

MEMORANDUM

DATE: November 4, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0102-A

The appeal period for the above-referenced case expired on November 2, 2020. 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.'

/dlm

cc: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(2623 Rolling Road)

2nd Election District

4th Council District

Crosswinds at Rolling Road Apartments

Owner, LLC

Legal Owner

Petitioner

*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2020-0102-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Crosswinds at Rolling Road Apartments Owner, LLC legal owner of the subject property (“Petitioner”). Petitioner is requesting variance relief from § 450.4.6(A) of the Baltimore County Zoning Regulations (“BCZR”) to allow a freestanding identification sign with a sign area/face of 240 sq. ft. (comprised of three [3] single-sided panels) and height of 19.5 ft. in lieu of the permitted 25 sq. ft. and 6 ft. in height.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. A site plan was marked and accepted into evidence as Petitioner’s Exhibit 1.

A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”) dated June 1, 2020. That agency did not oppose the requested relief.

Mike Hartnett from Crosswinds at Rolling Road Apartments Owner, LLC appeared in support of the petition. Petitioner is a subsidiary of Morgan Properties. Lauren Werkhiser, the Design Director for Morgan Properties, also attended, as did David Thaler, the Professional Engineer, who supervised the preparation of the site plan. Mr. Thaler was accepted as an expert

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Date 10/2/20
By D. Mignone

in engineering, site design, and the BCZR. David H. Karceski, Esq. represented Petitioner. Lisa Evans, the President of the Sheffield Glen Homeowners Association (SGHA), attended to voice the SGHA's opposition to the scale of the proposed sign.

RECORD EVIDENCE

The site where the sign is proposed is approximately 0.119 acres in size and is zoned DR 16. Mr. Thaler explained that the property at large is approximately 152 acres and contains almost two thousand rental apartments and townhouses which make up the Diamond Ridge community. He testified that this may be the largest apartment/townhouse community in Baltimore County. He further explained that before being purchased by Morgan Properties in 2017 the complex was made up of five separately owned and managed communities. Morgan has consolidated these five into the Diamond Ridge community. Mr. Thaler explained that the property is unique because it is sprawling and irregularly shaped and is divided by five different public roads. He stated that it is also unique in that it was previously five different communities that are now part of the larger Diamond Ridge complex, and that this fact necessitates the need for larger signage to direct motorists looking for the complex. Mr. Thaler testified that he did a site line analysis of the intersection and determined that the site distance at this intersection (Rolling Road and Tudsbury Road) far exceeds the minimum of 550 ft. required by the American Association of State Highway and Transportation Officials (AASHTO). He opined that the proposed sign is needed to assist motorists in locating the Diamond Ridge community, and further opined that it would help traffic safety at the location.

Ms. Werkiser testified that Morgan Properties purchased the five separate communities in 2017 and has invested over \$21,000,000 in interior and exterior improvements at what is now the Diamond Ridge community. She testified that Morgan Properties owns and manages almost 300

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By D. Mignor

such communities in 15 states, including 25 other apartment communities in Baltimore County. She testified that she worked with Rick Crawford of Bartush Signs to design the proposed 3 panel, 19.5 foot tall sign. She testified that she believes a sign this size, at this location, is necessary to direct motorists to this large 2000 unit complex. Mr. Crawford testified that the “Diamond Ridge” lettering on the sign will be back lit with “subtle” LED lighting, and that there will be no other graphics on the sign other than the “Morgan Properties” name at the top of the two side panels. A detail of the site plan and architectural elevations of the sign were admitted as Petitioner’s Exhibits 5A and 5B.

Ms. Evans testified that she is the President of the Sheffield Glen Community Association, which is a community of 100 single family homes immediately adjacent to the Diamond Ridge complex on the other side of Tudsbury Road. She explained that the SGCA – and she personally – strenuously oppose a sign of this scale at the entrance to their residential community. She pointed out that the variance relief requested was for a sign many times the height and square footage as that permitted by the BCZR. She explained that the only ingress and egress into her community was the intersection where the proposed sign will be located. In the SGCA’s view the existing signage is perfectly adequate to enable motorists to locate the Diamond Ridge community. Ms. Evans also pointed out that there is separate signage for each of the separate communities within Diamond Ridge. On cross-examination by Mr. Karceski she acknowledged that there are commercial uses along Rolling Road in this general vicinity that have large signs – some with changeable copy. However, Ms. Evans stressed that *this* intersection is the gateway to her *residential* community and that a sign of this magnitude is incompatible.¹

¹ Subsequent to the hearing the Office of Administrative Hearings received numerous emails from other neighbors voicing the same concerns raised by Ms. Evans. Because they were not timely submitted I cannot make them a part of the record.

CONCLUSIONS OF LAW

The general rule is that “the authority to grant a variance should be exercised sparingly and only under exceptional circumstances.” *Mueller v. People’s Counsel for Baltimore County*, 177 Md. App. 43, 71(2007). This is because “a variance is an authorization for that which is prohibited by a zoning ordinance.” *Cromwell v. Ward*, 102 Md. App. 691, 699 (1995). And because “citizens [of a given county or municipality] are entitled to strict enforcement of the existing zoning regulations.” *Salisbury Bd. Of Zoning Appeals v. Bounds*, 240 Md. 547, 555-56 (1965). Therefore, “[t]he burden is on the applicant to show facts to warrant a variance,” and “the specific need for the variance must be substantial and urgent and not merely for the convenience of the applicant.” *Mueller v. People’s Counsel for Baltimore County*, 177 Md. App. at 70.

Under BCZR Sec. 307.1 and Maryland common law, in order to be entitled to variance relief the Petitioners must satisfy a two-step legal analysis, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and the uniqueness or peculiarity is what necessitates the requested relief; and;
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, supra.

Based on the record evidence and the expert opinion of Mr. Thaler I find that the subject property is unique within the legal meaning of the term. Mr. Thaler testified that this large and sprawling tract may be the largest apartment/townhome community in the County, and that until recently it was five distinct communities known by different names. Further, it is intersected by five different roads. He further testified that these unique features require the proposed larger signage that is the subject of the variance request. Petitioner has therefore satisfied the first prong of the legal analysis.

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By D. Mignon

I also find that Petitioner would suffer practical difficulty and hardship if *some* variance relief from the sign regulations is not afforded. However, as explained below, I do not believe it is within the spirit and intent of the BCZR in general, and the sign regulations in particular, to allow signage as large as that proposed here.

Section 450.1 of the BCZR governs signage in the County. The legislative purpose is stated as follows:

Statement of general findings and policies.

A. Signs convey information which is essential for protecting the safety of Baltimore County's citizens, maintaining order within its communities and advancing the health of its economy.

B. Businesses, small and large, established and new, contribute to Baltimore County's economic welfare by creating jobs and job opportunities, developing under-utilized and revitalizing depressed areas, and providing an expanded tax base. Because signage is necessary for the success and growth of businesses in the county, the regulation of signage must reasonably accommodate the needs of the business community.

C. *The amount of signage in Baltimore County is excessive. Excessive signage unduly distracts drivers and pedestrians, thereby creating traffic and safety hazards, impairing the utility of the highway system, and reducing the effectiveness of signs and other devices necessary for directing and controlling traffic.*

D. *Baltimore County's appearance is marred, property values and public investments are jeopardized, scenic routes are diminished, and revitalization and conservation efforts are impeded by excessive signage and incompatible signage.*

E. The existence of excessive and incompatible signage is contrary to the goals of the County Master Plan, as adopted and amended. Included among those goals are:

1. Improved quality of commercial corridors, including signage.
2. Improved compatibility between industrial and residential uses, including signage.
3. Enhanced control of placement, size and design of commercial corridor signage.

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Date 10/21/20

by D. Mignan

F. In light of the above, Baltimore County has a substantial interest in promoting the public health, safety and general welfare by reducing or eliminating excessive and incompatible signage.

G. To that end, these regulations are intended to be the least restricting means to achieve the following:

1. Eliminate and restrict signs which constitute an actual or potential distraction or other hazard to the safe operation of motor vehicles or the safe passage of pedestrians.
2. Encourage sound practices in signage, thereby assisting the public to locate facilities, goods and services without undue difficulty, danger, or confusion.
3. *Eliminate unsightly, incongruous signs which tend to depreciate or diminish private and public investments in buildings, sites and highways or hinder or discourage the improvement of residential, business and industrial properties.*
4. *Enhance and conserve the attractiveness of natural, landscaped and built environments in Baltimore County, particularly where such attractiveness contributes materially to the stability of communities and the promotion of tourism.*

BCZR § 450.1 (emphasis added).

The Petitioner in this case is seeking to construct signage that it is nearly ten times as large as that allowed by BCZR § 450.4.6(A) (240 sq. ft. in lieu of 25 sq. ft.); and more than three times as tall (19.5 ft. in lieu of 6 ft.). A sign of these proposed dimensions at the entrance to these residential neighborhoods would be at odds with several of the legislative purposes highlighted above, including the goals of traffic safety, aesthetic compatibility, and preservation of residential property values. All of these points were convincingly made by Ms. Evans, a long-time homeowner in the community, and President of the SGCA.

As noted above, the burden is on the party seeking a variance to show the need for the full relief they are seeking because, "the specific need for the variance must be substantial and urgent

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Date 10/2/20
By J. Mignone

and not merely for the convenience of the applicant.” *Mueller, supra*, 177 Md. App. at 70. In the instant case I am convinced that a larger sign is necessary and appropriate, but not one on the scale of Stonehenge. In my view a smaller, more compatible sign will fully serve Petitioner’s need to identify the Diamond Ridge community, while preserving the residential feel of the larger residential community, including the single family homes in Sheffield Glen.

THEREFORE, IT IS ORDERED, this 2nd day of **October, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from BCZR § 450.4.6(A) be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
- The three panel design depicted on the site plan shall be maintained.
- The total sign area shall be no larger than 100 square feet and the sign shall be no taller than 10 feet.
- The existing signage at this location shall be removed.

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


PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm

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Date 10/2/20
By D. Mignone



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 SEE ATTACHED SHEET

which is presently zoned DR16

Deed References: 38683-64

10 Digit Tax Account # SEE ATTACHED SHEET

Property Owner(s) Printed Name(s) Crosswinds at Rolling Road Apartments Owner, LLC

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a **Variance** from Section(s)

SEE ATTACHED SHEET

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 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

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Crosswinds at Rolling Road Apartments Owner, LLC

Name #1 - Type or Print

Name #2 - Type or Print

SEE ATTACHED SHEET

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER

2020-0102-A

Filing Date

4/15/20

Do Not Schedule Dates:

Reviewer

A

REV-10/4/11

CROSSWINDS AT ROLLING ROAD APARTMENTS OWNER, LLC

ATTACHMENT TO PETITION FOR VARIANCE

2623 ROLLING ROAD

TAX ACCOUNT NO. 1600012902

DEED REF. 38683-64

2409 MOLTON WAY

TAX ACCOUNT NO. 1700012534

DEED REF. 38683-64

5 PALMERSTON COURT

TAX ACCOUNT NO. 1900012136

DEED REF. 38683-64

TUDSBURY ROAD

TAX ACCOUNT NOS. 2000005340 & 1700012536

DEED REF. 38683-64

CROSSWINDS AT ROLLING ROAD APARTMENTS OWNER, LLC

ATTACHMENT TO PETITION FOR VARIANCE

VARIANCE FROM SECTION 450.4.6(A) OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW A FREESTANDING IDENTIFICATION SIGN WITH A SIGN AREA/FACE OF 240 SQUARE FEET (COMPRISED OF 3 SINGLE-SIDED PANELS) AND HEIGHT OF 19.5 FEET IN LIEU OF THE PERMITTED 25 SQUARE FEET AND 6 FEET IN HEIGHT.

CROSSWINDS AT ROLLING ROAD APARTMENTS OWNER, LLC

ATTACHMENT TO PETITION FOR VARIANCE

Crosswinds at Rolling Road Apartments Owner, LLC
c/o Morgan Properties
160 Clubhouse Road
King of Prussia, PA 19406
(484) 690-1933

By: 
Stephen Waters, Senior Vice President
of Facility Operations

March 12, 2020

DIAMOND RIDGE
ZONING DESCRIPTION
(FOR ZONING PURPOSES ONLY)

Beginning for the same at the Northwest corner of the intersection of Rolling Road, variable width right of way, and Tudsbury Road, an ultimate 70 foot right of way, thence running the following courses and distances:

1. Northwesterly 97.96 feet by a curve to the right having a radius of 600.00 feet and a chord bearing North 81°20'47" West 97.85 feet to a point; thence
2. North 54°09'09" East 137.35 feet to a point; thence
3. South 02°45'16" West 71.98 feet to a point; thence
4. South 25°34'38" West 25.79 feet to the point of beginning.

Containing 0.119 acres of land, more or less.

Located in the Fourth Councilmanic District and the Second Election District of Baltimore County, Maryland.



2020-0102-A

CERTIFICATE OF POSTING

CORRECTED COPY

2020-0102-A

RE: Case No.: _____

Petitioner/Developer: _____

Crosswinds at Rolling Road Apartments Owner, LLC

September 25, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

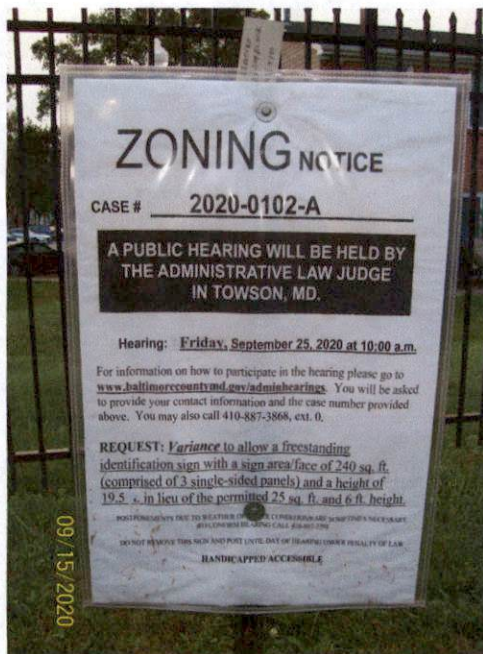
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2623 Rolling Road

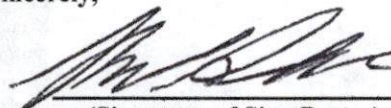
SIGN 1

September 5, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 September 15, 2020
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0102-A

RE: Case No.: _____

Petitioner/Developer: _____

Crosswinds at Rolling Road Apartments Owner, LLC

September 25, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

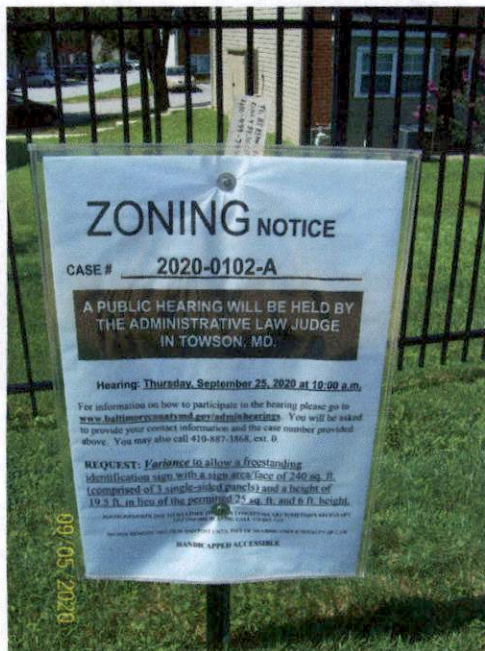
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2623 Rolling Road

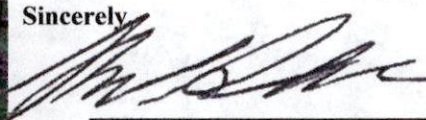
SIGN 1

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(Month, Day, Year)



Sincerely,

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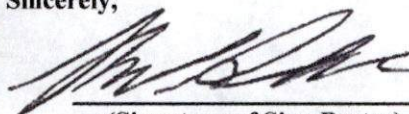
SIGN 2

September 5, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 September 5, 2020
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

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Attn: Kristen Lewis:

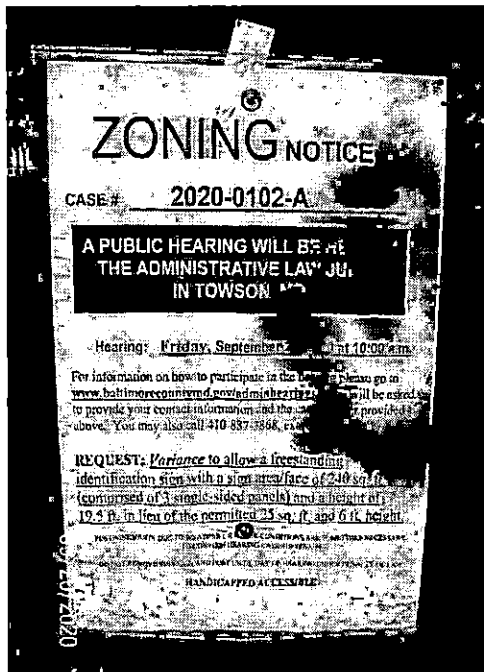
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2623 Rolling Road **SIGN 2 Recertification**

September 5, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 September 20, 2020

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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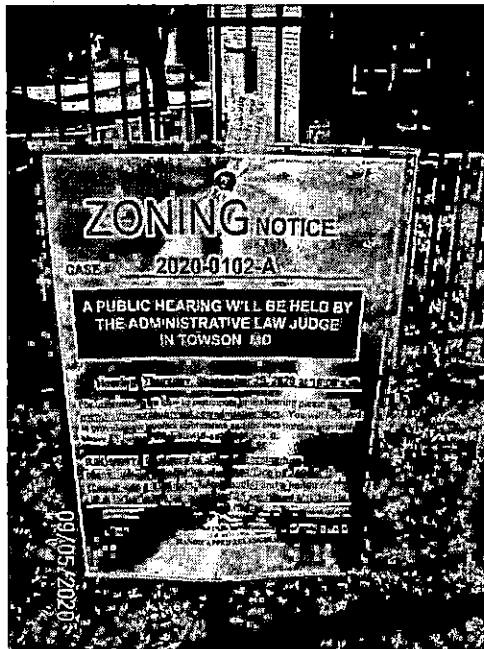
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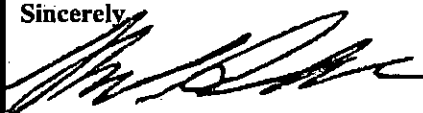
SIGN 1

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(Month, Day, Year)



Sincerely,

 **September 5, 2020**

(Signature of Sign Poster)

(Date)

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(Print Name)

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(Address)

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Ladies and Gentlemen:

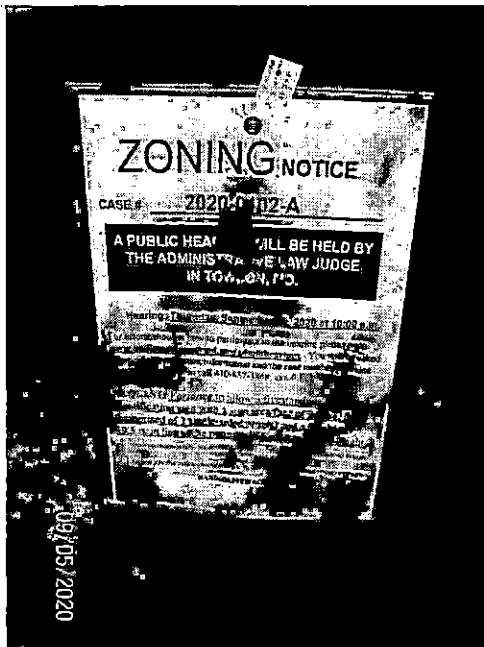
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2623 Rolling Road

SIGN 2

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(Print Name)

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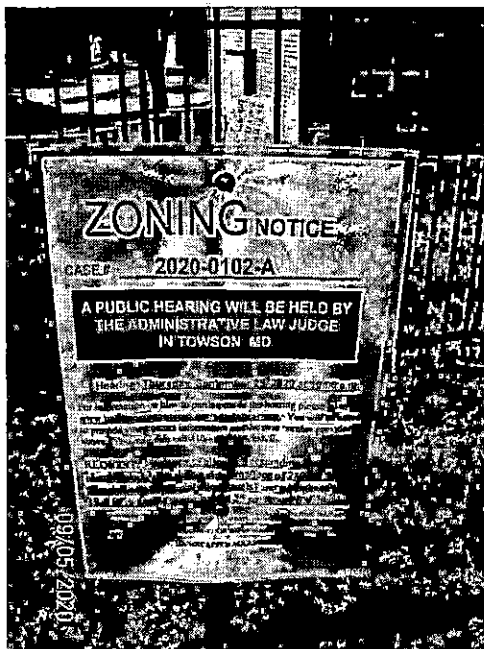
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(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

9/25
10 AM

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, September 20, 2020 9:49 PM
To: Barbara Lukasevich; CARobinson@Venable.com; DKarceski@Venable.com;
Administrative Hearings
Subject: Recertification's For 2020-0101-A AND 2020-0102-A
Attachments: Re-Cert 1 2020-0101-A.doc; Re-Cert 2 2020-0101-A.doc; Re-Cert 1 2020-0102-A.doc;
Re-Cert 2 2020-0102-A.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 9613 Harford Road and 2623 Rolling Road.



CERTIFICATE OF POSTING

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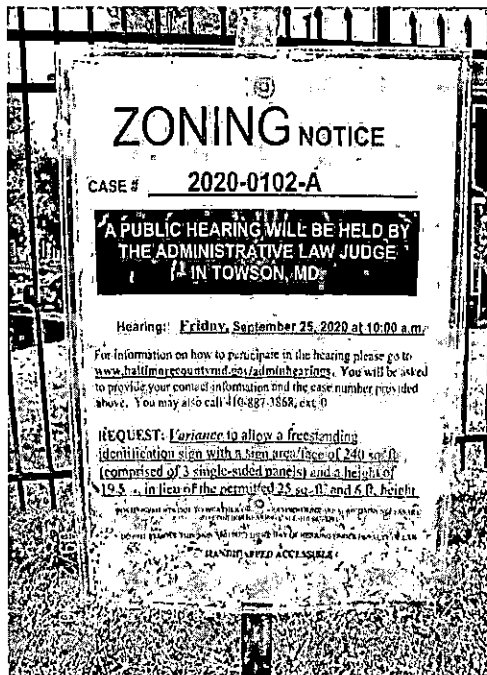
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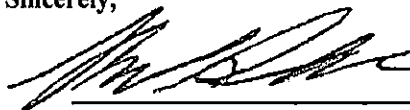
SIGN 1 Recertification

September 5, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 September 20, 2020
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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Attn: Kristen Lewis:

Ladies and Gentlemen:

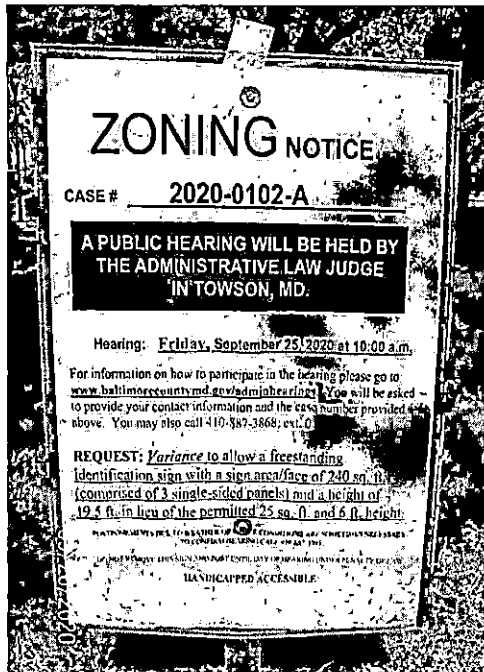
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2623 Rolling Road

SIGN 2 Recertification

September 5, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

September 20, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, Director
Department of Permits,
Approvals & Inspections

August 25, 2020

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0102-A

2623 Rolling Road

Northwest side of Rolling Road and Tudsbury Road

2nd Election District – 4th Councilmanic District

Legal Owners: Crosswinds at Rolling Road Apartments Owner, LLC

Variance to allow a freestanding identification sign with a sign area/face of 240 sq. ft. (comprised of 3 single-sided panels) and a height of 19.5 ft. in lieu of the permitted 25 sq. ft. and 6 ft. height.

Hearing: Thursday, September 25, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Stephen Waters, Morgan Properties, 160 Clubhouse Road, King of Prussia PA 19406

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., SEPTEMBER 5, 2020

TO: THE DAILY RECORD
Friday, September 4, 2020 - Issue

Please forward billing to:

Barbara Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6352

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 virtual hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2020-0102-A

2623 Rolling Road

Northwest side of Rolling Road and Tudsbury Road

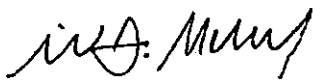
2nd Election District – 4th Councilmanic District

Legal Owners: Crosswinds at Rolling Road Apartments Owner, LLC

Variance to allow a freestanding identification sign with a sign area/face of 240 sq. ft. (comprised of 3 single-sided panels) and a height of 19.5 ft. in lieu of the permitted 25 sq. ft. and 6 ft. height.

Hearing: Thursday, September 25, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
2623 Rolling Road; NW of Rolling Road		
& Tudsbury Road	*	OF ADMINSTRATIVE
2 nd Election & 4 th Councilmanic Districts		
Legal Owner(s): Crosswinds at Rolling Road	*	HEARINGS FOR
Apartments Owners, LLC		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2020-102-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.

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 11th day of May, 2020, a copy of the foregoing Entry of Appearance was emailed to David Karceski, Esquire, 210 West Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11915333
Case #: 2020-0102-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0102-A

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

9/4/2020



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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 virtual hearing the property identified herein as follows:

CASE NUMBER: 2020-0102-A

2623 Rolling Road

Northwest side of Rolling Road and Tudsbury Road

2nd Election District - 4th Councilmanic District

Legal Owners: Crosswinds at Rolling Road Apartments Owner, LLC

Variance to allow a freestanding identification sign with a sign area/face of 240 sq. ft. (comprised of 3 single-sided panels) and a height of 19.5 ft. in lieu of the permitted 25 sq. ft. and 6 ft. height.

Hearing: Thursday, September 25, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/administrativehearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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.

For Newspaper Advertising:

Case Number: 2020-0102-A

Property Address: See Attachment to Petition for Variance

Property Description: See attached description

Legal Owners (Petitioners): Crosswinds at Bolling, Rock Apartments Owner, LLC

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barb Lukasevich

Company/Firm (if applicable): Venable LLP

Address: 210 W. Pennsylvania Ave.

Suite 500

Towson, MD 21204

Telephone Number: 410 494 6352



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

September 9, 2020

David Karceski,
210 W. Pennsylvania Ave Ste 500
Towson MD 21204

RE: Case Number: 2020-0102-A, 2623 Rolling Road, 2409 Molton Way, 5 Palmerston Court, Tudsbury Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 15, 2020. 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over the "Very truly yours," text.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

Date: May 12, 2020

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. **2020-0102-A**

Variance

**Crosswinds at Rolling Road Apartments Owner, LLC
2623 Rolling Road**

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@mdot.maryland.gov).

Sincerely,



For Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 7, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0102-A
Address 2623 Rolling Road
(Crosswinds at Rolling Road
Apartments Owner, LLC Property)

Zoning Advisory Committee Meeting of **May 11, 2020**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Kristen L Lewis

From: Karceski, David H. <DKarceski@Venable.com>
Sent: Tuesday, August 25, 2020 10:37 AM
To: Kristen L Lewis
Cc: Robinson, Drew
Subject: RE: 2020-0102-A

CAUTION: This message from DKarceski@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Kristen

Here is our list of participants –

Lauren Werkiser
lwerkiser@morganproperties.com

Rick Crawford
rcmercerc@verizon.net

David Thaler
dsthaler@dsthaler.com

Stacey McArthur
smcarthur@dsthaler.com

Drew Robinson
carobinson@venable.com

David Karceski
dhkarceski@venable.com

Thank you,

David

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Tuesday, August 25, 2020 10:30 AM
To: Karceski, David H. <DKarceski@Venable.com>
Subject: 2020-0102-A

Caution: External Email

David,

Do you have any participants for Crosswinds, that need to receive an invite?

Kristen Lewis



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

August 25, 2020

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0102-A

2623 Rolling Road

Northwest side of Rolling Road and Tudsbury Road

2nd Election District – 4th Councilmanic District

Legal Owners: Crosswinds at Rolling Road Apartments Owner, LLC

Variance to allow a freestanding identification sign with a sign area/face of 240 sq. ft. (comprised of 3 single-sided panels) and a height of 19.5 ft. in lieu of the permitted 25 sq. ft. and 6 ft. height.

Friday
Hearing: ~~Thursday~~, September 25, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

A handwritten signature in cursive script, appearing to read "M. Mallinoff".

Michael Mallinoff
Director

MM:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Stephen Waters, Morgan Properties, 160 Clubhouse Road, King of Prussia PA 19406

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., SEPTEMBER 5, 2020



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 SEE ATTACHED SHEET which is presently zoned DR16
Deed References: 38683-64 10 Digit Tax Account # SEE ATTACHED SHEET
Property Owner(s) Printed Name(s) Crosswinds at Rolling Road Apartments Owner, LLC

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a Variance from Section(s)

SEE ATTACHED SHEET

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 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

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 410-494-6285 dhkarceski@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Crosswinds at Rolling Road Apartments Owner, LLC

Name #1 - Type or Print

Name #2 - Type or Print

SEE ATTACHED SHEET

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 410-494-6285 dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2020-0102-A Filing Date 4/15/20 Do Not Schedule Dates: _____

Reviewer AS

REV. 10/4/11

2020
0032 SPH
[2301
Walnut Ave.
Aug. 20th

Kristen L Lewis

From: Karceski, David H. <DKarceski@Venable.com>
Sent: Tuesday, August 25, 2020 10:37 AM
To: Kristen L Lewis
Cc: Robinson, Drew
Subject: RE: 2020-0102-A

CAUTION: This message from DKarceski@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Kristen

Here is our list of participants –

Lauren Werkiser
lwerkiser@morganproperties.com ✓

Rick Crawford
rcmercer@verizon.net ✓

David Thaler
dsthaler@dsthaler.com

Stacey McArthur
smcarthur@dsthaler.com

Drew Robinson
carobinson@venable.com ✓

David Karceski
dhkarceski@venable.com ✓

Thank you,

David

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Tuesday, August 25, 2020 10:30 AM
To: Karceski, David H. <DKarceski@Venable.com>
Subject: 2020-0102-A

Caution: External Email

David,

Do you have any participants for Crosswinds, that need to receive an invite?

Kristen Lewis

Edit Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☐	<u>Debra Wiley</u> (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Henry Ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>David Karceski</u>	dhkarceski@venable.com	1-	English	New York Time	U.S.
☐	<u>David Thaler</u>	dsthaler@sthale.com	1-	English	New York Time	U.S.
☐	<u>Drew Robinson</u>	carobinson@venable.com	1-	English	New York Time	U.S.
☐	<u>Lauren Werkiser</u>	lwerkiser@morganproperties.com	1-	English	New York Time	U.S.
☐	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Rick Crawford</u>	rcmercer@verizon.net	1-	English	New York Time	U.S.
☐	<u>Stacey McArthur</u>	smcarthur@dsthale.com	1-	English	New York Time	U.S.

New Panelist

Full name: (required)

Email address: (required)

Phone number: Country/Region Number (with area/city code)

Time Zone: New York (Eastern Daylight Time, GMT-04:00) ▼

Language: English ▼

Locale: U.S. ▼

☐ Add new panelist in my address book

☐ Invite as alternate host

Event Information

Event: Zoning Hearing - 2623 Rolling Road
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e3d54ca03a28f4a5cc41427562483bbba>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed4fc3ae1ddabcf2e4f5ba65b92383ddb>
Date and time: Friday, September 25, 2020 10:00 am
 Eastern Daylight Time (New York, GMT-04:00)
Duration: 1 hour
Description: Zoning Hearing
 Case No: 2020-0102-A
 Address: 2623 Rolling Road
 Owner: Crossroads at Rolling Road Apartments Owner, LLC
Event number: 172 460 6485
Event password: 1234
Host key: 165577
Alternate Host: Debra Wiley, Henry Ayakwah
Panelist Info:
Panelist password:
Panelist numeric password: 174916
Video Address: 1724606485@baltimorecountymd.webex.com
 You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
 +1-415-655-0001
[Show all global call-in numbers](#)
 Access code: 172 460 6485
Maximum number of registrants: 10000
Destination address after event:
Host image:
Attendee list available for viewing by: Host, presenter and panelists only
Event material: None
Post-event survey: No
Email configured: Pending, Approved, Rejected

Start Event
 You can :
 event by
 Start Nov

Start

Send Email
 You can :
 emails by
 Send Email

Send

Registration Information

Registration ID required: No
Password required: No
Password:
Approval required: No
Custom registration form: No
After registration, go to URL:

Manage Registrations

Delete Event

Edit Event

Debra Wiley

From: Kristen L Lewis
Sent: Tuesday, August 25, 2020 12:21 PM
To: Donna Mignon; Debra Wiley
Subject: Webex
Attachments: 20200825115504877.pdf

2nd one :)

Kristen Lewis
PAI – Zoning Review
410-887-3391

Edit Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
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☐	<u>Henry Ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>David Karceski</u>	dhkarceski@venable.com	1-	English	New York Time	U.S.
☐	<u>David Thaler</u>	dsthale@sthale.com	1-	English	New York Time	U.S.
☐	<u>Drew Robinson</u>	carobinson@venable.com	1-	English	New York Time	U.S.
☐	<u>Josie Dowell</u>	josiedowell7313@gmail.com	1-	English	New York Time	U.S.
☐	<u>Lauren Werkiser</u>	lwerkiser@morganproperties.com	1-	English	New York Time	U.S.
☐	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Rick Crawford</u>	rcmercer@verizon.net	1-	English	New York Time	U.S.
☐	<u>Stacey McArthur</u>	smcarthur@dsthale.com	1-	English	New York Time	U.S.

New Panelist

Full name: (required)

Email address: (required)

Phone number: Country/Region Number (with area/city code)

Time Zone:

Language:

Locale:

☐ Add new panelist in my address book

☐ Invite as alternate host

BALTIMORE COUNTY, MARYLAND

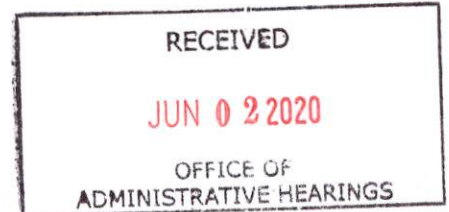
INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 6/1/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-102



INFORMATION:

Property Address: Diamond Ridge Townhomes
Petitioner: Crosswinds at Rolling Road Apartments Owner, LLC
Zoning: DR 16
Requested Action: Variance

The Department of Planning has reviewed the petition for variance from Section 450.4.6(a) of the Baltimore County Zoning Regulations to allow a freestanding identification sign with a sign area/face of 240 square feet (comprised of three single-sided panels) and height of 19.5 feet in lieu of the permitted 26 square feet and 6 feet in height.

The site is located in the Windsor Mill area. The applicant is proposing the freestanding signage at the intersection of Tudsbury and Rolling Roads. The proposed signage will display "Diamond Ridge" on two of the panels and "Apartments & Townhomes" on the third panel. There is currently an existing smaller sign at this location and mature trees in proximity to this location.

The Department of Planning does not object to granting the petitioned zoning relief conditioned upon the petitioner successfully addressing the following comments:

1. Demonstrate to the satisfaction of the administrative law judge that the proposed signage will not be an obstruction and a distraction to driver's view. A sight distance study may need to be performed to successfully confirm.
2. Indicate whether the existing signage is to remain or to be removed.
3. Landscape the base of the proposed signage with plant species that will not block signage.

For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:

Krystle Patchak

Division Chief:

Jenifer G. Nugent

Date: 6/1/2020
Subject: ZAC # 20-102
Page 2

CPG/JGN/kma/

c: Ngone Seye Diop
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
David H. Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

✓ order
Hr.

9/25 10:00

CASE NO. 2020-0102-A

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

5/7

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

N/C

6/1
5/12

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

No objection
but comments
NIC

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 9/5/20

by Sat. Black

SIGN POSTING (2nd) Date: 9/25/20

by Sat. Black

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Paul Mayhew

From: Gertrude Nobles <csmnobles@verizon.net>
Sent: Thursday, October 1, 2020 12:22 PM
To: Paul Mayhew
Cc: Gertrude Nobles
Subject: Protest the proposed 19.5 Foot Morgan Properties sign

CAUTION: This message from csmnobles@verizon.net originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

To: Judge Paul Mayhew – pmayhew@baltimorecountymd.gov
Re: Case # 2020-0102-A
Case Hearing date: Friday- September 25, 2020 at 10:00 am – Virtually
Regarding- the proposed 19.5 Foot sign advertising Morgan Properties to replace the existing sufficient 6-foot sign

Your Honour, I submit this email to strongly protest the proposed 19.5 foot Morgan Properties sign to not be erected on the corner of Tudsbury Road and Rolling Road. The existing 6ft sign currently on that corner is more than sufficient.

- The current sign which stands at 6 ft. tall which contains the website address and telephone number is more than sufficient to direct all guests to reach the correct Morgan property (Uber drivers, FedEx UPS, letter carriers etc.). A nearly 20 Foot new sign in a residential neighborhood on the corner leading into our community is not wanted or needed.
- GPS and other mapping systems are advanced enough to direct drivers to the address of the property that they need to reach. This community does not need a 19.5 tall foot sign erected at corner which already sees its fair share of accidents.
- Proposing a sign of this size 19.5 feet in our residential community is in very poor taste on the part of Morgan Properties and shows a complete lack of regard for the homeowners who do own properties in this community. Most of Morgan Properties occupants are renters.
- Everyone has a cell phone these days and can adequately use a number of GPS apps on their phones to locate friends or family member in one of Morgan

Properties locations. We do not need an offensively large 19.5 sign which does not even have a telephone number or website address on it to direct people.

- **The current sign is more than sufficient at the current 6 ft. height. A 19.5-foot-tall sign advertising rental properties slaps in the face of hardworking, long time homeowners, seniors, and veterans is distasteful, and does not fit in with the landscape, and is not needed or wanted. They would not be in favor if it was being proposed to be placed in their residential neighborhoods and devalued their property. We do not want this Gigantic, monstrosity of a 19.5-foot sign in our residential community either.**

Sincerely,

Retired Veteran CSM (R) Gertrude C. Nobles (H) 443-436-9399 (M) 443-542-8671

Donna Mignon

From: Paul Mayhew
Sent: Tuesday, September 29, 2020 3:24 PM
To: Donna Mignon
Subject: FW:
Attachments: Proposed Morgan Properties signage comparison.jpg

Can you please print this email and attached photos. thanks

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

From: Adrienne DiLustro <yoamd129@gmail.com>
Sent: Tuesday, September 29, 2020 3:04 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Subject:

CAUTION: This message from yoamd129@gmail.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

To: Judge Paul Mayhew
pmayhew@baltimorecountymd.gov

Re: Case #2020-0102-A
Case Hearing date: Friday September 25, 2020 at 10:00
Regarding - the proposed 19.5 foot sign advertising Morgan Properties to replace the existing sufficient 6 foot sign

Good afternoon Judge Mayhew,

I am writing to you to voice my objection to the proposal for a large advertisement to be erected at the corner of Rolling Road and Tudsbury Road by Morgan Properties. I understand that a virtual hearing occurred recently, but as the notifications for this event were not posted near my home or visible for me, I was unable to attend. As a homeowner of a townhome located in this subdivision, I strongly protest the proposed 19.5 foot Morgan Properties sign solely based on its egregious height. The existing 6 foot sign currently on that corner is more than sufficient, and is clearly visible from the street and while entering the neighborhoods. My neighborhood, Sheffield Glen, is not associated with Morgan Properties, and I do not see why one organization should place such large signage on the shared entrance to our communities at that intersection.

I did some research and found that the average commercial billboards (sometimes called Bulletins) from Lamar Advertising, producer of many large billboards in the Baltimore region, stand between 14-20 feet high. These are the sizes of billboards meant to be visible from a hundred yards away while

driving along a highway. Does my small, quiet, residential neighborhood really need a sign the height of a massive billboard at its entrance? Further research found that the most modern local commuter buses used by the MTA in our area (New Flyer Industries bus company model XD40) stand about 20 feet high. The proposed sign may be as tall as a city bus. Would you like a sign this size at the entrance to your neighborhood? Not even a major business like a restaurant or hotel would post such a large sign at the entrance to a mall or shopping center shared with unaffiliated businesses.

I took a photo yesterday afternoon of the current 6-ft Morgan Properties sign at the entrance to my subdivision. While I am not proficient with graphic design, I imagined how awful a 19.5-ft sign would appear in this space (multicolor square scaled to 6:19.5 foot ratio). See the attached photo comparison to visualize how outrageous this large sign would be - especially as it blocks the view of the horizon and stands taller than a city bus!

Morgan Properties should not be allowed to erect a tacky and distasteful sign near my home. This is unacceptable and disrespectful to all homeowners and residents who are not affiliated with their rental properties. I worry that the placement of this monstrous sign would lower residents' opinions of Morgan Properties and its tenants, and do not wish to see any potential frustration among my neighbors. Please consider working with Morgan Properties to produce a smaller, tasteful, and appropriate new sign (if they must do so at all) at the entrance to my neighborhood.

Respectfully,

Adrienne DiLustro
(301) 537-6947



Donna Mignon

From: Robinson, Drew <CARobinson@Venable.com>
Sent: Wednesday, September 23, 2020 10:14 AM
To: Administrative Hearings
Subject: RE: Case No. 2020-102-A Petitioner's Exhibits
Attachments: Exhibit 5A - Sign Landscape Plan (Flat).pdf; Exhibit 5B - Sign Landscape Plan (Utilities).pdf; Exhibit 6 - Image Location Map and Site Photos.pdf

CAUTION: This message from CARobinson@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Donna,

Please find attached Petitioner's Exhibits 5A, 5B and 6 for our hearing tomorrow. You should now have all of Petitioner's exhibits:

Exhibit 1 – Site Plan
Exhibit 2 – David Thaler CV
Exhibit 3A – Aerial
Aerial 3B – Aerial (Wide)
Exhibit 4 – Sight Line Exhibit
Exhibit 5A – Sign Landscape Plan (Flat)
Exhibit 5B – Sign Landscape Plan (Utilities)
Exhibit 6 – Image Location Map and Site Photos



If you do not have them all or have any questions please let me know. Thanks!

Thanks,

Drew

From: Robinson, Drew
Sent: Wednesday, September 23, 2020 10:07 AM
To: 'Administrative Hearings' <administrativehearings@baltimorecountymd.gov>
Subject: RE: Case No. 2020-102-A Petitioner's Exhibits

Donna,

Please find attached Petitioner's Exhibits 3A, 3B and 4 for our hearing tomorrow. I plan to follow up with one more email with exhibits 5A, 5B and 6 and will include a list so you can make sure you have them all.

Thanks,

Drew

From: Robinson, Drew
Sent: Wednesday, September 23, 2020 10:01 AM

Case No.: 2020-0102-A- Crosswinds at rolling road apartments Owner, LLC
- Sept. 25, 2020 @ 10:00 AM

Exhibit Sheet

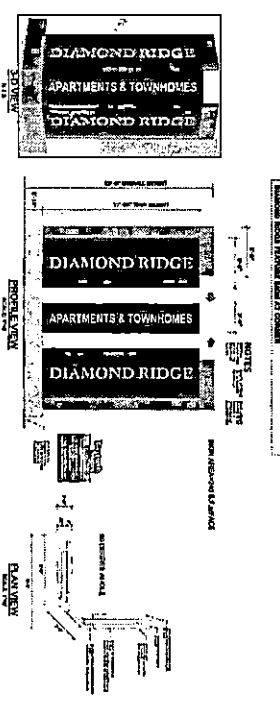
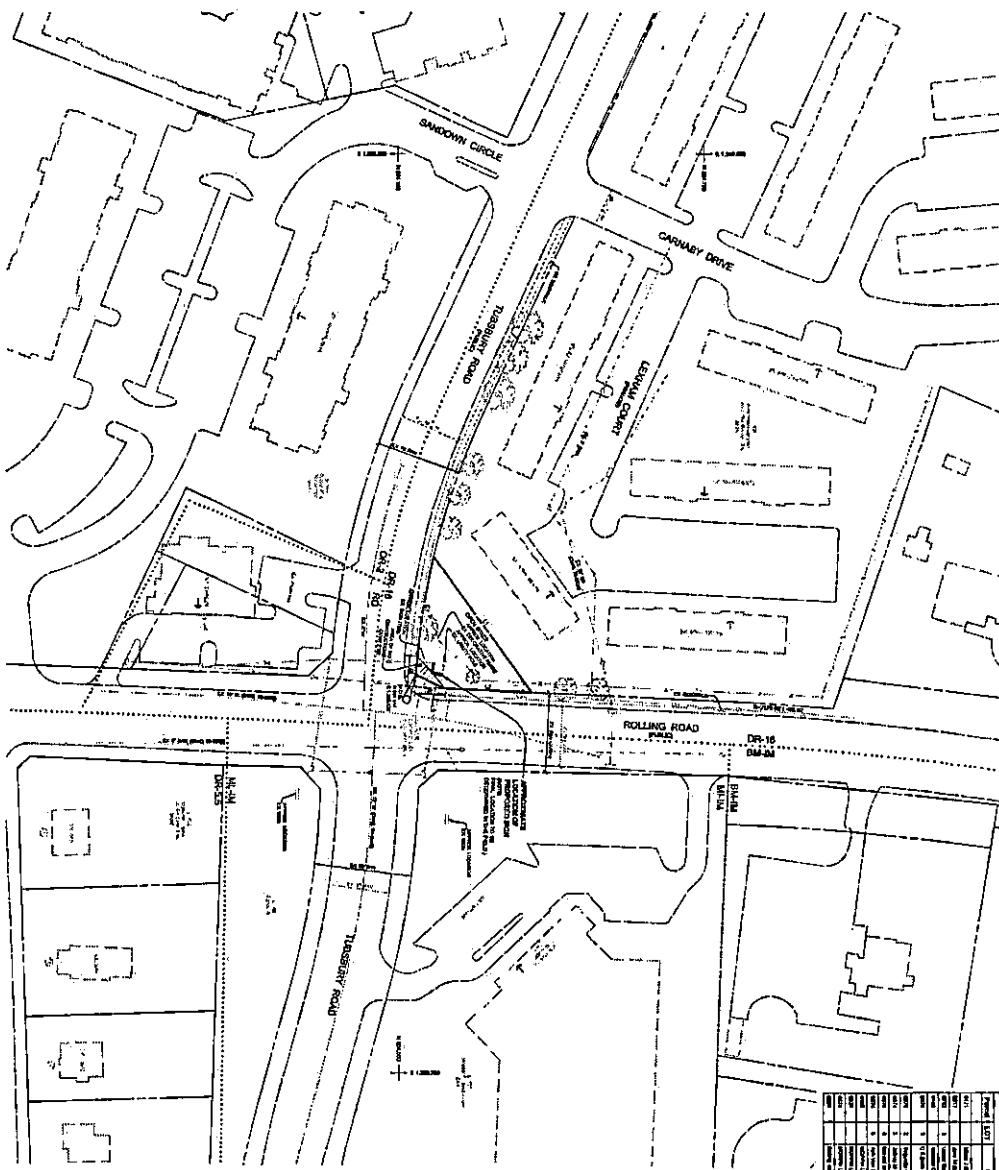
Petitioner/Developer

Protestants

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11/4/20
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No. 1	Site Plan	
No. 2	David Thaler CV	
No. 3A	Aerial	
No. 3B	Aerial Wide	
No. 4	Sight Line Exhibit	
No. 5A	Sign Landscape Plan (Flat)	
No. 5B	Sign Landscape Plan (Utilities)	
No. 6	Image Location Map and Site Photos	
No. 7	Map of Overall Boundaries of the 150+ Acre Diamond Ridge Community	
No. 8		
No. 9		

No. 10		

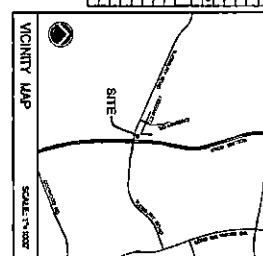


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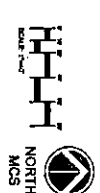
GENERAL NOTES

1. The site is located within the Diamond Ridge Townhomes development.
2. The site is bounded by Diamond Circle to the north, Carvery Drive to the east, Rolling Road to the south, and Treasury Road to the west.
3. The site is zoned R-1 (Residential Single-Family).
4. The site is currently vacant.
5. The site is proposed for development as a townhome complex.
6. The site is proposed to contain 10 townhome units.
7. The site is proposed to be developed in accordance with the Diamond Ridge Townhomes Master Plan.
8. The site is proposed to be developed in accordance with the Diamond Ridge Townhomes Subdivision Map.
9. The site is proposed to be developed in accordance with the Diamond Ridge Townhomes Plat.
10. The site is proposed to be developed in accordance with the Diamond Ridge Townhomes Declaration of Covenants, Conditions, and Restrictions.



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DIAMOND RIDGE TOWNHOMES



PROJECT NAME:
DIAMOND RIDGE TOWNHOMES

PROJECT LOCATION:
Diamond Ridge Townhomes, Diamond Circle, Carvery Drive, Rolling Road, Treasury Road

PLAT TO ACCOMPANY ZONING PETITION

APPLICANT:
DSThaler & Assoc., LLC

CONTACT INFORMATION:
DSThaler & Assoc., LLC
1111 Diamond Circle
Diamond Ridge, North Carolina 27041
Phone: (336) 291-1111
Fax: (336) 291-1112
Email: info@dsthaler.com

DATE OF PREPARATION:
August 1, 2008

SCALE:
1" = 100'



PROFESSIONAL QUALIFICATIONS

DAVID S. THALER

PE, LS, DFE, D.WRE, FRGS, F.ASCE, F.NSPE

dsthaler@dsthaler.com

D.S. THALER & ASSOC., LLC

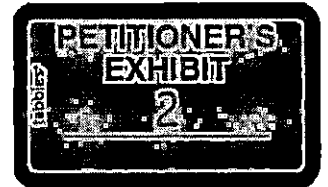
7115 Ambassador Road, PO Box 47428

Baltimore, Maryland 21244-7428

Tel: 410-944-3647

EDUCATION

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



PROFESSIONAL ENGINEER—Maryland

REGISTERED LAND SURVEYOR—Maryland

LICENSED REAL ESTATE BROKER—Maryland

COLONEL, (MD ret.) —121ST Maryland Engineer Regiment—2008-2014

GUEST SCHOLAR—University of Baltimore School of Law – 2009-2016

MEMBERSHIP IN PROFESSIONAL OR TECHNICAL SOCIETIES

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

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

National Academy of Forensic Engineers—**Diplomate**.

American Academy of Water Resources Engineers—**Diplomate**.

Royal Geographical Society – **Fellow**.

National Society of Professional Surveyors—2014-2016.

Maryland Building Industry Association—**Life Director**—2014-

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, 2010-

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. 2014-2016
Home Builders Association of Maryland, Inc., Baltimore County Chapter
— Board of Directors, 1978-1989, 1994-1995, 2000-
— Secretary/Treasurer, 1979.
— Vice President, 1980-1982.
Home Builders Association of Maryland, Inc.
Land Development Council
— **Founding President** 1990 —
— Vice President 1991-1996, 2004
Land Use Committee
— Chairman, 1987-1990.
Maryland Builder
— Chairman, Editorial Advisory Board 1988-1993.
Board of Directors 1988-1992.
Lamda Alpha International—(Land Economics Society) 1994, 2016

PROFESSIONAL AWARDS

- *Governor's Citation* – for outstanding service on behalf of the people of Maryland and the field of engineering - 2019
- *2019 National Society of Professional Engineers Award*—Highest National Award of the National Society of Professional Engineers.
- *Professional Engineer in Private Practice Award*—National Society of Professional Engineers—2018
- Inaugural Recipient—*David S. Thaler Leadership Award*—Maryland Society of Professional Engineers—2014
- *Meritorious Service Award to the Engineering Profession*—The American Society of Civil Engineers, Maryland Section, 2013.
- *Icon of the Industry Award-Lifetime Achievement*—Home Builders Association of Maryland, 2011
- *Meritorious Service Award to the Engineering Profession*—Baltimore Engineers Week Council, 2011
- *Certificate of Appreciation*—Baltimore Police Department, 2003.
- *Lifetime Achievement Award*—Land Development Council of Maryland, 2000.
- *Consultant of the Year*—Land Development Council of Maryland, 1995.
- *Civil Engineer of the Year*—American Society of Civil Engineers, 1990.
- *Journalism Award*—Maryland Society of Professional Engineers - 1983/1984, 1984/1985.
- *Outstanding Young Engineer in Maryland*—Maryland Society of Professional Engineers, 1983/1984.
- *Engineer of the Year*—Engineers Week Council of Maryland, 1984/1985.
- *Outstanding Service Award*—National Society of Professional Engineers, 1984.

MILITARY DECORATIONS

- *The Maryland Distinguished Service Cross*— 2013
- *The Maryland Commendation Medal*— 2012
- *The Maryland Meritorious Service Medal*— 2011
- *The Maryland Militia Medal with Bronze Star for Merit*—2010
- *Certified Military Emergency Management Specialist*

APPOINTMENTS TO COMMITTEES OR COMMISSIONS OF THE STATE OF MARYLAND

- *Youth Apprenticeship Advisory Committee—Appointed by the Governor 2016 – 2019*
- *Continuing Professional Competency Committee – MD Board for Professional Engineers, 2010, 2017*
- *Task Force on the Preservation of State Streams, 1990-1991*
- *Advisory Commission on Energy Utilization in New Building.*
- *Committee of the Maryland Building Code for the Handicapped.*
- *State Water Quality Advisory Committee, 1980 -1983*
- *Governor's Task Force on Independent Living, 1981.*
- *Maryland Storm Water Management Committee Work Group, 1983.*

BALTIMORE COUNTY

- *Landmarks Preservation Commission – 2012 - 2020*
- *Builders for the Bay—2006.*
- *Historic Sites Advisory Committee—1998-2000, Chairman.*
- *Master Plan Advisory Group—1997.*
- *Comprehensive Zoning Committee—1995.*
- *Commercial PUD Advisory Group—1994.*
- *Commercial Zoning Advisory Group—1992-1993.*
- *Critical Areas Advisory Committee—1988 and 1992.*
- *Master Plan Advisory Group—1990.*
- *Integrated Watershed Management Task Force—1981.*

BALTIMORE CITY: Public Works Museum—Trustee—1982-1987.

ENGINEERING AND TECHNICAL AFFAIRS EDITOR: *The Daily Record*—1983-1985.

OTHER

Baltimore County Chamber of Commerce—Chairman of the Board—1996-1998.
Baltimore Chamber Orchestra—Board of Directors—1988-1994.
Catonsville Community College—Lecturer, Real Estate—1987-1997.
The Valley Academy—Board of Directors—1995-1999.
Jewish Museum of Maryland—Trustee—2000-2001.
Center for Organizational Performance - Towson University — Board of Directors—2000-2002.
Program in Historic Preservation - Goucher College—Advisory Committee—2000-2001.
Baltimore Police Department Ceremonial Unit—Pipe Major—2003-2005.
Maryland Historical Society:
—Trustee—2004-2010.
—Vice President—2007-2008.
—Senior Vice President—2008-2010.
Building Industry Foundation—Trustee—2004 - 2007.
Frederick County Place of Assembly Work Group—2009
29th Division Association, 2012-2016
Senior Housing Continuum Task Force – Jewish Community Federation of Baltimore—2019

LECTURER

- *Lehigh University*—Senior Civil Engineering Seminar, 1977, 1978, 1979.
- *Lehigh University*—Short Course in Urban Hydrology and Storm Water Management, 1980-1982.
- Seminar sponsored by the Federal Emergency Management Agency for the Association of State and Local Floodplain Managers, November 1981.
- "Implementing Storm Water Management in Maryland," sponsored by *Maryland Chapter, American Planning Association*, November, 1983.
- Keynote address for the newly registered Professional Engineers, October 1984.
- Land Development for Commercial and Industrial Properties
Catonsville Community College - January 1987.
- "Investing in Raw Land"—Land Development and the Subdivision Process—1986-1994.
 - ☐ *Catonsville Community College*
 - ☐ *Anne Arundel Community College*
 - ☐ *Carroll County Community College*
 - ☐ *Home Builders Association of Maryland*
 - ☐ *Howard County Community College*
 - ☐ *Engineering Society of Baltimore*
 - ☐ *Property Owners Association of Maryland*
- "The Mystery of Surveying" Real Property Section, *Maryland Bar Association* 1985, 1989.
- "Zoning Trends"—*Greater Board of Realtors*—1989.
- "Surveying"—*University of Baltimore, School of Law* 1990, 1995, 1997.
- "Land Development"—*University of Maryland, School of Law* 1991.
- "Land Development Processing"—*Real Property Section of the Bar Association of Maryland* November 1992.
- "Land Development Processing"—*Land Development Council*—September 1992.
- "Land Development in Baltimore County"—*Engineering Society of Baltimore*—May 1993.
- "The Developer as an Endangered Species"—*National Association of Industrial and Office Parks* June 1993.
- "Rethinking the Suburbs"—*The Maryland Institute*—June 1993.
- "Land Development Processing"—*Johns Hopkins University*—1993-1997.
- "Value in Real Estate Through Zoning"—*Greater Baltimore Board of Realtors*—1995.
- "Value in Real Estate Through Zoning"—*Home Builders Association of Maryland*—1995.
- "A Pragmatic Approach to Traditional Neighborhood Design"—*Anne Arundel County Community College*—1996.
- "Flexible Design Standards"—*Harford County Council*—1996.
- "Designing For Livable Communities and Healthier Watersheds: Rewriting the Rules"—*Center For Watershed Protection*—February 1998.
- "Managing Growth in Maryland 2000 & Beyond"—*University of Maryland, College Park*—March 1998.
- "Master Planner Course"—*Lancaster County Planning Commission, Lancaster, PA*—July, 1998.
- "Building Better Communities: Rethinking the Development Model in Harford County" *The Task Force on the Future of Growth in Harford County*—August, 1998.
- "Slaying the Beast: Preventing and Curing Sprawl in Maryland" — *The Maryland Chapter of the American Planning Association*—October, 1998.
- "Rethinking the Suburbs, Creating a Non-Euclidian Model of Development" *The Maryland Institute for Continuing Professional Education of Lawyers, Inc., Advanced Real Property Institute*, April, 1999.
- "Rethinking the Rules—Unintended Consequences of Land Use Regulation" *Alliance for the Chesapeake Bay*—May, 1999.

- “Everything You Ever Wanted to Know About ALTA/ACSM Surveys, Boundary Surveys, Certifications and Global Positioning”—*The Mid-Atlantic Real Estate Corporate Counsel Discussion Group*—December, 1999.
- “Community Conservation & Historic Preservation”—*Keynote Speaker, Baltimore County Landmarks Preservation Commission, Preservation Breakfast* — June, 2000.
- “Trigonometry”—*St. Paul’s School for Girls*—February, 2001.
- “Cadastral Land Surveying, Documentation and Registration—Rule of Law Project, United States State Department”—*Northwest Cadastral Land Institute, and the Land Committees of the Leningrad Oblast, St. Petersburg, Russia*—November 2000.
- “Entrepreneurship”—*Towson University, College of Business & Economics*—October, 2001.
- “The Master Land Developer Course”—*Land Use Institute*—Fall 2003.
- “Secrets of Successful Land Development”—*Catonsville Community College*—November, 2005.
- *The Mencken Paradox*—The George Peabody Library, The Johns Hopkins University—September, 2006.
- *Mason and Dixon and the Defining of America*
 - Maryland Historical Society, December, 2008;
 - Goucher College, February, 2009;
 - Prince Georges County Historical Society, February, 2009.
 - Institute of Chemical Engineers, April, 2009.
 - Keynote Address, Society of Research Administrators, April, 2009
- *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—2009, 2011
- *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 21st Century*—Baltimore County Planning Board—May, 2010
- *Smart Growth and Sustainability*—Masters Program in Real Estate, John Hopkins University—February, 2012
- *The Murder of the Suburbs: The Consequences of Euclidean Zoning*—Baltimore County Bar Association, April 2012.
- Keynote address, Maryland Society of Professional Engineers Conference, *Sprawlurbia: The American Dream?*—Columbia, MD—October, 2013
- *Thaler on Land Use—Sprawlurbia: The Unintended Consequences of Village of Euclid v. Ambler Realty Co.*, The University of Baltimore School of Law—November, 2013.
- Keynote address, Maryland Society of Professional Engineers, *Death of the Suburbs*—Annapolis, Maryland, October 2014
- Keynote address, *Suit Up and Be Civil*—Clark School of Engineering, University of Maryland—March, 2015
- *Fundamental Principles of Land Development* —MBIA/Land Use Institute—April, 2015, April 2017
- Keynote address, The Preservation Alliance, *The 250th Anniversary of the Mason Dixon Survey*—June, 2015.

- H. L. Mencken Memorial Lecture, *H. L. Mencken: Anti-Semite?* — Enoch Pratt Free Library, Baltimore: September 12, 2015
- *Advanced Principles of Land Development*—MBIA/Land Use Institute—April, 2016
- *The Mystery of the Transit in the Tower*, Serjeants' Inn, The Johns Hopkins University, Baltimore: October, 2016
- *How a Surveying Error by Capitan John Smith in 1608 Led to the Granddaddy of All Boundary Disputes*—Women's Club of Roland Park, Baltimore: December 2016
- *The Art and Science of Surveying and Everything You Ever Wanted to Know About ALTA/NSPS Land Title Surveys*—Real Estate Section Maryland State Bar Association—Baltimore: April, 2017
- *The Law of Title and Boundary Surveying*, Old Republic Title Company — Ellicott City, MD October 2017.
- *The Secrets of Surveying and Everything You Ever Wanted to Know About ALTA/NSPS Land Title Surveys* — Security Title Guarantee Corp., Crofton, MD — October, 2018.
- *Resolving the Granddaddy of All Boundary Disputes* — Maryland State Geographic Information Committee, Annual Meeting, Catonsville Community College — October, 2018
- *Boundary Surveying, Title Law, Precision and Accuracy*, Maryland Society of Professional Engineers Annual Conference, Linthicum, Maryland — November, 2018
- *The Mystery of the Transit in the Tower* — The Wednesday Law Club, Baltimore, Maryland — March, 2019
- *State of the State: Current Issues Affecting Land Development in Maryland*: Five sessions. Fulton, Maryland, March-April, 2019
- *The Interface Between Land Surveying and Geographic Information Systems*, Washington College, Chestertown, Maryland — April, 2019
- *Penn v. Lord Baltimore*, Resolving the Greatest Title Dispute of Them All. Security Title Guarantee Corporation, Crofton, Maryland — October, 2019

EXPERT TESTIMONY

- Qualified as an Expert Witness before the Courts of Baltimore County, Baltimore City, Frederick County, Carroll County and Anne Arundel 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 October 1976
(Civil and Environmental Engineers, Landscape Architects, Surveyors and Land Planners,
see attachment A, Partial List of Planning and Engineering Projects)

PUBLICATIONS

Over 250 articles on a variety of subjects and five books:

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

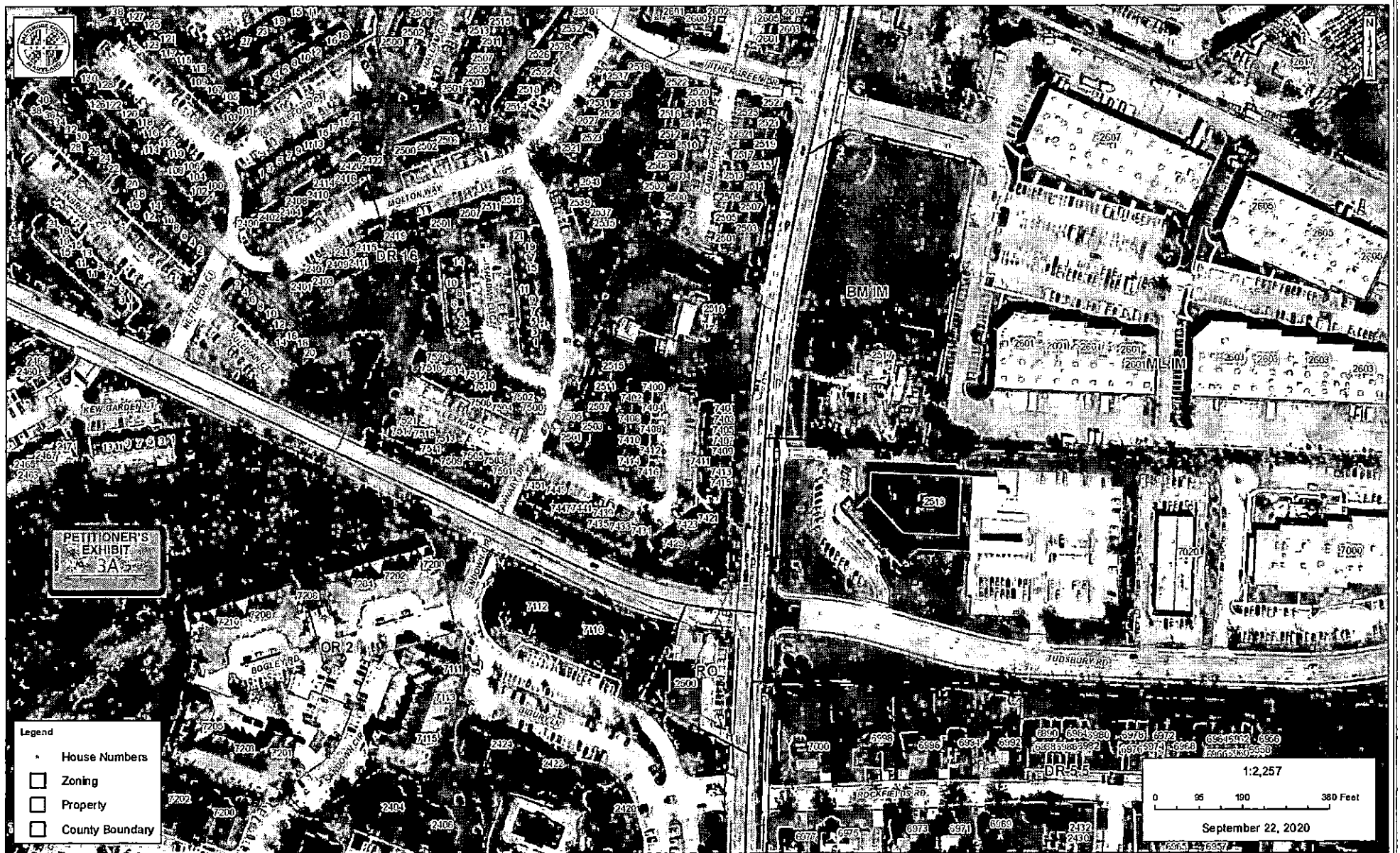
Schrader, Richard J., Editor, *Erez Israel*: A facsimile reprint,
Baltimore: D.S. Thaler & Associates, Inc., 2005

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

Thaler, David S., Marion Elizabeth Rodgers, Larry Gibson, *Mencken's Prejudices Debunked*,
Baltimore: Mercury House Press, 2015.

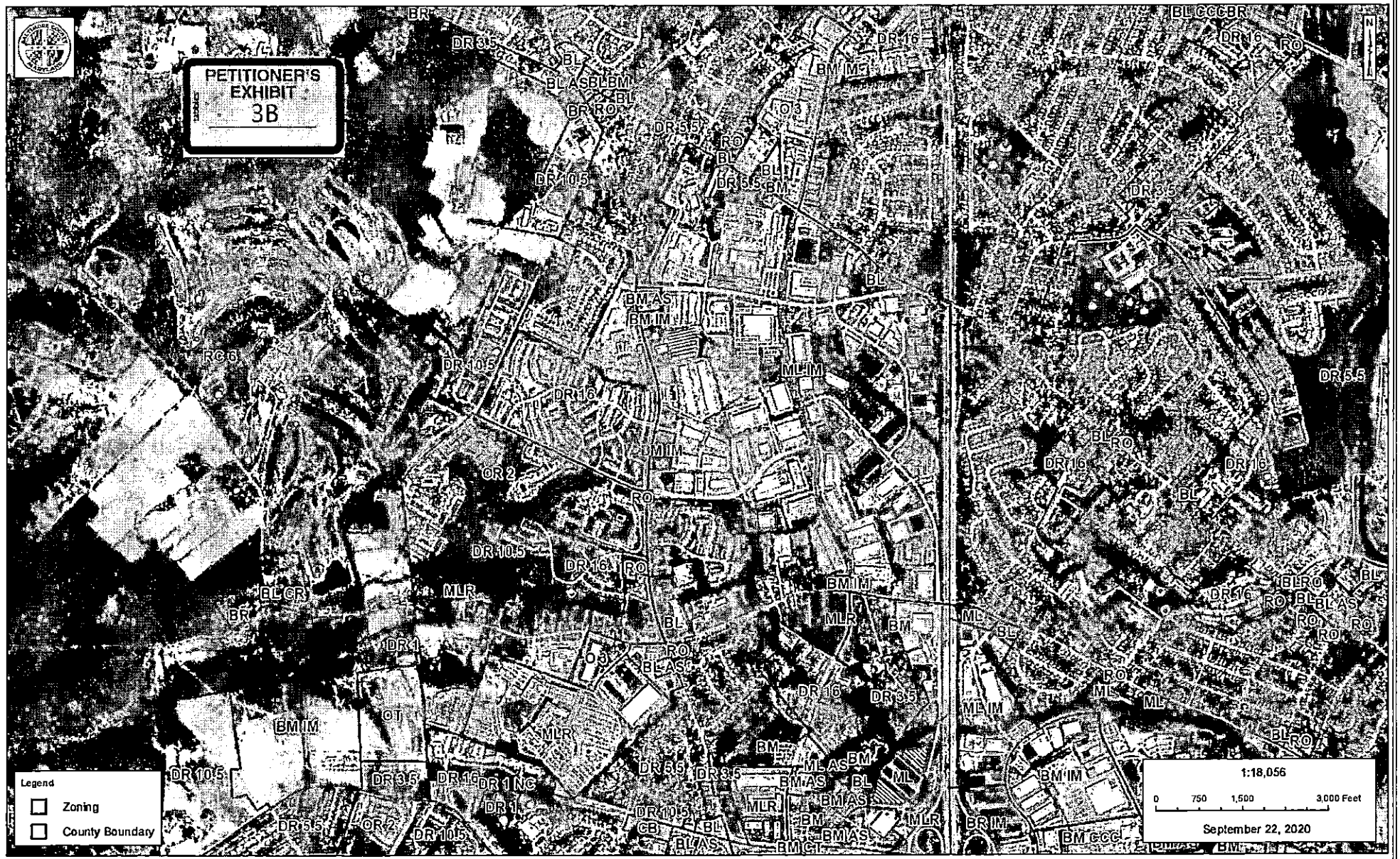
2623 Rolling Road



2623 Rolling Road (Wide)



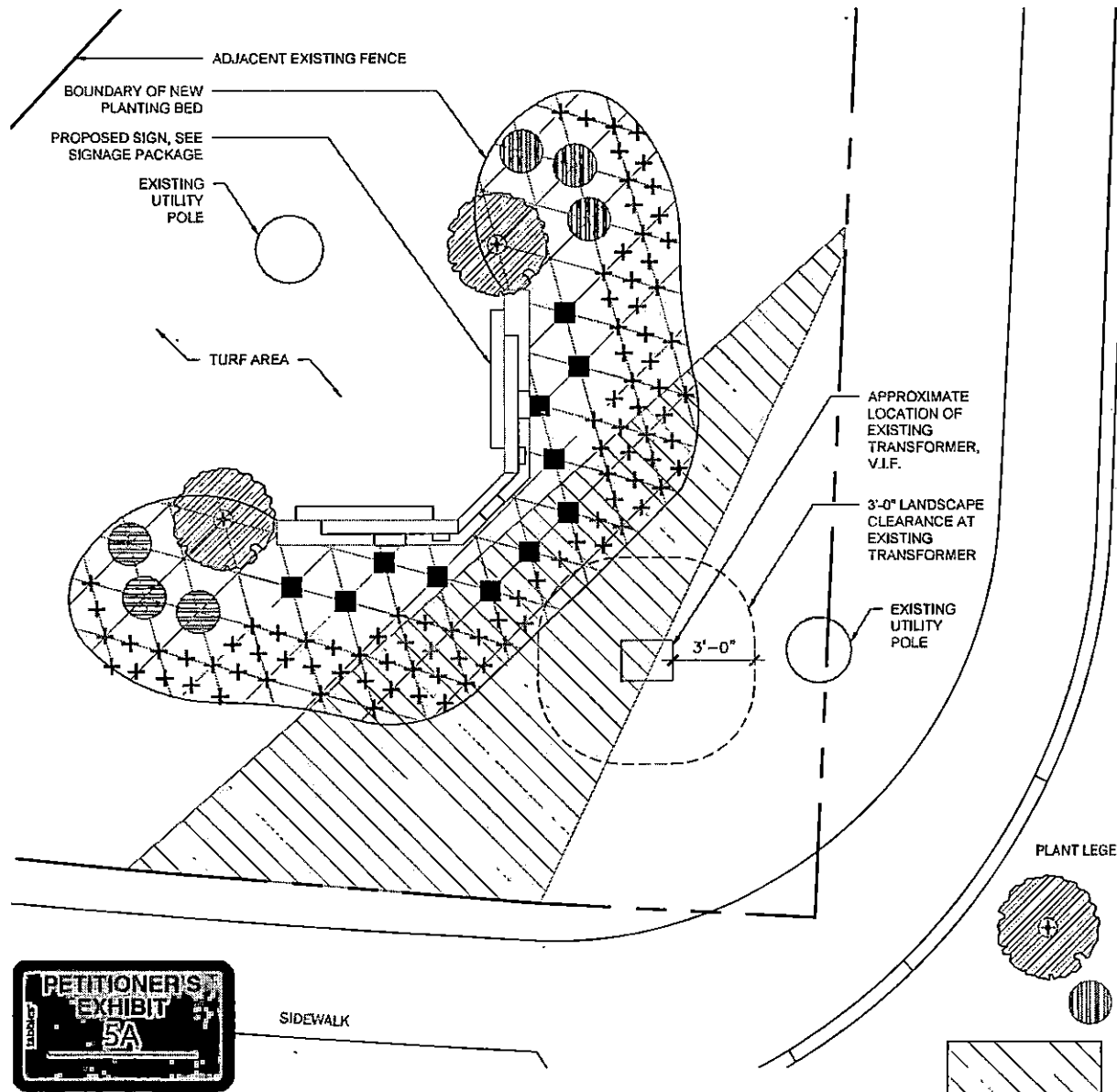
PETITIONER'S
EXHIBIT
3B



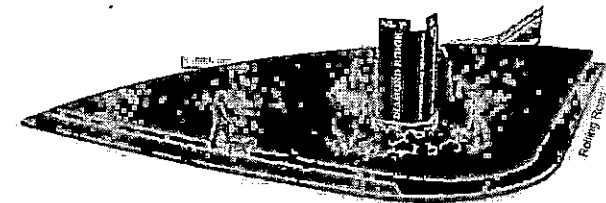
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0	750	1,500	3,000 Feet
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September 22, 2020



ROLLING ROAD

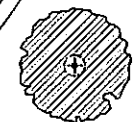


CONCEPTUAL RENDERING

NOTES:

- See Sign package for details and location.
- Contractor to verify all site conditions for accuracy and report any conflicts to owner prior to installation.
- Remove existing vegetation in its entirety.
 - Remove shrub stumps to minimum 10" below finished grade.
- 24" spacing grid shown for reference.
- Mulch: Apply 2" depth layer of mulch over entire planting area.
- Mulch to be free from deleterious materials and suitable as a top dressing of trees and shrubs consisting of the following:
 - TYPE: Double shredded hardwood Bark
 - SIZE RANGE: 3" Max, 1/2" Min
 - COLOR: Natural. Free of dyes and artificial colors
- Layout of plant material in field to be approved by owner representative prior to being planted.
- Contractor to verify quantities indicated on planting plans
- PLANTS: Meet or exceed applicable ANSI Z60.1 standards.
- Turf areas disturbed during installation shall be replanted using turf seed appropriate for the conditions in which they are planted. Proposed turf seed mix and type shall be submitted to owner representative for approval prior to being installed.
- PLANT SIZES:
 - Shrubs - 5'-0" - 6'-0" Minimum height at time of install
 - Grasses - 5 gal pots
 - Perennials - 1 gal pots

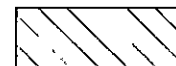
PLANT LEGEND



Rhemnus frangula - 'Fine Line'
Fine Line Buckthorn - qty 2



Calamagrostis x acutiflora 'Karl Foerster'
Feather Reed Grass - qty 6



NO OBSTRUCTIONS OVER
3'-0" HEIGHT PER CITY



Liriope muscari 'Cleopatra'
Cleopatra Liriope - qty 68

Festuca glauca 'Elijah Blue'
Blue Fescue - qty 28

Heuchera 'Forever Purple'
Coral Bells - qty 11



Diamond Ridge Townhomes

Site Plan

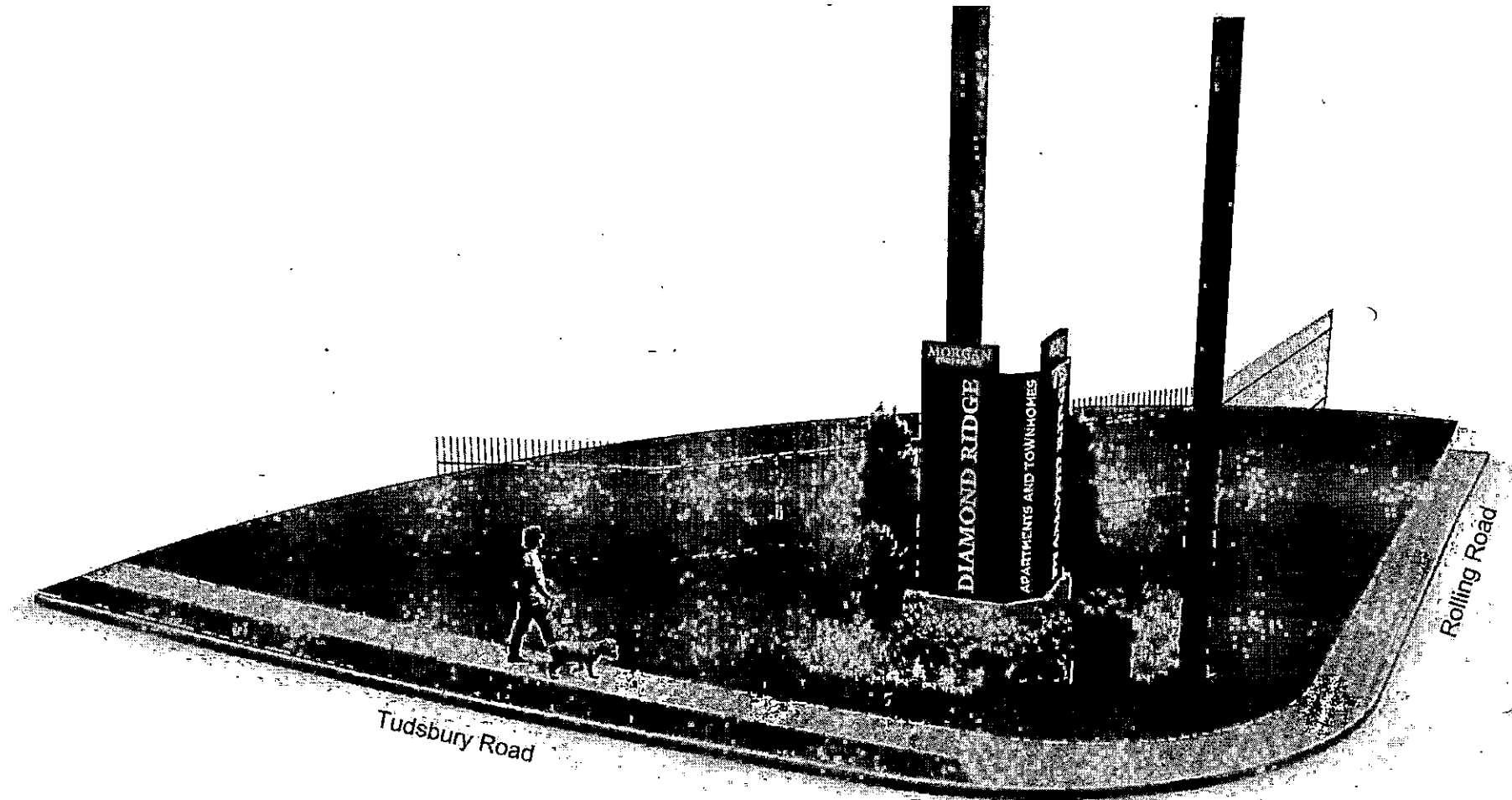


MORGAN
PROPERTIES

6/10/2020

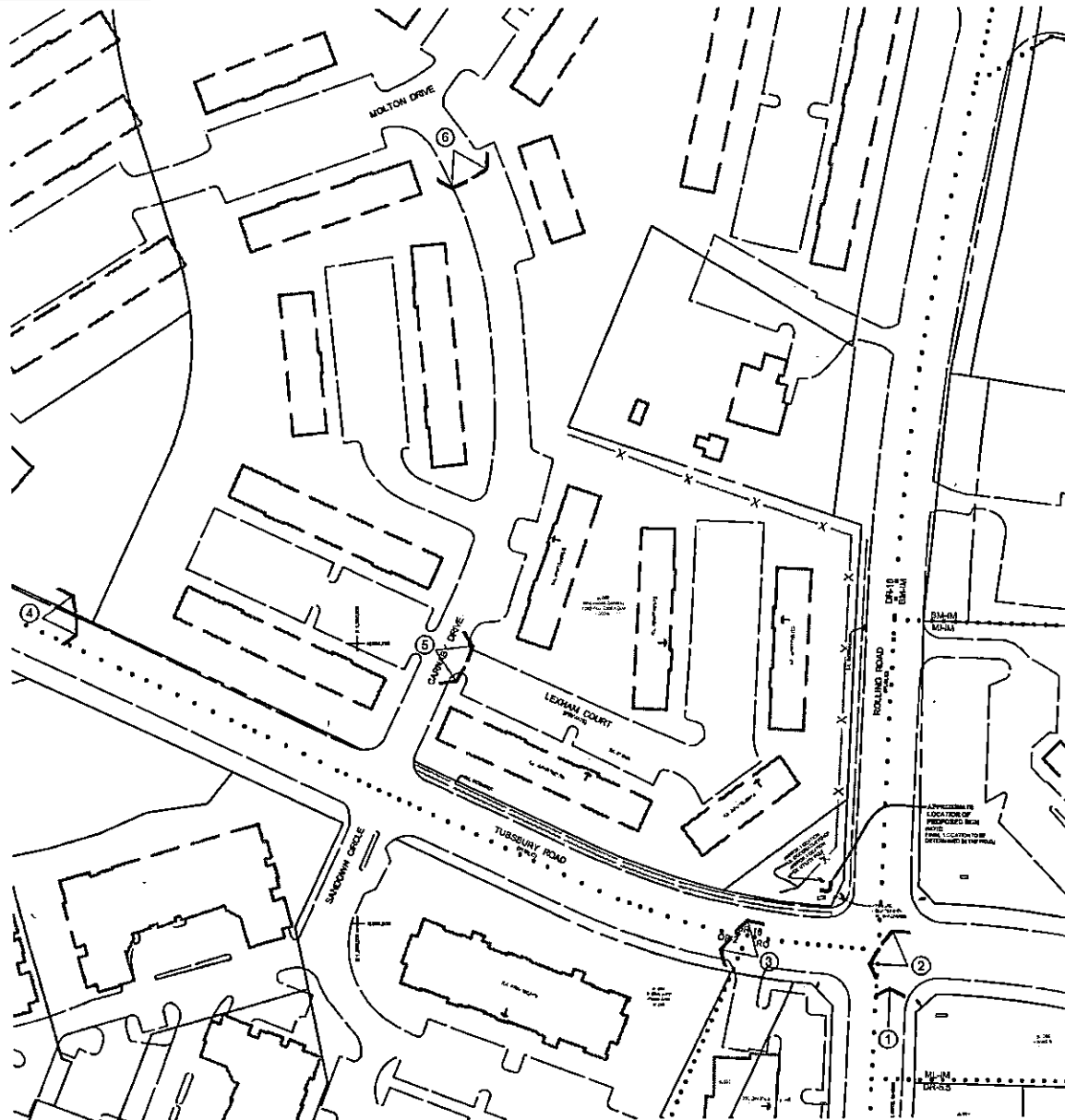


**MORGAN
PROPERTIES**



DIAMOND RIDGE APARTMENTS & TOWNSHOMES

Perspective showing utility locations



DSThaler
& ASSOC., LLC
CIVIL AND ENVIRONMENTAL ENGINEERS, SURVEYORS
LANDSCAPE ARCHITECTS & LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428

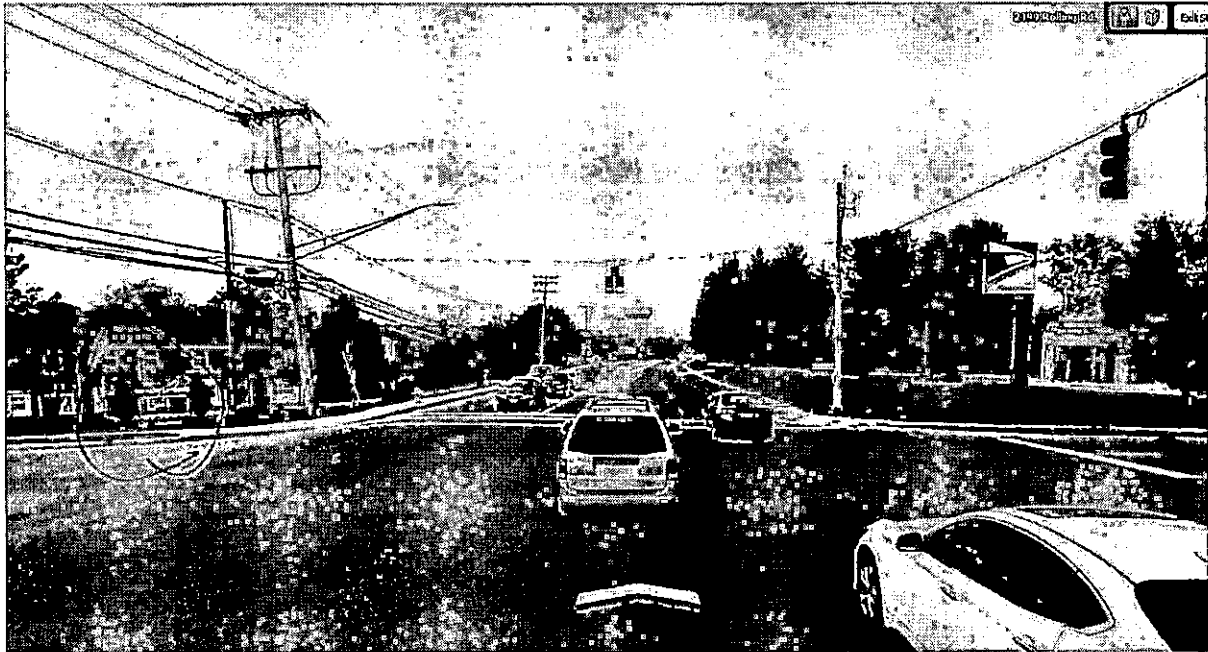
410-944-3647
www.dsthaler.com

IMAGE LOCATION EXHIBIT
**DIAMOND RIDGE
APARTMENTS**

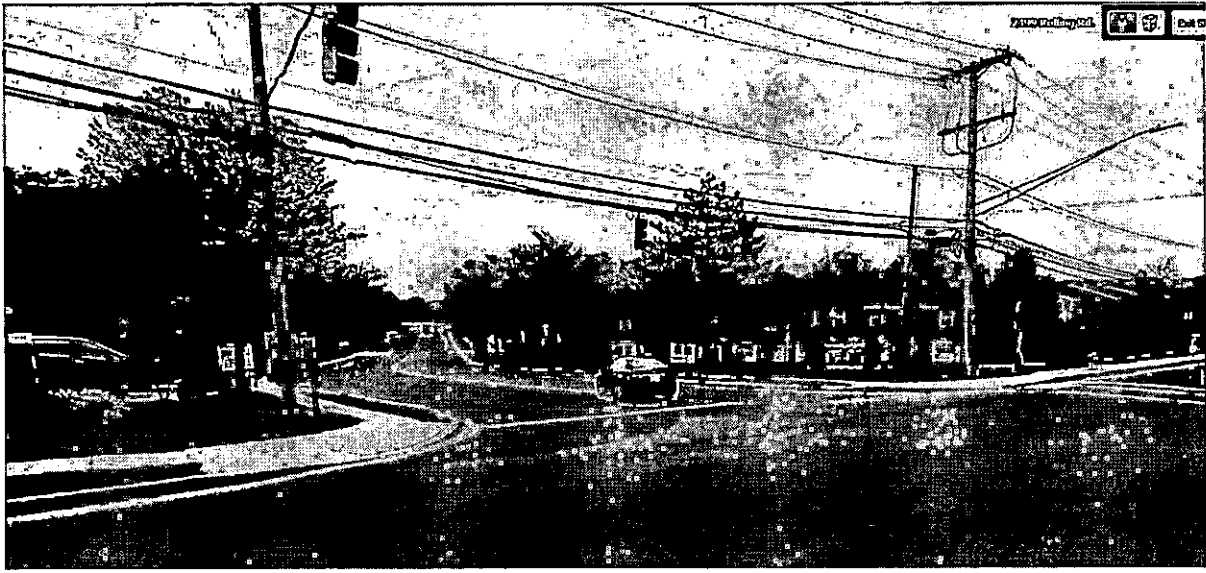
SCALE: 1"=100'

DATE: SEPTEMBER, 2020

DIAMOND RIDGE APARTMENTS



1. Rolling Road looking north



2. Tudsbury Road at Rolling Road looking northwest



3. Looking west along Tudsbury Road



4. Looking east along Tudsbury Road



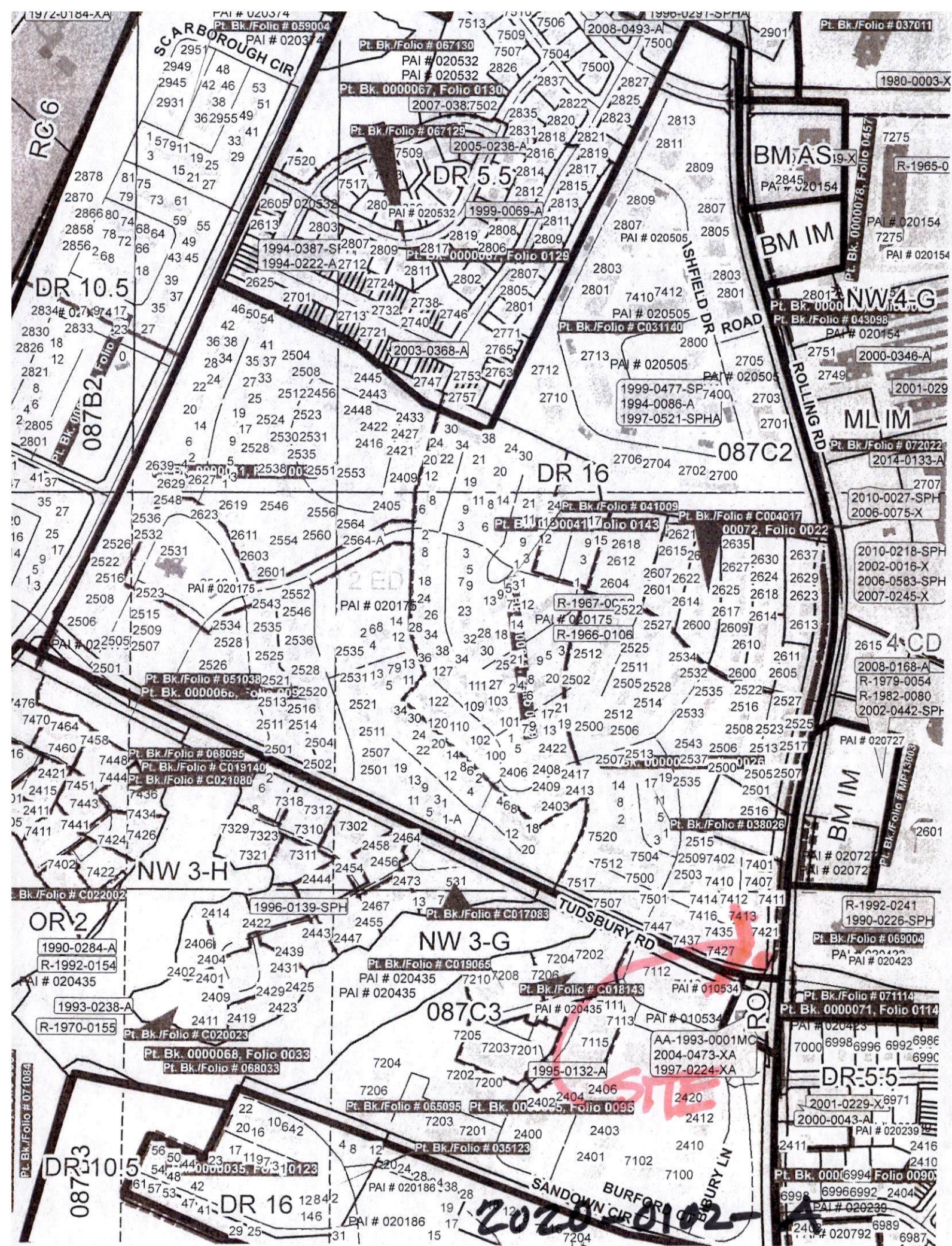
5. Carnaby Drive at Lexham Court

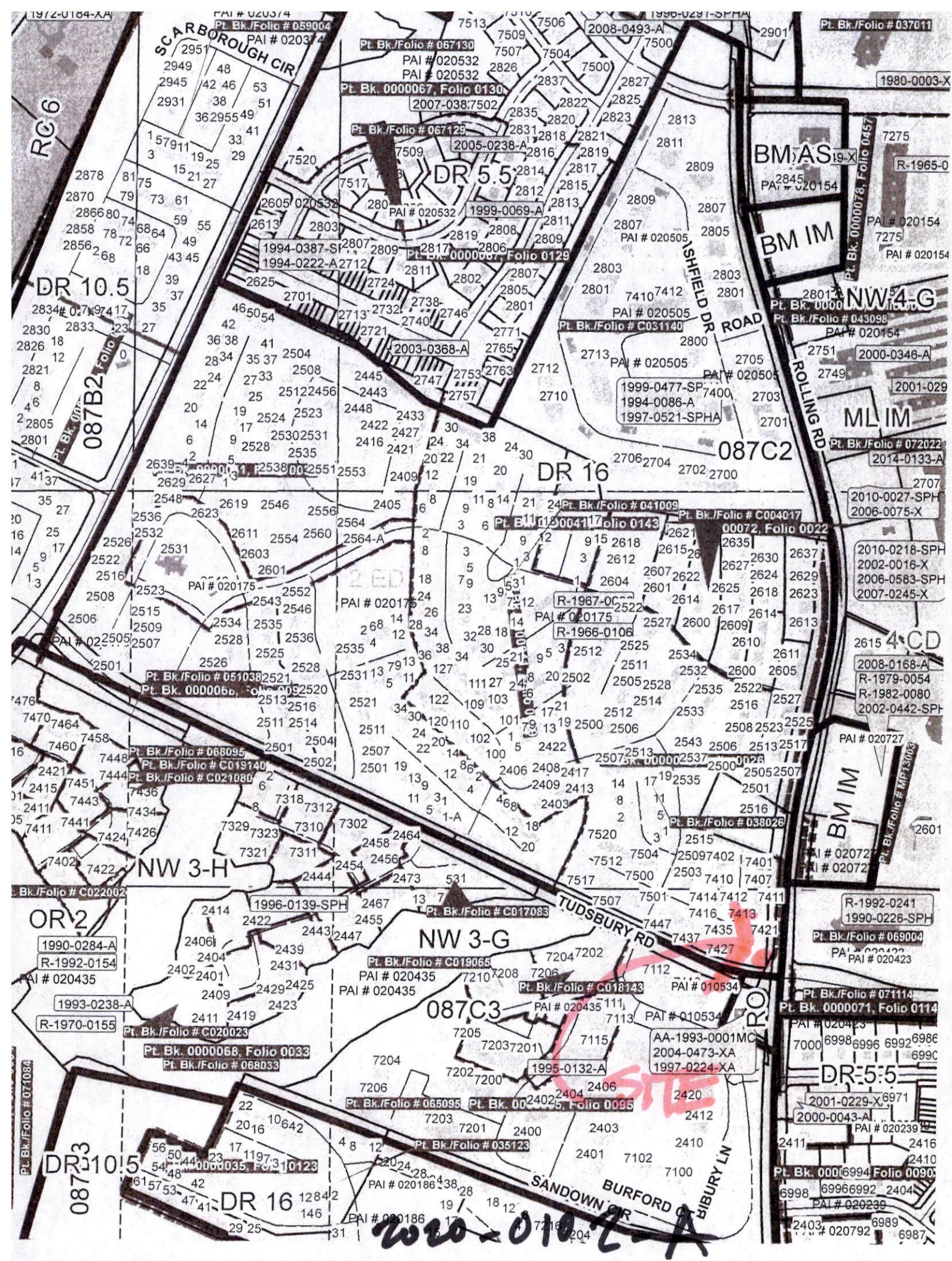


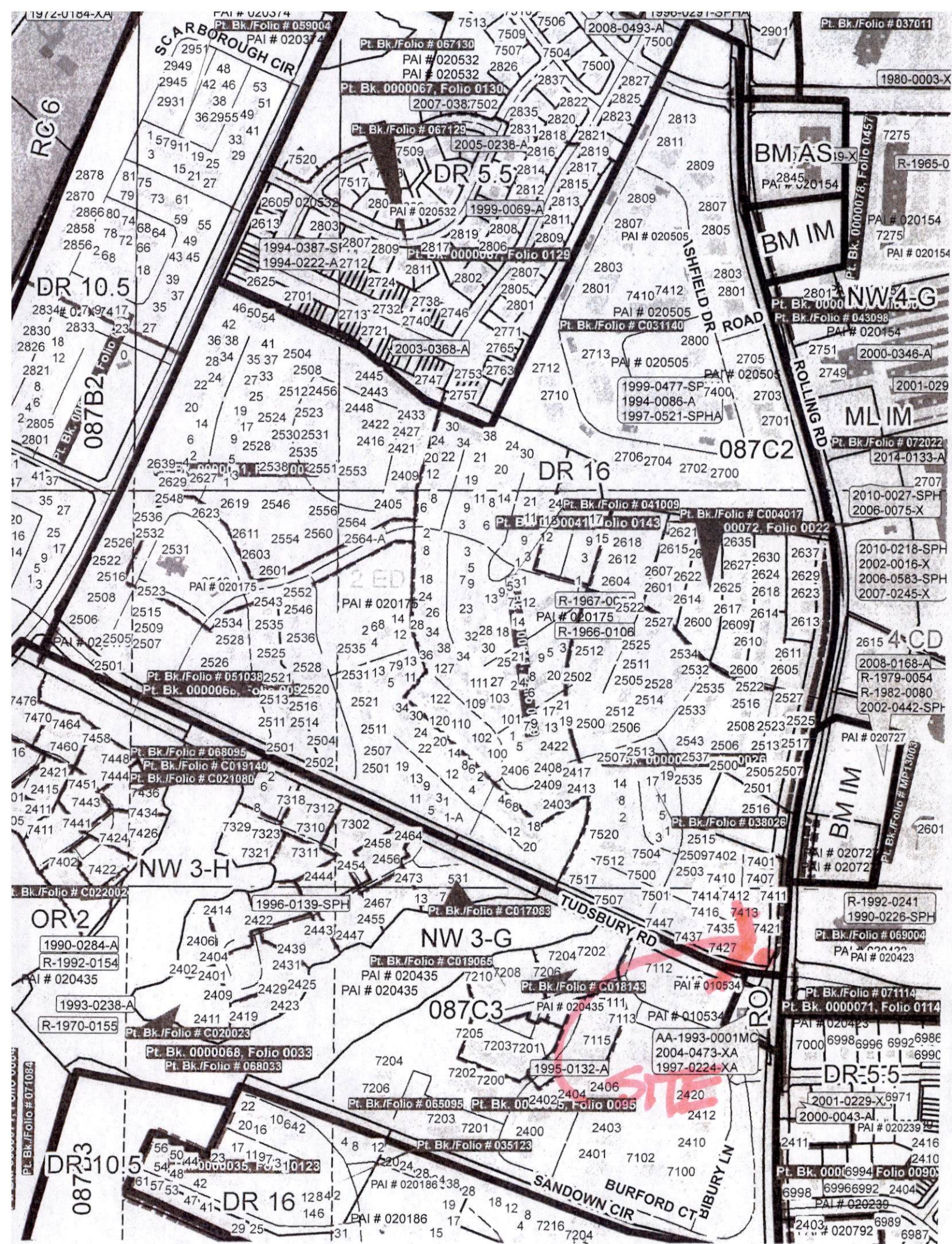
6. South of the intersection of Molton Drive and Carnaby Drive – looking south

**PETITIONER'S
EXHIBIT**
7









Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 02 Account Number - 1600012902		
Owner Information		
Owner Name:	CROSSWINDS AT ROLLING ROAD APARTMENTS OWNER LLC	Use: APARTMENTS Principal Residence: NO
Mailing Address:	STE 9004 160 CLUBHOUSE RD KING OF PRUSSIA PA 19406-	Deed Reference: /38683/ 00064
Location & Structure Information		
Premises Address:	2623 ROLLING RD BALTIMORE 21244-	Legal Description: 14.6825 AC NWS ROLLING RD NW COR TUDSBURY RD
Map: 0087	Grid: 0017	Parcel: 0607
Neighborhood: 10000.04	Subdivision: 0000	Section: 1
Block:	Lot:	Assessment Year: 2019
Plat No: 1		Plat Ref: 0038/ 0026
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
	14.6800 AC	County Use 13
Stories	Basement	Type
		Exterior
		Quality
		Full/Half Bath
		Garage
Last Notice of Major Improvements		
Value Information		
	Base Value	Value
		As of 01/01/2019
		Phase-in Assessments
		As of 07/01/2020
		As of 07/01/2021
Land:	4,404,700	4,404,700
Improvements	9,835,400	11,575,000
Total:	14,240,100	15,979,700
Preferential Land:	0	0
Transfer Information		
Seller: CROSSWINDS GARDENS	Date: 02/28/2017	Price: \$79,525,000
Type: ARMS LENGTH MULTIPLE	Deed1: /38683/ 00064	Deed2:
Seller: KINGSWOOD I PROPERTY	Date: 07/28/2011	Price: \$16,737,492
Type: ARMS LENGTH MULTIPLE	Deed1: /31040/ 00178	Deed2:
Seller: SECOND ROLLING ROAD ASSOCIATES	Date: 06/22/2004	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /20284/ 00416	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

ZAC AGENDA

Case Number: 2020-0102-A **Reviewer:** Aaron Tsui
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Crosswinds at Rolling Road Apartments Owner LLC
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 2 **Council Dist:** 4

Property Address: 2623 ROLLING RD
Location: North West of Rolling Road and Tudsbury Road.

Existing Zoning: DR 16 **Area:** 0.119 AC

Proposed Zoning:

VARIANCE:

Section 450.4.6(A) of the Baltimore County Zoning Regulation to allow a freestanding identification sign with a sign area/face of 240 square feet (comprised of 3 single-sided panels) and height of 19.5 feet in lieu of the permitted 25 square feet and 6 feet in height.

Attorney: Not Available

Prior Zoning Cases: R-1966-0106; R-1967-0090

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2020-0103-A **Reviewer:** Aaron Tsui
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: 1216 Burke LLC
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 6

Property Address: 1216 BURKE
Location: South side of Burke Road, 665 feet West of the centerline of Burke Road and Burke.

Existing Zoning: RC 5 **Area:** 0.32 AC

Proposed Zoning:

VARIANCE:

1A04.3.A To permit a building of 42' in height in lieu of the maximum permitted 35'.

Attorney: Not Available

Prior Zoning Cases: 2013-0096-A

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

