

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Calvin E. Richardson
 I, or we, Richardson, legal 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 (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an DR-16 zone to an DR-16 zone, for the following reason:

There was error in the original zoning of the property.

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:

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, 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.

Contract purchaser: Calvin E. Richardson
 Address: 2022 Green Mill Road
Finksburg, Maryland 21048

Gregory R. Dent, Baltimore's Attorney
 Address: 143 Main Street
Baltimore, Maryland 21136

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of October, 1977, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of March, 1978, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Calvin E. Richardson
 I, or we, Bonnie L. Richardson, legal 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 238.2 to permit a side yard set back of 4 1/2 feet in lieu of the required 30'

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

To comply with the requirements would inflict an undue hardship and cause great practical difficulty on the property owners.

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.

Contract purchaser: Calvin E. Richardson
 Address: 2022 Green Mill Road
Finksburg, Maryland 21048

Gregory R. Dent, Baltimore's Attorney
 Address: 143 Main Street
Baltimore, Maryland 21136

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of October, 1977, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of March, 1978, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

ELEMENTARY SCHOOL
 COLUMBIA ROAD
 BALTIMORE CITY

March 15, 1978

Deputy Zoning Commissioner for
 Baltimore County
 County Office Building
 Towson, Maryland 21204

Re: Richardson's Florist Petition Case #78-182-A

Dear Sir:
 Approximately a week ago, Mr. Calvin Richardson and his attorney, Mr. Gregory Dent, spent about an hour with me discussing the zoning petition for the Richardson Florist site. Later that same night, Mr. Dent presented information regarding the zoning petition to the executive board of the Owings Mills PTA. In both presentations, Mr. Dent gave what I would evaluate as an objective, chronologically oriented and most thorough explanation of the needs regarding this zoning petition. As part of that discussion, Mr. Dent stated quite clearly that the petition for zoning on behalf of his client could be construed as a precedent for the Reisterstown corridor.

The purpose of this letter is to respond to not only Mr. Richardson's zoning petition, but also to provide you with information regarding the posture of both the elementary school administration and the executive board of our PTA. Succinctly, it is my opinion that Mr. Richardson's needs constitute in no way a threat to the safety or security of the youngsters of Owings Mills. This school and the administration of this school have, at times, taken a strong stand regarding certain zoning petitions. My predecessors at Owings Mills have spent much time and energy successfully fighting the zoning petitions that would endanger or encumber the safety of the boys and girls of this school. However, it should be clearly understood that such opposition was generated on a case by case basis. The continuity of examining zoning petitions and responding to them individually remains extant. I will continue to respond to any future zoning petitions on a case by case basis.

If, in any way, I felt that the Richardson's zoning petition would have a negative impact on our youngsters, a realistic and strong opposition would be generated. That is not the case. Mr. Richardson's business has, for many years, been helpful to us at Owings Mills. Our children have had the opportunity to take field trips to the greenhouse, or hear representatives from the firm, functioning as guest speakers to our classes, etc. We look at this as a positive aspect of our school community. Both the administration at Owings Mills and the members of the executive board of our PTA concur with the feelings and points of view espoused above. A number of our executive board functions as a liaison representative between the Owings Mills PTA and RDE. At the night of Mr. Dent's presentation, this representation was in agreement with the feelings of the

RE: PETITIONS FOR RECLASSIFICATION AND VARIANCES
 NE/S of Reisterstown Road, 630' SE of Enchanted Hills Road - 4th Election District
 Calvin E. Richardson, et ux - Petitioners
 NO. 78-182-A (Item No. 8)

BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for a Reclassification from a D.R.16 Zone to a B.R. Zone and Variances to permit side yard setbacks of four feet in lieu of the required 30 feet. The subject property, located on the northeast side of Reisterstown Road, 630 feet southeast of Enchanted Hills Road, in the Fourth Election District, consists of a 0.61 acre tract and is improved by a two story frame dwelling being utilized as a florist shop and greenhouse. The existing florist shop enjoys a nonconforming use. This property was zoned D.R. 16 prior to the 1976 Comprehensive Zoning Map. During the period of the preparation of the map, there was no formal request for B.R. zoning by the Petitioner.

Testimony at the hearing indicated that a florist business has been conducted at the subject location since before the turn of the century. The present owner, a family member, has been in business there since 1975 and wishes to renovate the buildings on the property, thereby increasing the size of certain buildings more than the expansion permitted to him under the regulations governing a nonconforming use.

Appearing in protest, Mrs. Alice LeGrande, spokesman for the Reisterstown-Owings Mills-Glyndon Coordinating Council, indicated that the Executive Board of that organization opposes the Reclassification and Variance on the basis of encroaching commercialism in a fundamentally residential area, although the Council saw no objection to the continued operation of the business. Mrs. LeGrande added that her group was anxious to seek an accommodation

Deputy Zoning Commissioner - 2 - March 15, 1978

executive board and the school administration that Mr. Richardson's zoning request was a reasonable one, and both the school and the PTA had absolutely no opposition to its implementations.

Should you have any further questions on this matter, feel free to contact me at your convenience.

Sincerely yours,
 Roger L. Foster
 Principal

cc: Janet Walleit

with the owner of the business in the interest of the neighborhood in general. Several letters from nearby residents also indicated that the business is highly regarded by the community in general.

Without reviewing the evidence further in detail but based upon all of the testimony presented at the hearing, in the judgment of the Deputy Zoning Commissioner, there is, in fact, no proof of error in the Comprehensive Zoning Map. It is noted that, during the period of the Interim Development Control Act (I.D.C.A.) is in effect, error must be clearly shown in order to grant a Reclassification. Accordingly, the accompanying request for Variance must also be denied.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 1st day of April, 1978, that the Reclassification and Variances so and the same are hereby DENIED.

Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
 DATE April 19, 1978
 BY John R. Benge

E. F. RAPHAEL & ASSOCIATES
 Regional Professional Land Surveyors
 201 COUNTRYLAND AVENUE
 TOWSON, MARYLAND 21204

OFFICE 828-2008 September 29, 1977 RESIDENCE 771-6212

Description to Accompany Petition for Reclassification

C. E. RICHARDSON REISTERSTOWN ROAD

Beginning for the same at a point on the northeast side of Reisterstown Road southeasterly 630' from the intersection of Enchanted Hills Road at the beginning of the land conveyed to C. E. Richardson and wife, and recorded among the Land Records of Baltimore County in Liber BDK Jr. 5535, folio 476, thence leaving the northeast side of Reisterstown Road and running on the outline of the land of C. E. Richardson the four following courses and distances: 1) S 55°29' E 238.69'; 2) S 38°05' E 46.70'; 3) S 17°55' W 105.85'; 4) S 65°08' W 216.49' to the northeast side of Reisterstown Road running thence on the north side of said Road N 37°47' W 75.00' to the place of beginning. Containing 0.61 acres of land more or less. Being the land of C. E. Richardson and wife.

E. F. Raphael
 REG. PROF. LAND SURVEYOR
 No. 2246



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:

the above Reclassification should be had, and it further appearing that by reason of:

a Special Exception for a _____ should be granted.
IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 197____, that the herein described property or area should be and the same is hereby reclassified, from a _____ zone to a _____ zone, and/or a Special Exception for a _____ should be and the same is granted, from and after the date of this order.

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 _____, 197____, 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

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:

the above Variance should be had, and it further appearing that by reason of:

a Variance _____ should be granted.
IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 197____, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order.

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 Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 197____, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

RE: PETITION FOR RECLASSIFICATION AND VARIANCE
NE 1/2 of Reisterstown Road 630' SE of Enchanted Hills Road 4th District
Calvin E. Richardson
Petitioner
Zoning File No. 78-182-RA
People's Counsel of Baltimore County

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY
AT LAW
Misc. Docket No. 11
Folio No. 377
File No. 6927

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule 8-2(d) of the Maryland Rules of Procedure, Walter A. Reiter, Jr., LeRoy B. Spurrier 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 J. Ryan, Esq., 406 Jefferson Building, Towson, Maryland, 21204, Attorney for the Petitioner Calvin E. Richardson, 2022 Green Mill Road Finisburg, Maryland, 21048, Petitioner, Mrs. Alice LeGrand, 25 Olive Lane, Owings Mills, Maryland, 21117, Protestor, John W. Hession, III, Esq., County Office Building, Towson, Maryland, 21204, People's Counsel, Mr. John W. Livermore, III, President, Greater Reisterstown-Owings Mills Chamber of Commerce, P. O. Box 94, Reisterstown, Maryland, 21136, Mr. Eugene S. Will, 505 Sunbrook Road, Reisterstown, Maryland, 21136, and Mrs. Gloria Leonard, President Timber Grove Elementary School P.T.A., 701 Academy Avenue, Owings Mills, Maryland, 21117, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
County Board of Appeals of Baltimore County
Rm. 219 Court House, Towson, Md. 21204
Telephone 494-3180

Calvin E. Richardson, Petitioner
Zoning File No. 78-182-RA

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Robert J. Ryan, Esq., 406 Jefferson Building, Towson, Maryland, 21204, Attorney for the Petitioner, Calvin E. Richardson, 2022 Green Mill Road, Finisburg, Maryland, 21048, Petitioner, Mrs. Alice LeGrand, 25 Olive Lane, Owings Mills, Maryland, 21117, Protestor, John W. Hession, III, Esq., County Office Building, Towson, Maryland, 21204, People's Counsel, Mr. John W. Livermore, III, President, Greater Reisterstown-Owings Mills Chamber of Commerce, P. O. Box 94, Reisterstown, Maryland, 21136, Mr. Eugene S. Will, 505 Sunbrook Road, Reisterstown, Maryland, 21136, and Mrs. Gloria Leonard, President Timber Grove Elementary School P.T.A., 701 Academy Avenue, Owings Mills, Maryland, 21117, on this 10th day of October, 1979.

John Holmen, Secretary
County Board of Appeals
Rm. 219 Court House, Towson, Md. 21204
Telephone 494-3180

cc: Mr. James E. Dyer
My. James Howell
Cynthia Jones
File:

March 1979

Gregory R. Dunt, Esq.
143 Main Street
Reisterstown, Md. 21136

NOTICE OF HEARING

Re: Continued Hearing for Calvin Richardson
(78-182-RA)

TIME: 10:00 A.M.

DATE: Thursday, March 16, 1979

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,
TOWSON, MARYLAND

Gregory R. Dunt, Esquire
143 Main Street
Reisterstown, Maryland 21136

RE: Petitions for Reclassification and Variances
NE 1/2 of Reisterstown Road, 630' SE of Enchanted Hills Road - 4th Election District
Calvin E. Richardson, et ux - Petitioners
NO. 78-182-RA (Item No. 8)

Dear Mr. Dunt:

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

Very truly yours,
GEORGE A. MARTINAK
Deputy Zoning Commissioner

GDM/jm

Attachments

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

ZONING COMMISSIONER OF
BALTIMORE COUNTY

February 10, 1978

Gregory R. Dunt, Esq.
143 Main Street
Reisterstown, Md. 21136

NOTICE OF HEARING

Re: Petition for Reclassification and Variance for Calvin E. Richardson
(78-182-RA Item #8)

TIME: 10:00 A.M.

DATE: Monday, March 6, 1978

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,
TOWSON, MARYLAND

ZONING COMMISSIONER OF
BALTIMORE COUNTY

PETITION FOR RECLASSIFICATION AND VARIANCE

4th DISTRICT

ZONING: From D.R. 16 to S.R. Zone.
Petition for Variance to permit Side Yard Setbacks.
LOCATION: Northeast side of Reisterstown Road 630 feet Southeast of Enchanted Hills Road.
DATE & TIME: MONDAY, MARCH 6, 1978 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Present Zoning: D.R. 16
Proposed Zoning: S.R.
Petition for Variance from the Zoning Regulations of Baltimore County to permit side yard setbacks of 1 foot and 10 feet instead of the required 30 feet.

The Zoning Regulation to be excepted as follows:

Section 238.7 - Side and Rear Yards - 30 feet.

All that parcel of land in the Fourth District of Baltimore County

Being the property of Calvin E. Richardson and Bonnie L. Richardson as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, March 6, 1978 at 10:00 A.M.
Public Hearing: Room 106 County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. BYRON ECKHART
S.E.I.C. COMMISSIONER OF
BALTIMORE COUNTY

RE: PETITION FOR RECLASSIFICATION
AND VARIANCE
NE/3 of Reisterstown Road, 630'
SE of Enchanted Hills Road
4th District
Calvin E. Richardson
Petitioner
BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 78-182-BA

OPINION

This case comes before the Board on an Appeal by the property owner from a decision of the Deputy Zoning Commissioner which denied a Petition for Reclassification at the subject property, from an existing DR 16 Zone to a BR classification. The subject property is located on the Northeast side of Reisterstown Road, approximately 630 feet South of the Enchanted Hills Road, in the 4th Election District.

The Petitioner also seeks two side yard variances, one of four feet in lieu of the required 30 feet and one of ten feet in lieu of the required 30 feet. The subject property contains 0.61 acres and is now and has been for more than 100 years used as a commercial florist shop and a greenhouse business. A Memorandum submitted by Counsel for the Petitioner fairly summarizes the testimony and evidence presented to this Board. The issue is simply whether or not the County Council erred in 1976 when the Council zoned subject property residential. This small specific subject property was not an issue at the time of the last comprehensive map considerations. The effect of failing to recognize this century old commercial operation by zoning same to a BR classification was to reduce the status of this parcel of land to a non-conforming use. By definition a non-conforming use is one which the land use authorities consider should ultimately be phased out of existence. The other alternative available was to recognize this century old use and zone the subject property to the proper commercial zoning classification, (i.e., BQ). A cursory view of the zoning maps would indicate that if this specific business location had been recognized by the County Council at the time of the adoption of the Comprehensive Use Map, it most certainly could be defined as a "Spot Zoning" situation.

Calvin E. Richardson, #78-182-BA

2.

Recognizing this element, the County Council would then have had to specifically decide that the use of the subject property was of such a nature it should have been recognized and placed on the map as, for lack of better definition, "good spot zoning".

Martin J. Smith, Esq., President of Stewart, Ennor and Smith, a long established local real estate company, offered expert testimony on behalf of the Petitioner. Mr. Smith's testimony fairly summarized the land use of the subject property and he specifically stated that in his judgment, the Council did err when they did not recognize this long standing community service commercial business. Mr. Smith pointed out that "Spot Zoning" would be deemed incorrect if that zoning would be out of character with the surrounding land uses. Certainly the subject property which has been used in a similar fashion for more than a century, should not be considered particularly out of character with a community that has grown up and developed appropriately around this long standing commercial utilization.

After reviewing the testimony and evidence presented to this Board, it is adjudged by this Board that the use existing at the subject property is not out of character and hence would not constitute a "bad spot" zoning if same had been recognized by the Council at the time of the adoption of the Comprehensive Use Map. It is significant to note that the subject property was not a specific issue at the time of the adoption of the Use Map. This particular fact makes it very difficult for the County Council, at the time of the adoption of comprehensive zoning for the entire County, to look at each individual property in the County to specifically note its utilization. It is certainly understandable that the Councilman for this particular district could easily have overlooked the commercial utilization that existed at the subject property.

After carefully reviewing the testimony and evidence, it is the judgment of the Board that the Council did err when it failed to recognize this century long commercial utilization by classifying the subject property BR instead of placing the same in the existing residential classification. Recently adopted legislation authorized the Board to restrict reclassifications. This opportunity is particularly welcome in the

Calvin E. Richardson, #78-182-BA

3.

subject case because the Board can specifically spell out in its opinion and conclusions as same pertain to the subject property by restricting the commercial utilization to the existing century old commercial usages. This restriction will allow the fears of the protesters that the subject property can be subsequently converted to some other BR classification which could very well be out of character for the surrounding neighborhood. Such other commercial use could also generate traffic which would be inappropriate for the general area.

The Board also heard testimony and evidence concerning two side yard variances sought by the Petitioner. Because of the size and shape of the subject lot and also because of the topography of same, it is the judgment of this Board that the Petitioner has evidenced practical difficulty which would warrant the granting of both of the requested side yard variances.

For the reasons set out above, the Board will grant the requested Reclassification subject to a restriction and likewise will grant the two requested side yard variances.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 18th day of September, 1979, by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby GRANTED, subject to the following restriction:

The commercial utilization of the entire subject property shall be limited to that of a "Florist Shop and Greenhouses".

IT IS FURTHER ORDERED, that the variance for a four (4) foot setback on the east side of the subject property in lieu of the required thirty feet, and a variance for a ten (10) foot setback on the west side of the subject property in lieu of the required thirty feet petitioned for, be and the same are hereby GRANTED.

Calvin E. Richardson, #78-182-BA

4.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

Larry V. Spangler

John A. Miller



February 11, 1978

Gregory J. Dent, Esq.
143 Main Street
Reisterstown, Md. 21136
Re: Petition for Reclassification and Variance for Calvin Richardson
Case # 78-182-BA

Dear Sirs:
This is to advise you that this is due for advertising and posting of the above property.
Please note check payable to Baltimore County, Md. and sent to Mrs. Anderson
Room 213 County Office Building, before the hearing.

Yours very truly,
S. ERIC DINENNA
Zoning Commissioner



January 10, 1978

Gregory J. Dent, Esq.
143 Main Street
Reisterstown, Md. 21136

Re: Petition for Reclassification for Calvin Richardson
Case # 78-182-BA (Item #8)

Dear Sirs:

You are attorney of record in the above captioned case. In order to assist in scheduling your case and allowing sufficient time for its hearing, it is requested that you furnish us, by return mail, the information asked on the questionnaire, listed below:

- Number of witnesses you anticipate calling _____
- How many of these witnesses will be "expert witnesses"? _____
- Fields to be covered by experts you intend to call - please check:
Land Planner _____
Real Estate _____
Engineer _____
Traffic _____
Other _____
- Total time required (in hours) for presentation of your side of the case _____

Please return the above information by

February 11, 1978

Attorney for Protestants () _____

Attorney for Petitioners () _____

Very truly yours,
S. ERIC DINENNA, Zoning Commissioner

SED:rmw

SMITH, JOHNS & SMITH, P.A.

May 9, 1978

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

Re: Appeal of Petition for
Reclassification and
Variances - Calvin E. Richardson
Case # 78-182-BA (Item #8)

Dear Mr. Dinenna:

Enclosed please find our Appeal of a decision rendered by Deputy Commissioner Martinak. I have also enclosed our client's check in the amount of \$75.00 which represents the Appeal costs plus the posting cost.

Thank you for your kind consideration.

Very truly yours,

Gregory Richard Dent
Gregory Richard Dent

GRD/jh
Enc.



June 9, 1978

Mrs. Alice McGrand
25 Olive Lane
Baltimore, Maryland 21135

Re: Petition for Reclassification and
Variances
NE/3 of Reisterstown Rd. 630' SE of
Enchanted Hills Rd. - 4th District
Calvin E. Richardson, et al - Petitioner
Case # 78-182-BA (Item No. 8)

Dear Mrs. McGrand:

Please be advised that an appeal has been filed by the attorney for the Petitioner, from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing, when it is scheduled by the Baltimore County Board of Appeals.

Very truly yours,

S. ERIC DINENNA
Zoning Commissioner

SDM/rs

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

NE/S of Reisterstown Road, 630' SE of
Enchanted Hills Rd. - 4th Election District
Calvin E. Richardson, et ux - Petitioners

1. Copy of Petition
2. Copy of Description of Property
3. Copy of Certificate of Posting
4. Copy of Certificate of Publication
5. Copy of Zoning Advisory Committee Comments
6. Copy of Comments from the Director of Planning
7. Planning Board Comments and Accompanying Map
8. Copy of Order to Enter Appearance, John W. Hession, III
9. Copy of Order - Zoning/Deputy Zoning Commissioner
10. Copy of Plat of Property
11. 200' Scale Location Plan
12. 1000' Scale Location Plan
13. Memorandum in Support of Petition
14. Letter(s) from Protestant(s)
15. Letter(s) from Petitioner(s)
16. Protestants' Exhibits to _____
17. Petitioners' Exhibits _____ to _____ Exhibits 1-3 Letters to D.L.C. _____ Map
18. Letter of Appeal

Calvin E. Richardson
2022 Green Hill Road
Reisterstown, Maryland 21136

Petitioner

Gregory Richard Dent, Esquire
413 Main Street
Reisterstown, Maryland 21136

Petitioner's attorney

Mrs. Alice LeGrand
25 Olive Lane
Reisterstown, Maryland 21136

Protestant

John W. Hession, III, Esquire
James B. Dyer

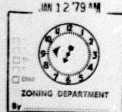
People's Counsel
Request Notification

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

January 8, 1979



Gregory Richard Dent, Esq.
142 Main Street
Reisterstown, Md. 21136

Re: Reclassification Petitions
778-182-RA - Calvin E. Richardson, et ux

Dear Mr. Dent:

Enclosed please find a copy of the recently enacted
Bill 122-78 which affects your petition. No further hearings on
reclassification petitions will be held until the petitioners advise the
Board as to their intentions within the purview of this act.

Your prompt reply is necessary.

Very truly yours,

Walter A. Knitter, Jr.
Walter A. Knitter, Jr., Chairman

WAR:ce
Enclosure: 87-122-78
cc: Mr. Calvin E. Richardson
Mr. Alice LeGrand
John W. Hession, III, Esq.
Mr. John W. Livermore
Mr. Eugene S. Will
Mr. S. E. DiNenna
Mr. George Martinak
Mr. James Dyer

cc: Mr. Leslie Graef
Mr. Gary Bell
Board of Education
Mrs. Carol Beresh

Re: Petitions for Reclassification
and Variances
NE/S of Reisterstown Road, 630' SE
of Enchanted Hills Road
4th Election District
Calvin E. Richardson, et ux
Petitioner
No. 78-182-RA (Item #8)

BEFORE THE
DEPUTY ZONING
COMMISSIONER OF
BALTIMORE COUNTY

APPEAL

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

Mr. Commissioner:

Please note your Petitioner's Appeal to the Baltimore County
Board of Appeals from an Order passed by the Deputy Zoning
Commissioner in the above re-referenced Petition. Thank you.

Gregory Richard Dent
GREGORY RICHARD DENT
SMITH, JOHN & SMITH, PA
143 Main Street
Reisterstown, Maryland 21136
833-1221
Attorney for Petitioners
Calvin E. Richardson and
Bonnie L. Richardson, his wife
2022 Green Hill Road
Pinksburg, Maryland 21048

I HEREBY CERTIFY that on this 8th day of May,
1978, a copy of the foregoing Appeal was mailed to John W.
Hession, IV, Esquire, County Office Building, Towson, Maryland,
People's Counsel.

Gregory Richard Dent
GREGORY RICHARD DENT

Re: PETITION FOR RECLASSIFICATION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
NE/S of Reisterstown Rd., 630'
SE of Enchanted Hills Rd., 4th District : OF BALTIMORE COUNTY

CALVIN E. RICHARDSON, Petitioner : Case No. 78-182-RA

ORDER TO ENTER APPEARANCE

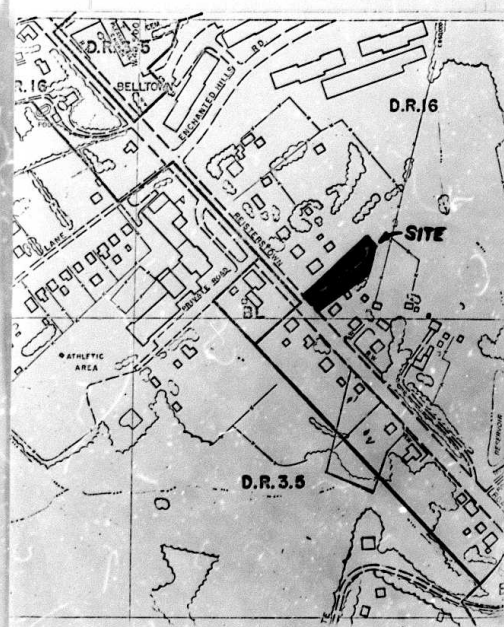
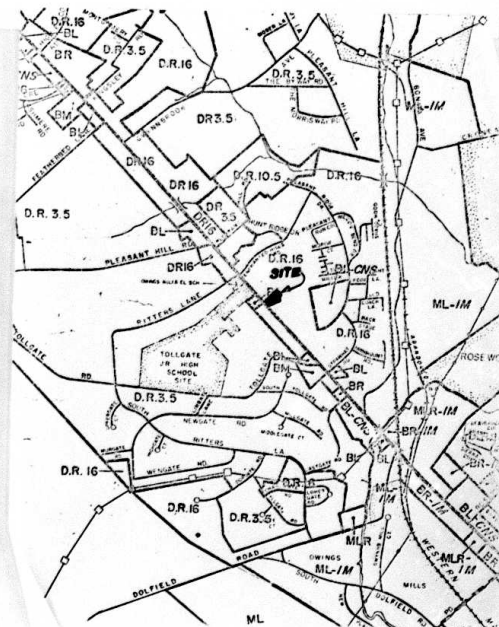
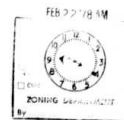
Mr. Commissioner:

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
Towson, Maryland 21204
474-2188

I HEREBY CERTIFY that on this 21st day of February, 1978, a copy of the
aforegoing Order was mailed to Gregory R. Dent, Esquire, Smith, Jones & Smith,
143 Main Street, Reisterstown, Maryland 21136, Attorney for Petitioner.



September 30, 1977

IN THE MATTER OF THE PETITION
OF CALVIN E. RICHARDSON and
BONNIE L. RICHARDSON, his wife
for zoning reclassification
from DR16 to BR

MEMORANDUM IN SUPPORT OF APPLICATION

The Petitioners' property is a lot situated on the east side
of Reisterstown Road (Route 140) approximately 650 feet south of
Enchanted Hills Road, in Baltimore County, Maryland. The present
zoning is DR16, although the property has been the site of a
valid non-conforming business use for many years. Your Petitioners
submit that the existing zoning classification is in error because
it fails to recognize this long term retail business use and,
thereby, works an unreasonable hardship on your Petitioners for
the following reasons:

A. The instant property has been used as a retail florist
shop for over thirty-two (32) years.

B. The property and florist shop has been continuously
owned, managed and maintained by the Richardson family, being
handed down within the family, for the same number of years.

C. The instant owners, being your Petitioners, are members
of the same Richardson family, and fully intend to continue to
operate the said florist shop and are only desirous of BR zoning
to allow them to maintain and improve a family business that has
already become a fixture in the community.

D. The continued use of the property as a florist shop with
only a valid non-conforming use works a severe hardship on your
Petitioners because of the non-conforming use restrictions as to
signs, advertising, improvements and expansion.

E. The reclassification of this property to BR zoning will
not constitute spot zoning or create a precedent in the community
because the change in zoning will, as a practical matter, only
recognize the business use that has existed since before the
adoption of any type of zoning laws in Baltimore County.

F. The existing zoning classification of this is clearly
error because it fails to recognize the above stated use and may,
degeneration, a prospect that will not be beneficial to either the
community or your Petitioners.

Respectfully submitted,
SMITH, JOHN & SMITH, P.A.
143 Main Street 833-1221
Reisterstown, Maryland 21136

Gregory Richard Dent
Gregory Richard Dent,
Attorney for Petitioners

FEB 15 1980

78-182 AM

March 9-1978.

To Whom this May Concern,
I am in favor of Calvin Richardson
for giving the property for a florist.
I have lived right door to Richardson's
florist for 25 years, and found them
very good neighbors, if I can help them
in any way I sure would.

Mrs Louis N. Dobson
10809 Rustertown Rd
Overing Mills Md
MAR 13 78 AM



MISS ROBERT S. WILLIAMS
 4 PLEASANT HILL ROAD
 OWING MILLS, MARYLAND 21117

Deputy, zoning Commission of
 Northern County
 County Office Building
 Towson, Md 21204

**PETITIONER'S
 EXHIBIT 3**

To: Urban & zoning Commission,

My wife and I have lived at 6
 Pleasant Hill Rd. Owing Mills, Md. for the
 last 19 years, and we would like to say that
 we are in favor of the Rebuilding Zoning
 Petition for Pleasant Hill Case# 78-132-P.A.

There has been a flood stop at the
 location as long as we have been on the area.
 And we believe that the zoning change
 would be a great improvement to the
 community.

Very Truly Yours,
 Robert S. Williams
 J. J. Williams



March 15, 1978
 PETITIONER'S
 EXHIBIT 2

TO: The Deputy Zoning Commissioner
of Saltwood County
RE: Richardson Zoning Petition
Case #78-187-R

Sir,
 I am writing in behalf of Beane and
 Calvin Richardson, owners of Richardson's
 Hotel on Rutherford Road in Avery Hills.
 For over 20 years I have been a
 neighbor of the above named hotel.
 I understand they have requested a
 change in their zoning - from

[illegible]

CERTIFICATE OF PUBLICATION

TOWSON, MD. FEBRUARY 14, 1978

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~annexed~~ on the ~~14th~~ day of ~~March~~ ~~1978~~ before the ~~14th~~ day of ~~March~~ 1978, the ~~14th~~ publication appearing on the ~~14th~~ day of ~~February~~ 1978.

THE JEFFERSONIAN

THE JEFFERSONIAN,
G. Frank Smith

Cost of Advertisement \$

[illegible]


 OFFICE OF
THE TIMES
 NEWSPAPERS
 TOWSON, MD. 21204 Feb. 16, 1978

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR RECLASSIFICATION & VARIANCE
was inserted in the following: Calvin E. Richardson
H-6156

- ☐ Catonsville Times
- ☐ Dundalk Times
- ☒ Essex Times
- ☐ Suburban Times East
- ☐ Towson Times
- ☐ Arbutus Times
- ☒ Community Times
- ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 17 day of Feb. 1978, that is to say, the same was inserted in the issues of Feb. 16, 1978.

STROMBERG PUBLICATIONS, INC.

BY Laura Pannitsch

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 Sept 1977. Filing Fee \$ 57⁰⁰. Received ☒ Check ☐ Cash ☐ Other

B. D. Wilson
B. Eric Wilson
Zoning Commissioner

Petitioner Robert D. Bice & Partners submitted by Self

Petitioner's Attorney Gregory R. Deat Reviewed by JD

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

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Web Map		Original		Duplicate		Tracing		gpo sheet
	date	by	date	by	date	by	date	by	date
Base options checked and out as plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, GC, CA									
Reviewed by: <i>J</i>									
Previous case: <i>None</i>									

Revised Plans:
 Chang. in outline or description _____ Yes
 _____ No
 Map # *Nov 12 F*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

Date of Posting FEB. 18, 1978

1. F.O.B. RECLASSIFICATION GE. VARGAS
E. RICHMOND
1/5 OF REINSTRUMENT PD 630 SE SE
SUBDIV 4446 PD
RENT 1684 REINSTRUMENT PD

R. Poland

Date of return FEB. 24, 1978

WILMINGTON COUNTY, MARYLAND
OFFICE OF TREASURER - GENERAL SERVICES
UNRECORDED CASH RECEIPT

NO. 68494

DATE Feb. 22, 1978 ACCOUNT NO. 688

AMOUNT ONE-75

PAID TO O. S. Stuchman's Student Mill Restaurant
200 College Valley Ave - 21047
for parking and parking of property
9/1-22-78

RECEIVED BY 2055

DATE 2/22/78

152 #2 FEB 19 1978

TREASURER OR SIGNATURE OF CASHIER

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

No. 73318

DATE June 9, 1975 ACCOUNT 01-662

AMOUNT \$75.00

RECEIVED FROM Smith, John and Smith,
FOR Net of Appt on Case No. 78-102-BA
Wife of Earlviewmont Md. 5301 NE of Bunched Hills M
Calvin K. Richardson, et ux - Petitioners

46 JUN 12 1975 7500 ME

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 57237

DATE Oct. 18, 1977 ACCOUNT 03-662

AMOUNT \$50.00

RECEIVED Messrs. Smith, Johns & Smith 113 Main Street
FROM Bethesda, MD - 20814
FOR Paid for Reimbursement for Calvin Richardson

5857237-16 500.00

VALIDATION OF SIGNATURE OF CAMER



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

who
Nicholas A. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Route Commission
Bureau of Fire Protection
Health Department
Project Planning
Building Department
Board of Recreation
Public Administration
Industrial Development

October 31, 1977

Gregory R. Dent, Esquire
Smith, Johns & Smith
141 Main Street
Reisterstown, Maryland 21136

RE: Reclassification & Variance
Petition
Item Number 8 - Cycle II
Petitioners - Calvin E. Richardson
Bonnie Richardson

Dear Mr. Dent:

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.

Located on the northeast side of Reisterstown Road approximately 630' southeast of Enchanted Hills Road, this .6 acre site is presently zoned D.R. 16 and is improved with a greenhouse and two-story frame building utilized as a retail florist. Surrounding properties on the same side of Reisterstown Road are similarly zoned and are improved with detached dwellings, while properties immediately opposite this site are zoned R.R. and D.R. 16 and are improved with a service station and dwellings, respectively.

As indicated in your attached brief explaining the reasons for this request, it is your client's proposal

Gregory R. Dent, Esquire
Page 2
Item No. 8
Oct. 31, 1977

to reclassify this property to a B.R. zone in order to place the existing operation in an appropriate zoning classification. The proposal includes the razing of the existing frame building and the construction of an addition to the side of the greenhouse. Because the proposed B.R. zoning requires 30' side yard setbacks, the Variance is included to permit the proposed addition within 4' of the southerly property line in lieu of the required 10 feet. However, since the existing greenhouse is closer than 30' to the northerly property line and will remain, this situation must be included with the Variance request.

The submitted site plan must be revised prior to the scheduled hearing to indicate the side setback of the existing greenhouse, required parking for the greenhouse and the comments from the State Highway Administration.

This petition for Re-classification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plans, as may have been requested by this Committee, shall be submitted to this office prior to November 28, 1977 in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1978 and April 15, 1978 will be forwarded to you well in advance.

Very truly yours,
Nicholas A. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:rf
cc: E. F. Raphael & Assoc.
201 Courtland Ave.
Towson, Maryland 21204

Item #8 (Cycle II) October 1977 - April 1978
Property Owner: Calvin E. & Bonnie L. Richardson
Page 2
October 25, 1977

Water:

Public 8-inch and 16-inch water mains exist in Reisterstown Road. Additional fire hydrant protection is required in the vicinity.

Sanitary Sewer:

Public sanitary sewerage is not available to serve this property, which is utilizing private onsite sewage disposal. The submitted plan does not indicate the location of this private system.

Very truly yours,

Ellsworth H. Dyer, P.E.
Chief, Bureau of Engineering

END:FAH:FW:SS

cc: M. Munchel

T-SW Key Sheet
46 NW 33 Row, Sheet
NW 120 Topo
58 Tax Map

October 25, 1977

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
THORNTON M. MOURING, P.E.
DIRECTOR

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

Re: Item #8 (Cycle II) October 1977 - April 1978
Property Owner: Calvin E. & Bonnie L. Richardson
N/E/S Reisterstown Rd. 630' S/E Enchanted Hills Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61 District: 4th

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:

Reisterstown Road (Rd. 140) 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.

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 petitioners 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 drain facilities, would be the full responsibility of the petitioners.



Maryland Department of Transportation
State Highway Administration

Patricia E. Intanson
Secretary
Edward M. Evans
Administrator

October 7, 1977

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

Attention: Mr. N. Commodari

Re: Meeting for Cycle II

Item: 8
Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. (Rte. 140)
630' SE Enchanted Hills Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

Dear Mr. DiNenna:

The proposed curb is to be 28' from the centerline of Reisterstown Road and not 30' as indicated. New sidewalk will be required in order to be compatible with the new curb. The plan must be required accordingly.

Very truly yours,

Charles Lee Chief
Bureau of Engineering
Access Permits
John E. Hagers

CL:JED:dj

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



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 484-3211

October 14, 1977

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

Dear Mr. DiNenna:

Comments on Item #8, Zoning Cycle II, October 1977, are as follows:

Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Road 630' SE Enchanted Hills Road
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'
Acres: 0.61
District: 4th

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
John L. Wimbley
Planner III
Project and Development Planning

Gregory R. Dent, Esquire
Smith, Johns & Smith
141 Main Street
Reisterstown, Maryland 21136
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

this Petition has been received and accepted for filing
this day of 1977.

Eric S. DiNenna
S. ERIC DI NENNA
Zoning Commissioner

Calvin E. Richardson
Petitioner
Petitioner's Attorney: G. R. Smith
Reviewed
E. F. Raphael & Assoc.
201 Courtland Avenue
Towson, Maryland 21204
Nicholas A. Commodari
Chairman, Zoning Plans
Advisory Committee

October 24, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

RE: Item 8 - ZAC - October 13, 1977
Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Road
Existing Zoning: D. R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

Dear Mr. DiNenna:

The subject petition is requesting a change from D. R. 16 to B. R. of 0.61 acres. This should increase the trip density from 80 to 300 trips per day.

The intersections of Reisterstown Road with Rosewood Lane and Painters Mill Road are D Level of Service while the inter-change at the beltway is operating at E Level of Service.

Very truly yours,

C. Richard Moore
Assistant Traffic Engineer

CRU/ba

October 11, 1977

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

Dear Mr. DiNenna:

Comments on Item #8, Zoning Advisory Committee Meeting for Cycle II, October 5, 1977, are as follows:

Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

Metropolitan water exists. A revised plan must be submitted showing the location of the sewage disposal system.

Very truly yours,

Thomas H. Swain, Director
BUREAU OF ENVIRONMENTAL SERVICES

THS/KS/rth

October 26, 1977

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

Attention: R. Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Rd.

Item No. 8
Zoning Agenda Cycle II

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and require 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 _____
REOPEN the easement allowed by the First Boardman.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable portions of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1970.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *4-19-77*
Planning Bureau
Special Inspection Division

Noted and
Approved: *[Signature]*
Fire Prevention Bureau

October 17, 1977

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

Dear Mr. DiNenna:

Comments on Item # 8 Zoning Advisory Committee Meeting, Cycle II are as follows:

Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Road
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☒ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

[Signature]

Charles E. Burnham
Plans Review Chief
CDB/rj

January 30, 1978

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

Dear Mr. DiNenna:

RE: Item 8 - ZAC - October 13, 1977
Comments on Item # 8 Zoning Advisory Committee Meeting, Cycle II are as follows:

Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Road
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement and other applicable codes such as the State Code for the Manufactured and Wood.
- ☒ B. A building permit shall be required before construction can begin. A zoning permit shall be required.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☒ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

[Signature]

Charles E. Burnham
Plans Review Chief
CDB/rj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: October 11, 1977

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

Z.A.C. Meeting of: Cycle II

RE: Item No. 8
Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Rd.
Present Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
District: 4th
No. Acres: 0.61

Dear Mr. DiNenna:

No effect on student population.

Very truly yours,

[Signature]
W. Nick Petrovich,
Field Representative

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Calvin E. Richardson
I, or we, BONNIE L. RICHARDSON, legal 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from as is DR 16 to as is

for the following reasons:

There was error in the original zoning of the property.

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:

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, 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.

Contract purchaser
Bonnie L. Richardson, Legal Owner
Address: 2922 Green Mill Road
Pinkensburg, Maryland 21048

Gregory R. Dent, Esquire
Smith, John & Smith, P.A.
Address: 143 Main Street
Baltimore, Maryland 21136

ORDERED By The Zoning Commissioner of Baltimore County, this 31st day of October, 1977, 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 5th day of March, 1978, at 10:00 o'clock A. M.

Zoning Commissioner of Baltimore County.

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Calvin E. Richardson
I, or we, BONNIE L. RICHARDSON, legal 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 238.2 to permit a side yard set back of 4' in 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.)
To comply with the requirements would inflict an undue hardship and cause great practical difficulty on the property owners.

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.

Contract purchaser
Bonnie L. Richardson, Legal Owner
Address: 2922 Green Mill Road
Pinkensburg, Maryland 21048

Gregory R. Dent, Esquire
Smith, John & Smith, P.A.
Address: 143 Main Street
Baltimore, Maryland 21136

ORDERED By The Zoning Commissioner of Baltimore County, this 31st day of October, 1977, 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 5th day of March, 1978, at 10:00 o'clock A. M.

Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

County Office Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204

October 31, 1977

Gregory R. Dent, Esquire
Smith, John & Smith, P.A.
Address: 143 Main Street
Baltimore, Maryland 21136

Re: Reclassification & Variance
Petition
Item Number 8 - Cycle II
Petitioner - Calvin E. Richardson
Bonnie Richardson

Dear Mr. Dent:

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.

Located on the northeast side of Reisterstown Road approximately 630' southeast of Enchanted Hills Road, this .6 acre site is presently zoned D.R. 16 and is improved with a greenhouse and two-story frame building utilized as a retail florist. Surrounding properties on the same side of Reisterstown Road are similarly zoned and are improved with detached dwellings, while properties immediately opposite this site are zoned B.R. and D.R. 16 and are improved with a service station and dwellings, respectively.

As indicated in your attached brief explaining the reasons for this request, it is your client's proposal

Gregory R. Dent, Esquire
Page 2
Item No. 8
Oct. 31, 1977

to reclassify this property to a B.R. zone in order to place the existing operation in an appropriate zoning classification. The proposal includes the rezoning of the existing frame building and the construction of an addition to the side of the greenhouse. Because the proposed B.R. zoning requires 30' side yard setbacks, the Variance is included to permit the proposed addition within 4' of the southerly property line in lieu of the required 30 feet. However, since the existing greenhouse is closer than 30' to the northerly property line and will remain, this situation must be included with the Variance request.

The submitted site plan must be revised prior to the scheduled hearing to indicate the side setback of the existing greenhouse, required parking for the greenhouse and the comments from the State Highway Administration.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to November 28, 1977 in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1978 and April 15, 1978 will be forwarded to you well in advance.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NR:rf
cc: E. F. Raphael & Assoc.
201 Courtland Ave.
Towson, Maryland 21204

Maryland Department of Transportation State Highway Administration

October 7, 1977

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

Attention: Mr. N. Commodari

Dear Mr. DiNenna:

The proposed curb is to be 28' from the centerline of Reisterstown Road and not 30' as indicated. New sidewalk will be required in order to be compatible with the new curb. The plan must be required accordingly.

CL:JED:dj

Re: Meeting for Cycle II
Item: 8
Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. (Rte.140)
630' SE Enchanted Hills Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

Very truly yours,

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

Baltimore County Department of Public Works TOWSON, MARYLAND 21204

THORNTON M. MCGURRY, P.E.
DIRECTOR

October 25, 1977

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

Re: Item #8 (Cycle II) October 1977 - April 1978
Property Owner: Calvin E. & Bonnie L. Richardson
W/S Reisterstown Rd. 630' S/S Enchanted Hills Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61 District: 4th

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:

Reisterstown Road (Md. 140) 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.

Sediment Control:

Development of this property through striping, 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 striping of top soil.

Storm Drainage:

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.

MICROFILMED

Water:

Public 8-inch and 16-inch water mains exist in Reisterstown Road.
Additional fire hydrant protection is required in the vicinity.

Sanitary Sewer:

Public sanitary sewerage is not available to serve this property, which is utilizing private onsite sewage disposal. The submitted plan does not indicate the location of this private system.

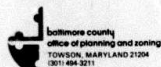
Very truly yours,

Charles E. Burnham
Charles E. Burnham, P.E.
Chief, Bureau of Engineering

END:EAM:FWB:es

cc: W. Munchel

T-26 Key Sheet
48 NW 33 Box. Sheet
NW 12D Topo
58 Tax Map



October 14, 1977

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

Dear Mr. DiNenna:

Comments on Item #8, Zoning Cycle II, October 1977, are as follows:

Property Owner: Calvin E. and Bonnie L. Richardson
Location: NE/S Reisterstown Road 630' SE Enchanted Hills Road
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'
Acres: 0.61
District: 4th

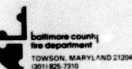
This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to ensure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on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

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning

MICROFILMED



Paul H. Reinecke
Chief

October 26, 1977

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

Attention: E. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Calvin E. & Bonnie L. Richardson

Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Rd.

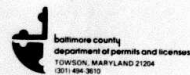
Item No. 8 Zoning Agenda Cycle II

Continued:

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.
- (x) 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 "Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

Noted and Approved: *George M. McConnell*
George M. McConnell
Special Inspection Division
Fire Prevention Bureau



JOHN D. SEYBERT
DIRECTOR

October 10, 1977

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

Dear Mr. DiNenna:

Comments on Item # 8 Zoning Advisory Committee Meeting, Cycle II are as follows:

Property Owner: Calvin E. & Bonnie L. Richardson
Location: S/W/S Reisterstown Road - 630' S/E Enchanted Hills Road
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

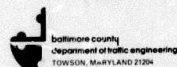
The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☒ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief
C2B:rrj

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STEPHEN E. COLLINS
DIRECTOR

October 24, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

RE: Item 8 - ZAC - October 13, 1977

Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Road 630' SE Enchanted Hills Road
Existing Zoning: D. R. 16
Proposed Zoning: B. R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

Dear Mr. DiNenna:

The subject petition is requesting a change from D. R. 16 to B. R. of 0.61 acres. This should increase the trip density from 60 to 300 trips per day.

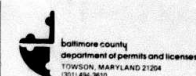
The intersections of Reisterstown Road with Rosewood Lane and Painters Mill Road are B Level of Service while the interchange at the beltway is operating at E Level of Service.

Very truly yours,

Charles M. Moore
C. Richard Moore
Assistant Traffic Engineer

CRM/aa

MICROFILMED



JOHN D. SEYBERT
DIRECTOR

January 30, 1978

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

Dear Mr. DiNenna:

REVISED
Comments on Item # 8 Zoning Advisory Committee Meeting, CYCLE II are as follows:

Property Owner: Calvin E. & Bonnie L. Richardson
Location: S/W/S Reisterstown Road - 630' S/E Enchanted Hills Road
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

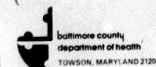
The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes, such as the State Code for the Handicapped and aged.
- ☒ B. A building permit shall be required before construction can begin. A zoning permit shall be required.
- ☐ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☐ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☒ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief
C2B:rrj

MICROFILMED



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

October 13, 1977

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

Dear Mr. DiNenna:

Comments on Item #8, Zoning Advisory Committee Meeting for Cycle II, October 5, 1977, are as follows:

Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

Metropolitan water exists. A revised plan must be submitted showing the location of the sewage disposal system.

Very truly yours,

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

TED/KS/rth

MICROFILMED

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 11, 1977

Z.A.C. Meeting of: Cycle II

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

RE: Item No: 8
Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Rd.
Present Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
District: 4th
No. Acres: 0.61

Dear Mr. DiNenna:

No effect on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

MWP/lip

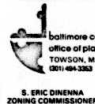
JOSEPH N. MCGOWAN, PRESIDENT
T. BAYNE WALLACE, JR., VICE-PRESIDENT
MARCUS M. BOSTRICK

THOMAS A. BRYEN
WILLIAM L. LORRICK
ROGER A. HAYSON
ROBERT V. DUBEL, SUPERINTENDENT

ALVIN LORRICK
JAMES M. WILSON, JR.
RICHARD W. TRACY, D.V.M.

MICROFILMED

41576
Baltimore County
Special Inspection Division



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-1282

S. ERIC DINENBA
ZONING COMMISSIONER

April 19, 1978

Gregory R. Dent, Esquire
143 Main Street
Reisterstown, Maryland 21136

RE: Petitions for Reclassification and
Variances
NE/S of Reisterstown Road, 630'
SE of Enchanted Hills Road - 4th
Election District
Calvin E. Richardson, et ux -
Petitioners
NO. 78-182-RA (Item No. 8)

Dear Mr. Dent:

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

Very truly yours,

George M. Martinak
GEORGE M. MARTINAK
Deputy Zoning Commissioner

GJM/jhm

Attachments

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

MICROFILMED

March 1, 1978

Gregory R. Dent, Esq.
143 Main Street
Reisterstown, Md. 21136

NOTICE OF HEARING

Re Continued Hearing for Calvin Richardson
#78-182-RA

TIME: 10:00 A.M.

DATE: Thursday, March 16, 1978

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

Shirley M. Kenna
SHIRLEY M. KENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY

MICROFILMED

Gregory R. Dent, Esq.
143 Main Street
Reisterstown, Md. 21136

NOTICE OF HEARING

Re Petition for Reclassification and Variance for Calvin
E. Richardson
#78-182-RA Item #8

TIME: 10:00 A.M.

DATE: Monday, March 6, 1978

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

Shirley M. Kenna
SHIRLEY M. KENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY

MICROFILMED

February 10, 1978

PETITION FOR RECLASSIFICATION AND VARIANCE

4th DISTRICT

ZONING: From D.R. 16 to R.R. Zone.
Petition for Variance to permit Side Yard Setbacks.
LOCATION: Northeast side of Reisterstown Road 630 feet
Southeast of Enchanted Hills Road.
DATE & TIME: MONDAY, MARCH 6, 1978 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act
and Regulations of Baltimore County, will hold a public hearing:

Present Zoning: D.R. 16
Proposed Zoning: R.R.
Petition for Variance from the Zoning Regulations
of Baltimore County to permit side yard setbacks
of 4 feet and 10 feet instead of the required 30 feet.

The Zoning Regulation to be excepted as follows:

Section 38.2 - Side and Rear Yards - 30 feet.
All that parcel of land in the Fourth District of Baltimore County

Being the property of Calvin E. Richardson and Bonnie L. Richardson as shown
on plat plan filed with the Zoning Department.

Hearing Date: Monday, March 6, 1978 at 10:00 A.M.
Public Hearing: Room 106 County Office Building, 111 W. Chesapeake Avenue,
Towson, Md.

BY ORDER OF
S. ERIC DINENBA
ZONING COMMISSIONER OF
BALTIMORE COUNTY

MICROFILMED

EXHIBIT 1

OWINGS MILLS ELEMENTARY SCHOOL
200 OWINGS MILLS ROAD
OWINGS MILLS, MARYLAND 21117

March 15, 1978

Deputy Zoning Commissioner

- 2 -

March 15, 1978

executive board and the school administration that Mr. Richardson's zoning
request was a reasonable one, and both the school and the PTA had absolutely
no opposition to its implementation.

Should you have any questions on this matter, feel free to con-
tact me at your convenience.

Sincerely yours,

Roger L. Foster
Roger L. Foster
Principal

ph

cc: Janet Walleit

Deputy Zoning Commissioner for
Baltimore County
County Office Building
Towson, Maryland 21204

Re: Richardson's Florist Petition
Case #78-182-RA

Dear Sir:

Approximately a week ago, Mr. Calvin Richardson and his attorney,
Mr. Gregory Dent, spent about an hour with me discussing the zoning petition
for the Richardson Florist site. Later that same night, Mr. Dent presented
information regarding the zoning petition to the executive board of the Owings
Mills PTA. In both presentations, Mr. Dent gave what I would evaluate as an
objective, chronologically oriented and most thorough explanation of the needs
regarding this zoning petition. As part of that discussion, Mr. Dent stated
quite clearly that the petition for zoning on behalf of his client could be
considered as a precedent for the Reisterstown corridor.

The purpose of this letter is to respond to not only Mr. Richardson's
zoning petition, but also to provide you with information regarding the posture
of both the elementary school administration and the executive board of our PTA.
Succinctly, it is my opinion that Mr. Richardson's needs constitute in no way a
threat to the safety or security of the youngsters of Owings Mills. This school
and the administration of this school have, at times, taken a strong stand
regarding certain zoning petitions. My predecessors at Owings Mills have spent
much time and energy successfully fighting the zoning petitions that would
endanger or encroach the safety of the boys and girls of this school. However,
it should be clearly understood that such opposition was generated on a case by
case basis. The continuity of examining zoning petitions and responding to them
individually remains intact. I will continue to respond to any future zoning
petitions on a case by case basis.

If, in any way, I felt that the Richardson's zoning petition would have a
negative impact on our youngsters, a realistic and strong opposition would be
generated. That is not the case. Mr. Richardson's business has, for many years,
been helpful to us at Owings Mills. Our children have had the opportunity to
take field trips to the greenhouse, or hear representation from the firm.
Functioning as guest speakers to our classes, etc. We look at this as a positive
aspect of our school community. Both the administration at Owings Mills and the
members of the executive board of our PTA concur with the feeling and points of
view expressed above. A member of our executive board functions as a liaison
representative between the Owings Mills PTA and BOC. At the night of Mr. Dent's
presentation, this representation was in agreement with the feelings of the

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

OFFICE: 800-808

September 29, 1977

RESIDENCE: 771-4932

Description to Accompany Petition for Reclassification

C. E. RICHARDSON
REISTERSTOWN ROAD

Beginning for the same at a point on the northeast side
of Reisterstown Road southeasterly 630' from the intersection
of Enchanted Hills Road at the beginning of the land conveyed
to C. E. Richardson and wife, and recorded among the Land Records
of Baltimore County in Liber PHK Jr. 5505, folio 476, thence
leaving the northeast side of Reisterstown Road and running on
the outline of the land of C. E. Richardson the four following
courses and distances: 1) N 55°29' E 298.69'; 2) S 38°05' E 46.70';
3) S 17°55' W 105.85'; 4) S 65°08' W 216.49' to the northeast side
of Reisterstown Road running thence on the north side of said
Road N 37°47' W 75.00' to the place of beginning.

Containing 0.61 acres of land more or less.

Being the land of C. E. Richardson and wife.

E. F. Raphael
EUGENE F. RAPHEL
REG. PROP. LAND SURVEYOR
No. 2246



MICROFILMED

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-1281

S. ERIC DINENBA
ZONING COMMISSIONER

February 10, 1978

Gregory R. Dent, Esq.
143 Main Street
Reisterstown, Md. 21136

Re Petition for Reclassification and Variance for Calvin Richardson
#78-182-RA

Dear Sir:

This is to advise you that \$666.75 is due for advertising
and posting of the above property.

Please make check payable to Baltimore County, Md. and remit to Mrs. Anderson
Room 113 County Office Building, before the hearing.

Yours very truly,

Shirley M. Kenna
S. ERIC DINENBA
ZONING COMMISSIONER

MICROFILMED

Recognizing this element, the County Council would then have had to specifically decide that the use of the subject property was of such a nature it should have been recognized and placed on the map as, for lack of better definition, "good spot zoning".

Martin J. Smith, Esq., President of Stewart, Ennor and Smith, a long established local real estate company, offered expert testimony on behalf of the Petitioner. Mr. Smith's testimony fairly summarized the land use of the subject property and he specifically stated that in his judgment, the Council did err when they did not recognize this long standing community service commercial business. Mr. Smith pointed out that "Spot Zoning" would be deemed incorrect if that zoning would be out of character with the surrounding land uses. Certainly the subject property which has been used in a similar fashion for more than a century, should not be considered particularly out of character with a community that has grown up and developed appropriately around this long standing commercial utilization.

After reviewing the testimony and evidence presented to this Board, It is adjudged by this Board that the use existing at the subject property is not out of character and hence would not constitute a "bad spot" zoning if same had been recognized by the Council at the time of the adoption of the Comprehensive Use Map. It is significant to note that the subject property was not a specific issue at the time of the adoption of the Use Map. This particular fact makes it very difficult for the County Council, at the time of the adoption of comprehensive zoning for the entire County, to look at each individual property in the County to specifically note its utilization. It is certainly understandable that the Councilman for this particular district could easily have overlooked the commercial utilization that existed at the subject property.

After carefully reviewing the testimony and evidence, it is the judgment of the Board that the Council did err when it failed to recognize this century long commercial utilization by classifying the subject property BR instead of placing the same in the existing residential classification. Recently adopted legislation authorized the Board to restrict reclassifications. This opportunity is particularly welcome in the

Calvin E. Richardson, Petitioner
Zoning File No. 78-182-RA

2.

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Robert J. Ryan, Esq., 406 Jefferson Building, Towson, Maryland 21204, Attorney for the Petitioner, Calvin E. Richardson, 2022 Green Mill Road, Finksburg, Maryland, 21048, Petitioner, Mrs. Alice LeGrand, 25 Olive Lane, Owings Mills, Maryland, 21117, Protestor, John W. Hession, III, Esq., County Office Building, Towson, Maryland, 21204, People's Counsel, Mr. John W. Livermore, III, President, Greater Reisterstown-Owings Mills Chamber of Commerce, P. O. Box 94, Reisterstown, Maryland, 21136, Mr. Eugene S. Will, 505 Sunbrook Road, Reisterstown, Maryland, 21136, and Mrs. Gloria Leonard, President, Timber Grove Elementary School P.T.A., 701 Academy Avenue, Owings Mills, Maryland, 21117, on this 10th day of October, 1979.

John Holmen
John Holmen, Secretary
County Board of Appeals
Rm. 219 Court House, Towson, Md. 21204
Telephone 494-3180

ORDER RECEIVED FOR FILING

DATE April 19, 1982BY John R. Dwyer

cc: Mr. James E. Dyer
Mr. James Howell
Gloria Jones
File:

subject case because the Board can specifically spell out its opinion and conclusions as some pertain to the subject property by restricting the commercial utilization to the existing century old commercial usages. This restriction will allay the fears of the protestants that the subject property can be subsequently converted to some other BR classification which could very well be out of character for the surrounding neighborhood. Such other commercial use could also generate traffic which would be inappropriate for the general area.

The Board also heard testimony and evidence concerning two side yard variances sought by the Petitioner. Because of the size and shape of the subject lot and also because of the topography of same, it is the judgment of this Board that the Petitioner has evidenced practical difficulty which would warrant the granting of both of the requested side yard variances.

For the reasons set out above, the Board will grant the requested Reclassification subject to a restriction and likewise will grant the two requested side yard variances.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 18th day of September, 1979, by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby GRANTED, subject to the following restriction:

The commercial utilization of the entire subject property shall be limited to that of a "Florist Shop and Greenhouses".

IT IS FURTHER ORDERED, that the variance for a four (-) foot setback on the east side of the subject property in lieu of the required thirty feet, and a variance for a ten (10) foot setback on the west side of the subject property in lieu of the required thirty feet petitioned for, be and the same are hereby GRANTED.

MICROFILMED

RE: PETITIONS FOR RECLASSIFICATION : BEFORE THE
AND VARIANCES : DEPUTY ZONING
NE/S of Reisterstown Road, 630' SE : COMMISSIONER
of Enchanted Hills Road - 4th Election District
Calvin E. Richardson, et ux - Petitioners : OF
NO. 78-182-RA (Item No. 8) : BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for a Reclassification from a D.R.16 Zone to a B.R. Zone and Variances to permit side yard setbacks of four feet in lieu of the required 30 feet. The subject property, located on the northeast side of Reisterstown Road, 630 feet southeast of Enchanted Hills Road, in the Fourth Election District, consists of a 0.61 acre tract and is improved by a two story frame dwelling being utilized as a florist shop and greenhouse. The existing florist shop enjoys a nonconforming use. This property was zoned D.R. 16 prior to the 1976 Comprehensive Zoning Map. During the period of the preparation of the map, there was no formal request for B.R. zoning by the Petitioner.

Testimony at the hearing indicated that a florist business has been conducted at the subject location since before the turn of the century. The present owner, a family member, has been in business there since 1975 and wishes to renovate the buildings on the property, thereby increasing the size of certain buildings more than the expansion permitted to him under the regulations governing a nonconforming use.

Appearing in protest, Mrs. Alice LeGrande, spokesman for the Reisterstown-Owings Mills-Glyndon Coordinating Council, indicated that the Executive Board of that organization opposes the Reclassification and Variances on the basis of encroaching commercialism in a fundamentally residential area, although the Council saw no objection to the continued operation of the business. Mrs. LeGrande added that her group was anxious to seek an accommodation

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Ketter, Jr., Chairman

LeRoy B. Spurrer

John A. Miller

MICROFILMED

with the owner of the business in the interest of the neighborhood in general. Several letters from nearby residents also indicated that the business is highly regarded by the community in general.

Without reviewing the evidence further in detail but based upon all of the testimony presented at the hearing, in the judgment of the Deputy Zoning Commissioner, there is, in fact, no proof of error in the Comprehensive Zoning Map. It is noted that, during the period that the Interim Development Control Act (I.D.C.A.) is in effect, error must be clearly shown in order to grant a Reclassification. Accordingly, the accompanying request for Variances must also be denied.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 19th day of April, 1979, that the Reclassification and Variances be and the same are hereby DENIED.

Gregory Richard Dent
Gregory Richard Dent, Esquire
Baltimore County

ORDER RECEIVED FOR FILING

DATE April 19, 1982BY John R. Dwyer

MICROFILMED

RE: PETITION FOR RECLASSIFICATION : IN THE CIRCUIT COURT
AND VARIANCE : FOR BALTIMORE COUNTY
NE/S of Reisterstown Road, 630' SE of Enchanted Hills Road - 4th Election District : AT LAW
Calvin E. Richardson : Misc. Docket No. 11
Petitioner : Folio No. 377
Zoning File No. 78-182-RA : File No. 6927
People's Counsel of Baltimore County

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provision of Rule B-2(d) of the Maryland Rules of Procedure, Walter A. Ketter, Jr., LeRoy B. Spurrer 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 J. Ryan, Esq., 406 Jefferson Building, Towson, Maryland, 21204, Attorney for the Petitioner Calvin E. Richardson, 2022 Green Mill Road, Finksburg, Maryland, 21048, Petitioner, Mrs. Alice LeGrand, 25 Olive Lane, Owings Mills, Maryland, 21117, Protestor, John W. Hession, III, Esq., County Office Building, Towson, Maryland, 21204, People's Counsel, Mr. John W. Livermore, III, President, Greater Reisterstown-Owings Mills Chamber of Commerce, P. O. Box 94, Reisterstown, Maryland, 21136, Mr. Eugene S. Will, 505 Sunbrook Road, Reisterstown, Maryland, 21136, and Mrs. Gloria Leonard, President, Timber Grove Elementary School P.T.A., 701 Academy Avenue, Owings Mills, Maryland, 21117, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

John Holmen
John Holmen
County Board of Appeals of Baltimore County
Rm. 219 Court House, Towson, Md. 21204
Telephone 494-3180

Case No. 78-182-RA (Item No. 8)

NE/S of Reisterstown Road, 630' SE of Enchanted Hills Rd. - 4th Election District
Calvin E. Richardson, et ux - Petitioners

- ☒ 1. Copy of Petition
- ☒ 2. Copy of Description of Property
- ☒ 3. Copy of Certificate of Filing
- ☒ 4. Copy of Certificates of Publication
- ☒ 5. Copy of Zoning Advisory Committee Comments
- ☒ 6. Copy of Comments from the Director of Planning
- ☒ 7. Planning Board Comments and Accompanying Map
- ☒ 8. Copy of Order to Appear, John W. Hession, III
- ☒ 9. Copy of Order - Zoning/Deputy Zoning Commissioner
- ☒ 10. Copy of Plat of Property
- ☒ 11. 100' Scale Location Plan
- ☒ 12. 1000' Scale Location Plan
- ☒ 13. Memorandum in Support of Petition
- ☒ 14. Letter(s) from Protestor(s)
- ☒ 15. Letter(s) from Petitioner(s)
- ☒ 16. Protestor(s) Exhibits 1 to 4
- ☒ 17. Petitioner(s) Exhibits 1 to 4 Exhibits 1-3 Letters to P.D.C. 4 Map
- ☒ 18. Letter of Appeal

Calvin E. Richardson : Petitioner
2022 Green Mill Road
Finksburg, Maryland 21048
Gregory Richard Dent, Esquire : Petitioner's attorney
143 Main Street
Reisterstown, Maryland 21136
Mrs. Alice LeGrand : Protestor
25 Olive Lane
Reisterstown, Maryland 21136
John W. Hession, III, Esquire : People's Counsel
James E. Dyer : Request Notification

MICROFILMED

Re: Petitions for Reclassification
and Variance
NE/4 of Reisterstown Road, 630' SE
of Enchanted Hills Road
4th Election District
Calvin E. Richardson, et ux
Petitioner
No. 78-182-RA (Item #8)

APPEAL

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

Mr. Commissioner:

Please note your Petitioner's Appeal to the Baltimore County Board of Appeals from an Order passed by the Deputy Zoning Commissioner in the above referenced Petition. Thank you.

Gregory Richard Dent
GREGORY RICHARD DENT
SMITH, JONES & SMITH, PA
143 Main Street
Reisterstown, Maryland 21136
833-1221
Attorney for Petitioners
Calvin E. Richardson and
Bonnie L. Richardson, his wife
2012 Green Mill Road
Pinksburg, Maryland 21048

I HEREBY CERTIFY that on this 9th day of May, 1978, a copy of the foregoing Appeal was mailed to John W. Hession, IV, Esquire, County Office Building, Towson, Maryland, People's Counsel.

Gregory Richard Dent
GREGORY RICHARD DENT

RE: PETITION FOR RECLASSIFICATION
PETITION FOR VARIANCE
NE/4 of Reisterstown Rd., 630'
SE of Enchanted Hills Rd., 4th District
Calvin E. Richardson, Petitioner
Case No. 78-182-RA

ORDER TO ENTER APPEARANCE

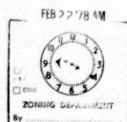
Mr. Commissioner:

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. Kuntz, Jr.
Charles E. Kuntz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 21st day of February, 1978, a copy of the foregoing Order was mailed to Gregory R. Dent, Esquire, Smith, Jones & Smith, 143 Main Street, Reisterstown, Maryland 21136, Attorney for Petitioner.



IN THE MATTER OF THE PETITION
OF CALVIN E. RICHARDSON AND
BONNIE L. RICHARDSON, his wife
for zoning reclassification
from DR16 to BR

MEMORANDUM IN SUPPORT OF APPLICATION

The Petitioners' property is a lot situated on the east side of Reisterstown Road (Route 140) approximately 650 feet south of Enchanted Hills Road, in Baltimore County, Maryland. The present zoning is DR16, although the property has been the site of a valid non-conforming business use for many years. Your Petitioners submit that the existing zoning classification is in error because it fails to recognize this long term retail business use and, thereby, works an unreasonable hardship on your Petitioners for the following reasons:

- The instant property has been used as a retail florist shop for over thirty-two (32) years.
- The property and florist shop has been continuously owned, managed and maintained by the Richardson family, being handed down within the family, for the same number of years.
- The instant owners, being your petitioners, are members of the same Richardson family, and fully intend to continue to operate the said florist shop and are only desirous of BR zoning to allow them to maintain and improve a family business that has already become a fixture in the community.
- The continued use of the property as a florist shop with only a valid non-conforming use works a severe hardship on your Petitioners because of the non-conforming use restrictions as to signs, advertising, improvements and expansion.
- The reclassification of this property to BR zoning will not constitute spot zoning or create a precedent in the community because the change in zoning will, as a practical matter, only recognize the business use that has existed since before the adoption of any type of zoning laws in Baltimore County.
- The existing zoning classification of DR16 is clearly error because it fails to recognize the above stated use and may, in fact, be the cause of a thriving traditional local business degeneration, a prospect that will not be beneficial to either the community or your Petitioners.

Respectfully submitted,
SMITH, JONES & SMITH, P.A.
143 Main Street 833-1221
Reisterstown, Maryland 21136

Gregory Richard Dent
Gregory Richard Dent,
Attorney for Petitioners

September 30, 1977

77-576
78-182 RA
March 9-1978
To whom this may concern,
I am in favor of Calvin Richardson's
for zoning his property for a florist.
I have lived right door to Richardson's
florist for 28 years, and found them
very good neighbors, if I can help them
in any way I sure would.
Mrs. Louis N. Dobson
10809 Reisterstown Rd
Covington Mills
Md
21117.
MAR 13 78 AM
MAY 1978

March 15 1978
PETITIONER'S
EXHIBIT 2
TO: The Deputy Zoning Commissioner
of Baltimore County
RE: Richardson Zoning Petition
Case # 78-182-RA
Sir,
I am writing in behalf of Bonnie and
Calvin Richardson, owners of Richardson's
florist on Reisterstown Road in Covington Mills
Md. I am a neighbor of the above named florist.
I understand they have requested a
change in their zoning - from

2-SIGNS 78-182-RX
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District 44 Date of Posting FEB 18, 1978
Posted for: PETITIONERS FOR RECLASSIFICATION & VARIANCE
Petitioner: CALVIN E. RICHARDSON
Location of property: NE/4 of REISTERSTOWN RD. 630' SE of
ENCHANTED HILLS RD.
Location of Sign: FRONT 10511 REISTERSTOWN RD
Remarks: See above
Posted by: Thomas E. Roland Date of return: FEB 24, 1978

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well 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>[Signature]</u> Revised Plans: <u>None</u>					
Previous case: <u>None</u> Change in outline or description: <u>Yes</u>					

Map # NR121

OFFICE OF THE TIMES
TOWSON, MD. 21204 Feb. 16, 1978
THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR RECLASSIFICATION & VARIANCE was inserted in the following: Calvin E. Richardson N-6156
☐ Catonsville Times ☐ Towson Times
☐ Dundalk Times ☐ Arbutus Times
☐ Essex Times ☐ Community Times East
☐ Suburban Times East ☐ Suburban Times West
weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 17 day of Feb., 1978, that is to say, the same was inserted in the issues of Feb. 16, 1978.
STROMBERG PUBLICATIONS, INC.
MICROFILMED BY Spence Parvulovich

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received * this 30 day of Sept 1977. Filing Fee \$ 50.00. Received ☒ Cash ☐ Check ☐ Other
S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner
Petitioner: Calvin E. Richardson Submitted by Calvin E. Richardson
Petitioner's Attorney: Gregory R. Dent Reviewed by [Signature]
* This is not to be interpreted as acceptance of the Petition for assignment of hearing date.

PETITIONER'S EXHIBIT 3
My wife and I have lived at 6
Plainsville Rd. in Towson, Md. for
last 19 years and we would like to change the
use of our property from Residential Zoning
to a florist shop. We are now a florist shop.
We have been a florist shop at the
location for many years and we are now
moving to a new location in the same
community.
Very Truly Yours,
Calvin E. Richardson
MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
SIMULTANEOUS CASH RECEIPT
DATE June 9, 1978 ACCOUNT 01-660
AMOUNT \$75.00
RECEIVED FOR Smith, Jones and Smith
Part of Appeal on Case No. 78-182-RA
20/9 of Reisterstown Rd., 630' SE of Enchanted Hills
Rd., 4th District
Calvin E. Richardson, et ux - Petitioners
\$467.25 IN 23 75.00 CASH
MADE FROM SIGNATURE OF CASHIER

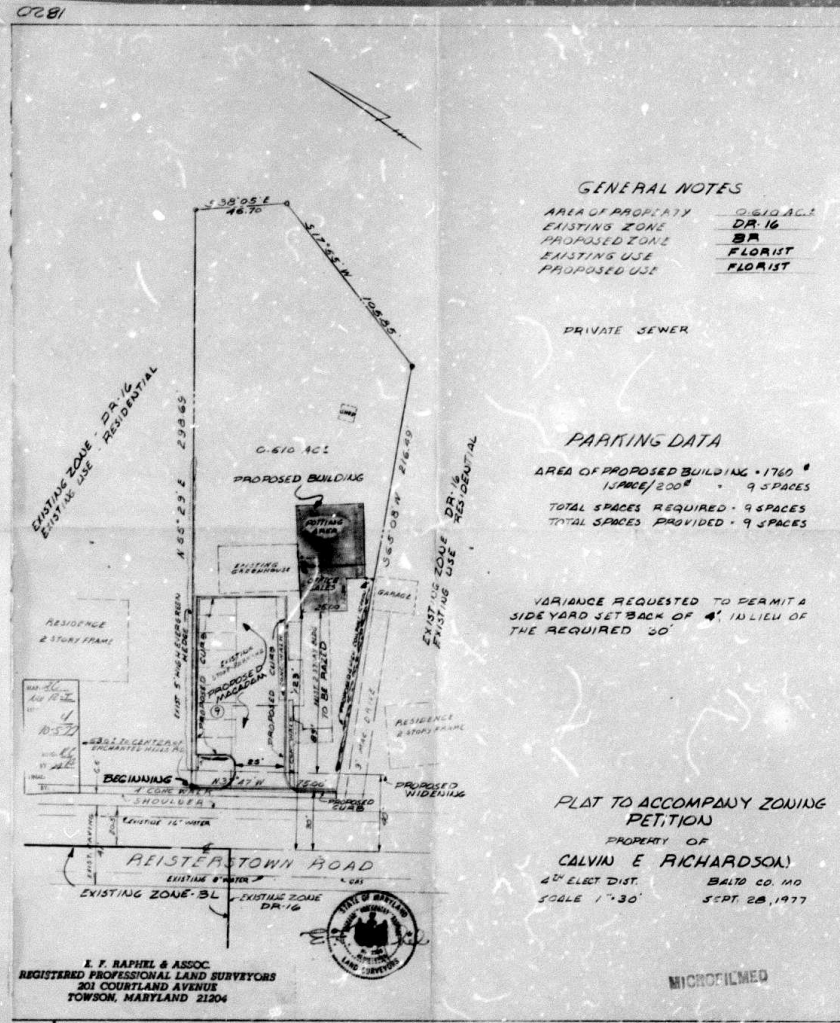
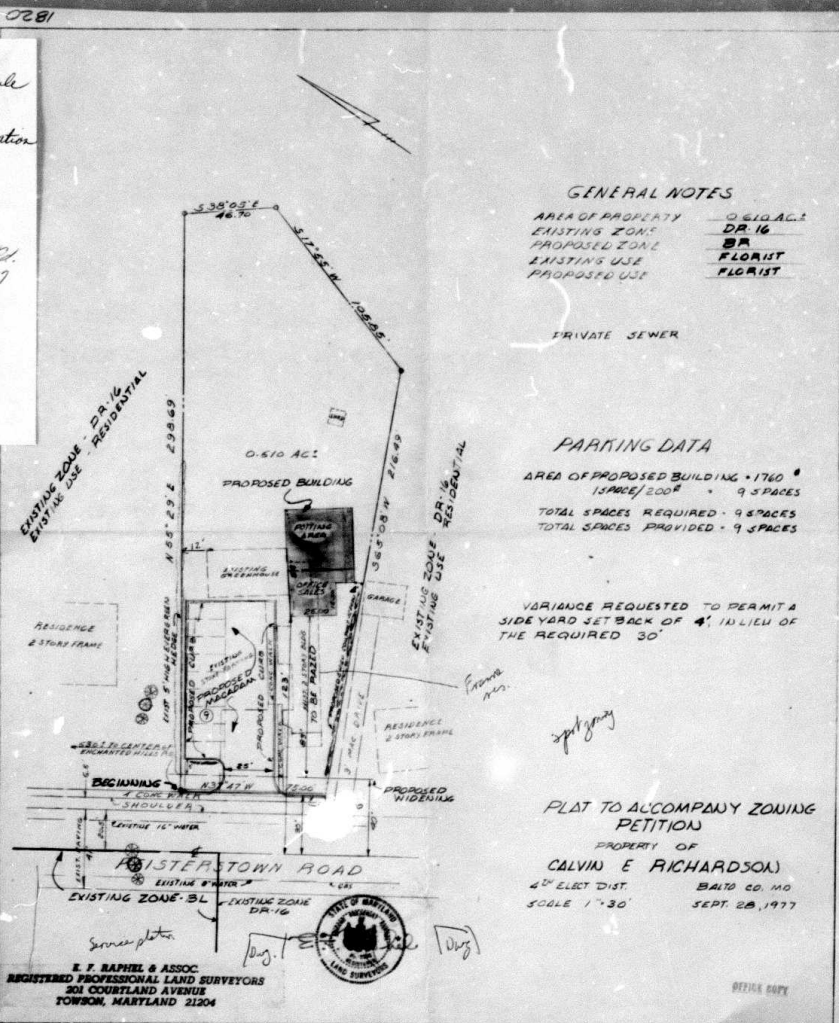
CERTIFICATE OF PUBLICATION
TOWSON, MD. February 16, 1978
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time February 16, 1978, the 1978 publication appearing on the 16th day of February, 1978.
THE JEFFERSONIAN
L. L. Lusk
Manager
Cost of Advertisement, \$ 75.00
MICROFILMED

Residential to commercial
It is my hope that you will rule
in favor of their request.
Thank you for your consideration
in this matter.

Sincerely,
Virginia Zipp
1815 Reisterstown Rd.
Spring Mills, Md. 21117

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 57237
DATE: Oct. 18, 1977 ACCOUNT: 01-662
AMOUNT: \$50.00
RECEIVED: Messrs. Smith, John & Smith 143 Main Street
FROM: Reisterstown, Md. 21136
FOR: Petition for Reclassification for Calvin Richardson
MICROFILMED
48437281-18 500000
VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 65494
DATE: Nov. 30, 1978 ACCOUNT: 01-662
AMOUNT: \$266.75
RECEIVED: C. E. Richardson's Florist 10211 Reisterstown
FROM: Reisterstown, Md. 21136
FOR: Advertisement and posting of property
775-125-24
MICROFILMED
48527281-10 2867500
VALIDATION OR SIGNATURE OF CARRIER



[Faint handwritten notes and signatures are visible across the page.]

... The ... of
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7-2

1. A photograph taken at the intersection of Pennsylvania Ave. and the Lincoln Memorial Grounds.
2. A photograph taken at the same intersection of Pennsylvania Ave. and the Lincoln Memorial Grounds, showing President John F. Kennedy in the back of a motorcade.
3. A photograph taken at the intersection of Pennsylvania Ave. and the Lincoln Memorial Grounds, showing the motorcade.
4. A photograph taken at the intersection of Pennsylvania Ave. and the Lincoln Memorial Grounds, showing the motorcade.
5. A photograph taken at the intersection of Pennsylvania Ave. and the Lincoln Memorial Grounds, showing the motorcade.
6. A photograph taken at the intersection of Pennsylvania Ave. and the Lincoln Memorial Grounds, showing the motorcade.
7. A photograph taken at the intersection of Pennsylvania Ave. and the Lincoln Memorial Grounds, showing the motorcade.
8. A photograph taken at the intersection of Pennsylvania Ave. and the Lincoln Memorial Grounds, showing the motorcade.
9. A photograph taken at the intersection of Pennsylvania Ave. and the Lincoln Memorial Grounds, showing the motorcade.
10. A photograph taken at the intersection of Pennsylvania Ave. and the Lincoln Memorial Grounds, showing the motorcade.

1890

100

MICROFILMED

THIS DOCUMENT IS PHOTOGRAPHED AS
RECEIVED. ITS CONTRAST OR CONDITION
IS BEYOND MICROFILM REPRODUCTION
STANDARDS AND CANNOT BE IMPROVED UPON

BE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
PETITION FOR VARIANCES
NE/3 of Reisterstown Rd., 630'
SE of Enchanted Hills Rd., 4th District : OF BALTIMORE COUNTY
CALVIN E. RICHARDSON, et al,
Petitioners : Case No. 78-182-BA (Item No. 8)

MEMORANDUM OF PEOPLE'S COUNSEL

The factual detail of this case is for present purposes of the Board's decision substantially presented in Petitioner's Memorandum.

Each political subdivision in the State of Maryland has its own zoning code and, as between them, substantial differences may occur. One must therefore be careful in applying what appear to be general principles stated by the Court of Appeals with regard to cases which arise in other jurisdictions, because the underlying ordinances upon which the Court's statements are based may differ in major respects from Baltimore County's zoning ordinance. We are fortunate in this case that the principles set forth by the Petitioner as the basis for his rezoning have been raised, tried, considered, and rejected by the Court of Appeals in a Baltimore County case.

In Minor v. Shifflett, 252 Md. 158, the Court of Appeals had the opportunity to rule on a Baltimore County matter, heard by the Baltimore County Board of Appeals, based on the Baltimore County zoning ordinance. Petitioner in that case also predicated his request on the theory that the existence of his non-conforming use justified a rezoning to legalize that non-conforming use. The Court had no difficulty in rejecting that theory, saying:

"The presence of a nonconforming use in an area would not and could not be evidence of error in original zoning requiring a change of classification. To so hold would defeat the very purposes of zoning."

The Petitioner's second theory, that he needs the rezoning in order to continue his business, was similarly raised and rejected in the same Baltimore County case, wherein

the Court quoted the same holding that it had applied to several previous Baltimore County cases (Hewitt v. County Commissioners, 220 Md. 48; Huff v. Board of Zoning Appeals, 214 Md. 48) as follows:

"Where a zoning ordinance or an amendment puts a small area in a zone different from that of the surrounding area, we have what may be called 'spot zoning', using the term in a descriptive sense. Such zoning may be invalid or valid. If it is an arbitrary and unreasonable deviation of the small area to a use inconsistent with the use to which the rest of the district is restricted and made for the sole benefit of the private interests of the owner, it is invalid." (emphasis by the Court)

The Richardson's case is simply this: we have a non-conforming use and it should be permitted to continue by changing the Comprehensive Zoning Map, but the Court of Appeals has already told this Board of Appeals that that is not a valid ground for rezoning; the Richardsons further say that their property should be rezoned so they can make certain improvements to their private business for their private benefit, and the Court of Appeals has told this Board of Appeals that that cannot be done. The conclusion seems to be appropriately this. On at least two previous occasions, petitioners have tested the theories under which Petitioner proceeds in this case and on both occasions those theories have been rejected by the Court of Appeals. In the face of the prior adjudications, we suggest that the Board has little choice but to deny the requested rezoning.

Respectfully submitted,

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

RECEIVED
BALTIMORE COUNTY
JUL 12 2 04 PM '78
COUNTY BOARD
OF APPEALS
BY: 2

I HEREBY CERTIFY that a copy of the foregoing Memorandum was mailed to Robert J. Ryan, Esquire, 406 Jefferson Building, 105 W. Chesapeake Avenue, Towson, Maryland 21204, Attorney for Petitioners, this 1st day of August, 1979.

John W. Hession, III
John W. Hession, III

RE: PETITION FOR RECLASSIFICATION : BEFORE
AND VARIANCE : COUNTY BOARD OF APPEALS
NE/3 of Reisterstown Road, 630' :
SE of Enchanted Hills Road :
4th District : OF
Calvin E. Richardson : BALTIMORE COUNTY
Petitioner : No. 78-182-BA

OPINION

This case came before the Board on an Appeal by the property owner from a decision of the Deputy Zoning Commissioner which denied a Petition for Reclassification at the subject property, from an existing DR 16 Zone to a BR classification. The subject property is located on the Northeast side of Reisterstown Road, approximately 630 feet Southeast of the Enchanted Hills Road, in the 4th Election District.

The Petitioner also seeks two side yard variances, one of four feet in lieu of the required 30 feet and one of ten feet in lieu of the required 30 feet. The subject property contains 0.61 acres and is now and has been for more than 100 years used as a commercial florist shop and a greenhouse business. A Memorandum submitted by Counsel for the Petitioner fairly summarizes the testimony and evidence presented to this Board. The issue is simply whether or not the County Council erred in 1976 when the Council zoned subject property residential. This small specific subject property was not an issue at the time of the last comprehensive map considerations. The effect of failing to recognize this century old commercial operation by zoning some to a BR classification was to reduce the status of this parcel of land to a non-conforming use. By definition a non-conforming use is one which the land use authorities consider should ultimately be phased out of existence. The other alternative available was to recognize this century old use and zone the subject property to the proper commercial zoning classification, (i.e., BR). A cursory view of the zoning maps would indicate that if this specific business location had been recognized by the County Council at the time of the adoption of the Comprehensive Use Map, it most certainly, could be defined as a "Spot Zoning" situation.

Calvin E. Richardson, #78-182-BA

Recognizing this element, the County Council would then have had to specifically decide that the use of the subject property was of such a nature it should have been recognized and placed on the map as, for lack of better definition, "good spot zoning".

Mr. J. Smith, Esq., President of Stewart, Enos and Smith, a long established local real estate company, offered expert testimony on behalf of the Petitioner. Mr. Smith's testimony fairly summarized the land use of the subject property and he specifically stated that in his judgment, the Council did err when they did not recognize this long standing community service commercial business. Mr. Smith pointed out that "Spot Zoning" would be deemed incorrect if that zoning would be out of character with the surrounding land uses. Certainly the subject property which has been used in a similar fashion for more than a century, should not be considered particularly out of character with a community that has grown up and developed appropriately around this long standing commercial utilization.

After reviewing the testimony and evidence presented to this Board, it is adjudged by this Board that the use existing at the subject property is not out of character and hence would not constitute a "bad spot" zoning if same had been recognized by the Council at the time of the adoption of the Comprehensive Use Map. It is significant to note that the subject property was not a specific issue at the time of the adoption of the Use Map. This particular fact makes it very difficult for the County Council, at the time of the adoption of comprehensive zoning for the entire County, to look at each individual property in the County to specifically note its utilization. It is certainly understandable that the Councilman for this particular district could easily have overlooked the commercial utilization that existed at the subject property.

After carefully reviewing the testimony and evidence, it is the judgment of the Board that the Council did err when it failed to recognize this century long commercial utilization by classifying the subject property BR instead of placing the same in the existing residential classification. Recently adopted legislation authorized the Board to restrict reclassifications. This opportunity is particularly welcome in the

Calvin E. Richardson, #78-182-BA

subject case because the Board's final opinion and conclusions as to the subject property restricting the commercial utilization to the existing century old commercial uses. This restriction will allay the fears of the protesters that the subject property can be subsequently converted to some other BR classification which could very well be out of character for the surrounding neighborhood. Such other commercial use could also generate traffic which would be inappropriate for the general area.

The Board also heard testimony and evidence concerning two side yard variances sought by the Petitioner. Because of the size and shape of the subject lot and also because of the topography of same, it is the judgment of this Board that the Petitioner has evidenced practical difficulty which would warrant the granting of both of the requested side yard variances.

For the reasons set out above, the Board will grant the requested Reclassification subject to a restriction and likewise will grant the two requested side yard variances.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 18th day of September, 1979, by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby GRANTED, subject to the following restrictions:

The commercial utilization of the entire subject property shall be limited to that of a "Florist Shop and Greenhouses".

IT IS FURTHER ORDERED, that the variance for a four (4) foot setback on the east side of the subject property in lieu of the required thirty feet, and a variance for a ten (10) foot setback on the west side of the subject property in lieu of the required thirty feet petitioned for, be and the same are hereby GRANTED.

Calvin E. Richardson, #78-182-BA

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman
Larry B. Spurrin
Larry B. Spurrin
John A. Miller
John A. Miller

9/18/79 Sent Opinion and Order to the following:

Calvin E. Richardson : John W. Hession, III, Esq.
Robert J. Ryan, Esq. : Mr. J. Dyer
Alice LeGrand : Mr. William Hammond
John W. Live more, III : Mr. John Seyffert
Eugene S. Will : Mr. James Howell
Gloria Leonard : Bd. of Education

RE: PETITION FOR RECLASSIFICATION : IN THE CIRCUIT COURT
PETITION FOR VARIANCE :
NE/3 of Reisterstown Rd., 630' :
SE of Enchanted Hills Rd., 4th District : FOR BALTIMORE COUNTY

CALVIN E. RICHARDSON, Petitioner : AT LAW
Zoning Case No. 78-182-BA : Misc. Docket No. 11
Folio No. 377
File No. 627

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 for Baltimore County under date of September 18, 1979 in the above-entitled case.

RECEIVED
BALTIMORE COUNTY
OCT 8 2 04 PM '79
COUNTY BOARD
OF APPEALS
BY: 2

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 8th day of October, 1979, a copy of the foregoing 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 of said Order was mailed to Robert J. Ryan, Esquire, 406 Jefferson Building, Towson, Maryland 21204.

John W. Hession, III
John W. Hession, III

RE: PETITION FOR RECLASSIFICATION AND VARIANCE
NE/S of Reisterstown Road, 630' SE of Enchanted Hills Rd., 4th District
Calvin E. Richardson, Petitioner
Zoning File No. 78-182-BA
People's Counsel of Baltimore County

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
Misc. Docket No. 11
Folio No. 377
File No. 6927

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule 8-2(d) of the Maryland Rules of Procedure, Walter A. Reiter, Jr., LeRoy S. Spurrier 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 J. Ryan, 406 Jefferson Building, Towson, Maryland, 21204, Attorney for the Petitioner Calvin E. Richardson, 2022 Green Mill Road, Finkburg, Maryland, 21048, Petitioner, Mrs. Alice LeGrand, 25 Olive Lane, Owings Mills, Maryland, 21117, Protestor, John W. Hession, III, Esq., County Office Building, Towson, Maryland, 21204, People's Counsel, Mr. John W. Livermore, III, President, Greater Reisterstown-Owings Mills Chamber of Commerce, P. O. Box 94, Reisterstown, Maryland, 21136, Mr. Eugene S. Will, 505 Sunbrook Road, Reisterstown, Maryland, 21136, and Mrs. Gloria Leonard, President, Timber Grove Elementary School P.T.A., 701 Academy Avenue, Owings Mills, Maryland, 21117, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

John W. Hession, III
John W. Hession, III
County Board of Appeals of Baltimore County
Rm. 219, Court House, Towson, Md. 21204
Telephone 494-3180

Calvin E. Richardson, Petitioner
Zoning File No. 78-182-BA

2.

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice

has been mailed to Robert J. Ryan, Esq., 406 Jefferson Building, Towson, Maryland, 21204, Attorney for the Petitioner, Calvin E. Richardson, 2022 Green Mill Road, Finkburg, Maryland, 21048, Petitioner, Mrs. Alice LeGrand, 25 Olive Lane, Owings Mills, Maryland, 21117, Protestor, John W. Hession, III, Esq., County Office Building, Towson, Maryland, 21204, People's Counsel, Mr. John W. Livermore, III, President, Greater Reisterstown-Owings Mills Chamber of Commerce, P. O. Box 94, Reisterstown, Maryland, 21136, Mr. Eugene S. Will, 505 Sunbrook Road, Reisterstown, Maryland, 21136, and Mrs. Gloria Leonard, President, Timber Grove Elementary School P.T.A., 701 Academy Avenue, Owings Mills, Maryland, 21117, on this 10th day of October, 1979.

John W. Hession, III
John W. Hession, III
County Board of Appeals
Rm. 219, Court House, Towson, Md. 21204
Telephone 494-3180

cc: Mr. James E. Dyer
Mr. James Dwyer
Sandra Jones
JPH

RE: PETITION FOR RECLASSIFICATION
PETITION FOR VARIANCE
NE/S of Reisterstown Rd., 630' SE of Enchanted Hills Rd., 4th District
CALVIN E. RICHARDSON, Petitioner
Zoning Case No. 78-182-BA

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
Misc. Docket No. 11
Folio No. 377
File No. 6927

PETITION ON APPEAL

The People's Counsel for Baltimore County, Protestor below and Appellant herein, having heretofore filed an Order for Appeal from the decision of the Baltimore County Board of Appeals under date of September 18, 1979, in compliance with Maryland Rule 8-2(e), files this Petition on Appeal setting forth the grounds upon which this Appeal is taken, viz:

The reclassification of Petitioner's property from its present D.R. 16 zone to a B.R. zone, with attendant variances, by the County Board of Appeals was improper because there is nothing in the record compiled in this case upon which said Board could properly predicate a requisite threshold finding that the present classification of the property in a D.R. 16 zone is erroneous as that term is defined in the law.

WHEREFORE, Appellant prays that the Order of the Board of Appeals of Baltimore County under date of September 18, 1979 be reversed, and the action of the County Council of Baltimore County in zoning the subject property D.R. 16 be affirmed and reinstated.

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County

- 2 -

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 16th day of October, 1979, 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 J. Ryan, Esquire, 406 Jefferson Building, Towson, Maryland 21204.

John W. Hession, III
John W. Hession, III

Baltimore County, Maryland

PEOPLE'S COUNSEL
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

JOHN W. HESSON, III
People's Counsel
PETER MAX ZIMMERMAN
Deputy People's Counsel

TEL. 494-2188

October 23, 1979

Ms. Carol Ann Beresh
c/o County Board of Appeals
Rm. 219, Court House
Towson, Maryland 21204

RE: CALVIN E. RICHARDSON
Zoning Case No. 78-182-BA

Dear Ms. Beresh:

As requested, this is to confirm that you are to prepare the transcript of testimony before the County Board of Appeals for filing in the Circuit Court for Baltimore County. Since you have indicated that because of a backlog of cases, you will need a thirty-day extension of time to file the transcript of proceedings, this office has filed a petition for such extension, a copy of which is attached.

Sincerely,

John W. Hession, III
John W. Hession, III

Enclosure

JWHsh

RE: PETITION FOR RECLASSIFICATION
PETITION FOR VARIANCE
NE/S of Reisterstown Rd., 630' SE of Enchanted Hills Rd., 4th District
CALVIN E. RICHARDSON, Petitioner
Zoning Case No. 78-182-BA

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
Misc. Docket No. 11
Folio No. 377
File No. 6927

PETITION FOR EXTENSION OF TIME TO FILE TRANSCRIPT OF PROCEEDINGS

People's Counsel for Baltimore County, Appellant herein, petitions this Court, pursuant to Maryland Rule 87(b), for an extension of time within which to file the transcript of proceedings before the Baltimore County Board of Appeals and in support of this Petition states:

Carol Ann Beresh, Court Reporter for the County Board of Appeals at the time of the hearing before said Board in the above-entitled case, has advised Appellant that because of a backlog of cases, she will need a thirty-day extension of time to prepare the transcript of proceedings.

WHEREFORE, Appellant prays this Honorable Court to extend the time for filing the transcript of proceedings until December 14, 1979, 60 days after the first Petition on Appeal was filed.

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

- 2 -

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

I HEREBY CERTIFY that on this 23rd day of October, 1979, a copy of the foregoing Petition for Extension of Time to File Transcript of Proceedings 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 J. Ryan, Esquire, 406 Jefferson Building, 105 W. Chesapeake Avenue, Towson, Maryland 21204, Attorney for Petitioner/Appellee.

John W. Hession, III
John W. Hession, III

RE: PETITION FOR RECLASSIFICATION
PETITION FOR VARIANCE
NE/S of Reisterstown Rd., 630' SE of Enchanted Hills Rd., 4th District
CALVIN E. RICHARDSON, Petitioner
Zoning Case No. 78-182-BA

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
Misc. Docket No. 11
Folio No. 377
File No. 6927

ORDER

Upon the foregoing Petition for Extension of Time to File Transcript of Proceedings, it is hereby ORDERED this 23rd day of October, 1979, that the time for filing in Court the transcript of proceedings before the Board of Appeals is hereby extended until December 14, 1979.

JUDGE

Paul E. Elbert
Paul E. Elbert

RE: PETITION FOR RECLASSIFICATION
PETITION FOR VARIANCE
NE/S of Reisterstown Rd., 630'
SE of Enchanted Hills Rd.
4th District

IN THE CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

Calvin E. Richardson, Petitioner
Misc. Docket No.: 11
Folio: 377
File No.: 6927

Zoning Case No. 78-182-BA

CERTIFICATE OF MAILING

I HEREBY CERTIFY on this 30 day of October 1979, that I mailed a copy of the foregoing Petitioner's Answer To Petition on Appeal to John W. Hession, III, People's Counsel For Baltimore County, County Office Building, Towson, Maryland 21204 and 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.

Robert J. Ryan
ROBERT J. RYAN

PETITIONER'S ANSWER TO PETITION ON APPEAL

CALVIN E. RICHARDSON and wife, Petitioners, answer the Petition on Appeal of the People's Counsel For Baltimore County, Protestant below and Appellant herein, and say as follows:

1. The reclassification of the Petitioners' property from DR 16 to BR, with attendant variances, was a proper and lawful act taken by the County Board of Appeals pursuant to its statutory authority to reclassify property which was incorrectly and erroneously zoned on the County Zoning maps. The County Board of Appeals had before it substantial evidence upon which to base its finding that the Baltimore County Council erred when it failed to recognize the century-long commercial utilization of the subject property by placing it in a residential classification rather than in a BR classification.

WHEREFORE, the Petitioners pray that the Order of the Board of Appeals of Baltimore County under date of September 18, 1979 be affirmed so that the error on the zoning maps of Baltimore County is corrected in accordance with the Opinion and Order of the County Board of Appeals.

Robert J. Ryan
406 Jefferson Building
Towson, Maryland 21204
828-7180
Attorney for Petitioners

RE: PETITION FOR RECLASSIFICATION
AND VARIANCE
NE/S of Reisterstown Road 630'
SE of Enchanted Hills Road
4th District

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

Calvin E. Richardson,
Petitioner
Misc. Docket No. 11
Folio No. 377
File No. 6927

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 Walter A. Reiter, Jr., LeRoy B. Spurrier 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 the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER
OF BALTIMORE COUNTY

No. 78-182-BA

October 31, 1977 Petition of Calvin E. Richardson for a Variance from Section 238.2 to permit a side yard set-back of 4' and 10' in lieu of the required 30' on property located on the Northeast side of Reisterstown Road, 630' Southeast of Enchanted Hills Road, 4th District, filed

Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for March 6th, 1978, at 10 a.m.

Comments of Baltimore County Zoning Advisory Committee filed

Feb. 18, 1978 Certificate of Posting of property - filed

Feb. 16 Certificate of Publication in newspaper - filed

Calvin E. Richardson - File No. 78-182-BA

March 6, 1978 At 10 a.m. hearing held on petition by Deputy Zoning Commissioner

April 19 Order of Deputy Zoning Commissioner denying petition

May 9 Order of Appeal to County Board of Appeals from Order of Deputy Zoning Commissioner

May 24, 1979 Hearing on appeal before County Board of Appeals

Sept. 18 Order of County Board of Appeals granting reclassification subject to restrictions

October 8 Order for Appeal filed in Circuit Court for Baltimore County by John W. Hession, III, Esq., People's Counsel for Baltimore County

October 16 Petition to accompany Order for Appeal filed in Circuit Court for Baltimore County

October 10 Certificate of Notice sent to all interested parties

October 23 Petition for Extension of Time to File Transcript to December 14, 1979

November 6 Transcript of testimony filed

People's Counsel Exhibit No. 1 - 1A thru 1G - Photos

" " " " 2 - Planning Board Recommendation

November 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 proceeding, 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,

John W. Hession, III, Esq.
Anne Holmen, Secretary
County Board of Appeals of Baltimore County

cc: Robert J. Ryan, Esq.
John W. Hession, III, Esq.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

People's Counsel for Balt. Co. Docket No. 11 Folio No. 377
Petition for Variance NE/S of Reisterstown Rd.
SE of Enchanted Hills Rd. 4th District
vs. Calvin E. Richardson
County Board of Appeals et al for Balt. Co.
Defendant

NOTIFICATION TO PARTIES OF CONTEMPLATED DISMISSAL

No proceedings of record in the above-styled action having been taken within a period of 12 months, Counsel of record or the parties herein are hereby notified, as provided by Maryland Rule 530, that this proceeding will be "DISMISSED FOR WANT OF JURISDICTION OR PROSECUTION WITHOUT PREJUDICE", thirty (30) days after service of this notice, (computed according to Section C 3 of Rule 306), unless prior to that time a motion for the suspension of the operation of this rule is filed pursuant to section 4 of Maryland Rule 530. The motion must show "good cause" for the delay. Costs thereafter shall be assessed against the plaintiff.

Copy of notice mailed to:

John W. Hession, III Esq.
John W. Hession, III Esq.
County Office Bldg.
Towson, Md. 21204

Direct all inquiries to:
B. McLean
494-2621

County Board of Appeals of Balt. Co.
Room 219 Court House
Towson, Md. 21204

Robert J. Ryan Esq.
406 Jefferson Bldg.
Towson, Md. 21204

by regular mail, postage prepaid, this 29th day of April

No. 6927 LAW Docket 11 Folio 377

CIRCUIT COURT FOR BALTIMORE COUNTY
PEOPLE'S COUNSEL FOR BALTIMORE COUNTY

RE: PETITION FOR RECLASSIFICATION
AND VARIANCE
NE/S of Reisterstown Rd. 630'
SE of Enchanted Hills Rd.
4th District

Calvin E. Richardson,
Petitioner

John W. Hession, III
Peter Lee Zimmerman
County Office Bldg. (4)
494-2165

COUNTY BOARD OF APPEALS FOR
BALTIMORE COUNTY

MRS. ALICE LE GRAND Protestant
GREATER REISTERSTOWN-OWINGS MILLS CHAMBER OF COMMERCE
MR. JOHN W. LIVERMORE, III
MR. EUGENE S. WILL
MRS. GLORIA LEONARD, President
TIMBER GROVE ELEMENTARY SCHOOL, P.T.A.

DATE	CLERK'S MEMORANDUM	NO.
10/8/79	Order for Appeal from decision of County Board of Appeals for Balt. Co.	1
10/10/79	Certificate of Notice fd.	2
10/16/79	Petition on Appeal by The Peoples Counsel for Balt. Co. fd.	3
10/23/79	Appellants (PEOPLES COUNSEL FOR BALTO. CO.) Petition for extension of time to file transcript of proceedings & Order of the Court granting same to Dec. 14, 1979 fd. (FD)	4
11/5/79	Petitioner's Answer to Petition on Appeal fd.	5
1/7/79	Certified copies of Proceedings before the Zoning Commissioner and Board of Appeals of Balt. Co. fd. and Transcript of Record fd.	6

NOTICE FOR WANT OF
JURISDICTION OR PROSECUTION WITHOUT
PREJUDICE - MD. RULE 530

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

People's Counsel for Balt. Co. Docket No. 11 Folio No. 377
Petition for Variance NE/S of Reisterstown Rd.
SE of Enchanted Hills Rd. 4th District
vs. Calvin E. Richardson
County Board of Appeals et al for Balt. Co.
Defendant

NOTIFICATION TO PARTIES OF CONTEMPLATED DISMISSAL

No proceedings of record in the above-styled action having been taken within a period of 12 months, Counsel of record or the parties herein are hereby notified, as provided by Maryland Rule 530, that this proceeding will be "DISMISSED FOR WANT OF JURISDICTION OR PROSECUTION WITHOUT PREJUDICE", thirty (30) days after service of this notice, (computed according to Section C 3 of Rule 306), unless prior to that time a motion for the suspension of the operation of this rule is filed pursuant to section 4 of Maryland Rule 530. The motion must show "good cause" for the delay. Costs thereafter shall be assessed against the plaintiff.

Copy of notice mailed to:

John W. Hession, III Esq.
John W. Hession, III Esq.
County Office Bldg.
Towson, Md. 21204

Direct all inquiries to:
B. McLean
494-2621

County Board of Appeals of Balt. Co.
Room 219 Court House
Towson, Md. 21204

Robert J. Ryan Esq.
406 Jefferson Bldg.
Towson, Md. 21204

by regular mail, postage prepaid, this 29th day of April, 1979

494-3180

County Board of Appeals

Room 219 Court House
TOWSON, MARYLAND 21204
December 6, 1978

NOTICE OF POSTPONEMENT and REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 78-182-BA CALVIN E. RICHARDSON, ET UX

for reclassification from D.R. 16 to B.R.
variance from Section 238.2 to permit
side yard setbacks of 4' and 10' instead
of 30'

NE/S Reisterstown Road 630'
SE of Enchanted Hills Road
4th District

4/15/78 - D.Z.C. DENIED PETITION

scheduled for hearing on Tuesday, February 13, 1979 at 9:30 a.m. has been

POSTPONED at the request of counsel for the Petitioner and

REASSIGNED FOR: TUESDAY, FEBRUARY 27, 1979 at 9:30 a.m.

cc: Gregory Richard Dent, Esquire
Mr. Calvin E. Richardson
Mrs. Alice LeGrand
John W. Hession, III, Esquire
Mr. John W. Livermore, III, President
Greater Reisterstown-Owings Mills
Chamber of Commerce
Mr. Eugene S. Will
Mr. J. E. Dyer
Mr. S. E. DiNenna
Mr. G. J. Martink
Mr. L. M. Groat
Mr. Gary Burt
Board of Education
Mr. C. L. Perkins

Counsel for Petitioner
Petitioner
Protestant
People's Counsel
Notification - Letter in favor of petition

Edith T. Eisenhart, Adm. Secretary

Re: Petitions for Reclassification
and Variances
NE/4 of Reisterstown Road, 630' SE
of Enchanted Hills Road - 4th Election
District
Calvin E. Richardson, et ux
Petitioner
No. 78-182-RA (Item #8)

BEFORE THE
DEPUTY ZONING
COMMISSIONER OF
BALTIMORE COUNTY

APPEAL

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

Mr. Commissioner:

Please note your Petitioner's Appeal to the Baltimore County
Board of Appeals from an Order passed by the Deputy Zoning
Commissioner in the above referenced Petition. Thank you.

Gregory Richard Dent
GREGORY RICHARD DENT
SMITH, JOHN & SMITH, PA
143 Main Street
Reisterstown, Maryland 21136
833-1221
Attorney for Petitioners
Calvin E. Richardson and
Bonnie L. Richardson, his wife
2022 Green Mill Road
Pinksburg, Maryland 21048

I HEREBY CERTIFY that on this 9th day of May,
1978, a copy of the foregoing Appeal was mailed to John W.
Hession, IV, Esquire, County Office Building, Towson, Maryland,
People's Counsel.

Gregory Richard Dent
GREGORY RICHARD DENT

RE: PETITIONS FOR RECLASSIFICATION
AND VARIANCES
NE/5 of Reisterstown Road, 630' SE
of Enchanted Hills Road - 4th Election
District
Calvin E. Richardson, et ux - Petitioners
NO. 78-182-RA (Item No. 8)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result
of a Petition for a Reclassification from a D.R. 16 Zone to a B.R. Zone and
Variances to permit side yard setbacks of four feet in lieu of the required 30
feet. The subject property, located on the northeast side of Reisterstown Road,
630 feet southeast of Enchanted Hills Road, in the Fourth Election District,
consists of a 0.61 acre tract and is improved by a two story frame dwelling be-
ing utilized as a florist shop and greenhouse. The existing florist shop enjoys
a nonconforming use. This property was zoned D.R. 16 prior to the 1976 Com-
prehensive Zoning Map. During the period of the preparation of the map, there
was no formal request for B.R. zoning by the Petitioner.

Testimony at the hearing indicated that a florist business has been con-
ducted at the subject location since before the turn of the century. The present
owner, a family member, has been in business there since 1975 and wishes to
renovate the buildings on the property, thereby increasing the size of certain
buildings more than the expansion permitted to him under the regulations
governing a nonconforming use.

Appearing in protest, Mrs. Alice LeGrande, spokesman for the
Reisterstown-Owings Mills-Glyndon Coordinating Council, indicated that the
Executive Board of that organization opposes the Reclassification and Variances
on the basis of encroaching commercialism in a fundamentally residential area,
although the Council saw no objection to the continued operation of the business.
Mrs. LeGrande added that her group was anxious to seek an accommodation

with the owner of the business in the interest of the neighborhood in general.
Several letters from nearby residents also indicate that the business is highly
regarded by the community in general.

Without reviewing the evidence further in detail but based upon all
of the testimony presented at the hearing, in the judgment of the Deputy Zoning
Commissioner, there is, in fact, no proof of error in the Comprehensive
Zoning Map. It is noted that, during the period that the Interim Development
Control Act (I.D.C.A.) is in effect, error must be clearly shown in order to
grant a Reclassification. Accordingly, the accompanying request for Variances
must also be denied.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of
Baltimore County, this 19th day of April, 1978, that the Reclassification
and Variances be and the same are hereby DENIED.

Gregory Richard Dent
Deputy Zoning Commissioner of
Baltimore County

September 30, 1977

IN THE MATTER OF THE PETITION
OF CALVIN E. RICHARDSON and
BONNIE L. RICHARDSON, his wife
for zoning reclassification
from DR16 to BR

MEMORANDUM IN SUPPORT OF APPLICATION

The Petitioners' property is a lot situate on the east side
of Reisterstown Road (Route 140) approximately 650 feet south of
Enchanted Hills Road, in Baltimore County, Maryland. The present
zoning is DR16, although the property has been the site of a
valid non-conforming business use for many years. Your Petitioners
submit that the existing zoning classification is in error because
it fails to recognize this long term retail business use and,
thereby, works an unreasonable hardship on your Petitioners for
the following reasons:

A. The instant property has been used as a retail florist
shop for over thirty-two (32) years.

B. The property and florist shop has been continuously
owned, managed and maintained by the Richardson family, being
handed down within the family, for the same number of years.

C. The instant owners, being your Petitioners, are members
of the same Richardson family, and fully intend to continue to
operate the said florist shop and are only desirous of BR zoning
to allow them to maintain and improve a family business that has
already become a fixture in the community.

D. The continued use of the property as a florist shop with
only a valid non-conforming use works a severe hardship on your
Petitioners because of the non-conforming use restrictions as to
signs, advertising, improvements and expansion.

E. The reclassification of this property to BR zoning will
not constitute spot zoning or create a precedent in the community
because the change in zoning will, as a practical matter, only
recognize the business use that has existed since before the
adoption of any type of zoning laws in Baltimore County.

F. The existing zoning classification of DR16 is clearly
error because it fails to recognize the above stated use and may,
in fact, be the cause of a thriving traditional local business'
degeneration, a prospect that will not be beneficial to either the
community or your Petitioners.

Respectfully submitted,
SMITH, JOHN & SMITH, P.A.
143 Main Street 833-1221
Reisterstown, Maryland 21136

By *Gregory Richard Dent*
Gregory Richard Dent,
Attorney for Petitioners

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



Mrs. Alice LeGrand
25 Olive Lane
Reisterstown, Md. 21136

(Sent to Council's file and
Notice of May 12/1978)
2-13-79

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



Mrs. Alice LeGrand
25 Olive Lane
Reisterstown, Md. 21136

To avoid delay in delivery have your mail
addressed to Council's file and Room 219,
2nd Floor, Apartment Building, P.O. Box
67, Council Building.

OWINGS MILLS, MD. 21112

Sent 11/30

404-3180

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

April 5, 1979

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT
REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN
STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-
MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-
ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 78-182-RA CALVIN E. RICHARDSON, ET UX
for reclassification from D.R. 16 to B.R.

NE/5 Reisterstown Road 630'
SE of Enchanted Hills Road
4th District

4/19/78 - D.Z.C. DENIED PETITION

THURSDAY, MAY 24, 1979 at 10 a.m.

ASSIGNED FOR:

cc: Robert J. Ryan, Esquire	Counsel for Petitioner
Mr. Calvin E. Richardson	Petitioner
Mrs. Alice LeGrand	Protestant
John W. Hession, III, Esquire	People's Counsel
Mr. John W. Livermore, III, President	Requested Notification
Gr. Reisterstown-Owings Mills C of C	
Mr. Eugene S. Will	"
Mrs. Gloria Leonard, President	"
Timber Grove Elementary School PTA	
Mr. J. E. Dyer	
Mr. S. E. DiNenna	
Mr. L. H. Groef	
Board of Education	
Mrs. Carol Beresh	

Edith T. Eisenhart, Adm. Secretary

4/5/79 - Notified of appeal hearing scheduled for THURSDAY, MAY 24, 1979 at 10 a.m.

Gregory Richard Dent, Esq.
Mr. Calvin E. Richardson
Mrs. Alice LeGrand
Mr. John W. Livermore
Mr. Eugene S. Will
Mrs. Gloria Leonard
John W. Hession, III, Esq.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Walter A. Reiter, Jr., Chairman
Baltimore County Board of Appeals
TO: _____ Date: _____ May 25, 1979
J.G. Howell, Planner
FROM: _____ Office of Planning and Zoning
SUBJECT: _____ Zoning Reclassification Petition No. 78-182-RA
Richardson Property
NE/5 of Reisterstown Road, S/E of Enchanted Hills Road

In response to your request at the hearing on May 24, 1979, Mr. Ryan and I
met with Jim Dyer this morning to discuss B.L., B.M. and B.R. zoning
classification as applicable to florist/greenhouses. It is Mr. Dyer's opinion
that greenhouses would require a B.R. zone.

JGH:rw
cc: James Dyer
Robert J. Ryan, Attorney at Law
406 Jefferson Building
105 W. Chesapeake Avenue
Towson, Maryland 21204

J.G. Howell
J.G. Howell, Planner

Rec'd 5-25-79
2:30 PM

MOORE, HENNEGAN, CARNY & RYAN
ATTORNEYS AT LAW
406 JEFFERSON BUILDING
100 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

July 20, 1979

John W. Hessian, III, Esquire
People's Counsel
County Office Building
Towson, Maryland 21204

Re: Case No. 78-182-BA - Calvin E. Richardson, et ux
Before the Baltimore County Board of Appeals

Dear Mr. Hessian:

At the hearing on this petition which was held on May 24, 1979, we were asked by Mr. Reiter to submit a memorandum after receipt of the report from Mr. Dyer concerning the appropriate zoning classification for a greenhouse.

Our memorandum was submitted on June 6, 1979, and a copy was forwarded to you. To this date, we have not received your reply memorandum. We would appreciate it if you would file that memorandum so that the Board of Appeals may render its decision.

Very truly yours,

ROBERT J. RYAN

RJR:c1

cc: Baltimore County Board of Appeals
Mr. Walter A. Reiter, Chairman
Board of Appeals

RECEIVED
BALTIMORE COUNTY
JUL 27 10 27 AM '79
COUNTY BOARD
OF APPEALS

MOORE, HENNEGAN, CARNY & RYAN
ATTORNEYS AT LAW
406 JEFFERSON BUILDING
100 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

July 20, 1979

John W. Hessian, III, Esquire
People's Counsel
County Office Building
Towson, Maryland 21204

Re: Case No. 78-182-BA - Calvin E. Richardson, et ux
Before the Baltimore County Board of Appeals

Dear Mr. Hessian:

At the hearing on this petition which was held on May 24, 1979, we were asked by Mr. Reiter to submit a memorandum after receipt of the report from Mr. Dyer concerning the appropriate zoning classification for a greenhouse.

Our memorandum was submitted on June 6, 1979, and a copy was forwarded to you. To this date, we have not received your reply memorandum. We would appreciate it if you would file that memorandum so that the Board of Appeals may render its decision.

Very truly yours,

ROBERT J. RYAN

RJR:c1

cc: Baltimore County Board of Appeals
Mr. Walter A. Reiter, Chairman
Board of Appeals

RECEIVED
BALTIMORE COUNTY
JUL 27 10 27 AM '79
COUNTY BOARD
OF APPEALS

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
September 18, 1979

Robert J. Ryan, Esq.
406 Jefferson Building
Towson, Maryland 21204

Re: Case No. 78-182-BA
Calvin E. Richardson

Dear Mr. Ryan:

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,

Jane Holmen
Jane Holmen, Secretary

Encl.

cc: Mr. Calvin E. Richardson
Mrs. Alice LeGrand
Mr. John W. Livermore, III
Mr. Eugene S. Will
Mrs. Gloria Leonard
John W. Hessian, III, Esq.
Mr. J. Dyer
Mr. William Hammond
Mr. John Seyffert
Mr. James Haswell
Board of Education

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
October 10 1979

Mr. Calvin E. Richardson
2022 Green Mill Rd
Finksburg, Maryland 21048

RE: CALVIN E. RICHARDSON
Zoning Case No. 78-182-BA

Dear Mr. Richardson:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Jane Holmen
Jane Holmen, Secretary
County Board of Appeals

Encl.

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
October 10, 1979

Mr. John W. Livermore, III, President
Greater Reisterstown-Owings Mills Chamber of Commerce
P. O. Box 94
Reisterstown, Maryland 21136

Dear Mr. Livermore: RE: CALVIN E. RICHARDSON
Zoning Case No. 78-182-BA

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Jane Holmen
Jane Holmen, Secretary
County Board of Appeals

Encl.

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
October 10, 1979

Mrs. Alice LeGrand
25 Olive Lane
Owings Mills Maryland 21117

Dear Mrs. LeGrand: RE: CALVIN E. RICHARDSON
Zoning Case No. 78-182-BA

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Jane Holmen
Jane Holmen, Secretary
County Board of Appeals

Encl.

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
October 10, 1979

Robert J. Ryan, Esq.
406 Jefferson Bldg.
Towson, Maryland 21204

Dear Mr. Ryan: RE: CALVIN E. RICHARDSON
Zoning Case No. 78-182-BA

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Jane Holmen
Jane Holmen, Secretary
County Board of Appeals

Encl.

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
October 10, 1979

Mr. Eugene S. Will
505 Sunbrook Road
Reisterstown, Maryland 21136

Dear Mr. Will: RE: CALVIN E. RICHARDSON
Zoning Case No. 78-182-BA

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Jane Holmen
Jane Holmen, Secretary
County Board of Appeals

Encl.

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

October 10, 1979

Mrs. Gloria Leonard, President
Timber Grove Elementary School P.T.A.
701 Academy Avenue
Owings Mills, Maryland 21117

Dear Mrs. Leonard:

RE: CALVIN E. RICHARDSON
Zoning Case No. 78-182-RA

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

John W. Hession, III
John W. Hession, Secretary
County Board of Appeals

Encl.

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

October 10, 1979

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

Dear Mr. Hession:

RE: CALVIN E. RICHARDSON,
Zoning Case No. 78-182-RA

In accordance with Rule 8-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule 8-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

John W. Hession, III
John W. Hession, Secretary
County Board of Appeals

Encl.

MOORE, HENNEGAN, CARNEY & RYAN
ATTORNEYS AT LAW
400 JEFFERSON BUILDING
100 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
Baltimore
AREA 7-0051 300

SUBJECT: Calvin E. Richardson - Zoning Matter

Doc. 30, 1980

Dear Jack:

I have not heard from you concerning the Richardson matter since my letter of November 3, 1980. I would appreciate it if you would look at this matter and reply to my letter so that my file can be closed.



RJ:rcf

enc.

MEMO

ROBERT J. RYAN
ROBERT J. RYAN

November 3, 1983



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

Re: Petition for Reclassification Petition for
Variance, Calvin E. Richardson, Petitioner
Zoning Case No. 78-182-RA and Circuit Court
Case Miscellaneous Docket No. 11, Re: 377,
File 6927

Dear Jack:

It appears to me that the County Council has resolved the major part of this case through its recent action on the zoning map. I believe the Richardson property was rezoned to a classification of BR. This should eliminate the principal question which you had in the appeal.

I would appreciate your relieving this matter and advising me if you will prepare a dismissal of the appeal.

It would appear to me that a Dismissal will have no effect as to the reclassification, which has been granted by the County Council. The dismissal will leave in force the variance for the setbacks which were requested and granted by the Board of Appeals. The setback variances would appear to be appropriate for the use of the property and would not appear to cause any substantial difficulty from your point of view.

If you confirm this, please prepare an Order of Dismissal.

Very truly yours,

Robert J. Ryan

1-3

cc - Mr. and Mrs. Calvin E. Richardson

CALVIN E. RICHARDSON, Petitioner
Zoning File No. 78-182-RA

Petition for Reclassification and Variance
NE 1/4 of Reisterstown Rd. 630' SE of Enchanted
Hills Road - 4th District

Oct. 31, 1977 Petition of Calvin E. Richardson
" " " Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for March 6, 1978, at 10 a.m.
" " " Comments of Baltimore County Zoning Advisory Committee filed
Feb. 16 1978 Certificate of Publication in newspaper - filed
" 18 " Certificate of Posting of property - filed
March 6, " At 10 a.m. hearing held on petition by DZC
April 19 Order of DZC denying petition
May 9 Order of appeal to C.B. of A. from Order of DZC
May 24, 1979 Hearing on appeal before County Bd. of Appeals
Sept. 18 Order of C.B. of A. granting reclassification subject to restrictions
October 8 Order for Appeal filed in Circuit Ct. for Baltimore County by John Hession, People's Counsel for Balto. County
October 16 Petition to accompany Order for Appeal filed in Circuit Ct. for Baltimore County
October 20 Certificate of Notice sent to all interested parties
October 23 Petition for Extension of Time to File Transcript to Dec. 14, 1979
November 6 Transcript of testimony filed
People's Counsel Exhibit No. 1 - IA thru IG - Photos
" " " " 2 - Planning Bd. Recommendation
November 7 Record of proceedings filed in the Circuit Court for Baltimore County
PERFECTLY SERVED B.R. ON 1980 MAP - VARIANCE PENDING.
June 4, 1981 Dismissed for want of prosecution, Md. R-1c 530

**Reisterstown - Owings Mills - Glyndon
Coordinating Council**

P.O. BOX 117
REISTERSTOWN, MARYLAND 21126

May 10, 1979

*Baltimore County Board of Appeals
Court House
Towson, Maryland*

Dear Sirs:

*The Reisterstown, Owings Mills - Reisterstown
Coordinating Council desires to make the
following statement concerning case
number 78-182-RA for your files.
At the investigation of the Reisterstown
Board of Commissioners a poll was taken of the
entire membership of B.O.C. to determine the
position of B.O.C. on this case. The conclusion
was that B.O.C. will not oppose the
Richardson petition.*

Sincerely,

John W. Hession, III
Ch. of Foreign Liaison

*Rec'd 5-11-79
1 PM*

MOORE, HENNEGAN, CARNEY & RYAN
ATTORNEYS AT LAW
400 JEFFERSON BUILDING
100 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
Baltimore
AREA 7-0051 300

May 8, 1979

A. SCOTT MOORE
A. OWEN HENNEGAN
ROBERT J. CARNEY, JR.
ROBERT J. RYAN
ARTHUR W. BRADENBURG, JR.

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

Re: Case No. 78-182-RA
Calvin E. Richardson, et ux, for reclassification
from D.R. 16 to B.R.; NE/S Reisterstown Road 630'
SE of Enchanted Hills Road, 4th District; 4/19/78
D.S.C. Denied Petition

Gentlemen:

Please strike the appearance of Gregory Richard Dent,
Esquire as counsel for the petitioner and enter the appearance
of the undersigned, Robert J. Ryan, Esquire, as counsel for the
petitioner.

Very truly yours,

Robert J. Ryan
ROBERT J. RYAN

RJ:rcf

cc: Mr. Calvin E. Richardson
Mrs. Alice LeGrand
John W. Hession, III, Esquire
People's Counsel
Mr. John W. Livermore, III
Mr. Eugene S. Will
Mrs. Gloria Leonard

*Rec'd 5-9-79
3 PM*

11/17/78

Notified of appeal hearing scheduled for TUESDAY, FEBRUARY 13, 1979 at 9:30 a.m.

Mr. Calvin E. Richardson
Gregory Richard Dent, Esq.
Mrs. Alice LeGrand
John W. Hession, III, Esq.
Mr. John W. Livermore, III
Mr. Eugene S. Will

SENT 78 8 872

12/6/78 - Above notified of POSTPONEMENT and REASSIGNMENT for TUESDAY, FEB. 27, 1979 at 9:30 a.m.

14979 Progress Ave to Bill 122-78

Set 7:17

To	125	Time	3:10
Date	12-5	WHILE YOU WERE OUT	
M	12-5	What day	
of collection	12-5	What day	
Phone	Area Code	Number	Extension
TELEPHONED	PLEASE CALL		
CALL TO SEE YOU	WILL CALL AGAIN		
WANTS TO SEE YOU	URGENT		
RETURNED YOUR CALL			
Message # 78-182-RA			
Set 2:13 - Mr. Richardson			
I placed and then			
the latest time of			
your work day			
Postponement and assignment			
do as soon as possible			

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

November 17, 1978

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108.

CASE NO. 78-182-RA

CALVIN E. RICHARDSON, ET UX

for reclassification from D.R. 16 to S.R.
variance from Section 238.2 to permit
side yard setbacks of 4' and 10' instead of 30'

NE/S Reisterstown Road 630'
Enchanted Hills Road

4th District

4/19/78 - D.Z.C. DENIED PETITION

ASSIGNED FOR:

TUESDAY, FEBRUARY 13, 1979 at 9:30 a.m.

cc: Mr. Calvin E. Richardson

Petitioner

Gregory Richard Dent, Esquire

Counsel for Petitioner

Ms. Alice LeGrand

Protestant

John W. Hession, III, Esquire

People's Counsel

Mr. John W. Livermore, III, Pres.
Greater Reisterstown-Owings Mills
Chamber of Commerce

Notification - Letter in favor of petition

Mr. Eugene S. Will

Mr. J. E. Dyer

Mr. S. E. DiNenna

Mr. G. J. Martinek

Mr. L. H. Graef

Mr. Gary Burl

Board of Education

Mr. C. L. Perkins

Edith T. Eisenhart, Administrative Secretary

Timber Grove Elementary School P.T.A.

CALVIN E. RICHARDSON

705 ACADEMY AVENUE
OWINGS MILLS, MARYLAND 21117

February 2, 1979

Baltimore County Department
Zoning Commissioner
County Office Building
Towson, Maryland 21204Re: Richardson's Florist Petition
Case #78-182-RA

Dear Commissioner:

When our Executive Board met on Tuesday evening, January 30, we discussed the Zoning Petition regarding Richardson's Florist. Everyone was in total agreement that Richardson's Florist, an active and cooperative member of the local community, should receive the necessary zoning change to allow them to expand their florist business. However, we are not that anxious to see the zoning changed on adjacent property. The one thing we do not need are more strip-type shopping areas located along this already overcrowded and dangerous road.

Since the officials of Owings Mills Elementary School have no objections to the Richardson's request, and because we are well aware of their value to our community, it is our desire to unanimously back the rezoning of this one particular property.

Sincerely,

(Mrs.) Helen Leonard
P.T.A. President

GL/bmb

c.c. to Mr. Jack Livermore
Greater Reisterstown-Owings Mills
Chamber of CommerceRec'd 2/7/79
11:30 am

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

January 8, 1979

Gregory Richard Dent, Esq.
143 Main Street
Reisterstown, Md. 21136

Re: Reclassification Petitions

78-182-RA - Calvin E. Richardson, et ux

Dear Mr. Dent:

Enclosed please find a copy of the recently enacted Bill 122-78 which affects your petition. No further hearings on reclassification petitions will be held until the petitioners advise the Board as to their intentions within the purview of this act.

Your prompt reply is necessary.

Very truly yours,

Walter A. Butler, Jr., Chairman

WAR:ce

Enclosure: Bill 122-78

cc: Mr. Calvin E. Richardson
Mrs. Alice LeGrand
John W. Hession, III, Esq.
Mr. John W. Livermore
Mr. Eugene S. Will
Mr. S. E. DiNenna
Mr. George Martinek
Mr. James Dyercc: Mr. Leslie Graef
Mr. G. J. Burl
Board of Education
Mrs. Carol Bersch

SMITH, JOHNS & SMITH, P. A.

MICHAEL SMITH, SENIOR
PARTNER
J. TEMPLE SMITH
ASSOCIATE
HARRIS J. SMITH
ASSOCIATE
JAMES TEMPLE SMITH, JR.
COUNSEL AT LAW200 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 251-8800
FAX (301) 251-8801
1400 W. WYOMING
REISTERSTOWN, MARYLAND 21136
TELEPHONE (301) 251-8800
FAX (301) 251-8801

October 27, 1978

The County Board of Appeals
Room 219
Court House
Towson, Maryland 21204Re: Calvin E. Richardson, at ux
File Number 78-182-RA

Dear Sirs:

Enclosed please find your form concerning the number of witnesses etc. that we will present at the Appeal. I would appreciate someone from your office contacting me and advising me approximately when this matter will be set in for hearing.

I thank you for your time and consideration.

Very truly yours,

Gregory Richard Dent

GRD/mk

SMITH, JOHNS & SMITH, P. A.

MICHAEL SMITH, SENIOR
PARTNER
J. TEMPLE SMITH
ASSOCIATE
HARRIS J. SMITH
ASSOCIATE
JAMES TEMPLE SMITH, JR.
COUNSEL AT LAW200 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 251-8800
FAX (301) 251-8801
1400 W. WYOMING
REISTERSTOWN, MARYLAND 21136
TELEPHONE (301) 251-8800
FAX (301) 251-8801

December 6, 1978

County Board of Appeals
Room 219
Court House
Towson, Maryland 21204Re: Case Number 78-182-RA
Calvin Richardson, et ux

Dear Sirs:

I have received Notice of Assignment of this case and unfortunately you have assigned the date of February 13, 1979. My client however is a Florist and February 13, the day before Valentine's is his single most busiest day of the year. Accordingly I must unfortunately ask for a postponement and I would respectfully request that you assign the first open date after the 13th.

I thank you for your time and consideration and trust you will let me know the new date.

Very truly yours,

Gregory Richard Dent

GRD/mk

cc: Mr. and Mrs. Calvin Richardson

Rec'd 12/7/78
12:45 PM

October 3, 1978

Mr. John W. Livermore, III, President
Greater Reisterstown-Owings Mills
Chamber of Commerce
P. O. Box 94
Reisterstown, Maryland 21136Re: Case No. 78-182-RA
Calvin E. Richardson

Dear Mr. Livermore:

Thank you for your letter of September 20, 1978, concerning the above mentioned case. I should call to your attention that your letter was submitted as this Board has not yet heard this particular appeal. I would suggest that your comments were made to the Zoning Commissioner or Deputy Zoning Commissioner.

I have reviewed our docket and notice that this case is pending before us. If you wish to be notified of the hearing date, please contact this office. At the time of the public hearing, the Board will be glad to receive any and all testimony pertaining to the zoning and/or denial of this petition.

Very truly yours,

Walter A. Butler, Jr., Chairman

November 20, 1978

County Board of Appeals
Room 219
Court House
Towson, Maryland 21204Re: Richardson's Florist, 10811 Reisterstown Road -
Petition for Reclassification of Zoning; Case # 78-182RA

Dear Commissioners:

The purpose of this letter is to voice my support for the change in classification from DR-16 to RS petitioned for by Richardson's Florist in Reisterstown, Maryland. Cal Richardson's family has been providing the Reisterstown community with valuable mercantile services for generations. In order to secure their peace of mind regarding their ability to rebuild their business should a catastrophe occur, it is only fair and fitting that the people of Baltimore County grant a reciprocal service to the Richardsons by granting them the requested change in classification.

The entire Reisterstown Road corridor has become very commercial in recent years, and it is possible that the zoning which now exists in many locations, such as that now located by the Florist, is outdated. Therefore, in an effort to improve the zoning environment for present and future merchants in the Reisterstown area, I would urge the Commission to begin by granting the requested change in zoning in favor of Richardson's Florist at the above address.

Thank you very much for your consideration.

Very truly yours,

Mark Alan Epstein

HAE:emh

Eugene S. Will
505 Sumbrook Rd
Reisterstown, Md 21136

Dear Zoning Board Members:

This is to express my thoughts in favor of Calvin E. Richardson File #78-182-RA.

I sincerely believe the board should give them the proper zoning. All property along Reisterstown Road should be zoned for business. In my opinion it is discrimination to give it to some and not to others.

Thank you.

Eugene S. Will
Rec'd 11/27/78
11:10 am

Rec'd 11/27/78

Rec'd 11/27/78

**GREATER REISTERSTOWN-OWINGS HILLS
CHAMBER OF COMMERCE**

September 20, 1978

County Board of Appeals for
Baltimore County
County Office Building
Towson, Maryland 21204

Re: Case 978-182-BA - Appeal
Richardson's Florist (Calvin E. Richardson)

Gentlemen:

It has been brought to our attention that Richardson's Florist shop has recently denied the right to re-zone its property in order to make some much needed repairs. It is incomprehensible to us how this zoning could be denied. This business has been operating continuously in its present location for 100 years.

We urge you to reconsider this matter in view of the unique circumstances involved here. Our entire membership is backing the Richardsons and we feel it would be unjust to deny them the right to improve their property.

Very truly yours,

John W. Livermore, III
JOHN W. LIVERMORE, III
PRESIDENT

JWLIII/el
OO1
Mr. Calvin Richardson

P. O. BOX 84 REISTERSTOWN, MARYLAND 21136
823-6410

494-3180

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

June 22, 1978

Gregory R. Dent, Esq.
143 Main Street
Reisterstown, Md. 21136

Re: Calvin E. Richardson, et al
File No. 78-182-BA

Dear Mr. Dent:

1. Number of witnesses you anticipate calling Five
2. How many of these witnesses will be "expert witnesses"? Two
3. Fields to be covered by experts you intend to call - please check:

Land Planner _____
Real Estate X _____
Engineer X _____
Traffic _____
Other _____

4. Total time required (in hours) for presentation of your side of the case

Two Hours

Gregory R. Dent
Attorney for Protestants ()
Attorney for Petitioners (X)

Re: 2 10/30/78
1:15 PM

474-3180

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

June 23, 1978

Mrs. Alice LeGrand
25 Olive Lane
Reisterstown, Md. 21136

Re: File No. 78-182-BA
Calvin E. Richardson, et al

Dear Mrs. LeGrand:

1. Number of witnesses you anticipate calling _____
2. How many of these witnesses will be "expert witnesses"? _____
3. Fields to be covered by experts you intend to call - please check:

Land Planner _____
Real Estate _____
Engineer _____
Traffic _____
Other 3 _____

4. Total time required (in hours) for presentation of your side of the case

Attorney for Protestants ()
Attorney for Petitioners ()

E. F. RAPHEL & ASSOCIATES
Regional Professional Land Surveyors
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

September 29, 1977

RESIDENCE 771-4824

Description to Accompany Petition for Reclassification

C. E. RICHARDSON
REISTERSTOWN ROAD

Beginning for the same at a point on the northeast side of Reisterstown Road southeasterly 630' from the intersection of Enchanted Hills Road at the beginning of the land conveyed to C. E. Richardson and wife, and recorded among the Land Records of Baltimore County in Liber BHK Jr. 5505, folio 476, thence leaving the northeast side of Reisterstown Road and running on the outline of the land of C. E. Richardson the four following courses and distances: 1) N 53°29' E 298.69'; 2) S 38°05' E 46.70'; 3) S 17°55' W 105.85'; 4) S 65°08' W 226.49' to the Northeast side of Reisterstown Road running thence on the north side of said Road N 37°47' W 75.00' to the place of beginning. Containing 0.61 acres of land more or less. Being the land of C. E. Richardson and wife.



E. F. Raphael
EUGENE F. RAPHEL
REG. PROF. LAND SURVEYOR
No. 7246

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 31, 1977

COUNTY OFFICE BUILDING
111 E. CHESAPEAKE AVE.
BOWEN, MARYLAND 21204

to
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Road Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Bureau of Recreation
Zoning Administration
Industrial Development

Gregory R. Dent, Esquire
Smith, Johns & Smith
143 Main Street
Reisterstown, Maryland 21136

RE: Reclassification & Variance
Petition
Item Number 8 - Cycle II
Petitioner - Calvin E. Richardson
Bonnie Richardson

Dear Mr. Dent:

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 Commission with recommendations as to the appropriateness of the requested zoning.

Located on the northeast side of Reisterstown Road approximately 630' southeast of Enchanted Hills Road, this .6 acre site is presently zoned D.R. 16 and is improved with a greenhouse and two-story frame building utilized as a retail florist. Surrounding properties on the same side of Reisterstown Road are similarly zoned and are improved with detached dwellings, while properties immediately opposite this site are zoned B.L. and D.R. 16 and are improved with a service station and dwellings, respectively.

As indicated in your attached brief explaining the reasons for this request, it is your client's proposal

Gregory R. Dent, Esquire
Page 2
Item No. 8
Oct. 31, 1977

to reclassify this property to a B.R. zone in order to place the existing operation in an appropriate zoning classification. The proposal includes the razing of the existing frame building and the construction of an addition to the side of the greenhouse. Because the proposed B.R. zoning requires 30' side yard setbacks, the Variance is included to permit the proposed addition within 4' of the southerly property line in lieu of the required 30 feet. However, since the existing greenhouse is closer than 30' to the northerly property line and will remain, this situation must be included with the Variance request.

The submitted site plan must be revised prior to the scheduled hearing to indicate the side setback of the existing greenhouse, required parking for the greenhouse and the comments from the State Highway Administration.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to November 28, 1977 in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1978 and April 15, 1978 will be forwarded to you well in advance.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf
OO: E. F. Raphael & Assoc.
201 Courtland Ave.
Towson, Maryland 21204

THORNTON M. MURRAY, P.E.
DIRECTOR

October 25, 1977

Mr. E. Eric Diskuna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #8 (Cycle II) October 1977 - April 1978
Property Owner: Calvin E. & Bonnie L. Richardson
WFO Reisterstown Rd. 630' S/E Enchanted Hills Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61 District: 4th

Dear Mr. Diskuna:

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:

Reisterstown Road (Md. 140) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road cone under the jurisdiction of the Maryland State Highway Administration. Any utility construction and approval of the State in addition to those of Baltimore County.

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.

Item #8 (Cycle II) October 1977 - April 1978
Property Owner: Calvin E. & Bonnie L. Richardson
Page 2
October 25, 1977

Water:

Public 6-inch and 16-inch water mains exist in Reisterstown Road. Additional fire hydrant protection is required in the vicinity.

Sanitary Sewer:

Public sanitary sewerage is not available to serve this property, which is utilizing private onsite sewage disposal. The submitted plan does not indicate the location of this private system.

Very truly yours,

Elsworth N. Diver, P.E.
ELSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:RAPH:PMH:es

OO: M. Mischel
T-SK Key Sheet
48 NW 33 Pw. Sheet
NW 12D Map
56 Twp Map

October 7, 1977

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

Re: Meeting for Cycle II
Item: 8
Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. (Rte. 140)
630' SE Enchanted Hills Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

Dear Mr. DiNenna:

The proposed curb is to be 28' from the centerline of Reisterstown Road and not 30' as indicated. New sidewalk will be required in order to be compatible with the new curb. The plan must be required accordingly.

CL:JEM:dj

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits

John E. Meyers
John E. Meyers

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

October 14, 1977

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

Dear Mr. DiNenna:

Comments on Item #8, Zoning Cycle II, October 1977, are as follows:

Property Owner: Calvin E. and Bonnie L. Richardson
Location: NE/S Reisterstown Road 630' SE Enchanted Hills Road
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

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
John L. Wimbley
Planner III
Project and Development Planning

STEPHEN E. COLLINS
DIRECTOR

October 24, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

RE: Item 8 - ZAC - October 13, 1977
Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Road 630' SE Enchanted Hills Road
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

Dear Mr. DiNenna:

The subject petition is requesting a change from D.R. 16 to B.R. of 0.61 acres. This should increase the trip density from 60 to 300 trips per day.

The intersections of Reisterstown Road with Rosewood Lane and Painters Mill Road are D Level of Service while the interchange at the Beltway is operating at E Level of Service.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRN/bza

Paul H. Heinicke
CHIEF

October 26, 1977

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Rd.
Item No. 8
Zoning Agency Cycle II

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "M" 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 100 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 driveway condition shown at _____
- () 4. The site shall be used in accordance with the U.S. Fire Department.
- () 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 "Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *AT J. Kelly* Head and
Special Inspection Division
Approved: _____ Deputy Chief
Fire Prevention Bureau

October 13, 1977

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

Dear Mr. DiNenna:

Comments on Item #8, Zoning Advisory Committee Meeting for Cycle II, October 5, 1977, are as follows:

Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

Metropolitan water exists. A revised plan must be submitted showing the location of the sewage disposal system.

Very truly yours,

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

TED/KS/rth

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 11, 1977

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

Z.A.C. Meeting of: Cycle II

RE: Item No: 8
Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Rd. 630' SE Enchanted Hills Rd.
Present Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

District: 4th
No. Acres: 0.61

Dear Mr. DiNenna:

No effect on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

JOSEPH H. MCGRAW, PRESIDENT
T. BAYARD WILLIAMS, JR., PRESIDENT
MARCOUS H. BUTRICK

THOMAS H. BRYER
MRS. LORRAINE F. CONNOR
ROGER H. HAYES
ROBERT T. DUNEL, SUPERVISOR

ALVIN LORECK
MRS. WILTON K. SMITH, JR.
RICHARD W. TRACY, D.V.M.

JOHN D. SEVIER
DIRECTOR

October 10, 1977

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

Dear Mr. DiNenna:

Comments on Item #8 Zoning Advisory Committee Meeting, Cycle II are as follows:

Property Owner: Calvin E. & Bonnie L. Richardson
Location: NE/S Reisterstown Road - 630' SE Enchanted Hills Road
Existing Zoning: D.R. 16
Proposed Zoning: B.R. with a Variance to permit a side setback of 4' in lieu of the required 30'.
Acres: 0.61
District: 4th

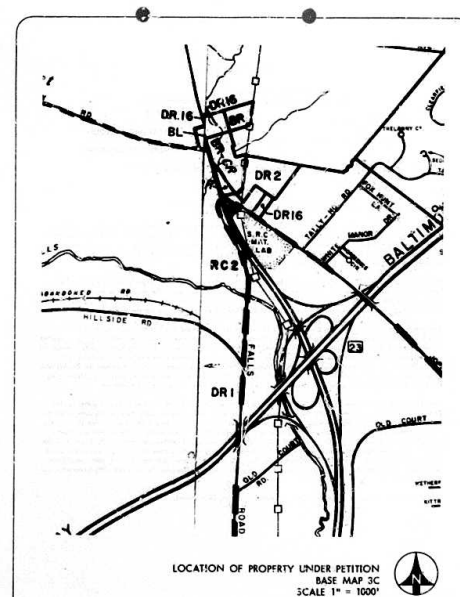
The items checked below are applicable:

- ☐ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☐ B. A building permit shall be required before construction can begin.
- ☐ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☐ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____

Very truly yours,

Charles E. Burdhan

Charles E. Burdhan
Plans Review Chief
CER/rtj



LOCATION OF PROPERTY UNDER PETITION

BASE MAP 3C

SCALE 1" = 100'

MRS. ROBERT R. WILLIAMS
6 PLEASANT HILL ROAD
OWINGS MILLS, MARYLAND 21117

Reply, 2 my Commission of
Baltimore County
County Office Building
Towson, Md 21204

PETITIONER'S EXHIBIT 3

Towson, Md. my Commission,

My wife and I have lived at 6
Pleasant Hill Drive, Owings Mills, Md. for 14
years, and we would like to say that
we are in favor of the Baltimore County
Petition for Pleasant Hill Lane 78-182-RA.

There has been a great change in the
area, and we are now in the area,
and we believe that the zoning change
would be a great improvement to the
community.

Very truly yours,
Robert R. Williams
Signatures

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 486-3810

JOHN D. SEYFERT
DIRECTOR

January 30, 1978

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

Dear Mr. Dillmann:

REVISED
Comments on Item # 8 Zoning Advisory Committee Meeting, CYCLE II
are as follows:

Property Owner: Calvin E. & Bonnie L. Richardson
Location: 8/25 Reisterstown Road - 630' S/E Enchanted Hills Road
Existing Zoning: D.R. 16
Proposed Zoning: D.R. 16 with a Variance to permit a side setback of 4' in lieu
of the required 30'.

Acres: 0.61
District: 4th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes, such as the State Code for the Handicapped and aged.
- ☒ B. A building permit shall be required before construction can begin. A zoning permit shall be required.
- ☐ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☐ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☒ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Durnin

Charles E. Durnin
Plans Review Chief
CEB:rrj

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4th Date of Posting: FEB. 19, 1978
Posted for: Calvin E. Richardson, et al.
Petitioner: Calvin E. Richardson
Location of property: NE/S. of REISTERSTOWN RD. 630' SE of
ENCHANTED HILLS RD.
Location of Signs: FRONT 180' REISTERSTOWN RD.
Remarks: _____
Posted by: Thomas E. Boland Date of return: FEB. 24, 1978
Signature

1-SIGN 78-182-RA

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4th Date of Posting: JUNE 19, 1978
Posted for: APPEAL
Petitioner: CALVIN E. RICHARDSON, ET AL.
Location of property: NE/S. of REISTERSTOWN ROAD, 630' SE of
ENCHANTED HILLS ROAD
Location of Signs: FRONT 180' REISTERSTOWN RD.
Remarks: _____
Posted by: Thomas E. Boland Date of return: JUNE 23, 1978
Signature

OFFICE OF
THE TIMES
NEWSPAPERS
TOWSON, MD. 21204 Feb. 16, 1978

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR RECLASSIFICATION & VARIANCE
was inserted in the following: Calvin E. Richardson
H-6156

- | | |
|--|---|
| ☐ Catonsville Times | ☐ Towson Times |
| ☐ Dundalk Times | ☐ Arbutus Times |
| ☐ Essex Times | ☒ Community Times |
| ☐ Suburban Times East | ☐ Suburban Times West |

weekly newspapers published in Baltimore, County, Maryland,
once a week for one successive weeks before the
17day of Feb. 1978, that is to say, the same
was inserted in the issues of Feb. 16, 1978.

STROMBERG PUBLICATIONS, INC.

BY Paula Parnick

2/24/78 - Case concluded

Mr. Hensell is to file a report within a week, sending a
copy of this report to Mr. Hensell and Mr. Ryan

Mr. Ryan is to file a memo within a week after receiving
this report.

Mr. Hensell has one week after Mr. Ryan's memo to
respond.

For W.A.B.

[Handwritten signature]

of Social Security

It is the opinion of this Board that the change in membership should not be determined by the family, social, and financial status of the woman only, but what would be a general improvement in the general welfare of the community and what it has to do with the standard of living and the kind of the village and community will be more important than the

George S. F. 1000
George S. F. 1000
1111 Washington Building
Ballpark 2, Maryland
Attorney for Defendant

1. A photograph taken on 10/10/1964 of a man in a dark suit, white shirt, and dark tie, standing in front of a building. The man is looking towards the camera. The building has a sign that reads "FEDERAL BUREAU OF INVESTIGATION".

2. A photograph taken on 10/10/1964 of a man in a dark suit, white shirt, and dark tie, standing in front of a building. The man is looking towards the camera. The building has a sign that reads "FEDERAL BUREAU OF INVESTIGATION".

3. A photograph taken on 10/10/1964 of a man in a dark suit, white shirt, and dark tie, standing in front of a building. The man is looking towards the camera. The building has a sign that reads "FEDERAL BUREAU OF INVESTIGATION".

4. A photograph taken on 10/10/1964 of a man in a dark suit, white shirt, and dark tie, standing in front of a building. The man is looking towards the camera. The building has a sign that reads "FEDERAL BUREAU OF INVESTIGATION".

5. A photograph taken on 10/10/1964 of a man in a dark suit, white shirt, and dark tie, standing in front of a building. The man is looking towards the camera. The building has a sign that reads "FEDERAL BUREAU OF INVESTIGATION".

6. A photograph taken on 10/10/1964 of a man in a dark suit, white shirt, and dark tie, standing in front of a building. The man is looking towards the camera. The building has a sign that reads "FEDERAL BUREAU OF INVESTIGATION".

7. A photograph taken on 10/10/1964 of a man in a dark suit, white shirt, and dark tie, standing in front of a building. The man is looking towards the camera. The building has a sign that reads "FEDERAL BUREAU OF INVESTIGATION".

8. A photograph taken on 10/10/1964 of a man in a dark suit, white shirt, and dark tie, standing in front of a building. The man is looking towards the camera. The building has a sign that reads "FEDERAL BUREAU OF INVESTIGATION".

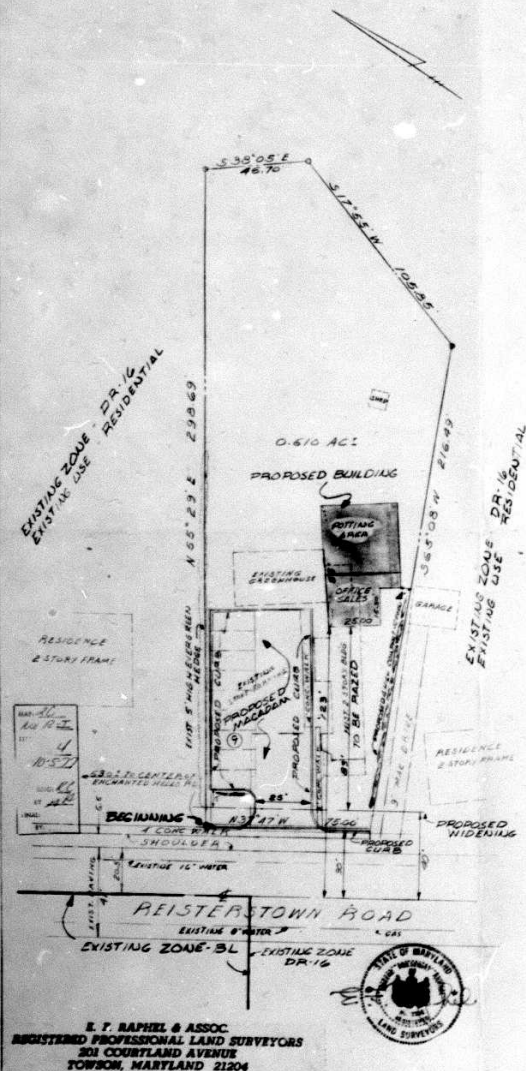
9. A photograph taken on 10/10/1964 of a man in a dark suit, white shirt, and dark tie, standing in front of a building. The man is looking towards the camera. The building has a sign that reads "FEDERAL BUREAU OF INVESTIGATION".

10. A photograph taken on 10/10/1964 of a man in a dark suit, white shirt, and dark tie, standing in front of a building. The man is looking towards the camera. The building has a sign that reads "FEDERAL BUREAU OF INVESTIGATION".

August 1891

1. The first is the question of the state's role in the economy. The second is the question of the state's role in the social and cultural life of the country. The third is the question of the state's role in the international relations of the country.

200
EXH



GENERAL NOTES

AREA OF PROPERTY 0.610 AC.
EXISTING ZONE DR-16
PROPOSED ZONE BA
EXISTING USE FLOARIST
PROPOSED USE FLOARIST

PRIVATE SEWER

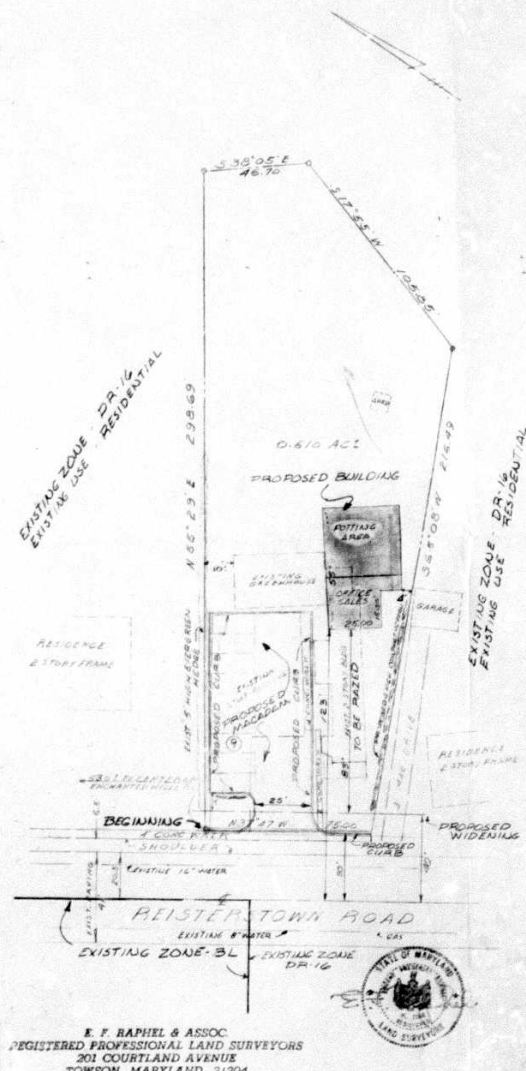
PARKING DATA

AREA OF PROPOSED BUILDING - 1760
1 SPACE/200' 9 SPACES
TOTAL SPACES REQUIRED - 9 SPACES
TOTAL SPACES PROVIDED - 9 SPACES

VARIANCE REQUESTED TO PERMIT A
SIDEYARD SETBACK OF 4' IN LIEU OF
THE REQUIRED 30'

PLAT TO ACCOMPANY ZONING PETITION

PROPERTY OF
CALVIN E RICHARDSON
25TH ELECT DIST. BALTO CO. MD
SCALE 1"=30' SEPT. 28, 1977



GENERAL NOTES

AREA OF PROPERTY 0.610 AC.
EXISTING ZONE DR-16
PROPOSED ZONE BA
EXISTING USE FLOARIST
PROPOSED USE FLOARIST

PRIVATE SEWER

PARKING DATA

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THE REQUIRED 30'

REVISED PLANS

JUN 17 78 PM



PLAT TO ACCOMPANY ZONING PETITION

PROPERTY OF
CALVIN E RICHARDSON
25TH ELECT DIST. BALTO CO. MD
SCALE 1"=30' SEPT. 28, 1977

GENERAL NOTES

AREA OF PROPERTY	0.610 AC ±
EXISTING ZONE	DR-16
PROPOSED ZONE	BR
EXISTING USE	FLORIST
PROPOSED USE	FLORIST

PRIVATE SEWER

PARKING DATA

AREA OF PROPOSED BUILDING = 1760
 15 SPACE / 200² = 9.5 SPACES
 TOTAL SPACES REQUIRED = 9 SPACES
 TOTAL SPACES PROVIDED = 9 SPACES

VARIANCE REQUESTED TO PERMIT A
 SIDEYARD SETBACK OF 4' IN LIEU OF
 THE REQUIRED 30'

REVISED PLANS

JAN 17 78 PM



PLAT TO ACCOMPANY ZONING PETITION

PROPERTY OF

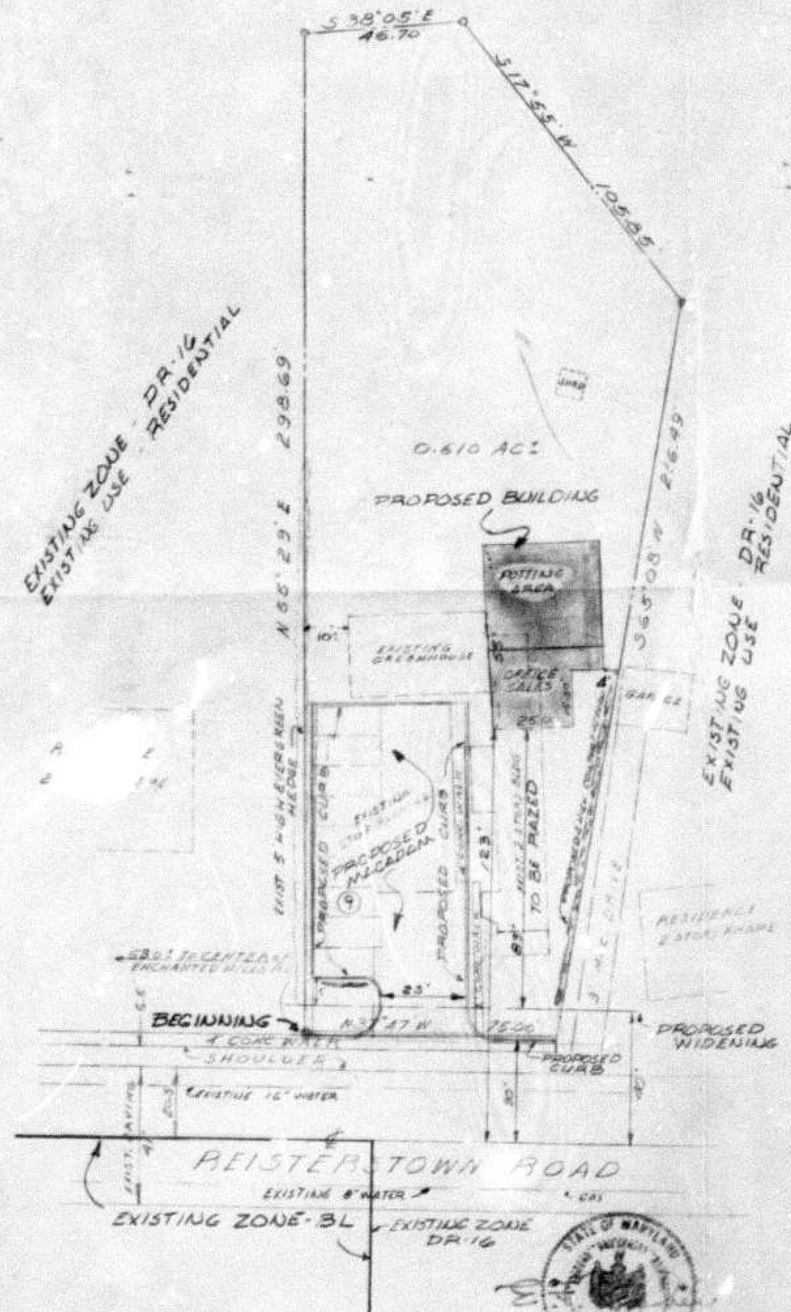
CALVIN E RICHARDSON

4TH ELECT DIST.

BALTO CO. MD

SCALE 1" = 30'

SEPT. 28, 1977



E. F. RAPHEL & ASSOC.
 REGISTERED PROFESSIONAL LAND SURVEYORS
 201 COURTLAND AVENUE
 TOWSON, MARYLAND 21204



MICROFILMED

44-10-100 1/17/78

1820

GENERAL NOTES

AREA OF PROPERTY	0.610 AC ±
EXISTING ZONE	DR-16
PROPOSED ZONE	BR
EXISTING USE	FLORIST
PROPOSED USE	FLORIST

PRIVATE SEWER

PARKING DATA

AREA OF PROPOSED BUILDING - 1760' ²
 15 SPACE / 2000' ² = 9.5 SPACES
 TOTAL SPACES REQUIRED - 9 SPACES
 TOTAL SPACES PROVIDED - 9 SPACES

VARIANCE REQUESTED TO PERMIT A
 SIDEYARD SET BACK OF 4' IN LIEU OF
 THE REQUIRED 30'

REVISED PLAN

Gele II Item B

OFFICE COPY

JAN 17 78 PM



PLAT TO ACCOMPANY ZONING PETITION

PROPERTY OF

CALVIN E RICHARDSON

4TH ELECT. DIST.

BALTO CO. MD

SCALE 1" = 30'

SEPT. 28, 1977

E. F. RAPHEL & ASSOC.
 REGISTERED PROFESSIONAL LAND SURVEYORS
 201 COURTLAND AVENUE
 TOWSON, MARYLAND 21204



REVISED 1/17/78