
 P.O. BOX 4742B  
 BALTIMORE, MARYLAND 21244-142B  
 410-444-3641 www.dsthaller.com

**STATE OF MARYLAND**  
 REGISTERED PROFESSIONAL ENGINEER  
 No. 17,858  
 Daniel M. Thaler





PETITIONER'S  
 EXHIBIT NO. 3



My Neighborhood Map

Created By  
 Baltimore County  
 My Neighborhood

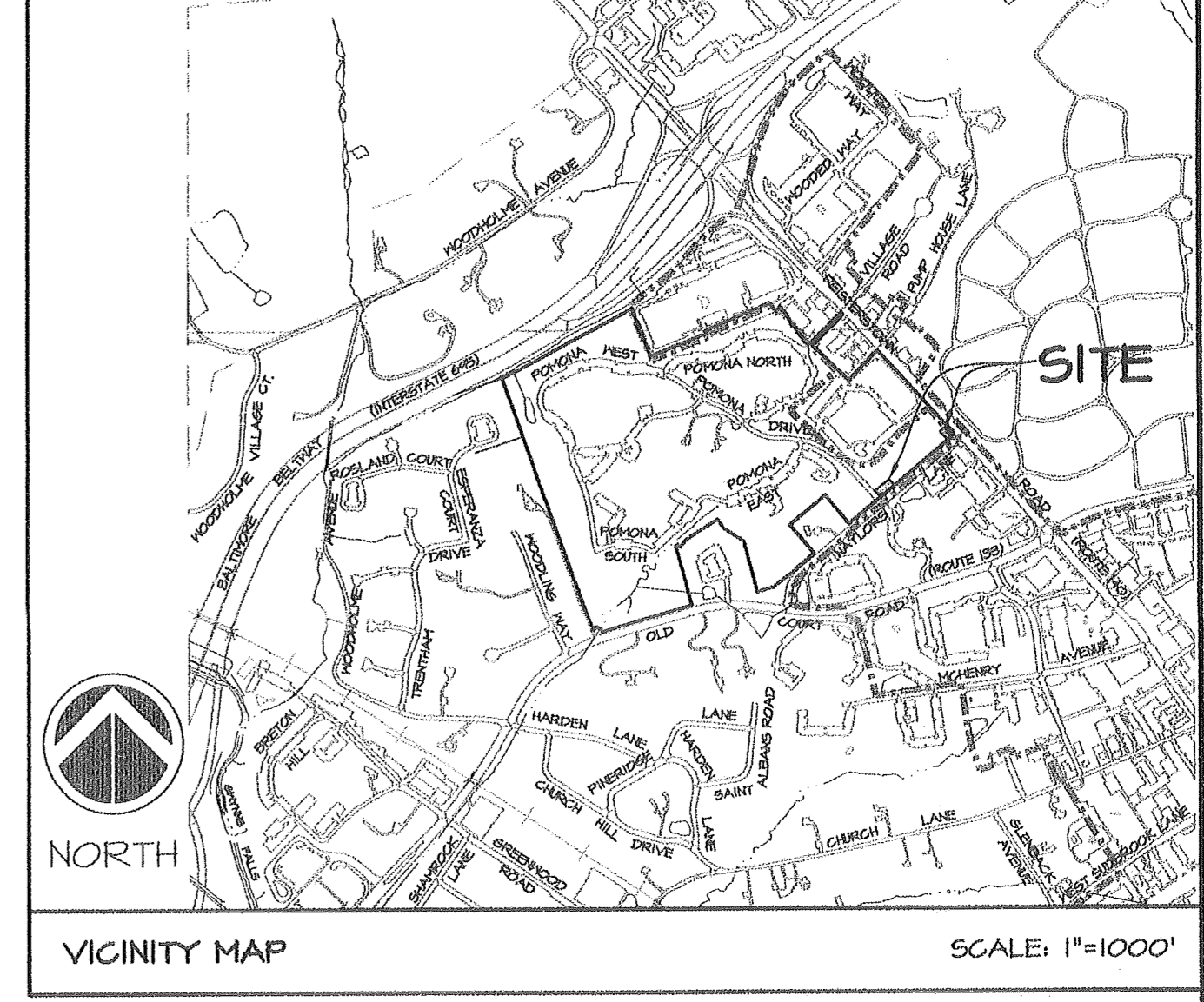


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**GENERAL NOTES:**

1. DEVELOPMENT NAME: THE RESIDENCES AT POMONA PARK
2. PLAN PREPARED BY: D.S. Thaler & Associates, Inc. OWNER/ APPLICANT: SMC POMONA APARTMENTS, LLC  
1115 AMBASSADOR ROAD, P.O. BOX 47428 BALTIMORE, MARYLAND 21244 ATTN: Stacy A. McArthur, R.L.A. (410) 444-3647

**PROPERTY REFERENCES**

PARCEL	AREA	PLAT	DEED	TAX ACCT. #	HOLD SINCE	TAX MAP	ADC MAP
4	C	10/14	39302 / 85	2300026105	1987	16/2	25-D # 1E-10

Property Address: 1 POMONA NORTH PIKESVILLE, MD, 21208  
 Boundary: Record Plat for POMONA, TO-14 (1987) (4th Revised) and D.S. Thaler & Associates, Inc. (2018)  
 Zoning: Baltimore County, 200 Scale 2002 Zoning Map, 616 Title No. 07DA1 and 06BA3  
 Floodplain: There is NO Riverine Floodplain on site (per FEMA PANEL 240F)  
 4. GENERAL DATA:  
 Election District: 3rd Hagerstown City Council Precinct: 409400  
 Councilmanic District: 2nd Regional Planning District: 313 (Pikesville)  
 5. SITE INFORMATION  
 AREA #1: 0.12 AC.1 @ DR-2  
 AREA #2: 0.06 AC.4 @ DR-105  
 6. UTILITIES: Existing Public utilities as noted.  
 7. USE: The existing use is Multi-Family and Commercial.  
 8. This property has been held intact since (see Note 3, according to deeds).  
 9. The site is not located within a delisted zone per Baltimore County 2002 Basic Services Maps, Water Supply Area Map, Sewage Area Map and Transportation Map. Adopted 5/12/2012, per Bill 20-12.  
 10. This site is not located within the Chesapeake Bay Critical Area.  
 10. There were no commercial permits or active zoning violations found on file with Baltimore County.

**ZONING HISTORY:**

Date	Case Number(s)	Comments
02/05/78	T-82-R	Portion of the zoning reclassification - dismissed
01/14/72	T-82-R	Zoning reclassification - denied
04/22/72	T2-22-R (Item #4)	Zoning reclassification - denied
05/16/74	T2-22-R	Zoning reclassification granted by the Board of Appeals.
04/02/76	T5-HB-RX 59H (Item #8)	Zoning reclassification approved. Community Building (see scaling req) - Special Exception granted. Off-street parking in residential zone - Special Hearing granted
04/15/77	T1-HB-A (Item #6)	Original petition - dismissed. Amended Height Variance Request - granted
07/05/77	T1-HB-A	Board of Appeals - dismissed
08/07/85	15-472-A	Building Height Variance - granted
12/15/2000	01-116-A	Variance Building and window setbacks, allow accessory use in side/rear yard, parking along travel way - granted

OVERALL PLAN Scale: 1" = 100'

**LEGEND**


SCALE: 1"=100'

NORTH MCS

NOTE: This includes information and depictions of Baltimore Gas and Electric Company's ("BGE") electric and/or gas utilities located within the project area (see "BGE UTILITY INFORMATION"). Locations, dimensions, depths, and other details of any such utilities may not be AS-BUILT, and the information shall not be relied upon without field verification. Excavators must employ safe digging best practices when approaching BGE electric and gas utilities and comply with all applicable federal, state, and local laws, including but not limited to, the "MISS UTILITY LANE" for relocations, guardrails, or barricades, express or implied, are made by BGE as to the quality, completeness, or accuracy of the BGE utility information, and in accepting this document, the recipient expressly acknowledges and agrees that it is not relying on the accuracy of the same.

PROJECT NAME: THE RESIDENCES AT POMONA PARK

PLAN TITLE: PLAT TO ACCOMPANY ZONING VARIANCE

COUNCILMANIC DIST. 2nd  
ELECTION DIST. 3rd  
REGIONAL PLANNING DISTRICT: PIKESVILLE

OWNER/APPLICANT:  
SMC POMONA APARTMENTS, LLC  
C/O SOUTHERN MANAGEMENT CORP.  
1950 OLD GALLOWAY ROAD, SUITE 600  
VIENNA, VA 22182  
108.902.2000

REVISIONS:

2014-0099-A

**DSThaler & ASSOCIATES, INC.**  
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DATE: 10.18.13  
SCALE: 1"=100'  
C.I.:  
PROJ. NO. 10373TD  
SHEET 1 OF 2