

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
We, **Alexander F. Kaufman and Eleanor A. Kaufman, his wife**, legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone, for the following reasons:

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for an **antique shop in an RDP zone.**

Section 1A00.2B.2 (402B)
Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Alexander F. Kaufman
Contract purchaser
Eleanor A. Kaufman
Address: White Hall, Maryland 21161

Clewell Howell, Jr.
Protestant's Attorney
Address: 407 West Pennsylvania Avenue, Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1975, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1975, at 1:00 o'clock.

County, on the _____ day of _____, 1975, at 1:00 o'clock.

Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION FOR AN ANTIQUE SHOP.
Northwest side of York Road 1240 feet South of Stablersville Road - 7th Election District.
ALEXANDER F. KAUFMAN
Case No. 75-276-X, Item 188

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

John W. Hession, III
People's Counsel

Charles E. Kountz, Jr.
County Office Building
Towson, Maryland 21204
494-3211

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this _____ day of May, 1975 to Clewell Howell, Jr., Esquire and Thomas L. Hennessey, Esquire, 407 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorneys for Petitioners.

John W. Hession, III



I will not attend, JWH.

RE: PETITION FOR SPECIAL EXCEPTION
NW/S of York Road, 1240' S of Stablersville Road - 7th Election District
Alexander F. Kaufman, et ux - Petitioners
NO. 75-276-X (Item No. 188)

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of a Petition filed by Alexander F. and Eleanor A. Kaufman for a Special Exception for an antique shop in an R. D. P. Zone. The subject property is located on the northwest side of York Road, 1240 feet south of Stablersville Road, in the Seventh Election District of Baltimore County, and contains one acre of land, more or less.

Let it be noted that although People's Counsel entered his appearance, he did not appear at the hearing.

Without reviewing the evidence further in detail, but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations have been met.

Therefore, it IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of December, 1975, that the Special Exception for an antique shop in an R. D. P. Zone should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

ALEXANDER F. KAUFMAN and ELEANOR A. KAUFMAN, his wife, Petitioners for Special Exception in RDP Zone

PETITION FOR SPECIAL EXCEPTION ANTIQUA SHOP IN RDP ZONE

The Kaufmans acquired land in Parkton, Maryland on the York Road 1/2 mile south of the Parkton Exit from the Harrisburg Expressway and 1-1/2 miles north of Middletown Road, being 1240 feet south of Stablersville Road on the York Road. They acquired this old property with the intention of business use for the sale of antiques. The property itself, although in an RDP zone, is surrounded by other commercial uses being in that area of the York Road, has an easy accessibility to the Baltimore-Harrisburg Expressway. The property has near it an ML zone, an MLC, a ML, another ML and a BL-CR. The use contemplated is compatible with the surrounding area which essentially is rural and tends to be open without the congestion from developments or apartment housing.

Economically the structure and the area are unusable for residential housing but in maintaining the character of the neighborhood the use requested is such that it would not increase the density to the land nor require taxing on any existing public facilities.

The requested use will not tend to create congestion in roads or tend to interfere with light and air. It is well conceded that this use would not tend to encourage urban development of this relatively open rural land and is not an attempt to subdivide.

The economic hardship by being unable to use the land and the fact that the proposed use is compatible with other proposed uses in the area makes the granting of the special exception worthy and consistent with existing zoning and planning.

And for other reasons to be given at the hearing of this cause.

Thomas L. Hennessey, Jr.
Attorneys for Petitioners
407 W. Pennsylvania Avenue
Towson, Maryland 21204
821-7710

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
201 CORTLAND AVENUE
TOWSON, MARYLAND 21204

June 17, 1974

DESCRIPTION TO ACCOMPANY SPECIAL EXCEPTION FOR ANTIQUE SHOP IN A RDP ZONE

Beginning for the same at a point in the bed of York Road, said point being southwesterly 1240' from the intersection of York Road and the center line of Stablersville Road, thence leaving the bed of York Road and running on the outline of the property now being described N71°58'30"W 313.5'; S46°46'30"W 74.3'; S1°45'00"E 71.00'; S72°00'00"E 328.2' to the center line of York Road thence on York Road N18°00'00"E 66.67'; N71°58'30"W 13.7'; N18°46'30"E 8.3'; N31°46'30"E 59.4' to the place of beginning.

Containing 1.000 Acres of land more or less.

Being the two parcels of land which was conveyed to Alexander F. Kaufman and wife by deed dated November 2, 1972 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. 5313, folio 439 was conveyed by James W. Dill and wife, and by deed dated December 15, 1972 and recorded among the Land Records of Baltimore County in Liber 5323, folio 362 was conveyed by Donald F. Dill, Sr. and wife.

December 8, 1975

Clewell Howell, Jr., Esquire and Thomas L. Hennessey, Esquire
407 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
NW/S of York Road, 1240' S of Stablersville Road - 7th Election District
Alexander F. Kaufman, et ux - Petitioners
NO. 75-276-X (Item No. 188)

Dear Messrs. Howell and Hennessey:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

S. ERIC DINENNA
Zoning Commissioner

SED/scw

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna, Zoning Commissioner Date: May 28, 1975
FROM: William D. From, Director of Planning
SUBJECT: Petition 75-276-X. Petition for Special Exception for an Antique Shop.
Northwest side of York Road 1240 feet South of Stablersville Road.
Petitioner - Alexander F. Kaufman and Eleanor A. Kaufman

7th District

HEARING: Monday, June 2, 1975 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer.

The proposed use would not be inconsistent with the general character of the surrounding area.

If any outside lighting is to be allowed the standards should be limited to 8' in height.

William D. From
Director of Planning

WDF:REG:cm

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Clewell Howell, Jr., Esq.
Thomas L. Hennessey, P.A.
407 W. Penna. Ave.
Towson, Md. 21204

Item 188

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for
filing this 1st day of May 1978

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Alexander F. & Eleanor A. Kaufman

Petitioner's Attorney Clewett Howell, Jr. Reviewed by Franklin T. Hoggans, Jr.
Thomas L. Hennessey, P.A.
cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Md. 21204

Baltimore County, Maryland
Department Of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH H. DIVER, P.E. CHIEF

May 29, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #188 (1974-1975)
Property Owner: Alexander F. & Eleanor A. Kaufman
N/2 of York Rd., 1,240' S. of Stablersville Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Special Exception for Antique Shop
No. of Acres: 1.000 District: 7th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

York Road (Md. 45) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Calder Avenue, a County maintained road, northwest or to the rear of this property, should be indicated on the submitted plan if it abuts the Kaufman property. If improved in the future as a County road, Calder Avenue is proposed to be a 30-foot closed section roadway on a 50-foot right-of-way (40-foot minimum). Highway improvements are not required at this time. Highway right-of-way widening including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #188 (1974-1975)
Property Owner: Alexander F. & Eleanor A. Kaufman
Page 2
May 29, 1975

Storm Drain:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property which is utilizing private onsite facilities. This property is located beyond the Baltimore County Metropolitan District and the Urban Rural Demarcation Line. The Baltimore County Comprehensive Water and Sewerage Plan, amended August 1974, indicates "No Planned Service" in the area.

Very truly yours,

Ellsworth H. Diver
ELLSWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FMR:es

cc: J. Somers

FT-ES Key Sheet
127 NW 8 & 9 Top. Sheets
NW 32 B & C Topo
17 Tax Map

BALTIMORE COUNTY, MARYLAND



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 22, 1975

DONALD J. ROOP, MD., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #188, Zoning Advisory Committee Meeting,
April 15, 1975, are as follows:

Property Owner: Alexander F. & Eleanor A. Kaufman
Location: NW/8 of York Rd. 1240' S of Stablersville Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Special Exception for Antique Shop
No. of Acres: 1.000
District: 7th

Comments: The water well is in poor physical condition. Repairs must be made to the existing well, or a new one drilled prior to approval. The present septic system appears to be functioning at this time. Additional personnel may cause a failure and require the installation of a new system.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mah

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 27, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204
Franklin T. Hoggans, Jr.
Chairman

Clewett Howell, Jr., Esq.
Thomas L. Hennessey, P.A.
407 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Special Exception Petition
Item 188
Alexander F. & Eleanor A.
Kaufman - Petitioner

Gentlemen:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the northwest side of York Road, 1240 feet south of Stablersville Road, and is a one acre parcel of land currently improved with a single family dwelling and an existing frame structure previously utilized as a school.

The petitioner is requesting a Special Exception for an antique shop in an R.D.P. zone, in order that the frame schoolhouse building may be converted for this use.

Adjacent property to the southwest is improved with a church building and residence. The

Clewett Howell, Jr., Esq.
Thomas L. Hennessey, P.A.
Re: Item 188
May 27, 1975
Page 2

properties across York Road are improved with single family dwellings.

The petitioner proposes a parking area for the antique shop in the front and in the rear of the building. Please note the comments of the State Highway Administration and the Project and Development Planning office concerning this parking area and its relationship to York Road. The petitioner should note further the comments of the Health Department concerning private sewer facilities on the site.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Franklin T. Hoggans, Jr.
FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Md. 21204



Maryland Department of Transportation

State Highway Administration

Harry H. Hughes
Secretary
Bernard M. Evans
Administrator

April 23, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Re: Item 188 Property Owner:
Alexander F. & Eleanor A.
Kaufman Location: NW/8 of York
Rd. (41e 45) 1240' S of Stablers-
ville Rd. Existing Zoning:
R.D.P. Proposed Zoning: Special
Exception for Antique Shop
No. of Acres: 1.000
District: 7th

Attn: Mr. Franklin Hoggans

Dear Mr. DiNenna,

Our review of the subject plan and inspection of the site revealed, what is in our opinion, better means of serving the site. Since a curb cut already exists near the north property line, the drive should be extended around the north side of the building and into the parking lot. The two parking spaces in the front lot should be located in the rear of the building. The existing entrance at the south property line could remain as is. The north entrance would be one-way in and the south entrance would be one-way out. This method would preserve the lawn and trees. An alternate would be to close the existing northerly entrance with curb, remove a section of wall from between the two existing entrances, thereby utilizing both entrances as one-way, in and out points of access.

Any changes in the entrances involving construction within the State Right of Way would require permit from the State Highway Administration.

The 1974 average daily traffic count for this section of York Road is 1300 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering Access Permits

by: John E. Meyers

CL-JEM/es

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. MEELEN
DEPUTY TRAFFIC ENGINEER

May 14, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 188 - EAC - April 15, 1975
Property Owner: Alexander F. & Eleanor A. Kaufman
Location: NW/8 of York Rd. 1240' S of Stablersville Rd.
Existing Zoning: R. D. P.
Proposed Zoning: Special Exception for Antique Shop
No. of Acres: 1.000
District: 7th

Dear Mr. DiNenna:

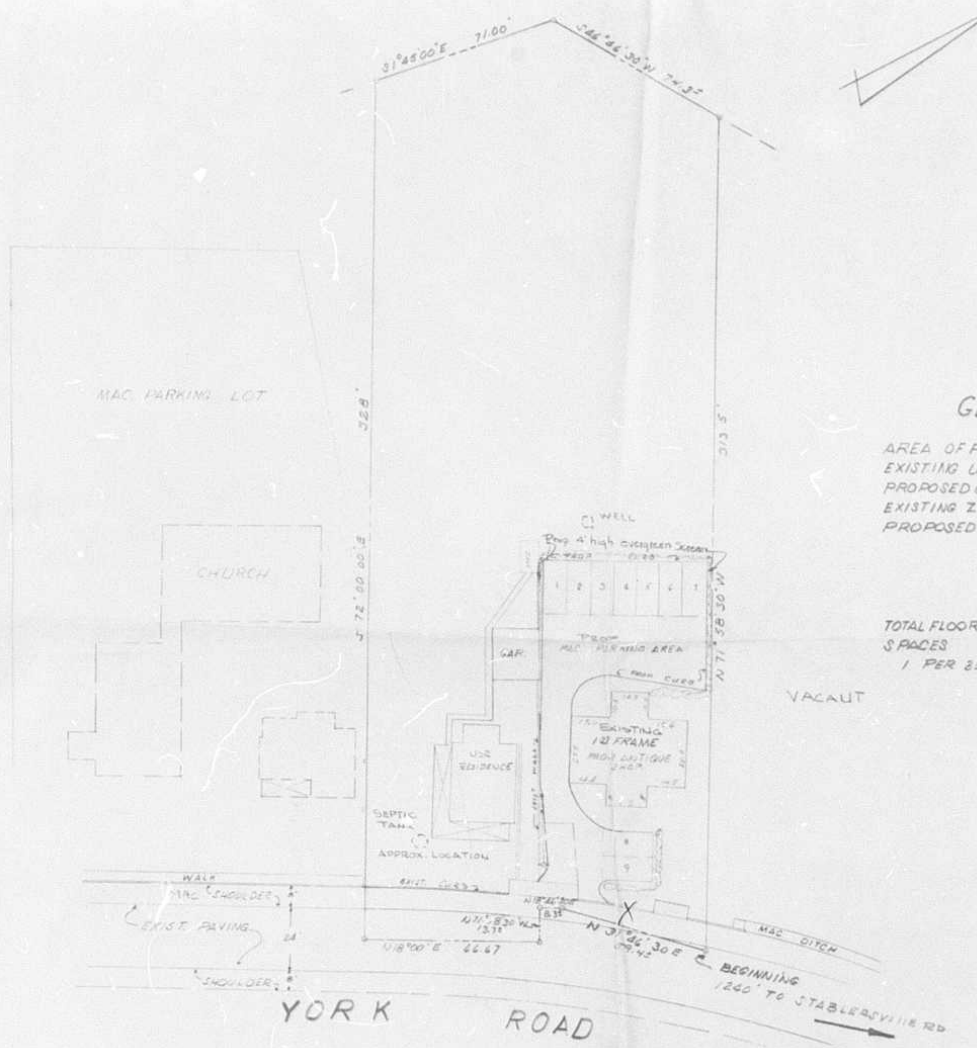
The requested special exception for an antique shop is not expected to cause any major traffic problems.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc.

HMF/bca

FEB 20 1976



GENERAL NOTES

AREA OF PROPERTY	1.00 AC. ±
EXISTING USE	RESIDENCE
PROPOSED USE	ANTIQUE SHOP
EXISTING ZONE	RDP
PROPOSED ZONE	RDP SPECIAL EX. FOR ANTIQUE SHOP

TOTAL FLOOR AREA	1433	PROVIDED
SPACES	8	
1 PER 200'		

VACANT

PLAT TO ACCOMPANY ZONING PETITION

E. F. Raphael

E. F. RAPHAEL & A.
REGISTERED PROFESSIONAL LAND SURVEYORS
301 CONSTANT AVE
BOWSON, MARYLAND 21204

PROPERTY OF
ALEXANDER F. KAUFMAN & WIFE
7TH ELECT. DIST. BALTO. CO. MD
SCALE: 1" = 30' JUNE 13, 1974

37
4455-82
7
45-75
10
25
2516
11