

JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL D. MALLINOFF, Director

Department of Permits,

Approvals & Inspections

April 15, 2020

Adam D. Baker, Esquire Rosenberg, Martin and Greenberg, LLP 25 South Charles Street, 21st Floor Baltimore, Maryland 21201-3305

Dear Mr. Baker:

RE: Zoning Spirit and Intent, 6400 & 6402 Falls Road, Proposed Self-Storage Facility, Zoning Cases 1987-0349-A & 1976-0185-A, 3rd District

Your letter to Mr. Michael Mallinoff, Director, concerning your request for an opinion from this office pertaining to the above referenced property, the zoning case history thereon and the proposed redevelopment of same with a self-storage facility has been referred to this Office for reply. Specifically, you have requested a finding that the proposed redevelopment of the property with a self-storage facility (as illustrated in your submittal), utilizing the previously granted variance relief, is within the Spirit and Intent of the zoning case history on the property. Please be advised that after careful consideration of your request and review of the subject cases, it is the opinion of this office that your request is beyond the administrative authority of this office, and therefore a Special Hearing will be required for the Administrative Law Judge to review, and hopefully, approve your request. I would suggest you also file for the necessary variance relief along with the Special Hearing to amend the prior zoning cases.

THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPRETATION THEREOF.

Sincerely

Joseph C. Merrey

Planner II Zoning Review 410-887-3391



Adam D. Baker 25 South Charles Street, 21st Floor Baltimore, Maryland 21201-3305 T: 410.649.1241 abaker@rosenbergmartin.com

April 3, 2020

VIA FIRST CLASS MAIL Mr. Michael D. Mallinoff, Director, Baltimore County Department of Permits, Approvals and Inspections 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Request for Spirit and Intent Letter

6400 & 6402 Falls Road
Baltimore County, Maryland
Tax Map 0069, Parcels 0099 & 0710
3rd Election District, 2nd Councilmanic District
DRC No. 2020-00035

Dear Mr. Mallinoff:

This firm represents NorthPoint Development ("NorthPoint"), which has entered into a contract with Maddiemack, LLC (the "Seller") to purchase the above-referenced property (the "Property") located on Falls Road in the Bare Hills/Lake Roland area of Baltimore County. As indicated in the recent Development Review Committee ("DRC") meeting on March 31, 2020, NorthPoint proposes to demolish the existing building on the Property and construct a four-story self-storage facility with a $\pm 24,950$ -SF building footprint, including $\pm 1,200$ -SF of accessory office space and 5 accessory parking spaces. The proposed use is permitted by right under the current ML zoning which encompasses the Property. I have attached a copy of the DRC application package for your reference.

The existing building on the Property is currently being utilized as a carpet retail store. In Case No. 1987-349-A (the "Prior Zoning Case"), the petitioner obtained the necessary zoning relief to construct the current building on the Property. I have enclosed the Order and the Site Plan from the Prior Zoning Case for your reference. The setbacks and location of the self-storage facility on the Property are very similar to those of the buildings permitted and constructed under the Prior Zoning Case. At this time, I am writing to seek written confirmation from you that the construction of the proposed self-storage facility on the Property is within the spirit and intent of the relief granted in the Prior Zoning Case.

As indicated in the Order in the Prior Zoning Case, the petitioner sought the following relief: (1) a variance to permit a front street setback of 36' and front yard setback of 52' in lieu of the required 75'; (2) a variance to permit a side yard setback of 36' in lieu of the required 50'; (3) a variance to permit a rear yard setback of 25' in lieu of the required 50'; (4) a variance to permit a rear yard setback of 25' in lieu of the required 30'; (5) a variance to permit a distance between buildings of 35' in lieu of the required 55'; and (6) an amendment to the Site Plan approved in Case No. 76-185-A¹. In addition to granting variances from Sections 255.2, 243.1, 243.2, 243.3, 255.1, 238.2, 238.2, and 102.2 and 233.3.C of the Baltimore County Zoning Regulations ("BCZR" or "Zoning").

¹ In Case No. 1976-185-A, the then owner of the Property was granted a variance to Section 255.1 (238.2) of the BCZR to permit a rear yard setback of 18' in lieu of the required 30'. A copy of the Order and Site Plan from Case No. 1976-185-A are attached.

Regulations") to permit the proposed building on the Property, the Deputy Zoning Commissioner approved an amendment to the Site Plan previously approved in Case No. 76-185-A.

As indicated on the Site Plan and Order in the Prior Zoning Case, the development of the proposed building on the Property was subject to additional setback requirements. Specifically, BCZR Sections 255.2, 243.2, 243.2 and 243.3 imposed the stricter MR zone setback requirements for the ML-zoned Property because of its location across Falls Road from the Lake Roland park². As evidenced on the attached DRC Plan, the self-storage facility which is currently proposed by NorthPoint adheres to the setbacks previously approved under the Prior Zoning Case. In addition, as the proposed self-storage building is located more than 100' from the RC zone boundary across Falls Road and the BL zone boundary to the south, the proposed four-story (approximately 50') height complies with the height regulations of the ML zone as set forth in BCZR Section 254.1 (i.e. unlimited height).

Please confirm by countersigning this letter below that the proposed redevelopment is indeed, within the spirit and intent of the prior approved zoning relief granted for the Property and that the proposed redevelopment of the Property is permitted without any additional zoning relief being required. I have enclosed with this letter a check in the amount of \$200.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with this review.

If you need any additional information in order to complete your review, please feel free to give me a cal1.

I appreciate your attention to this matter.

Sincerely,

Adam D. Baker

AGREED AND ACCEPTED:

Michael Malinoff, Director Baltimore County Department of Permits, Approvals and Inspections

ADB Enclosures

cc: NorthPoint Development (via electronic mail) Kimley Horn (via electronic mail)

² At the time of the Prior Zoning Case, the park was named "Robert E. Lee Park". In 2015, then County Executive Kevin Kamenetz renamed the park "Lake Roland".



March 10, 2020

Development Review Committee 111 West Chesapeake Avenue Towson, Maryland 21204

RE: Letter of Request for DRC

Beyond Self Storage - NorthPoint Development

6400 and 6402 Falls Road Baltimore, MD 21209

NorthPoint Development is respectfully requesting a Development Review Committee (DRC) review and approval of a Limited Exemption under Section 32-4-106 (A-1-vi) for its self-storage facility located at 6400 and 6402 Falls Road, Baltimore, MD 21209. The site is currently an industrial/commercial use with two associated structures.

NorthPoint Development is purchasing the property at 6400 and 6402 Falls Road and is proposing to demolish the existing structures and build a self-storage facility in their place. The proposed building footprint will be approximately 24,950 square feet and have 1,200 sf of office space. The proposed use is permitted under the current ML zoning that encompasses the site.

Please contact me at 816.381.2901 or by email at jsweeney@northpointkc.com if you have any questions or concerns.

Thank you,

Brett Sroka - Project Manager

NorthPoint Development

4825 NW 41st St, Suite 500

Riverside, MO 64150

BALTIMORE COUNTY DEPARTMENT OF PERMITS APPROVALS AND INSPECTIONS DEVELOPMENT REVIEW COMMITTEE (DRC) APPLICATION

DRC#/Tracking#
County Use Only County Use Only
This application must be accompanied by the following: 1. One copy of the completed DRC checklist. Filing Date:
 Three copies of this DRC application, completed in full. Three copies of a letter of request (attach one to each DRC application). Nine copies of the plan folded to 8 ½ x 11 inches. \$150 fee for limited exemption request; \$375 for waiver request (check made payable to Baltimore County, MD and are non-refundable; Applicant shall deliver check to County Finance Office cashier. Submit paid receipt w/package.
Project Name: BEYOND SELF-STORAGE - LAKE ROLAND PAI File No.:
Project Address: 6400 & 6402 FALLS ROAD, BALTIMORE, MD Zip Code: 21209 ADC Map #: 4578E9
Councilmanic District: 2ND Election District: 3RD Project Acreage: 1.70 ACRES
Tax Account No(s): 0311048100 Zoning: ML-AS AND ML-IM
Engineer: ROBERT L. HAASE, KIMLEY-HORN N/A: Engineer's Phone No.: 443-743-3470
Address: 1801 PORTER ST, SUITE 401, BALTIMORE, MD Zip 21230 Email: ROBERT.HAASE@KIMLEY-HORN.COM
Applicant: NORTHPOINT DEVELOPMENT Applicant's Phone No.: 816-381-2901
Address: 4825 NW 41st ST, SUITE 500, RIVERSIDE, MO Zip 64150 Email: BSROKA@NORTHPOINTKC.COM
(City) Attorney: ROSENBERG MARTIN GREENBURG, LLP N/A: Attorney's Phone No.: 410-727-6600
Address: 25 SOUTH CHARLES STREET, 21ST FLOOR, BALTIMORE, MD Zip 21201 Email: JWILLIAMS@ROSENBERGMARTIN.COM
Is this a tower? Yes X No If "Yes" check one of the following: Cellular Water Tower MonoPole (CAC) (CFC)
REQUESTED ACTION (TO BE COMPLETED BY THE APPLICANT) (County Use only)
(X) Limited Exemption under Section 32-4-106 (A-1-VI) () () Action:
() Planned Shopping Center Designation under Section 101 of BCZR () Waiver under Section 32-4-107 () () () Requires a Zoning () Special Hearing; () Special Exception; () Variance
() Lot Line Adjustment (LLA) () Other
This application must be accompanied by a written request. That request must be in the form of a letter, legibly printed or
typed, and signed by the applicant. The letter must contain the name, address and telephone number of the applicant and must provide details of the request. A copy of the checklist must be completed and included along with this DRC
application. Please note that a DRC application form and checklist is available in room 123 of the County Office Building

c: Council, Planning, DEPS, Zoning

Please see page 2 for the checklist of complete submittal requirements

BALTIMORE COUNTY DEPARTMENT OF PERMITS APPROVALS AND INSPECTIONS

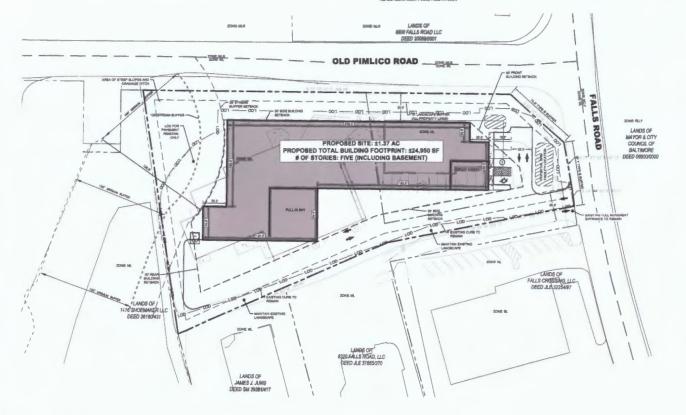
Development Review Committee (DRC)
Application Form Checklist

All applications to the DRC must include the following:

An applic	cations to the DRC must include the fonowing.			
V 1.	Three copies of the DRC Application.			
1 2.	Three copies (one attached to each DRC Application) of a letter of request to the DRC containing the following:			
	a. Name, address and phone number of the applicant			
	b. Explanation of the request to the DRC.			
	c. Signature of the applicant.			
✓ 3.	Nine copies of a plan*** showing the following:			
	A 1 did 1 di WDI di DDC di			
	b. North arrow.			
	c. Vicinity map.			
	d. Election district.			
	e. Councilmanic district.			
	f. Description of the control of the			
	f. Property tax account numbers.			
	g. Site property owner's name and address.			
	h. Scale of the drawing.			
	i. Boundaries of the property lines shown in heavy bold lines.			
	 a. A plan title box noting "Plan to accompany DRC request." b. North arrow. c. Vicinity map. d. Election district. e. Councilmanic district. f. Property tax account numbers. g. Site property owner's name and address. h. Scale of the drawing. i. Boundaries of the property lines shown in heavy bold lines. j. Lengths of property lines k. Area of project site in square feet and acreage. l. Proposed structures, heights and dimensions. 			
	k. Area of project site in square feet and acreage.			
	1. Proposed structures, heights and dimensions.			
	m. Setbacks.			
	NA n. Location of existing wells and septic systems.			
	o. Zoning information:			
	1. Current zoning on the property.			
	2. Case numbers of any zoning hearings.			
	Jacobia 2.Dates of zoning orders.			
	 Case numbers of any zoning hearings. Jates of zoning orders. Indication of what was granted or denied by the zoning commissioner. 			
	 Copies of zoning orders attached to the DRC Application. 			
	***Note: For refinements and material changes to previously approved plans you must use copies of the last			
	approved plan to show items 3a-o listed above. Please show all changes in red.			
V 4.	One copy of this checklist completed and signed by the applicant or the consultant.			
V 5	Check for \$150 for limited exemption request or check for \$375 for waiver request, payable to Baltimo			
	County, MD-non-refundable. (Do not staple check to forms) Applicant shall deliver payment to			
	County Finance Office cashier. Submit paid receipt with this package.			
	County Finance Office cashier. Submit paid receipt with this package.			
	I have reviewed the DRC application and plan using this checklist to insure that the application			
	and plan are complete. I understand that an incomplete application or plan may cause the DRC to delay			
	its action on this request.			
	Signed Date			
	Print Name			

		ZONING SUMMARY				
PROPERTY AREA	ERTY AREA 1.70 ±AC 73.963 ±8F					
ZONING	CURRENT: Mr. (MANUFACTURINS - LIGHT)					
USE	MINI-WAREHOUSE PERMITTED IN ML ZONE.					
	REQUIRED		PROVIDED	BALT. COUNTY CODE ³	VARIANCE ADJUSTED REQUIREMENT	
FRONT BUILDING REFERS TO MR ¹ ZONE REQUIREMENTS - 75' FROM PROPERTY LINE		87	285.2, 343.1	80'		
SIDE BUILDING SETBACK	REFERS TO MR ZONE REQUIREMENTS - 50"		307	268.2, 243.2	30'	
REAR SETBACK	REFERS TO MR	ZONE REQUIREMENTS - 80"	30'	256.2, 243.3	30'	
LANDSCAPE SUFFER ADJ. STREETS	10"		107			
LANDSCAPE SUPPER ADJ. OTHER PROPERTIES	10'		10'	-		
PARKING REQUIRED 3.3 P8/1000 SF OFFICE = 4P8		OPFICE = 4P6	S PS (1 STD. ADA)			
MAX BUILDING HEIGHT	40' OR 3 STORIE ZONE, OTHERW	ES IF WITHIN 100' OF BUSINESS OR RESIDENTIAL ISE NONE	4 ABOVE GROUND STORIES (APPROXIMATELY 50')	284.1	-	
FAR REQUIREMENTS	BEFFREE TO BE	ZONE REQUIREMENTS - 2.0 MAXIMUM	1.89	266.1.238.5		

PROFESSIONED SCHEEN AND MANUACTURES PROTESSIONED PROTESSIONED SCHEEN AND MANUACTURES PROTESSIONED PROTESSIONE





Kimley » Horn ASSOCIATIVITY 44D ASSOCIATIVE, INC.
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 RESECTION OF THE CALL 744 - MADE
 REPURDING ALC: 744 - MADE, MADE
 REPURDING ALC: 744 - MADE, MADE

11403700 11403700 DATE 03/10/20 80AL AS S 0030000 BY

SITE PLAN TO ACCOMPANY DRC REQUEST

VICINITY MAP

LEGEND

encecuelm aux neco

POTENTIAL SHIPL FACELEY

SITE NOTES:

- 1, THE SITE PLAN IN SASSED ON ALTRIO BALTISIONS COUNTY 646.
- S. PROPERTY AREA-1.79 AC OR FESES BJ., ACCOUNT HON 1949100
- PROMETY IS NO.-RE SANGUFACTURES LIGHT, AUTOROTIVE BURNICE) AND NO.-RE BORNIFRETURES -ECONTRIAL MACK.
- E. EXSTING LINE COMMERCIAL. PROPOSED LINE MINI-MARKET

- 8. THE DEVELOPMENT WILL MEET STORMWAYER MANAGEMENT ENVIRONMENTAL BITE DEBIGN (BID), 15-YA STORM FLOW, AID 105-YR STORM FLOW AS REQUIRED WITHIN THE JONES FALLS INSTRUMED.
- B. THE PROPERTY AND DEVELOPMENT AREA IS OUTSIDE OF THE CRITICAL AREA.
- 19. REVIEW OF SINVIRONMENTAL PRATURES IS ON GOING
- 11. WATERSHID: JOHES FALLS
- 18. BLECTION DISTRICT: SHO
- 14. THE BITE IS NOT A HISTORICAL PROPERTY, ACCORDING TO THE SALTMORE DULKTY DIS DATABASE
- 15. ANLLE HOND IS A DOUNTY SCIENC HOUTE.
- 16. THERE ARE NO HIGHH WILLIE OR BEPTIC EVETERS CH-0/16.
- 17. THE SITE IS SERVED BY PUBLIC WATER AND SERVER SYSTEMS AND IS NOT LOCATED WITHIN A WATER. SERVER, OR TRAPPIC DISPOSEST MESA.
- 15. APPROXIMATE LIMITS OF DISTLABANCE: 1.97 ACRES, SUSSESP

APPLICANT/DEVELOPER
ROWN-POINT DEPALOPMENT
ATTH, JAMEST SHISBOOK
BLITS FO
CONSIGNATION OF SIDE
TILL (FIRE)
T

PROPERTY OWNER

LANDSCAPE ARCHITECT! CIVIL ENGINEER

CIVIL ENGINEER

MATHY PROBERT HAND

1001 PORTER STREET

BALTE 401

BALTE 401

TILL: 2400 NO-6/20

BBBL: CREET HANDSGONLEY-HO

BBBL: CREET HANDSGONLEY-HO

ARCHITECT
STUDIO HORTH AND HYBET TURE
AND NO HET STYRET. STE 200
TO., \$157-886-8080
EMML: RPOLITEMONTH/ORITISE

PROJECT NAME: YOND SELF-STOR

DRC PLAN

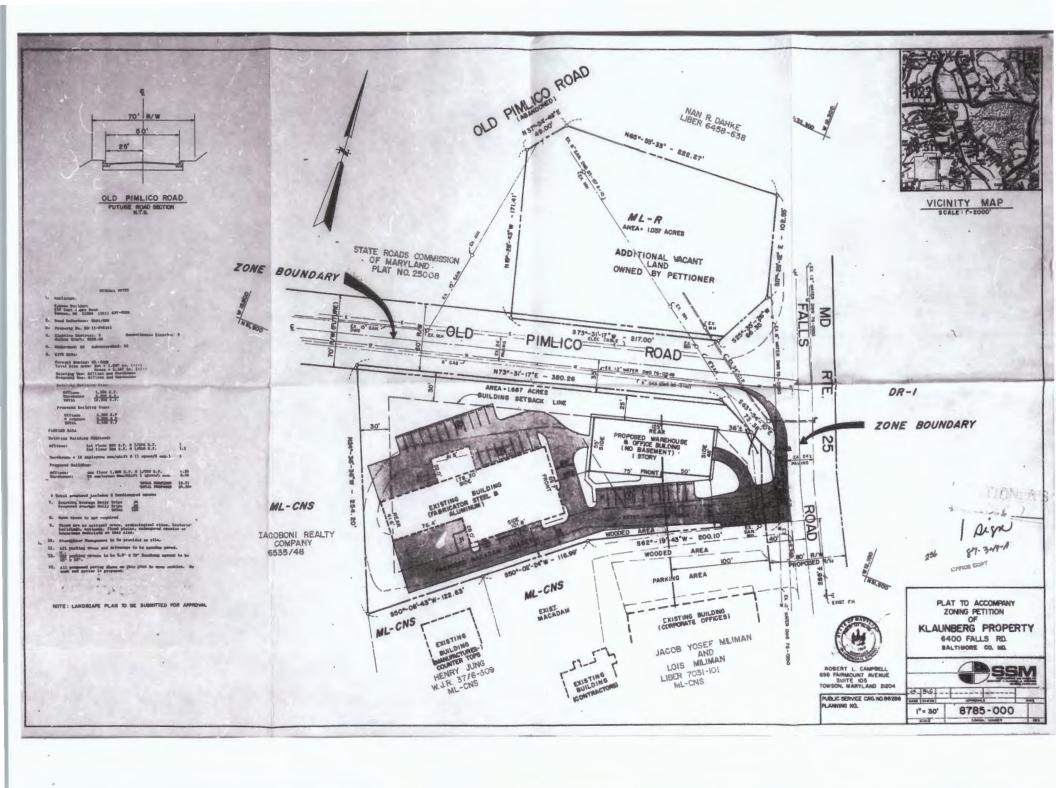
Sbeyond

8402 FALLS ROAD. BALTIMORE, MD 21209 SHEET NUMBER SHEET 1 OF 1

CALL 48 HOURS BEFORE YOU DIG MS THE LAW! DIAL 811







KLAUNBERG PROPERTY







PETITION FOR ZONING VALIANCE FROM AREA AND HEIGHT REGULATIONS 16-195-A (Stem 10,145)

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we.Frederick. H. & Launberg. Sriegal 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 255.1 .(238.2) to permit a rear yard setback of 18' is lieu of the required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Intended use of proposed addition requires an additional 44'0"x41'60" building which will extend beyond the 30' setback requirement.

The land to the west of the petitioner's property is priced at such a rate as to be prohibitative for purchase, and therefore in reality not for sale to the petitioner.

There is no other location on the petitioner's property that would lend itself, in a practical way, to this proposed addition.

4. And for other reasons of hardship and practical difficulty to be aired at the hearing.

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

1, 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 Ballinger County adopted pursuant to the Zoning Law For Baltimore County.

William O

Address 218-20 Lexington St./Suite 600 Baltimore, Md. 21202 752 1167
DERED By The Zoning Commissioner of Baltin

of February. 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 15th day of March 197 6 at 10:30 clock

6400 Falls Rd

Balto, md 21209

altimore county partment of public works

UNDER

March 4, 1976

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

> Re: Item #145 (1975-1976) Property Owner: Prederick H. Klaunberg, Sr. W/S Falls Rd., 149' S/W of Old Pimlico Rd. Existing Zoning: M.L. Proposed Zoning: Variance to permit a rear yard setback of 18' in lieu of required 30'. No. of Acres: 1.7183 District: 3rd

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:

Falls Road (Md. 25) 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 Hishway 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.

Old Pimlico Road, an existing County 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, including highway right-of-way widening, and any additional fillet area ior sight distance at the intersection, and necessary revertible 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

Sediment Control:

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

RE: PETITION FOR VARIANCE West side of Falls Road 149 feet SW of Old Pimlico Road, 3rd District

: BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

FREDERICK H. KLAUNBERG, SR.,

...... 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 tinal Order in connection therewith.

Charles F. Kountz, Jr.

John W. Harrien John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that a copy of the foregoing Order was mailed on this 4th day of March, 1976 to William O. Jensen, Jr., Esquire, 218-20 East Lexington Street, Baltimore, Maryland 21201, Attorney for Petitioner.

John W. Herrian, III



Item #145 (1975-1976) Prick H. Klaunberg, Sr.

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

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any muisances 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 supply and sanitary sewerage exist along Falls Road. The submitted plan should be revised to indicate these existing public utilities and the present means of serving this property.

Additional fire hydrant protection may be required in the vicinity.

This property is tributary to the Jones Falls Severage System, subject to State Health Department imposed moratorium restrictions.

Sacsword S. June ELISWORTH N. DIVER, P.E. Chief, Bureau of Engineering

O-NE Key Sheet 32 NE 9 Pos. Sheet NW 8 C Topo 69 Tax Map

WILLIAM O. JENSEN, JR. ATTORNEY AT LAW

(AC 301) 782.1163



KNICKERBOCKER BUILDING 18-230 EAST LEXINGTON STREET BALTIMORE, MARYLAND 21202

Mr. S. Eric Di Nenna Zoning Commissioner County Office Building Towson, Maryland 21200 son, Maryland, 2120-

Re: F. H. Klaunberg Zoning Variance Case No. 76-185-A

Dear Mr. Di Nenna:

On March 15, 1976 a hearing was held on the above matter, and on or about March 17, 1976 you signed the Order approving the above requested variance.

In order that work may start as quickly as possible, and since there were no protestors at the hearing, it is requested that you waive the 30 day appeal, in order that Mr. Klaumberg's Building Permit may be processed. We understand that the Building Permit will not be issued from 30 days from the date of your Order.

Very truly yours.

William C. Jensen, Jr.

WOJ/rjf CC: F. H. Klaunberg

The 30 day appeal period is hereby waived in order that the Building Permit Application may be processed.

S. Eric Di Nenna 3/31/76

4.5. 14. Called and advand Mr. Jenessis office of the a sugar benefit free assumed, pr J.D. - set

March 18, 1976

William O. Jensen, Jr., Esquire 218-20 East Lexington Street Baktimere, Maryland 21202

RE: Petition for Variance W/S of Falls Road, 149' SW of Old Pimlico Road - 3rd Election District Frederick H. Klaunberg, Sr. NO. 76-185-A (Item No. 145)

Dear Mr. Jensen

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

Very truly yours.

S. ERIC DI NENNA

SED/sew

John W. Hessian, III, Esquire

828-6777

828-6778

CAMILLO IACOBONI & SONS, INC. Utility Construction

1408 SHOEMAKER ROAD



March 10, 1976

Mr. Eric PiNenna Zoning Commissioner County Office Building

16-185-A

RE: Property of Iacoboni Realty Corp. adjoining property of Prederick H. Klaunberg, Sr. located on the W/S Falls Road, 149° SW of Old Pimlico

Bear Mr. DiMenne .

This is to inform you that we are aware and in total agreement with the proposed zoning variance to permit a rear yard setback of 18' in lieu of the required 30' on the above referenced proporty.

Hoping the above meets with your approval.

Very truly yours, Camillo Incoboni & Sons, Inc. Anthony J. Iscoboni-President

Thomas C. Incoboni-Vice President Thomas C. Paroloni

AJI:TCI:rsd

B. D. LYNCH CO., INC. 4907 HARFORD ROAD BALTIMORE, MARYLAND 21214 TEL: 254-4936

For the purpose of soning only.

All that piece or parcel of land situate, lying and being in the Ard Election District of Baltimore County, State of Maryland, and described as follows:

BENINKING at a point in the Westerly line of Palls Read, Maryland Route 25, twenty-five (25) feet from the centerline thereof and 149 feet, more or less Southwesterly from the centerline of Old Finlice Road as relocated on SiA Plat #25008; thence running with the outline of the hand ners in described, 1. South 42 degrees 19 minutes 28 seconds West, 200.12 feet; thence, 2. South 49 degrees 58 minutes 28 seconds West, 239.86 feet; thence.

thence 3, Forth 24 degrees 46 minutes 32 seconds West, 256.54 feet; thence running with the Southerly line of Old Phalice South, Worth 75 degrees 59 minutes 10 seconds hast, 388.19 feet;

4. North 72 degrees 39 minutes 10 seconds East, 74.95 feet; thence, 5. South 55 degrees 02 minutes 11 seconds East, 74.95 feet; thence running with the aforesaid Westerly lire of Palls Road, 6. South 23 degrees 34 minutes 20 seconds East, 69.21 feet to the place of beginning,

Containing 1.7183 acres of land.

REVISED PLANS

Pursuant to the adversament, posting of property, and public searing on the above Peti	tion
and it appearing that by reason of the following finding of facts that strict compliance w	ith
the Baltimore County Zoning Regulations would result in practical difficult	y and
unreasonable hardship upon the Petitioner,	
the above Variance should be had; and it further appearing that by reason of the granting	
the Variance requested not adversely affecting the health, safety, and gene	ral
welfare of the community, the Variance to permit a rear yard setback of 18	
feet in lieu of the required 30 feet should be granted.	
S S	
The IS ORDERED by the Zoning Commissioner of Baltimore County, this	
day March 1976 that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of to Order, subject to the approval of a site plan by the State Highway Administ tion, the Department of Public Works,	
d the Office of Planning and Zoning.	
Zoning Commissioner of Baltimore Co	unty
Pursuant to the advertisement, posting of property and public hearing on the above pet	ition
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	IED.
Zoning Commissioner of Baltimore Co	unty

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Franklin''T." Hogans XXXXXXXXXXXXX Jr.

> NUMBERS BOWING ADMINISTRATION REALTH DEPARTMENT BUREAU OF FIRE PRIVENTION DEPARTMENT OF TRAFFIC ENGINEERING

STATE RICHWAY INDSEAS OF PROJECT AND DEVELOPMENT PLANNING

DEVITORHENT COURSEION BOARD OF EDUCATION OFFICE OF THE

William O. Jensen, Jr., Esq. 218-20 E. Lexington Street Suite 600 Baltimore, Maryland 21202 RE: Variance Polition Item 145 Frederick H. Klaunberg, Gr. -Politioner Dear Mr. Jensen: The Zoning Plans advisory Committee has reviewed the plans substitted with the above referenced polition and has made an on site field impaction 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 it assure that all parties are made aware of plans or problems with repart to the development plans that me have a bearing on this case. The Directs of Planing may file a written report with the Found Coexistence with recommendations as to the appropriateness of the requested zoning. The subject preside of Fall and president Fall and president of the existing office of the period of the feet, in order to the rear of the comproperties are in; porty is located on the west 140 Feet southwest of Old corrently improved with an recouse structure. The eq a Variance to permit a rear in lieu of the required 30 didition may be constructed at aloca building. Adjacent onth industrial uses.

The petitioned interest the courser tion and the Project division.

February 25, 1976

ding with particular the delate Highway Administra-rad Development Planning

BALTIMORE COUNTY, MARY AND

TO S. Eric DiNenna, Zoning Commissioner

Date February 26, 1976

FROM William D. Fromm, Director of Planning

SUBJECT Petition #76-185-A. Petition for Variance for a Rear Yard.

West side of Falls Road 149 feet Southwest of Old Pimlico Road.

Petitioner - Frederick H. Klaunberg, Sr.

3rd District

Hearing: Monday, March 15, 1976 at 10:30 A.M.

There are no comprehensive planning factors requiring

WDF:JGH:nl

William O. Jensen, Jr., Esq. Re: Item 145 February 25, 1976 Page 2

ce: B. D. Lynch Co., Inc. 4907 Harford Hoad Baltimore, Maryland 21214

PTH: JD

Enclosure

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. HOGANG, JR. Chairman, Zoning Plans Advisory Committee

ALTHORE COUNTY PETITION AND SITE PLAN EVALUATION COMMENTS

JANUARY 30, 1976

Mr. S. Eric DiNenna Zoning Commissioner ATTN: Mr. Franklin Hogan

Re: Z.A.C. meeting: 1-27-76
ITEM: 145
Prop. Other: Frederick
Location W/S Falls Rd.,
Location W/S Falls Rd.,
Cation W/S Falls Rd.,
Cation W/S Falls Rd.,
Cation W/S Falls Rd.,
Cation W/S Falls Rd.,
Existing Zoning: Warlance
Location W/S Falls Rd.,
Proposed Zoning: Variance
Location W/S Falls Rd.,
Location W/S Falls Rd.,
Location W/S Falls Rd.,
Frey W/S Falls Rd.,
F

The entrance into the site is immediately adjacent to the entrance into the adjacent site. There is no separation between the entrances. As a result, the opening totals 45' which is in excess of the normal maximum opening of 35'. There is no channelization or signing to separate the entrances. As a result there is confusion when two or more vehicles are entering or leaving the separate sites.

It is our opinion that the entrances should be either properly combined, repayed and channelized as an entrance in common or the entrance to the subject site should be relocated away from the adjacent property.

The matter should be resolved prior to the hearing.

CL:gjc

Very truly yours,

Charles Lee, Chief Bureau of Engineering Access Permits

by: Mr. John E. Meyers

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



filing this

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

February 10, 1976

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

Dear Mr. DiNenna:

Comments on Item #145, Zoning Advisory Committee Meeting, January 27, 1976, are as follows:

Property Owner: Frederick H. Klaunberg, Sr. Location: W/S Falls Rd., 149' SW of Old Finlico Rd.
Existing Zoning: M.L.
Proposed Zoning: Variance to permit a rear yard setback of 18' in lieu of required 30'
No. Acres: 1.7133
District: 3rd

Metropolitan water and sever are existing.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJW: pbg

210-20 E. Lewissian Shertimore County Office OF PLANNING & ZONING Salts 600
Rationee, Maryland 21202 County Office Building County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Petition has been received and accepted for 1974

Item 145

Petitioner Preferick E. Elevabory, St.

Petitioner's Attorney Piller 0. Jen

Franklin T. Hogans, r. Chairman, Zoning Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING 111 W. Chesapeake Avenue Towson, Maryland 21206 Franklin''Y: Hogan XXXXXXXXXXXXXX

RECEIVED FOR

MOSTERS BEALTH DEPARTMENT

BUREAU OF FIRE PREVENTION DEPARTMENT OF TRAFFIC ENGINEERIN STATE HIGHWAY BUSEAU OF ENGINEERING

PROTECT AND DEVELOPMENT PLANNING

BOARD OF EDUCATION OFFICE OF THE BUILDINGS ENGINEES

Dear Mr. Jensen: The Zoning Plans advisory Committee has reviewed the plans substitted 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 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 petitioner and door with particular interest the comment of the State Highway Administration and the Project and Development Planning division.

William O. Jensen, Jr., Esq. 218-20 E. Lexington Street Suite 600 Baltimore, Maryland 21202 RE: Variance Polition Item 145 Frederick H. Klaunberg, Sr. -Politioner The subject property is located on the west side of Fall coad, 149 feet southwest of Old Pimileo Road, and is currently improved with an existing offic an't archouse structure. The petitioner is required as Variance to permit a rear yard schack of it is in its of the required 30 feet, in order that addition may be constructed at the rear of the exist addition have beconstructed at the rear of the exist and before the industrial uses.

February 25, 1976

BALTIMORE COUNTY, MARYEND

TO S. Eric DiNenna, Zoning Commissioner

Date February 26, 1976

William D. Fromm, Director of Planning

SUBJECT Petition \$76-185-A. Petition for Variance for a Rear Yard.

West side of Falls Road 149 feet Southwest of Old Pimlico Road.

Petitiones - Frederick H. Klaunberg, Sr.

3rd District

Hearing: Monday, March 15, 1976 et 10:30 A.M.

William O. Jensen, Jr., Esq. Re: Item 145 February 25, 1976 Page 2

cc: B. D. Lynch Co., Inc. 4907 Harford Road Baltimore, Maryland 21214

PTH:JD

Enclosure

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

JANUARY 30, 1976

Mr. S. Eric DiNenna Zoning Commissioner ATTN: Mr. Franklin Hog

Re: Z.A.C. meeting: 1-27-76
ITEM: 145
Prop. Owner: Feederick
H. Klaunberg, Sr.
Location: W/S Falls Rd.,
(Rt. 25) 149' Sn of
Old Pimitoo Rd.
Existing Zonings M.L.
Proposed Zoning: Varience
to permit a rear yard
setback of 18' in lieu
of required 30'
No. Acres: 1,7183
District: 3rd

The entrance into the site is immediately adjacent to the entrance into the adjacent site. There is no separation between the entrances. As a result, the opening totals 45' which is in excess of the normal maximum opening of 35'. There is no channelization or signing to separate the entrances. As a result there is confusion when two or more vehicles are entering or leaving the separate sites.

It is our opinion that the entrances should be either properly combined, repayed and channelized as an entrance in common or the entrance to the subject site should be relocated away from the adjacent property.

The matter should be resolved prior to the hearing.

CL:gjc

Very truly yours,

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

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

STIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Petitioner Profession E. Flores

Petitioner's Attorney Miller C. Se

filing this

Franklin T. Hog Chairman, Zoning Advisory Committee

DONALD J. ROOP, 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 #145, Zoning Advisory Committee Meeting, January 27, 1976, are as follows:

Property Owner: Frederick H. Klaunberg, Sr. Location: W/S Falls Rd., 149' SW of Old Finlico Rd.
Existing Zoning: M.L.
Proposed Zoning: Variance to permit a rear yard setback of 18' in lieu of required 30'
No. Acres: 1.7133
District: 3rd

Metropolitan water and sewer are existing.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJW: pbg

STEPHEN E. COLLINS

February 19, 1976

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

Item 145 - ZAC - January 27, 1976
Property Owner: Frederick H. Klaumberg, Sr.
Location: W/S Palls Rd., 149' SW of Old Pimlico Road Existing Zoning: M.L.
Proposed Zoning: Variance to permit a rear yard setback of 18'
in lieu of req. 30'
No. of Acres: 1.7183
District: 3rd

No traffic engineering problems are anticipated by the requested variance to the rear yard.

Very truly yours michael S. Fla Michael S. Flanigan Traffic Engineer Associate



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

Attention: Mr. Jack Dillon, Chairman

Re: Property Owner: Frederick H. Klaumberg, Sr.

Location: W/S Falls Rd., 1k9' SW of Old Pinlico Road

Zoning Agenda Jamary 20, 1976 Item No. 145

Pursuant to your request, the referenced property has been surveyed by this Burean 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. Pire 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 Nortes.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead-end condition shown at____

EXCESSE the maximum allowed by the Fire Department.

() is The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to company or beginning of operations.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the Maximum Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior Life Safety Code", 1970 Edition prior Life Safety Code (1970 Edition prior Life Saf

() 6. Site plans are approved as drawn.

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

Beviewery H. W. Boted and Approved:
Planning Ground Special Inspection Division Fire Prevention Bursan

February 19, 1976

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

Comments on Item #145, Zoning Advisory Committee Meeting, January 27, 1976, are as follows:

Property Owner: Frederick H. Klounberg, Sr. Location: W/S Falls Road., 149' SW of Old Pinkico Road Existing Zoning: M.L. Proposed Zoning: Variance to permit a rear yard serback of 18' in lieu of required 30' No. Acres: 1.7183

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

All parking areas and driveways must be paved.

Screening is required for the parking areas that are across the street from residential premises

Very truly yours.

John Zerberge John L. Wimbley Planning Specialist II Project and Developme

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 30, 1976

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

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

Re: Item

Property Owner: Frederick H. Klaunberg, Sr.

N/S Falls Rd., 149' S.W. of Old Pimlico Road

Present Zoning: M.L.

Proposed Zoning: Variance to permit a rear yard setback of 18' in lieu of required 30'.

District:

1.7183

Dear Mr. DINenna:

No bearing on student population.

Very truly yours, W Wick total W. Nick Petrovich., Field Representative.

KaP/ml

CUSENE C. HESS. V.C. MAS ACREST L BERNEY

MARCUS M. BOTSARIS JOSEPH N. M. GOWAN JOSHUA R. WHEELER SOLLANDER MICHARD W. TRACEY, VM S.



OFFICE OF COMMUNITE IMES

RANDALLSTOWN, MD. 21133 Peb. 25, 1976

THIS IS TO CERTIFY, that the annexed advertisement of

Petition for a Variance- Klaumbers

was inserted in THE COMMUNITY TIMES, a weekly newspape; published in Baltimore County, Maryland, once a week for ODO weeks before the 15th day of Harch 19 76 that is to say the same was inserted in the issues of Peb. 25, 1976.

STROMBERG PUBLICATIONS, Inc



O COMMUNITIUMES

RANDALLSTOWN, MD. 21133 Feb. 25, 1976

THIS IS TO CERTIFY, that the annexed advertisement of

Petition for a Variance- Klaunberg

was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one weeks before the 15th day of Harch 1976, that is to say, the same was inserted in the issues of Peb. 25, 1976.

STROMBERG PUBLICATIONS, Inc.



CERTIFICATE OF PUBLICATION

TOWSON MD February 26 Harch 19.76, the first publication appearing on the 26th day of February 19.76

B. Leank Studen

Cost of Advertisement &





THIS IS TO CERTIFY, that the annexed advertisement of

Petition for a Variance- Llaunberg, Sr. was inserted in the following

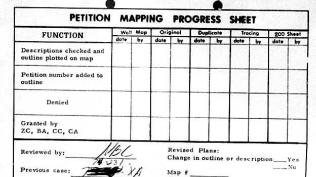
□ Catonsville Times
□ Dundalk Times
□ Essex Times

☐ Towson Times ☐ Arbutus Times

☑ Community Times

weekly newspapers published in Baltimore County. Maryland, once a week for one xxxxxxxxx weeks before the 15th day of Harch 1926, that it to say, the same was inserted in the issues of February 25, 1976.

> STROMBERG PUBLICATIONS, INC. By Path Saink



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 2/ day of ___Cash

__Other

Petitioner's Attorney W. Jawan Reviewed by NBC

Petitioner KLAUNBERC Submitted by M. Tansan This is not to be interpreted as acceptance of the Petition for assignment of a hearing date. 1-SIGN

CERTWICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY

76-185-A

District 3 M.C.	Date of Page FeB. 28,1976
Posted for Petition FOR VARIANCE	
Petitioner: FREDERICK H. KLAUNBE	eng, SR.
Location of property: W/S OF FALLS Rd.	149' SW OF OLD Pinhico Pd.
Location of Signer FRONT 6400 FALL	s Rd.
M A A A A A A A	Colored and the colored and th
Remarks:	
Posted by Thomas L. Boland	Date of return MAtroch 5,1976
	Date of Peter P.

Tourse, Marriand





