

IN THE MATTER OF
PLAZA INVESTORS, LLC
600 REISTERSTOWN ROAD

DRP PROJECT NO. 529

3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. CBA-12-053

* * * * *

STIPULATION AND ORDER

Background

On April 11, 2012, a letter was issued from Arnold Jablon, Deputy Administrative Officer to Mordecai Snider, Esquire, Plaza Investors, LLC, with the particulars of the Design Review Panel Decision of Project No. 529, known as 600 Reisterstown Road, in Baltimore County.

On May 9, 2012 a Notice of Appeal was filed by Alan P. Zukerberg, Esquire, on behalf of the following: Pikesville Communities Corporation; Alan P. Zukerberg, Individually; Revanne Aronoff and David Yumkas.

On May 18, 2012 the instant appeal was received at the Board of Appeals.

On May 22, 2012, this office received a facsimile letter from Mr. Zukerberg withdrawing his appearance as Counsel for the Appellants. This office also received notification from Michael R. McCann, Esquire, that he was entering his appearance on behalf of the aforementioned Appellants.

A hearing convened before this Board on August 22, 2012. Plaza Investors, LLC was represented by Deborah C. Dopkin, Esquire. The Appellants at the hearing, were represented by Michael R. McCann, Esquire.

The attorneys for the Petitioner and the Protestants appeared before the Board and indicated that the issues had been resolved through the negotiation and would provide to the Board an executed Stipulation Agreement. The parties stated that they were agreeable to the

Board issuing an Order incorporating the terms and conditions of the Stipulation Agreement into the Board's Order. The Board has reviewed the Stipulation Agreement and finds that it is in compliance with the Zoning Regulations of Baltimore County and therefore will accept the agreement of the parties. The Stipulation Agreement is attached hereto and incorporated into and made a part of this Order.

The Board finds that the proposed settlement, embodied by the stipulation set forth above, should be approved. Therefore, the Board disposes of the pending appeal in Case No. CBA-12-053 as follows:


ORDER

THEREFORE, IT IS THIS 1st day of October, 2012 by the Board of Appeals of Baltimore County


ORDERED:

- 1) The Stipulation Agreement executed by Deborah C. Dopkin, Esquire, Attorney for Appellee; Michael R. McCann, Esquire, Attorney for Appellants and Adam M. Rosenblatt, Esquire, Attorney for Baltimore County, and presented to this Board on September 14, 2012 shall be attached to and become part of this Order.
- 2) That the appeal taken in Case No. CBA-12-053 be and the same is hereby **DISMISSED WITHOUT PREJUDICE**, subject to the terms and conditions as forth in the Stipulation Agreement..

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Lawrence S. Wescott, Panel Chair



Andrew M. Belt



David L. Thurston

LAW OFFICES
DEBORAH C. DOPKIN, P.A.
P.O. Box 323
BROOKLANDVILLE, MARYLAND 21022
Email: ddopkin@dopkinlaw.com

TELEPHONE: (410)821-0200

~~June 19, 2013~~ 9/14/2012

Via Hand Delivery

Theresa Shelton, Administrator
County Board of Appeals
of Baltimore County
Jefferson Building, Suite 203
105 West Chesapeake Avenue
Towson, Maryland 21204

RECEIVED
SEP. 14 2012

BALTIMORE COUNTY
BOARD OF APPEALS

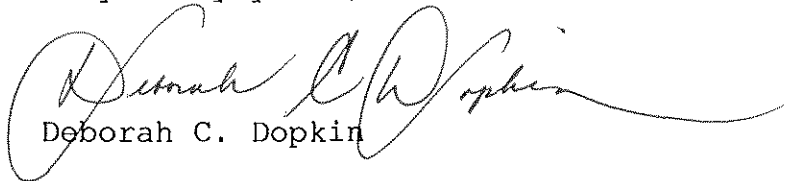
**RE: Case No. CBA 12-053
In the Matter of 600 Reisterstown Road
DRP # 529**

Dear Ms. Shelton:

Please find enclosed the original Stipulation which has been signed by each of the counsel involved in this matter. Mr. Rosenblatt has authorized that I sign his name in that he is out of the office until early next week. I have enclosed a copy of his email granting permission to do so.

Thank you for your patience as it took a little longer than anticipated for us to collectively agree upon the language of the stipulation.

Very truly yours,


Deborah C. Dopkin

CC: Mordecai Snider, Esquire
Michael R. McCann, Esquire
Adam Rosenblatt, Esquire

Deborah Dopkin

From: Adam Rosenblatt <arosenblatt@baltimorecountymd.gov>
Sent: Thursday, September 13, 2012 8:34 PM
To: ddopkin@dopkinlaw.com; michael@mmccannlaw.net
Subject: Re: Stipulation

You have my permission to sign my name. I am out until Monday and want to get this filed.

>>> "Deborah Dopkin" <ddopkin@dopkinlaw.com> 9/13/2012 7:44:12 PM >>>

Good news. I have gotten the ok to sign the stipulation as you have revised it. I will pick it up at your office tomorrow and get Adam's signature (if he is available) and then deliver it to the Board.

Many thanks for all your hard work.

Deborah

Deborah C. Dopkin, Esquire
Deborah C. Dopkin, P.A.
P.O. Box 323
Brooklandville, Maryland 21022
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Email: DDopkin@DopkinLaw.com

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Re: IN THE MATTER OF
600 Reisterstown Road

* BEFORE THE
* COUNTY BOARD OF APPEALS

DRP # 529

* OF

3rd Election District
2nd Councilmanic District

* BALTIMORE COUNTY

*

Case No. CBA-12-053

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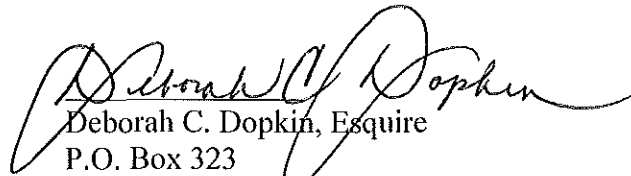
STIPULATION

WHEREAS, Appellants Alan Zukerberg, Pikesville Communities Corporation, Alan P. Zukerberg, Revanne Aronoff and David Yumkas, by their attorney Michael R. McCann, Petitioner/Respondent Plaza Investors, LLC, Appellee, by its attorney Deborah C. Dopkin, and Baltimore County, Maryland, by its attorney Adam M. Rosenblatt have reached an agreement resolving in part the matters that led to this appeal, and therefore, believe that it is not in the public interest to pursue the appeal as to those matters.

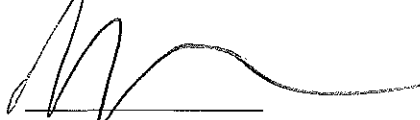
1. THEREFORE, the Appellants stipulate to the entry of an Order by the County Board of Appeals of Baltimore County dismissing this appeal, without prejudice, subject to the following: The Appellees will exercise best efforts to install screening material to create a visual screen for the electronic transmission equipment installations on the roof of the building, provided that such screening material is compliant with technology of the transmission equipment, leases and applicable law;
2. The Appellees will install a "right turn only" sign at the garage exit and paint a directional arrow on the ramp exiting the garage, each of reasonable size, so that cars exiting the garage are directed to turn right; and
3. Within forty five (45) days of the issuance of a written order of dismissal by the County Board of Appeals for Baltimore County, the Appellees will submit to the Department of Permits, Approvals and Inspections (PAI), a plan addressing the open DRP comments with respect to the existing pylon sign.

4. The County will process and issue a written letter with respect to the submittal referenced in paragraph three (3) of this agreement within two (2) weeks from the date that the submittal is received by PAI.
5. If either party is aggrieved by the County's decision with respect to the submittal, the County's written decision shall be considered a final administrative order that is appealable to the County Board of Appeals. All arguments regarding the sign that could have been raised at the August 22, 2012 hearing are preserved and shall be considered timely raised and appealed.

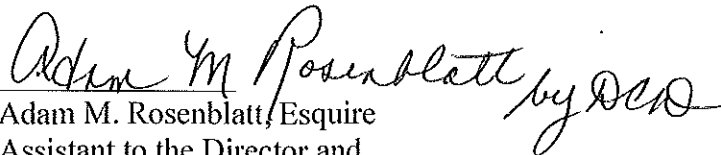
Respectfully submitted,



Deborah C. Dopkin, Esquire
P.O. Box 323
Brooklandville, Maryland 21022
Attorney for Appellee
410-821-0200



Michael R. McCann, Esquire
118 W. Pennsylvania Avenue
Towson, Maryland 21204
Attorney for Appellants
410-825-2150



Adam M. Rosenblatt, Esquire
Assistant to the Director and
Assistant County Attorney
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