

**PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

76-138-A  
(202-10-12)

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Walter R. A. Ross, Lesa Rumage, owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 421.1 to permit distances of 90', 120', 125' and 170' from the front, side, and rear property lines respectively, in lieu of the required 200 feet for a kennel use.

Reasons: (Indicate hardship or practical difficulty)

- 1.) We have 15 dogs, and have had many dogs for the past eight years.
- 2.) Dogs need sheltered and confined area.
- 3.) All dogs at present are purebred German Shepherds.

See attached description

42  
11  
12-17-76  
18  
10-22-76  
31 4/90

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance 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.

DATE: January 15, 1976  
 Contract purchaser: Walter Ross Rumage, Lesa Rumage  
 Address: 12306 Harford Road, Park, Md. 21051  
 Petitioner's Attorney: John W. Hessian, III  
 Address: 111 West Chesapeake Avenue, Towson, Md. 21284

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of January, 1976, at 10:00 clock

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 15th day of January, 1976, at 10:00 clock

10:00A  
1/12/75

**DESCRIPTION FOR VARIANCE**

BEGINNING AT THE POINT OF INTERSECTION OF THE CENTER LINES OF HARFORD AND GLEN ARM ROADS, AND RUNNING THE FOLLOWING COURSES AND DISTANCES:

- 1.) N 1° 33' E 19.0'
- 2.) N 1° 33' E 118.12'
- 3.) N 18° 10' W 122.19'
- 4.) N 65° 44' E 282.19'
- 5.) S 29° 24' E 274.70'
- 6.) S 29° 24' E 5.70'
- 7.) S 58° 53' W 297.32'
- 8.) N 32° 53' W 54.52'
- 9.) N 79° 32' W 82.62' TO THE POINT OF BEGINNING.

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER  
 NE/corner of Harford and Glen Arm Roads, : OF BALTIMORE COUNTY  
 11th District :  
 WALTER ROSS RUMAGE, et ux, Petitioners : Case No. 76-138-A

**ORDER FOR APPEAL**

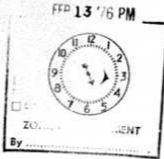
Mr. Commissioner:

Please note an Appeal from your decision in the above entitled matter under date of January 15, 1976, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

John W. Hessian, III  
 John W. Hessian, III  
 People's Counsel

Charles E. Kountz, Jr.  
 Charles E. Kountz, Jr.  
 Deputy People's Counsel  
 County Office Building  
 Towson, Maryland 21204  
 494-2188

I HEREBY CERTIFY that on this 13th day of February, 1976, a copy of the foregoing Order was mailed to Mr. and Mrs. Walter Ross Rumage, 12306 Harford Road, Park, Maryland 21051, Petitioners.



RE: PETITION FOR VARIANCE : BEFORE  
 from Section 421.1 of the : COUNTY BOARD OF APPEALS  
 Baltimore County :  
 Zoning Regulations : OF  
 NE corner Harford and : BALTIMORE COUNTY  
 Glen Arm Roads :  
 11th District :  
 Walter Ross Rumage, et ux : No. 76-138-A  
 Petitioners :

**OPINION**

This case comes before the Board on an appeal by the People's Counsel from an Order of the Zoning Commissioner, dated January 15, 1976, which granted the requested variances.

The subject property is located at the northeast corner of Harford and Glen Arm Roads in the Eleventh Election District of Baltimore County. The property in question was zoned R.D.P. at the time of the filing of this petition and now is in an R.C. zone. The surrounding area is rural in nature.

Mrs. Griffith, on behalf of the property owners who are her parents, indicated to the Board that she raises pure bred German shepherd dogs for use as seeing eye dogs and has been doing so for quite sometime. The dogs in question are donated and have been widely dispersed throughout the country, and she receives no money or profit for these dogs.

The Board is greatly impressed with the charitable and humanitarian considerations involved in this case. Witness Griffith is seeking variances from the required 200 foot setback in order to erect masonry type kennels for the housing of the dogs and their offspring. The use is a permitted one in the existing zoning, however, the setback required precludes building the proposed kennels without first obtaining variances. The Board is impressed with the fact that to not grant the requested variances would certainly create a hardship and practical difficulty: namely, that the kennels could not be built and certainly this would be detrimental to continuing the existing dog raising operation, and would be detrimental to the general welfare.

The Board further concludes from some of the other documents contained in the file that the request submitted by Mrs. Griffith on behalf of Rumage would certainly be an improvement and to the betterment of the neighboring community. Therefore, the Board

will grant the petitioned for variances.

**ORDER**

For the reasons set forth in the foregoing Opinion, the Board affirms the Order of the Zoning Commissioner, dated January 5, 1976, and ORDERS this 8th day of September, 1977 that the variances petitioned for be and the same are hereby GRANTED subject to the following conditions:

1. That the kennels constructed be of a masonry type construction.
2. That the structure contain no more than ten kennels.

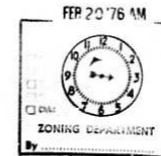
Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

ROBERT L. GILLAND, Vice Chairman

William T. Hockett

John A. Miller

ROBERT PAUL MANN  
 ATTORNEY AT LAW



411 JEFFERSON BUILDING  
 105 WEST CHESAPEAKE AVENUE  
 TOWSON, MARYLAND 21204  
 (301) 823-4446

February 19, 1976

Mr. Eric S. DiNenna, Zoning Commissioner  
 Office of Planning & Zoning  
 Baltimore County Office Building  
 111 West Chesapeake Avenue  
 Towson, Maryland 21204

Re: Petition # 76-138-A

Dear Mr. DiNenna:

Please enter my appearance before the Board of Appeals on behalf of the Petitioners, Mr. and Mrs. Walter Ross Rumage.

I understand that an appeal has been filed by People's Counsel.

The purpose of this letter is merely to enter my appearance. I reserve all rights to object to the validity of the appeal and the right to file motions to dismiss same.

Thank you for your attention to this matter.

Very truly yours,

Robert Paul Mann

RFM:mas  
 CC: Mr. & Mrs. Walter Ross Rumage  
 John W. Hessian, III, Esq.  
 People's Counsel

January 15, 1976

Mr. & Mrs. Walter Ross Rumage  
 12306 Harford Road  
 Park, Maryland 21051

RE: Petition for Variances  
 NE/corner of Harford and  
 Glen Arm Roads - 11th  
 Election District  
 Walter Ross Rumage, et ux -  
 Petitioners  
 NO. 76-138-A (Ham No. 83)

Dear Mr. & Mrs. Rumage:

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

Very truly yours,

S. ERIC DI NENNA  
 Zoning Commissioner

SED/scw

Attachments

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

September 8, 1977

John W. Hessian, III, Esquire  
 People's Counsel  
 County Office Building  
 Towson, Md. 21284

Re: Case No. 76-138-A  
 Walter Ross Rumage, et ux

Dear Mr. Hessian:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Eusehart, Adm. Secretary

Encl.

cc: Robert Paul Mann, Esquire  
 Mr. and Mrs. Walter Ross Rumage  
 Mr. Edw. S. Toussaint, Sr.  
 Alfred L. Brennan, Esquire  
 Mr. George H. Sillis  
 Mr. and Mrs. W. C. Klappack  
 Mr. Harold F. Burton  
 Mrs. Donald L. Lovelace  
 Mr. S. E. DiNenna  
 Mr. L. Gensel  
 Mr. J. Howell

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners, the Variance should be had, and it further appearing that by reason of the granting of the Variances requested not adversely affecting the health, safety, and general welfare of the community, the Variances to permit a front yard setback of 90 feet, side yard setbacks of 120 feet and 125 feet, and a rear yard setback of 170 feet in lieu of the required 200 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of January, 1976, that the herein Petition for the aforementioned Variances should be and the same are 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.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of...

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this ... day of ... 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE from Section 421.1 of the Baltimore County Zoning Regulations NE corner Harford and Glen Arm Rds., 11th District Walter Ross Runage, et ux, Petitioners Zoning Case No. 76-138-A

: IN THE CIRCUIT COURT  
: FOR BALTIMORE COUNTY  
: AT LAW  
: Misc. Docket No. \_\_\_\_\_  
: Folio No. \_\_\_\_\_  
: File No. \_\_\_\_\_

PETITION ON APPEAL

William C. Klapaska and Helen Klapaska, his wife, and John W. Hession, III, People's Counsel for Baltimore County, Protestants below, having heretofore filed their Order for appeal, and thereafter an Amended Order for appeal, from the decision herein of the County Board of Appeals under date of September 8, 1977, granting a variance from the legal operation and effect of the provisions of Section 421 of the Baltimore County Zoning Regulations pertinent to the construction, operation and maintenance of an animal boarding place or kennel at or near the northeast corner of Harford Road and the Glen Arm Road, in the 11th Election District of Baltimore County, within the time limited by Maryland Rule B.2.e. with regard to the original Order for Appeal and simultaneously with the Amended Order for Appeal, file this Petition setting forth the grounds upon which their said appeal is taken, viz:

1. That the County Board of Appeals of Baltimore County erred in its application of the Baltimore County Zoning Regulations effective on the date of its decision. The Board assumed that animal boarding places or kennels were a permitted use in the R.C. 2 zone, which is the zoning classification in which Petitioners' property was placed at the time of the Board's decision herein, and that the sole question involved with the proposed construction, operation and maintenance of the dog kennel proposed by the Petitioners is the question of the variance to which the Board addressed itself. However, by its enactment of Bill 98-75, which became effective on December 22, 1975, the County Council for Baltimore County provided as follows:

"Section 1A01 - R. C. 2 (AGRICULTURAL) ZONES"

"Section 1A01.2C. Uses permitted by special exception. The following uses, only, are permitted by special exception in R. C. 2 zones."

"2. Animal boarding places (regardless of class), kennels, veterinarians offices, or veterinarians (subject to the provisions of Section 421)."

Your Petitioners believe, and therefore aver, that the County Board of Appeals could not grant a variance from the provisions of Section 421.1 of the Baltimore County Zoning Regulations as it in this case did unless and until the Petitioners, in an appropriate proceeding, had first obtained a Special Exception for the construction, operation and maintenance of such kennel in the location here involved; accordingly, your Petitioners believe, and aver, that the grant of the variance made herein by the County Board of Appeals is a nullity and as a matter of law the action of said Board should be reversed.

2. That even assuming that said Board had the authority to grant the variance here involved absent the previous obtention of a Special Exception by the Petitioners, Section 421.1 is a limitation on the use of land and as a matter of law, therefore, is not susceptible to variance by the County Board of Appeals pursuant to the authority granted said Board by the provisions of Section 307 of said regulations, which deal only with area and height limitations.

3. Assuming, arguendo, that the County Board of Appeals did have the authority to grant said variances absent a predecessor Special Exception being in force and effect, and further assuming that the Board did have the authority to grant a variance to the distance limitation imposed by Section 421.1 of the said regulations, neither concept being conceded by the Petitioners, the Board necessarily violated the provisions of Section 307 - "Variances of said Regulations" by finding a practical difficulty or unreasonable hardship where none exists and failing to make an affirmative finding

that such variance is in strict harmony with the spirit and intent of said regulations; your Petitioners state affirmatively that the variance herein granted is not in harmony with the spirit and intent of said regulations and the grant thereof is calculated to inflict injury to the public health, safety and general welfare, all as proscribed by said Section 307 of said regulations.

For the reasons hereinabove cited your Petitioners respectfully pray that said Order of the County Board of Appeals purporting to grant the variances be reversed.

AND AS IN DUTY BOUND, etc.,

John J. Brennan  
22 W. Pennsylvania Avenue  
Towson, Maryland 21204  
823-0464  
Attorney for Mr. William C. Klapaska and Helen Klapaska, his wife, Protestants.

John W. Hession, III  
People's Counsel for Baltimore County  
County Office Building  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 16th day of October, 1977, a copy of the foregoing Petition on Appeal was served on the Administrative Secretary of the County Board of Appeals of Baltimore County, Room 219, Court House, Towson, Maryland 21204, prior to the presentation of the original to the Clerk of the Circuit Court for Baltimore County; and that a copy thereof was mailed to Robert Paul Mann, Esquire, Suite 411, Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hession, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: January 9, 1976  
FROM: William D. Fromm, Director of Planning  
SUBJECT: Petition # 76-138-A. Petition for Variance for Front, Side and Rear Yards, Northeast corner of Harford and Glen Arm Road. Petitioner - Walter Ross Runage and Rosa Lee K. Runage

11th District

HEARING: Monday, January 12, 1976 at 10:00 A.M.

There are no comprehensive planning factors requiring comment on this petition at this time.

William D. Fromm  
Director of Planning

WDF:NEG:nb



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

ALBERT B. KALTENBACH, P.E.  
DIRECTOR OF PUBLIC WORKS

January 9, 1976

THORNTON M. MOURING, P.E.  
DEPUTY DIRECTOR

To Whom It May Concern:

The Bureau of Animal Control has in a professional manner conducted a thorough investigation of the Kennel at 12306 Harford Road.

The conditions which needed attention and correction from an earlier inspection have been complied with in an acceptable way.

Signed: *Gayle I. Saunders*  
Warden, Bureau of  
Animal Control

GS/SW



The Greater Kingsville Civic Association, Inc.

P.O. BOX 221 KINGSVILLE, MARYLAND 21087

March 28, 1977

County Board of Appeals  
Room 219  
Old County Court House  
Towson, Maryland 21204

Re: Case No. 76-138A  
Charlene Griffiths - Runage

Gentlemen:

The above case which was heard by you on March 24, 1977 has just been brought to the attention of The Greater Kingsville Civic Association, Inc.

The Association is of the opinion that to expand the operation of the existing "kennel" would not be in the best interest of those persons whose properties abut or are in close proximity to the "kennel."

The Greater Kingsville Civic Association, Inc. requests that the Board of Appeals put a "hold" on its decision to grant the request until the Department of Health has time to make a full investigation of this present operation and the impact an expansion would have on the surrounding properties.

Consideration of the Association's position will be appreciated.

Very truly yours,

Edward S. Tochtermann, Sr.  
Edward S. Tochtermann, Sr., Chairman  
Planning and Zoning Committee

jt

cc: Mr. S. Eric DiNenna, Zoning Commissioner  
Mr. John W. Hession, People's Counsel

Rec'd 3-28-77  
10:40 AM

THE GREATER KINGSVILLE CIVIC ASSOCIATION, INC.  
P. O. Box 221 Kingsville, Maryland 21087

March 28, 1977

File

Dr. Donald J. Hoop  
Health Officer  
Baltimore County Department of Health  
Fourth Floor  
Baltimore County Courts Building  
Towson, Maryland 21204

Dear Dr. Hoop:

Case 76-138A which was heard by the County Board of Appeals on March 24, 1977 has just been brought to the attention of the Greater Kingsville Civic Association, Inc. The case involved a variance in the present permit under which Mrs. Charlene Griffiths is now operating a "kennel" located at the corner of Harford and Glen Arm Roads.

This Association wishes to know the following:

1. Is the present operation in compliance with the Baltimore County Health Department's kennel regulations?
2. Is the said kennel periodically checked by the Health Department?
3. Is there a possibility that this operation could contaminate the water supply of any one of the adjacent properties?

The Greater Kingsville Civic Association requests that the Health Department put a "hold" on its decision to grant the request until your department has time to make a full investigation of this present operation and the impact an expansion would have on the surrounding properties.

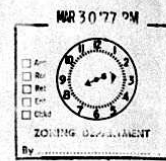
The Association will await your response to our inquiries.

Very truly yours,

Edward S. Tochtermann, Sr., Chairman  
Planning and Zoning Committee

jt

cc: Mr. S. Eric DiNenna, Zoning Commissioner  
Mr. John W. Hession, People's Counsel



BALTIMORE COUNTY  
ZONING PLANS  
ADVISORY COMMITTEE



PETITION AND SITE PLAN  
EVALUATION COMMENTS

Baltimore County, Maryland  
Department of Public Works  
COUNTY OFFICE BUILDING  
TOWSON, MARYLAND 21284

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

December 3, 1975

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

Re: Item #83 (1975-1976)  
Property Owner: Walter R. & Rosa Lee Rumage  
Intersection of the centerlines of Harford Rd. and Glen Arm Rd.  
Existing Zoning: R.D.P.  
Proposed Zoning: Variance from Sec. 421.1 to permit distances of 90', 120' & 170' from the front, side, and rear property lines respectively, in lieu of the required 200' for a kennel use.  
District: 11th

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:

Harford Road (Md. 147) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State 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.

Glen Arm and Mt. Vista Roads, existing County roads, are proposed to be realigned at this location in the future, so as to form a common alignment, intersecting Harford Road as normal as possible, and improved as a 50-foot cross-section on a 70-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening, including necessary revertible easements for slopes shall be reserved in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering. The submitted plan must be revised accordingly.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County standards.

Item #83 (1975-1976)  
Property Owner: Walter R. & Rosa Lee Rumage  
Page 2  
December 3, 1975

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.

Storm Drains:

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 nuisances or damages 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 and sanitary sewerage are not available to serve this property, which is utilizing private onsite facilities. The Baltimore County Comprehensive Water and Sewerage Plan, amended August 1974, indicates "No Planned Service" in the area.

Very truly yours,

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

END:EAM:FWR:ss

cc: John Trenner  
Harris Shalowitz (File Mt. Vista Estates)

Q-NE & NW Key Sheets  
60 NE 30 & 31 Pos. Sheets  
NE 15 H Topo  
54 Tax Map

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING  
111 W. Chesapeake Avenue  
TOWSON, MARYLAND 21284

January 8, 1975

Franklin T. Hogans  
XXXXXXXXXXXXXXXXXX  
Chairman, Jr.

Mr. Walter Ross Rumage  
12306 Harford Road  
Fork, Maryland 21051

RE: Variance Petition  
Item 83  
Walter R. & Rosa Lee Rumage -  
Petitioners

Dear Mr. Rumage:

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 corner of Harford Road and Glenarm Road, and is currently improved with a one-family dwelling, garage, and barn. Located near the center of the property, and slightly to the rear of and between the barn and dwelling structures, lies an area presently used for the containment of approximately 10-15 German Shepherd dogs. This containment consists in general of individual dog houses with wire fence pens, constructed without concrete slab floor or foundation. A lack of organized construction and arrangement of these pens is evident at first glance.

The petitioner is requesting a Variance to permit distances of less than the required 200 foot setback from property lines for a kennel use.



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

December 16, 1975

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

Dear Mr. DiNenna:

Comments on Item #83, Zoning Advisory Committee Meeting, November 4, 1975, are as follows:

Property Owner: Walter R. & Rosa Lee Rumage  
Location: Intersection of the center lines of Harford and Glen Arm Roads.  
Existing Zoning: R.D.P.  
Proposed Zoning: Variance from Sec. 421.1 to permit distances of 90', 120', 125' & 170' from the front, side and rear property lines respectively, in lieu of the required 200' for a kennel use.

No. of Acres:  
District: 11th

Department of Health approval of an application to house and keep animals is predicated upon the following:

1. The animal structure is within a reasonable distance (no less than 10 feet) from the adjoining residential property.
2. The corral is cleaned daily and manure is not permitted to accumulate on the ground.
3. Manure is either removed from the premises daily or stored in suitable covered receptacles prior to removal within a reasonable time.
4. Animal food is stored in covered ratproof containers.
5. Rodent, insect, and odor control is maintained.
6. No animal shall be permitted within 75 feet of a potable water supply (well or spring).
7. Watering troughs must be of a type that will not create any cross-connections to a potable water supply.

Mr. Walter Ross Rumage  
Re: Item 83  
January 8, 1975  
Page 2

Although the petitioner shall have more than the permitted three adult dogs, and will thereby be considered a kennel by Zoning Regulation definition, the petitioner indicates that the kennel shall be private and non-commercial in nature. The request includes the construction of a modern structure for the housing of approximately twenty dogs.

The properties in the immediate environs of this site are rural-residential in character.

Comments included herewith of the Health Department and Department of Public Works should be noted with particular interest.

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. Hogans*  
FRANKLIN T. HOGANS, JR.,  
Chairman, Zoning Plans  
Advisory Committee

FTH:JD

Enclosure

Page 2  
Mr. S. Eric DiNenna, Zoning Commissioner  
December 16, 1975

The septic system is apparently functioning properly, since no evidence of an overflow could be found.

The existing water well appears to be in good physical condition.

If an additional septic system is proposed for the kennel, a complete soil evaluation must be conducted.

Very truly yours,

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

RJW:dls

cc: Mr. G. Hummel

Baltimore County Fire Department

PAUL H. BREWER  
Chief



Towson, Maryland 21204

833-7310

Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman  
Zoning Advisory Committee

Re: Property Owners: Walter R. & Rosa Lee Rumage

Location: Intersection of the center lines of Harford & Glen Arm Rds.

Item No. 83 Zoning Agenda November 4, 1975

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.  
( ) 3. The vehicle dead-end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.  
( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.

( ) 6. Site plans are approved as drawn.

(x) 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: *H.J. Kelly* Noted and Approved: *James H. Murphy*  
Planning Group Acting Deputy Chief  
Special Inspection Division Fire Prevention Bureau



Harry R. Hughes  
Secretary  
Bernard M. Evans  
Administrator

November 3, 1975

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

ATTN: Mr. Franklin Hegans

Re: Z.A.C. meeting; 11-4-75  
ITEM: 83  
Prop. Owners: Walter R. & Rosa Lee Rumage  
Location: Intersection of the center lines of Harford Road & (Rt. 197) Glen Arm Road  
Existing Zoning: R.D.P.  
Proposed Zoning: Variance from Sec. 421.1 to permit distances of 90', 120', 125' & 170' from the front, side, and rear property lines respectively, in lieu of the required 200' for a kennel use.  
No. of Acres: \_\_\_\_\_  
District: 11th

Dear Mr. DiNenna:

In order to make a comprehensive review of the subject petition, we must know the frequency and number of customers to the site. The plan must indicate the entrance and parking area.

The processing of the petition should be held in abeyance until such time as the requested information is submitted and the plan is revised.

Clg:jc

Very truly yours,

Charles Lee, Chief  
Bureau of Engineering  
Access Permits  
*John E. Meyers*  
Mr. John E. Meyers

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203



STEPHEN E. COLLINS  
DIRECTOR

December 3, 1975

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

Re: Item 83 - ZAC - November 4, 1975  
Property Owner: Walter R. & Rosa Lee Rumage  
Location: Intersection of the centerlines of Harford & Glen Arm Rd.  
Existing Zoning: R.D.P.  
Proposed Zoning: Variance from Sec. 421.1 to permit distances of 90', 120', 125' & 170' from the front, side, & rear property lines respectively, in lieu of req. 200' for a kennel use

No. of Acres: \_\_\_\_\_  
District: 11th

Dear Mr. DiNenna:

No Traffic Engineering problems are anticipated by the requested variance to permit a kennel.

Very truly yours,  
*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate

MSF:nc



WILLIAM D. FROMM  
DIRECTOR

November 24, 1975

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

Dear Mr. DiNenna:

Comments on Item #83, Zoning Advisory Committee Meeting, November 4, 1975, are as follows:

Property Owner: Walter R. and Rosa Lee Rumage  
Location: Intersection of the center lines of Harford and Glen Arm Roads  
Existing Zoning: R.D.P.  
Proposed Zoning: Variance from Sec. 421.1 to permit distances of 90', 120', 125', and 170' from the front, side and rear property lines respectively, in lieu of the required 200' for a kennel use  
No. of Acres: \_\_\_\_\_  
District: 11th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The parking area for the public and driveways must be shown on the site plan.

Very truly yours,  
*John L. Wimbley*  
John L. Wimbley  
Planning Specialist II  
Project and Development Planning

BOARD OF EDUCATION  
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 29, 1975

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

Z.A.C. Meeting of: November 4, 1975

Re: Item 83  
Property Owner: Walter R. & Rosa Lee Rumage  
Location: Intersection of the center lines of Harford & Glen Arm Rds.  
Present Zoning: R.D.P.  
Proposed Zoning: Variance from Section 421.1 to permit distances of 90', 120', 125' and 170' from the front, side, and rear property lines respectively, in lieu of the required 200' for a kennel use.

District: 11th  
No. Acres: \_\_\_\_\_

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

*W. Nick Petrovich*

W. Nick Petrovich,  
Field Representative.

H. EMILIE PLANK, HUSBAND  
EUGENE C. HESSEL, HUSBAND  
MRS. ROBERT L. BERNLEY  
MARCUS M. BOTSARIS  
JOSEPH N. MCGOWAN  
ALVIN LORECK  
T. BAYARD WILLIAMS, JR.  
RICHARD W. TRACY, V.M.D.  
MRS. RICHARD W. WURFFEL

COPY

RE: PETITION FOR VARIANCE  
from Section 421.1 of the  
Baltimore County  
Zoning Regulations  
NE Corner Harford and  
Glen Arm Roads  
11th District  
WALTER ROSS RUMAGE, et ux  
Petitioners

IN THE  
CIRCUIT COURT  
FOR BALTIMORE COUNTY  
No. 76-138-A

APPEAL

Mr. Clerk:

Please enter an appeal to the Circuit Court for Baltimore County from the Order of County Board of Appeals on behalf of Mr. and Mrs. W.C. Klapaska, Protestants.

*John J. Brennan*  
John J. Brennan,  
22 W. Pennsylvania Ave.  
Towson, Md. 21204  
823-0464  
Attorney for Mr. & Mrs.  
W.C. Klapaska

I HEREBY CERTIFY, that two copies of the foregoing were mailed to the County Board of Appeals this 27th day of September, 1977.

*John J. Brennan*  
John J. Brennan

RE: PETITION FOR VARIANCE  
from Section 421.1 of the  
Baltimore County Zoning Regulations  
NE corner Harford and Glen Arm Rds.,  
11th District  
Walter Ross Rumage, et ux, Petitioners  
Zoning Case No. 76-138-A

IN THE CIRCUIT COURT  
FOR BALTIMORE COUNTY  
AT LAW  
Misc. Docket No. \_\_\_\_\_  
Folio No. \_\_\_\_\_  
File No. \_\_\_\_\_

AMENDED ORDER FOR APPEAL

Mr. Clerk:

Please note an appeal to the Circuit Court for Baltimore County from the Order of the County Board of Appeals, under date of September 8, 1977, granting a variance from the legal operation and effect of Section 421 of the Baltimore County Zoning Regulations pertinent to the proposed construction, operation and maintenance of an animal boarding place or kennel at or near the northeast corner of Harford and the Glen Arm Roads, in the 11th Election District of Baltimore County.

*John J. Brennan*  
John J. Brennan  
22 W. Pennsylvania Avenue  
Towson, Maryland 21204  
823-0464  
Attorney for Mr. William C. Klapaska  
and Helen Klapaska, his wife,  
Protestants.

*John W. Hession, III*  
John W. Hession, III  
People's Counsel for Baltimore County  
County Office Building  
Towson, Maryland 21204  
494-2188

- 2 -

I HEREBY CERTIFY that on this 6th day of October, 1977, a copy of the foregoing Amended Order was served on the Administrative Secretary of the County Board of Appeals of Baltimore County, Room 219, Court House, Towson, Maryland 21204, prior to the presentation of the original to the Clerk of the Circuit Court for Baltimore County; and that a copy thereof was mailed to Robert Paul Mann, Esquire, Suite 411, Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland 21204, Attorney for Petitioners.

*John W. Hession, III*

Rec'd 9-28-77  
11:25 AM

OCT 31 1979

RE: PETITION FOR VARIANCE : IN THE  
 from Section 421.1 of the : CIRCUIT COURT  
 Baltimore County : FOR  
 Zoning Regulations : BALTIMORE COUNTY  
 NE corner Harford and : AT LAW  
 Glen Arm Roads : Misc. Docket No. 10  
 11th District : Folio No. 433  
 Walter Ross Rumage, et ux :  
 Petitioners : File No. 6363  
 Case No. 76-138-A  
 W. C. Klapaska, et ux  
 Protestants-Appellants

CERTIFICATE OF NOTICE

Mr. Clerk:  
 Pursuant to the provisions of Rule B-2 (d) of the Maryland Rules of Procedure;  
 Robert L. Gilland, William T. Hockett and John A. Miller, constituting the County Board  
 of Appeals of Baltimore County, have given notice by mail of the filing of the Appeal to the  
 representative of every party to the proceeding before it; namely, Robert Paul Mann, Esquire,  
 Suite 411, Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland 21204,  
 Attorney for the Petitioners, and Mr. and Mrs. Walter Ross Rumage, 12306 Harford Road,  
 Fork, Maryland 21051, Petitioners, and John W. Hession, III, Esquire, County Office  
 Building, Towson, Maryland 21204, People's Counsel, and Alfred L. Brennan, Esquire, 22  
 West Pennsylvania Avenue, Towson, Maryland 21204, Attorney for the Protestants, and Mr.  
 and Mrs. W. C. Klapaska, 6242 Glen Arm Road, East, Hydes, Maryland 21082, Protestants-  
 Appellants, and Mr. Edward S. Tachterman, Sr., Chairman, Planning and Zoning Committee,  
 The Greater Kingsville Civic Association, Inc., P. O. Box 221, Kingsville, Maryland  
 21087, and Mrs. George H. Stiles, 12344 Harford Road, Hydes, Maryland 21082, and Mr.  
 Harold F. Burton, 2100 Dalewood Court, Timonium, Maryland 21093, and Mrs. Donald L.  
 Loveless, 6230 Glen Arm Road, East, Hydes, Maryland 21082, Requested Notification,  
 a copy of which notice is attached hereto and prayed that it may be made a part thereof.

*Edith T. Eisenhart*  
 Edith T. Eisenhart, Administrative Secretary  
 County Board of Appeals of Baltimore County  
 Room 219, Courthouse, Towson, Md. 21204  
 494-3180

cc: Zoning, B. Anderson  
 Planning, J. Howell

Rumage v. Klapaska - 10/433/6363 2.  
 I hereby certify that a copy of the foregoing Certificate of Notice has been  
 mailed to Robert Paul Mann, Esquire, Suite 411, Jefferson Building, 105 West Chesapeake  
 Avenue, Towson, Maryland 21204, Attorney for the Petitioners, and Mr. and Mrs. Walter  
 Ross Rumage, 12306 Harford Road, Fork, Maryland 21051, Petitioners, and John W. Hession,  
 III, Esquire, County Office Building, Towson, Maryland 21204, People's Counsel, and  
 Alfred L. Brennan, Esquire, 22 West Pennsylvania Avenue, Towson, Maryland 21204,  
 Attorney for the Protestants, and Mr. and Mrs. W. C. Klapaska, 6242 Glen Arm Road, East,  
 Hydes, Maryland 21082, Protestants-Appellants, and Mr. Edward S. Tachterman, Sr.,  
 Chairman, Planning and Zoning Committee, The Greater Kingsville Civic Association, Inc.,  
 P. O. Box 221, Kingsville, Maryland 21087, and Mrs. George H. Stiles, 12344 Harford  
 Road, Hydes, Maryland 21082, and Mr. Harold F. Burton, 2100 Dalewood Court, Timonium,  
 Maryland 21093, and Mrs. Donald L. Loveless, 6230 Glen Arm Road, East, Hydes,  
 Maryland 21082, Requested Notification, on this 29th day of September, 1977.

*Edith T. Eisenhart*  
 Edith T. Eisenhart, Administrative Secretary  
 County Board of Appeals of Baltimore County

RE: PETITION FOR VARIANCE : IN THE  
 from Section 421.1 of the : CIRCUIT COURT  
 Baltimore County : FOR  
 Zoning Regulations : BALTIMORE COUNTY  
 NE corner Harford and : AT LAW  
 Glen Arm Roads : Misc. Docket No. 10  
 11th District : Folio No. 433  
 Walter Ross Rumage, et ux :  
 Petitioners : File No. 6363  
 Case No. 76-138-A  
 William C. Klapaska, et ux  
 and John W. Hession, III,  
 People's Counsel for  
 Baltimore County  
 Protestants-Appellants

CERTIFICATE OF NOTICE

Mr. Clerk:  
 Pursuant to the provisions of Rule B-2 (d) of the Maryland Rules of Procedure;  
 Robert L. Gilland, William T. Hockett and John A. Miller, constituting the County Board of  
 Appeals of Baltimore County, have given notice by mail of the filing of the Amended Order  
 for Appeal to the representative of every party to the proceeding before it; namely, Robert  
 Paul Mann, Esquire, Suite 411, Jefferson Building, 105 West Chesapeake Avenue, Towson,  
 Maryland 21204, Attorney for the Petitioners, and Mr. and Mrs. Walter Ross Rumage, 12306  
 Harford Road, Fork, Maryland 21051, Petitioners, and John W. Hession, III, Esquire, County  
 Office Building, Towson, Maryland 21204, People's Counsel, and Alfred L. Brennan, Esquire,  
 22 West Pennsylvania Avenue, Towson, Maryland 21204, Attorney for the Protestants, and  
 Mr. and Mrs. W. C. Klapaska, 6242 Glen Arm Road, East, Hydes, Maryland 21082, Pro-  
 testants-Appellants, and Mr. Edward S. Tachterman, Sr., Chairman, Planning and Zoning  
 Committee, The Greater Kingsville Civic Association, Inc., P. O. Box 221, Kingsville,  
 Maryland 21087, and Mrs. George H. Stiles, 12344 Harford Road, Hydes, Maryland 21082,  
 and Mr. Harold F. Burton, 2100 Dalewood Court, Timonium, Maryland 21093, and Mrs.  
 Donald L. Loveless, 6230 Glen Arm Road, East, Hydes, Maryland 21082, Requested Notifi-  
 cation, a copy of which notice is attached hereto and prayed that it may be made a part  
 thereof.

*Edith T. Eisenhart*  
 Edith T. Eisenhart, Administrative Secretary  
 County Board of Appeals of Baltimore County  
 Room 219, Courthouse, Towson, Md. 21204  
 494-3180

Rumage v. Klapaska, et al - 10/433/6363 2.

I hereby certify that a copy of the foregoing Certificate of Notice has been  
 mailed to Robert Paul Mann, Esquire, Suite 411, Jefferson Building, 105 West Chesapeake  
 Avenue, Towson, Maryland 21204, Attorney for the Petitioners, and Mr. and Mrs. Walter  
 Ross Rumage, 12306 Harford Road, Fork, Maryland 21051, Petitioners, and John W. Hession,  
 III, Esquire, County Office Building, Towson, Maryland 21204, People's Counsel, and  
 Alfred L. Brennan, Esquire, 22 West Pennsylvania Avenue, Towson, Maryland 21204,  
 Attorney for the Protestants, and Mr. and Mrs. W. C. Klapaska, 6242 Glen Arm Road, East,  
 Hydes, Maryland 21082, Protestants-Appellants, and Mr. Edward S. Tachterman, Sr.,  
 Chairman, Planning and Zoning Committee, The Greater Kingsville Civic Association, Inc.,  
 P. O. Box 221, Kingsville, Maryland 21087, and Mrs. George H. Stiles, 12344 Harford  
 Road, Hydes, Maryland 21082, and Mr. Harold F. Burton, 2100 Dalewood Court, Timonium,  
 Maryland 21093, and Mrs. Donald L. Loveless, 6230 Glen Arm Road, East, Hydes,  
 Maryland 21082, Requested Notification, on this 10th day of October, 1977.

*Edith T. Eisenhart*  
 Edith T. Eisenhart, Administrative Secretary  
 County Board of Appeals of Baltimore County

cc: Zoning, B. Anderson  
 Planning, J. Howell

RE: PETITION FOR VARIANCE : IN THE  
 from Section 421.1 of the : CIRCUIT COURT  
 Baltimore County : FOR  
 Zoning Regulations : BALTIMORE COUNTY  
 NE corner Harford and : AT LAW  
 Glen Arm Roads : Misc. Docket No. 10  
 11th District : Folio No. 433  
 Walter Ross Rumage, et ux :  
 Petitioners : File No. 6363  
 Case No. 76-138-A  
 William C. Klapaska, et ux  
 and John W. Hession, III,  
 People's Counsel for  
 Baltimore County  
 Protestants-Appellants

CERTIFIED COPIES OF PROCEEDINGS BEFORE  
 THE ZONING COMMISSIONER AND BOARD  
 OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Robert L. Gilland, William T. Hockett and John A. Miller,  
 constituting the County Board of Appeals of Baltimore County, and in answer to the Order  
 for Appeal directed against them in this case, herewith return the record of proceedings  
 had in the above entitled matter, consisting of the following certified copies or original  
 papers on file in the Office of Zoning of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING  
 COMMISSIONER OF BALTIMORE COUNTY

- No. 76-138-A
- Dec. 2, 1975 Petition of Walter Ross and Rosa Lee K. Rumage for variance from  
 Section 421.1 of the Baltimore County Zoning Regulations to permit  
 distances of 90', 120', 125', and 170' from the front, side and rear  
 property lines respectively, in lieu of the required 200 feet for a  
 kennel use on property located at the northeast corner of Harford and  
 Glen Arm Roads, 11th District - filed
  - " 2 Order of Zoning Commissioner directing advertisement and posting of  
 property - date of hearing set for January 12, 1976 at 10 a.m.
  - " 25 Certificate of Publication in newspaper - filed
  - " 29 Certificate of Posting of property - filed
  - Jan. 8, 1976(5) Comments of the Baltimore County Zoning Plans Advisory Committee fd.
  - " 9 Comments of the Director of Planning filed

- Rumage v. Klapaska - 10/433/6363 2.
- Jan. 9, 1976 Letter from the Warden, Bureau of Animal Control filed
  - " 12 At 10 a.m., hearing held on petition by the Zoning Commissioner - case  
 held sub curia
  - " 15 Order of Zoning Commissioner granting variances
  - Feb. 13 Order of Appeal to County Board of Appeals from Order of Zoning  
 Commissioner filed by the People's Counsel for Baltimore County
  - " 1, 1977 Hearing on appeal before County Board of Appeals case held sub curia
  - Mar. 24
  - Sept. 8 Order of the County Board of Appeals granting variances subject to  
 conditions
  - " 27 Order for Appeal filed in the Circuit Court for Baltimore County by  
 John J. Brennan, Esq., on behalf of Mr. and Mrs. W. C. Klapaska
  - " 29 Certificate of Notice sent to all interested parties
  - Oct. 6 Amended Order for Appeal filed in the Circuit Court for Baltimore County  
 by John J. Brennan, Esq., attorney for Mr. William C. Klapaska and  
 Helen Klapaska, his wife, Protestants, and John W. Hession, III,  
 People's Counsel for Baltimore County
  - " 6 Petition to Accompany Order for Appeal filed in the Circuit Court for  
 Baltimore County by Mr. Brennan and Mr. Hession
  - " 10 Certificate of Notice sent to all interested parties
  - Nov. 1 Transcript of testimony filed - 1 volume  
 Petitioner's Exhibit No. 1 - Plat  
 Protestants' Exhibit A to G - Photographs
  - " 7 Record of proceedings filed in the Circuit Court for Baltimore County

Record of proceedings pursuant to which said Order was entered and  
 said Board acted are permanent records of the Zoning Department of Baltimore County, as  
 are also the use district maps, and your Respondents respectively suggest that it would be  
 inconvenient and inappropriate to file the same in this proceedings, but your Respondents  
 will produce any and all such rules and regulations, together with the zoning use district  
 maps, at the hearing on this petition or whenever directed to do so by this Court.

Respectfully submitted

*Edith T. Eisenhart*  
 Edith T. Eisenhart, Administrative Secretary  
 County Board of Appeals of Baltimore County

cc: Robert Paul Mann, Esq.  
 John W. Hession, III, Esq.  
 John J. Brennan, Esq.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
 Northeast corner of Harford : OF BALTIMORE COUNTY  
 and Glen Arm Road, 11th :  
 District :  
 WALTER ROSE RUMAGE, Petitioner: Case No. 76-138-A

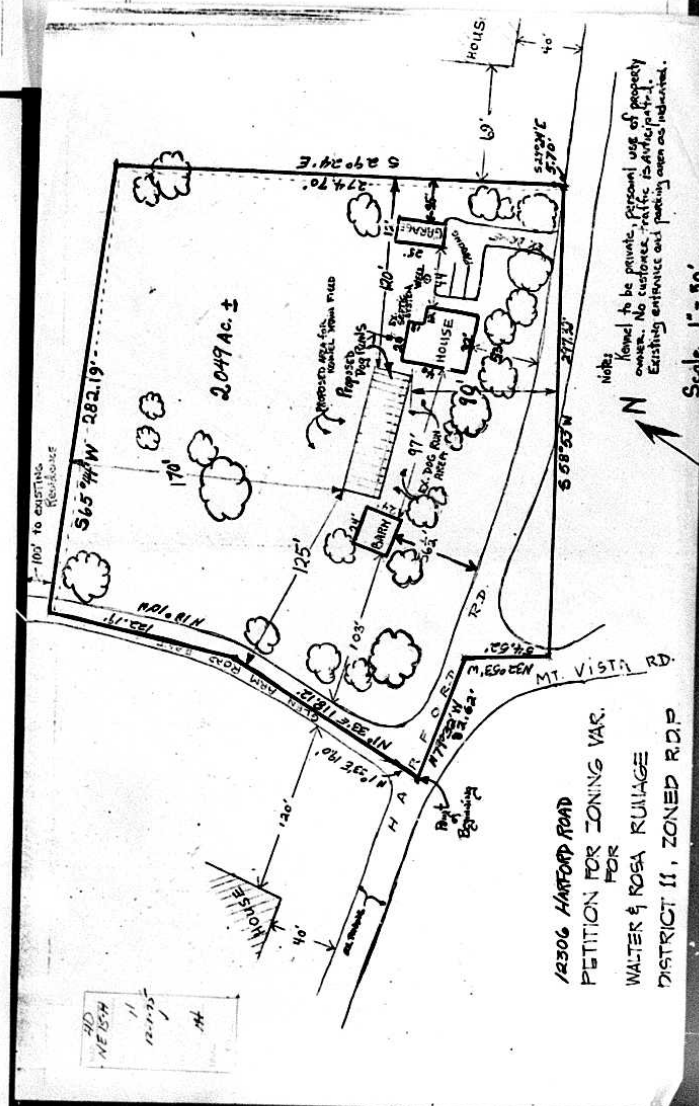
ORDER TO ENTER APPEARANCE

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.

*Charles E. Kountz, Jr.*  
 Charles E. Kountz, Jr.,  
 Deputy People's Counsel  
*John W. Hession, III*  
 John W. Hession, III,  
 People's Counsel, III  
 County Office Building  
 Towson, Maryland 21204  
 494-2188

I hereby certify that on this 9th day of January, 1976, a  
 copy of the foregoing Order was mailed to Mr. Walter R. Rumage,  
 12306 Harford Road, Fork, Maryland 21051, Petitioner.

*John W. Hession, III*



John J. Brennan  
John W. Hessian, III  
Atty. Clerk 5.00  
10.00

6303

RE: PETITION FOR VARIANCE  
from Section 421.1 of the  
Baltimore County  
Zoning Regulations  
NE corner Harford and  
Glen Arm Roads  
11th District

WALTER ROSS RUMAGE, et ux  
Petitioners

William C. Klapaska, et ux  
and John W. Hessian, III,  
People's Counsel for  
Baltimore County  
Protestants-Appellants

ORDER

The Court, in its Opinion dictated at the conclusion of the hearing on this matter, having found that the 200-foot requirement found in Section 421.1 of the Baltimore County Zoning Regulations is a use restriction which cannot be changed by variance under the provisions of Section 307 of said Regulations, it is, this 3rd day of August, 1979,

ORDERED, by the Circuit Court for Baltimore County, that the Order of the County Board of Appeals for Baltimore County dated September 8, 1977, granting a variance herein be and it is hereby REVERSED.

WALTER ROSS RUMAGE, et ux  
Petitioners  
PEOPLE'S COUNSEL FOR BALTIMORE COUNTY  
JOHN W. HESSIAN, III

KLAPASKA, MR. AND MRS. W.C.  
Protestants

RECEIVED  
BALTIMORE COUNTY  
Aug 8 11 00 AM '79  
COUNTY BOARD OF APPEALS  
BY:

IN THE  
CIRCUIT COURT  
BALTIMORE COUNTY  
AT LAW

Misc. Docket No. 10  
Folio No. 433  
File No. 6363

Case No. 76-138-A

William C. Klapaska, et ux  
and John W. Hessian, III,  
People's Counsel for  
Baltimore County  
Protestants-Appellants

ORDER

The Court, in its Opinion dictated at the conclusion of the hearing on this matter, having found that the 200-foot requirement found in Section 421.1 of the Baltimore County Zoning Regulations is a use restriction which cannot be changed by variance under the provisions of Section 307 of said Regulations, it is, this 3rd day of August, 1979,

ORDERED, by the Circuit Court for Baltimore County, that the Order of the County Board of Appeals for Baltimore County dated September 8, 1977, granting a variance herein be and it is hereby REVERSED.

Walter K. Waite  
JUDGE

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

STATE OF MARYLAND:  
SCT.  
COUNTY OF BALTIMORE

I, ELMER H. KAWLINE, JR., Clerk of the Circuit Court for Baltimore County, do hereby certify that the foregoing is a true photo copy of the original Docket Entries and Order taken from the Records of the said Circuit Court for Baltimore County as recorded in Liber EHK, JR. No. 10 Folio 433, one of the MISCELLANEOUS LAW Records of Baltimore County

IN TESTIMONY WHEREOF, I hereto set my hand and affix the seal of said Court this 6th day of August A.D., 1979.

Elmer H. Kawline, Jr.  
Clerk of the Circuit Court for Baltimore County

Mr. Walter Ross Ramage  
13304 Harford Road  
Park, Maryland 21091

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 2nd day of December 1978

S. Eric DiNenna,  
Zoning Commissioner

Petitioner Walter R. & Rosa Lee Ramage  
Petitioner's Attorney \_\_\_\_\_ Reviewed by Franklin T. Higgins, Jr.  
Chairman,  
Zoning Advisory  
Committee

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>JPH</u>					Revised Plans:		Change in outline or description: Yes _____ No _____			
Previous case:					Map #					

RECEIVED  
BALTIMORE COUNTY  
Aug 8 11 00 AM '79  
COUNTY BOARD OF APPEALS  
BY:

FILED AUG 3 1979

OFFICE OF  
THE ESSEX TIMES  
ESSEX, MD. 21221 Dec. 23, 1975

THIS IS TO CERTIFY, that the annexed advertisement of Petition for a Variance- Walter Ross Ramage was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one occurrence, 14 days before the 12th day of Jan. 1976, that is to say, the same was inserted in the issues of Dec. 23, 1975.

STROMBERG PUBLICATIONS, Inc.  
By: Patricia Smith

CERTIFICATE OF PUBLICATION  
TOWSON, MD. December 23, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 14 successive weeks before the 12th day of JANUARY, 1976, the first publication appearing on the 25th day of December 1975.

THE JEFFERSONIAN  
B. Paul Smith  
Manager

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

# 76-138-A  
# 83

District: 11th Date of Posting: 12-22-75

Posted for: Walter Ross Ramage, et ux

Petitioner: Walter Ross Ramage

Location of property: NE corner of Harford Rd. & Glen Arm Rd.

Location of Sign: Sign on corner of Glen Arm Rd. & Harford Rd.

Remarks: \_\_\_\_\_

Posted by: Walter H. Hessian Date of return: 12-29-75

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received \* this 20th day of Oct 1975. Filing Fee \$25.00 Received  Check \_\_\_\_\_ Cash \_\_\_\_\_ Other \_\_\_\_\_

S. Eric DiNenna,  
Zoning Commissioner

Petitioner Ramage Submitted by Griffith  
Petitioner's Attorney \_\_\_\_\_ Reviewed by F. T. Higgins

\* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND No. 15400  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 10/18/77 ACCOUNT 01-712

Mr. William C. Klapaska, Jr.  
6242 Glen Arm Rd., East  
Hydes, Md. 21082

AMOUNT \$21.00

DISTRIBUTION PINN - AGENCY YELLOW - CUSTOMER  
WHITE - CASHIER

Cost of certified documents in Case 76-138-A Ramage  
NE cor. Harford & Glen Arm Rds.  
11th District

21.00

BALTIMORE COUNTY, MARYLAND No. 28247  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE Jan. 12, 1976 ACCOUNT 01-662

AMOUNT \$47.00

RECEIVED FROM: Walter R. Ramage, et ux  
FOR: Advertising and parking of property

47.00

BALTIMORE COUNTY, MARYLAND No. 31617  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE February 18, 1976 ACCOUNT 01-662

AMOUNT \$40.00

RECEIVED FROM: John W. Hessian, III, Esquire, People's Counsel  
FOR: Cost of Filing of an Appeal and Posting of Property on Case No. 76-138-A (Item No. 83) NE/corner of Harford and Glen Arm Roads - 11th Election District

40.00

BALTIMORE COUNTY, MARYLAND No. 28218  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE Dec. 18, 1975 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM: Walter R. Ramage, et ux  
FOR: Petition for Variance

25.00