

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, HERMAN B. and JEAN S. FRANK, legal owner(s) 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an N/A zone to an N/A 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 Conservatory for Art

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, 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.

Herman B. Frank
Contract purchaser
Jane S. Frank Legal Owner
Address: Painters Mill Road
Owings Mills, MD 21117

Jan 27 '76 PM
Petitioner's Attorney
Address: _____
Protestant's Attorney
Address: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of January, 1976, 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 3rd day of March, 1976, at 1:00 o'clock P.M.

Eric D. Nenna
Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: February 19, 1976
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition # 76-182-X, Petition for Special Exception for Conservatory for Art, East side of Painters Mill Road 1925 feet Northeast of Lyons Mill Road, Petitioner - Herman B. Frank and Jane S. Frank

2nd District

Hearing: Wednesday, March 3, 1976 at 1:00 P.M.

This office supports the requested special exception.

William D. Fromm
Director of Planning

WDF:JGH:nb

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
East side of Painters Mill Road 1925 feet
Northeast of Lyons Mill Road, 2nd District : OF BALTIMORE COUNTY
FRANK, HERMAN B. & JEAN S.,
Petitioners : Case No. 76-182-X

ORDER TO ENTER APPEARANCE

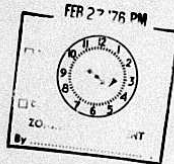
Mr. Commissioner:

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
County Office Building
494-2188

I HEREBY CERTIFY that on this 26th day of February, 1976, a copy of the foregoing Order was mailed to Mr. & Mrs. Herman B. Frank, Painters Mill Road, Owings Mills, Maryland 21117, Petitioners.

John W. Hession, III



March 8, 1976

Mr. & Mrs. Herman B. Frank
Painters Mill Road
Owings Mills, Maryland 21117

RE: Petition for Special Exception
E/S of Painters Mill Road, 1925' NE
of Lyons Mill Road - 2nd Election
District
Herman B. Frank, et ux - Petitioners
NO. 76-182-X (Item No. 142)

Dear Mr. & Mrs. Frank:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

/s/
GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/mc

Attachments

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

H. MALMUD & ASSOCIATES, INC.
LAND PLANNERS - SURVEYORS - ENGINEERS

TELEPHONE
AREA CODE 410-462-4444

1015 HANCOCK HEIGHTS ROAD
BALTIMORE, MARYLAND 21206

ZONING DESCRIPTION FOR SPECIAL EXCEPTION OF
PROPERTY OWNED BY HERMAN FRANK
SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the east side of Painters Mill Road approximately 1925 feet northeasterly from the intersection of Painters Mill Road and Lyons Mill Road; thence running the eight (8) following courses and distances:

- (1) North 78° 05' 41" East 977.24 feet;
- (2) North 05° 32' 48" East 416.55 feet;
- (3) South 78° 05' 41" East 510.08 feet;
- (4) South 11° 54' 19" East 592.16 feet;
- (5) South 78° 05' 41" East 505.90 feet;
- (6) North 77° 54' 19" East 407.97 feet;
- (7) South 78° 05' 41" East 40.00 feet;
- (8) South 77° 54' 19" West 478.78 feet, to the place of beginning.

Containing 5.040 Acres of land, more or less.

Robert Malmud
Robert Malmud
Registered Land Surveyor
Maryland No. 7558
January 20, 1976



baltimore county
department of public works
TOWSON, MARYLAND 21204

March 4, 1976

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

Re: Item #142 (1975-1976)
Property Owner: Herman B. Frank
E/S Painters Mill Rd., 1925' N/E Lyons Mill Rd.
Existing Zoning: R.D.P.
Proposed Zoning: R.D.P. S.E. for Conservatory Art
No. of Acres: 5.03 District: 2nd

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:

Painters Mill Road, an existing public road, is proposed to be improved in the future as a 50-foot closed section roadway on a 70-foot right-of-way. 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. 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.

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:

A drainage and utilities easement is required through this property for future utilities.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Item #142 (1975-1976)
Property Owner: Herman B. Frank
Page 2
March 4, 1976

Water and Sanitary Sewer:

There is a 20-inch public water main in Painters Mill Road. This property is utilizing private onsite means for water supply and sanitary sewage disposal. The Baltimore County Comprehensive Water and Sewerage Plan, amended August 1974, indicates this property to be just beyond the Urban Rural Demarcation Line, with "Planned Service" in the area in 11 to 30 years.

Very truly yours,

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

END:EAM:FWR:ss
cc: J. Trenner
J. Loos
J. Somers

P-W Key Sheet
37 & 38 NW 32 & 33 Pos. Sheets
NW 10 I Topo
67 Tax Map

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met, a Special Exception for a Conservatory for Art should be granted.

Deputy
IS ORDERED by the Zoning Commissioner of Baltimore County this 5TH day of March, 1976, that a Special Exception for a Conservatory for Art 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 Department of Public Works and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

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

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1976, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a zone; and/or the Special Exception for be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

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 day of 1976

Eric DiNenna,
Zoning Commissioner

Petitioner: Herman B. Frank
Petitioner's Attorney: [Signature]

Reviewed by: Franklin T. Hogans, Jr.
Chairman,
Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

Franklin T. Hogans, Jr.
Chairman

February 24, 1976

Mr. Herman B. Frank
Painters Mill Road
Owings Mills, Maryland 21117

RE: Reclassification & Special
Exception Petition
Item 142
Herman B. and Jane S. Frank -
Petitioners

Dear Mr. Frank:

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 east side of Painters Mill Road, 1925 feet northeast of Lyons Mill Road, and is currently improved with a single family residence. The petitioner is requesting a Special Exception to permit a conservatory of art in a separate structure to be erected on this property.

The petitioner's plan indicates the proposed artist's studio to be located near the central area of this lot. As indicated on the plan, this studio will be the site of private showing, by appointment only, of the artist-owner of this property.

Mr. Herman B. Frank
Re: Item 142
February 24, 1976
Page 2

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, Jr.
Chairman, Zoning Plans
Advisory Committee

FTH:JD

cc: H. Malmud & Associates, Inc.
8815 Meadow Heights Road
Randallstown, Md. 21133

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

February 19, 1976

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

Re: Item 142 - ZAC - January 27, 1976
Property Owner: Herman B. Frank
Location: E/S Painters Mill Rd. 1925' NE Lyons Mill Rd.
Existing Zoning: RDP
Proposed Zoning: RDP S.E. for Conservatory Art
No. of Acres: 5.03
District: 2nd

Dear Mr. DiNenna:

No major traffic engineering problems are anticipated by the requested special exception for a conservatory of art.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

February 10, 1976

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

Dear Mr. DiNenna:

Comments on Item #142, Zoning Advisory Committee Meeting, January 27, 1976, are as follows:

Property Owner: Herman B. Frank
Location: E/S Painters Mill Road, 1925' NE Lyons Mill Road
Existing Zoning: RDP
Proposed Zoning: RDP S.E. for Conservatory Art
No. Acres: 5.03
District: 2nd

Since the existing septic tank system and water well are functioning properly, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJM:pb6

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reincke
CHIEF

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Herman B. Frank

Location: E/S Painters Mill Rd., 1925' NE Lyons Mill Road
Item No. 142

Zoning Agenda January 27, 1976

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.

Reviewed by: [Signature] Noted and Approved: [Signature]
Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211

WILLIAM D. FROMM
DIRECTOR

February 19, 1976

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 #142, Zoning Advisory Committee Meeting, January 27, 1976, are as follows:

Property Owner: Herman B. Frank
Location: E/S Painters Mill Road., 1925' NE Lyons Mill Road
Existing Zoning: R.D.P.
Proposed Zoning: R.D.P. S.E. for Conservatory Art
No. of Acres: 5.02
District: 2nd

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.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
Planning Specialist II
Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 30, 1976

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

Z.A.C. Meeting of: January 27, 1976

Re: Item 142
Property Owner: Herman B. Frank
Location: B/S Painters Mill Rd., 1925' N.E. Lyons Mill Rd.
Present Zoning: R.D.P.
Proposed Zoning: R.D.P. S.E. for Conservatory Art

District: 2nd
No. Acres: 5.03

Dear Mr. DiNenna:
No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

WNP/ml

H. EMBLE PARKS, President
EUGENE C. HERR, Vice-President
MRS. ROBERT L. BERNY

MARCUS M. BOTBARRIS
JOSEPH H. MCDONNAN
ALVIN LORECK
JOSHUA R. WHEELER, Superintendent

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD E. HUEFEL

CERTIFICATE OF PUBLICATION

7702-10000-10017

Pikesville, Md., Feb. 12, 1976

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 3rd day of Mar., 1976

the first publication appearing on the 12th day of Feb., 1976
the second publication appearing on the day of , 1976
the third publication appearing on the day of , 1976

THE NORTHWEST STAR

Jeffrey Pollack
Manager

Cost of advertisement, 15.00

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 12, 1976.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., commencing at one time, commencing weeks before the 3rd day of March, 1976, the first publication appearing on the 12th day of February 1976.

THE JEFFERSONIAN

L. L. Smith
Manager

Cost of Advertisement, \$



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Feb. 9, 1976 ACCOUNT 00-662

AMOUNT \$50.00

RECEIVED FROM: Herman B. Frank, Baltimore Mill Rd., Catonsville, Md. 21117
FOR: Payment for Special Exception 770-100-X

806 FEB 10 500.00

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Feb. 23, 1976 ACCOUNT 00-662

AMOUNT \$39.25

RECEIVED FROM: Herman B. Frank, Baltimore Mill Rd., Catonsville, Md. 21117
FOR: Advertisement and marking of property 770-100-X

809 FEB 23 3925.00

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd Date of Posting: Feb. 14, 1976
Posted for: PETITION FOR SPECIAL EXCEPTION
Petitioner: HERMAN B. FRANK
Location of property: W/S OF PAINTERS MILL RD. 1925' NE OF LYONS MILL RD.
Location of Signs: W/S OF PAINTERS MILL RD. 1930' +/- NE OF LYONS MILL RD.
Remarks: Thomas K. Prohman
Posted by: Thomas K. Prohman Date of return: Feb. 20, 1976

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

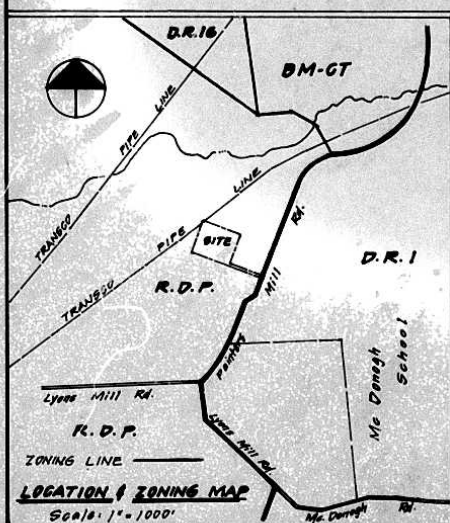
Your Petition has been received * this 23 day of January 1976. Filing Fee \$ 50.00 Received ☒ Check ☐ Cash ☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Herman B. Frank Submitted by Herman Frank
Petitioner's Attorney Reviewed by S. Eric DiNenna

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

TITLE REFERENCE: HERMAN B. FRANK, ETAL
LIBER 1700, FOLIO 190



ZONED: R.D.P.
CALVIN R. EDELEIN
2194 / 460

EX. GAR

EXIST. HOUSE

LOUIS H. TANKIN
3830 / 165
ZONED: R.D.P.

ROBERT C. ROGERS
ZONED: R.D.P.

GENERAL NOTES

1. AREA OF PARCEL: 5.030 ACRES
2. EXISTING ZONING: R.D.P.
3. NO PLUMBING FACILITIES REQUIRED.
4. PROPOSED USE: CONSERVATORY OF ART (PERMITTED BY SPECIAL EXCEPTION) ACTUAL USE TO BE AN ARTIST STUDIO WITH PRIVATE SHOWINGS BY APPOINTMENT ONLY.
5. PARKING REQUIRED: AREA OF PROPOSED BUILDING 864 SQ. FT. EX. FH. + 300 SQ. FT. = 3 PARKING SPACES REQUIRED
PARKING SHOWN: 3 SPACES
TYPICAL PARKING SPACE: 10' X 20'.

PLAT TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION
HERMAN FRANK PROPERTY
SECOND ELECTION DISTRICT
Scale: 1" = 40' Jan. 20, 1976

PREPARED BY:
H. MALMUD & ASSOCIATES, INC.
8815 Meadow Heights Road
Randallstown, Maryland 21139
Telephone: 688-6465



EXIST.
HOUSE

EX. GAR

EXIST.
HOUSE

3830 / 165

4481/21

1. AREA OF PARCEL: 5.030 ACRES
2. EXISTING ZONING: R.D.P.
3. NO PLUMBING FACILITIES REQUIRED.
4. PROPOSED USE: CONSERVATORY OF ART (PERMITTED BY SPECIAL EXCEPTION) ACTUAL USE TO BE AN ARTIST STUDIO WITH PRIVATE SHOWINGS BY APPOINTMENT ONLY.
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PARKING SHOWN: 3 SPACES
TYPICAL PARKING SPACE: 10' X 20'.

$$76 - 182.7x$$

PREPARED BY:
MALMUD & ASSOCIATES, INC.
815 Meadow Heights Road
Randallstown, Maryland 21133
Telephone: 655-6465

