

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Leonard A. & Ruth N. Kraus, 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.

herby petition for a Variance from Section 255-1 (238.2)

To permit side yard and rear yard setbacks of 0' in lieu of the required 30' and Section 102.2 (238.2) to permit a distance between buildings of 10' in lieu of the required 50'

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

To work in and tie in of existing buildings and parking lot located in present storage yard; sewage system, etc.

Cannot build on water easement which bisects property; therefore owner wants to utilize the remaining property.

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: Leonard A. Kraus, Ruth N. Kraus, Legal Owner
Address: 10901 Juniper Road, Kingsville, MD. 21087
Petitioner's Attorney: _____
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day

of December, 1979, 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 108, County Office Building in Towson, Baltimore County, on the 10th day of January, 1980, at 9:30 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCES
E/S of Race Rd., 561' S of
Golden Ring Rd., 15th District
LEONARD A. KRAUS, et ux, Petitioners: Case No. 80-138-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

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

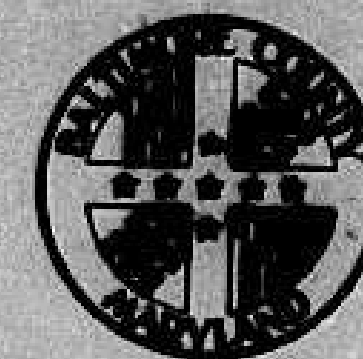
[Signature]
Peter Max Zimmerman
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 21st day of December, 1979, a copy of the foregoing Order was mailed to Mr. and Mrs. Leonard A. Kraus, 10901 Juniper Road, Kingsville, Maryland 21087, Petitioners.

[Signature]
John W. Hession, III

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

MR. & Mrs. Leonard A. Kraus
10901 Juniper Road
Kingsville, Maryland 21087

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 24th day of December, 1979

[Signature]
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Leonard A. Kraus, et ux
Petitioner's Attorney: _____

Reviewed by: *[Signature]*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 27, 1979

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

600
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Leonard A. Kraus
10901 Juniper Road
Kingsville, Maryland 21087

RE: Item No. 53
Petitioners-Leonard A. Kraus, et ux
Variance Petition

Dear Mr. & Mrs. Kraus:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 suitability of the requested zoning.

Located at the termination of Race Road, the subject property is presently improved with an office and warehouse building. Adjacent properties are improved with a printing company to the east, and vacant land to north and south.

Because of your proposal to construct an addition to the rear of the existing office building within zero feet of the side and rear property lines, this Variance Petition is required. In conversation with your surveyor Mr. Raphael, it was indicated that the existing warehouse would eventually be razed. However, in order to avoid any questions in the interim, an additional Variance to permit a distance between said structure and the proposed structure of 40 feet in lieu of the required 60 feet has also been included with this request.

At the time of field inspection, trailers were existing on the property. After conversation with you, it was indicated that these trailers would be removed upon the completion of the proposed building. It should be noted that the trailers must be removed whether your request is granted or denied.

Item No. 53
Variance Petition
December 27, 1979

Particular attention should be afforded to the comments of the Health Department concerning the availability of public water facilities, as well as those comments of the Fire Department and the Department of Permits and Licenses.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

[Signature]
NICHOLAS B. Commodari
Chairman
Zoning Plans Advisory Committee

NBCH:

Enclosures

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



BALTIMORE COUNTY
DEPARTMENT C - PUBLIC WORKS
TOWSON, MARYLAND 21204

THORNTON M. MOURING
DIRECTOR

November 2, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #53 (1979-1980)
Property Owner: Leonard A. & Ruth N. Kraus
E/S Race Rd. 561' S. Golden Ring Rd.
Existing Zoning: M.L. - I. M.
Proposed Zoning: Variance to permit side and rear setbacks of 0' in lieu of the required 30' and to permit a distance between buildings of 45' in lieu of the required 60'.
Acres: 4.80 District: 15th

Dear Mr. Hammond:

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:

Race Road, an existing public road maintained by Baltimore County from Golden Ring Road to this property, is proposed to be improved in the future as a 40-foot closed section roadway on a 60-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

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

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 #53 (1979-1980)
Property Owner: Leonard A. & Ruth N. Kraus
Page 2
November 2, 1979

Water:

Public water main can be extended to serve this, and other properties, from the 10-inch water main in Golden Ring Road (Drawing #31-0067, File 3). There is a fire hydrant at the northwest corner of Golden Ring Road and Race Road.

A public 36-inch transmission water main traverses this property within a 10-foot utility easement as indicated. (Drawing #41-0931, File 3). The Petitioner is cautioned that no encroachment by construction of any structure, including footings, is permitted within County rights-of-way and utility easements. During the course of future construction on this property, protection must be afforded by the contractor for this public water main. Any damage sustained would be the full responsibility of the Petitioner.

Sanitary Sewer:

There is an 8-inch public sanitary sewer in Race Road, as indicated (Drawing #70-0577, File 1).

Very truly yours,

[Signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:SS

cc: J. Somers
W. Munchel

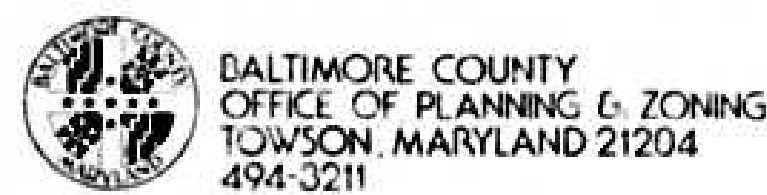
I-NW Key Sheet
11 & 12 NE 26 & 27 Pos. Sheets
NE 3 C Topo
90 Tax Map

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variances requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of March, 1980, that Variances to permit a side yard setback of ten feet along the north side lot line in lieu of the required thirty feet, a rear yard setback of zero feet in lieu of the required thirty feet, and a distance of forty feet between the proposed warehouse and the existing warehouse in lieu of the required sixty feet should be and the same are GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Service of the subject property, both existing and proposed improvements, by public sewer and water.
2. Removal of any existing trailers from the subject property.
3. Compliance with the required sixty foot building separation between the proposed warehouse and the existing warehouse if and when the existing warehouse is razed and any new improvement is constructed.
4. A revised site plan be submitted, in compliance with the applicable limitations imposed herein, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

Stephen E. Hammond
Zoning Commissioner of
Baltimore County



JOHN D. SEYFFERT
DIRECTOR

December 5, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #53, Zoning Advisory Committee Meeting, September 4, 1979, are as follows:

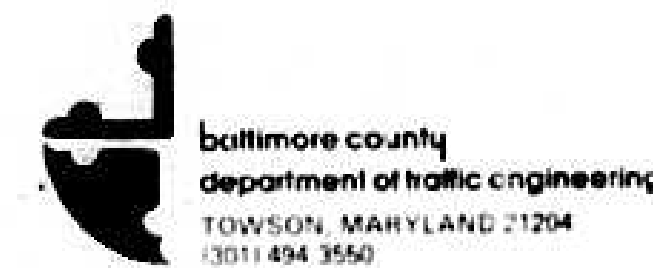
Property Owner: Leonard A. and Ruth N. Kraus
Location: E/S Race Rd. 561' S. Golden Ring Road
Existing Zoning: M.L.-I.M.
Proposed Zoning: Variance to permit side and rear setbacks of 0' in lieu of the required 30' and to permit a distance between buildings of 45' in lieu of the required 60'.
Acres: 4.80
District: 15th

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
Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

September 26, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 53 - ZAC - Meeting of September 4, 1979
Property Owner: Leonard A. & Ruth N. Kraus
Location: E/S Race Rd. 561' S. Golden Ring Rd.
Existing Zoning: M.L.-I.M.
Proposed Zoning: Variance to permit side and rear setbacks of 0' in lieu of the required 30' and to permit a distance between buildings of 45' in lieu of the required 60'.

Acres: 4.80
District: 15th

Dear Mr. Hammond:

No traffic problems are anticipated by the requested variances to the side and rear yard setbacks.

The driveway, private road and Race Road do not meet minimum County standards.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Engineering Associate II

MSF/mjm



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

November 8, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #53, Zoning Advisory Committee meeting of September 4, 1979, are as follows:

Property Owner: Leonard A. & Ruth N. Kraus
Location: E/S Race Rd. 561' S. Golden Ring Rd.
Existing Zoning: M.L.-I.M.
Proposed Zoning: Variance to permit side and rear setbacks of 0' in lieu of the required 30' and to permit a distance between buildings of 45' in lieu of the required 60'.
Acres: 4.80
District: 15th

The existing building is presently served by public sewer and a private water well. The dug well is in poor physical condition and is not suitable for use as a source of potable water. The employees are presently using the well as a water source for sanitary facilities only and are transporting potable water from their residences for drinking purposes.

A building permit for the proposed warehouse will not be approved until the existing office is connected to metropolitan water. At that time, the existing well must be properly backfilled and abandoned.

Very truly yours,

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

JJF/JRE/ctg



Paul H. Reincke
CHIEF

September 11, 1979

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

Attention: Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee

Re: Property Owner Leonard A. & Ruth N. Kraus
Location: E/S Race Rd. 561' S. Golden Ring Rd.

Item No. 53 Zoning Agenda: Meeting of 9/4/79

Gentlemen:

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

(x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 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" 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

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

REVIEWER: *Paul H. Reincke* Noted and Approved: *George M. Hegon*
Planning Group
Special Inspection Division
Fire Prevention Bureau



JOHN D. SEYFFERT
DIRECTOR

September 14, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #53 Zoning Advisory Committee Meeting, September 4, 1979 are as follows:

Property Owner: Leonard A. & Ruth N. Kraus
Location: E/S Race Rd. 561' S. Golden Ring Road
Existing Zoning: M.L. - I.M.
Proposed Zoning: Variance to permit side and rear setbacks of 0' in lieu of the required 30' and to permit a distance between buildings of 45' in lieu of the required 60'.
Acres: 4.80
District: 15th

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1979 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.

X B. A building permit shall be required before construction can begin.

X C. Additional miscellaneous permits ~~must~~ may be required.

D. Building shall be upgraded to new use - requires alteration permit.

Z. Three sets of construction drawings will be required to file an application for a building permit.

X F. 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.

G. 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.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

J. No Comment. Compliance to the Handicapped Code is required. Fire walls shall be required to separate existing and proposed structure as well as the two Comment: walls which abut property lines (north and West).

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 29, 1979

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

Z.A.C. Meeting of: September 4, 1979

RE: Item No. 49, 50, 51, 52, 53, 54
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

JOSEPH M. MCGOWAN, PRESIDENT
T. RAYMOND WALKER, JR., VICE-PRESIDENT
MARCUS M. BOWMAN

THOMAS M. BOYER
MRS. LORRAINE F. CHURCH
ROGER S. WATSON

ROBERT V. DUBEL, SUPERINTENDENT

ALVIN LORECK
MRS. MILTON S. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

Mr. & Mrs. Leonard A. Kraus
10901 Juniper Road
Kingsville, Maryland 21087

RE: Petition for Variances
E/S of Race Road, 561' S of Golden
Ring Road - 15th Election District
Leonard A. Kraus, et ux -
Petitioners
NO. 80-138-A (Item No. 53)

Dear Mr. & Mrs. Kraus:

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

Very truly yours,

William E. Hammond
William E. Hammond
Zoning Commissioner

WEH/eri

Attachments

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

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

August 20, 1979

RESIDENCE 771-4592

Description to Accompany Petition for Variance
Property of Leonard A. Kraus

Beginning for the same at the easternmost corner of "LEONARD A. KRAUS PROPERTY", said point being located on the east side of Race Road, 561' south of the intersection formed by the center-line of Race Road and the center-line of Golden Ring Road, running thence and binding on said "LEONARD A. KRAUS" outline, (1) S 33°37'12" W 222.89' (2) S 33°24'12" W 182.33' (3) By a curve to the left with a radius of 6121.20' for a distance of 477.47' (4) S 50°33'10" W 85.14' (5) N 12°09'40" W 191.42' to the south 1/4 line of R.G. & E. Transmission Line, thence on said Transmission Line (6) N 47°41'20" E 207.03', thence leaving said Transmission Line (7) N 84° 01' 26" E 206.02' (8) N 18°40'15" E 110.19' and (9) S 69°33'02" E 188.64' to the place of beginning.
Containing 4.80 Acres.
Being the property of Leonard A. Kraus.



F. F. Raphael
Reg. Prof. Land Surveyor

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: _____ Date of Posting: _____
Posted for: _____
Petitioner: _____
Location of property: _____
Location of Signs: _____
Remarks: _____
Posted by: _____ Signature _____ Date of return: _____

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

Your Petition has been received and accepted for filing this 5 day of Dec., 1979

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Kraus
Petitioner's Attorney: _____ Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
To: Zoning Commissioner
John D. Seyffert, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition No. 80-138-A - Item 53
Date: December 19, 1979

Petition for Variances for side and rear yard and distance between buildings
East side of Race Road, 561 feet South of Golden Ring Road
Petitioner - Leonard A. Kraus, et ux

15th District

HEARING: Thursday, January 10, 1980 (9:30 A.M.)

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

John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:dm

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 22 day of Aug., 1979

Filing Fee \$ 25 Received: _____ Check _____ Cash _____ Other _____

#53

William E. Hammond, Zoning Commissioner

Petitioner: Kraus Submitted by: _____
Petitioner's Attorney: _____ Reviewed by: _____

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

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										

Reviewed by: _____ Revised Plans: _____
Change in outline or description Yes _____ No _____
Previous case: _____ Map # _____

THE ESSEX PAPER CO., INC.
812 EASTERN BLVD
BALTIMORE, MD 21221

Bal Abr. Md. _____

This is to Certify, That the annexed

was inserted in THE NEWS, a newspaper printed and published in Harford County, once in each

week before the 20th day of

January, 1980

for the purpose of _____

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

No. 83574

DATE: January 8, 1980 ACCOUNT: 01-662

AMOUNT: \$61.50

RECEIVED FROM: Ruth M. Kraus
FOR: Advertising and Posting for Case No. 80-138-A

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCES
15th DISTRICT

ZONING: Petition for Variances for side and rear yard and distance between buildings
LOCATION: East side of Race Road 561 feet South of Golden Ring Road
DATE & TIME: Thursday, January 10, 1980 at 9:30 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:

Petition for Variance to permit side and rear yard setbacks of 0 feet in lieu of the required 30 feet and to permit a distance between buildings of 0 feet in lieu of the required 40 feet.

The Zoning Regulations to be accepted as follows:

Section 253.1 - Area regulations
Section 253.2 - Side and rear yard setbacks
Section 253.3 - No yard space or minimum area required for a building or use shall be considered as any part of the yard space or minimum area for another building or use.

All that parcel of land in the Fifteenth District of Baltimore County beginning for the same at the easternmost corner of "LEONARD A. KRAUS PROPERTY", said point being located on the east side of Race Road, 561' south of the intersection formed by the center-line of Race Road and the center-line of Golden Ring Road, running thence and binding on said "LEONARD A. KRAUS" outline, (1) S 33°37'12" W 222.89' (2) S 33°24'12" W 182.33' (3) By a curve to the left with a radius of 6121.20' for a distance of 477.47' (4) S 50°33'10" W 85.14' (5) N 12°09'40" W 191.42' to the south 1/4 line of R.G. & E. Transmission Line, thence on said Transmission Line (6) N 47°41'20" E 207.03', thence leaving said Transmission Line (7) N 84° 01' 26" E 206.02' (8) N 18°40'15" E 110.19' and (9) S 69°33'02" E 188.64' to the place of beginning.

Containing 4.80 Acres.
Being the property of Leonard A. Kraus, et ux, as shown on plat plan filed with the Zoning Department, Hearing Date: Thursday, January 10, 1980 at 9:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of: WILLIAM E. HAMMOND, Zoning Commissioner of Baltimore County
Dec. 20.

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 20, 1979

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson Baltimore County, Md., once in each of 209 days before the 10th day of January, 1980, the first publication appearing on the 10th day of December, 1979.

THE JEFFERSONIAN
S. L. Lusk, Jr., Manager

Cost of Advertisement \$ _____

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

No. 83292

DATE: December 11, 1979 ACCOUNT: 01-662

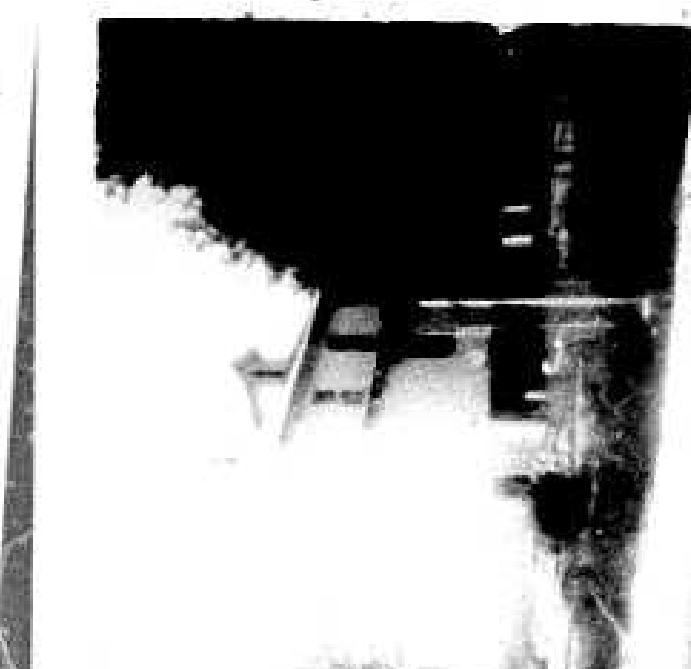
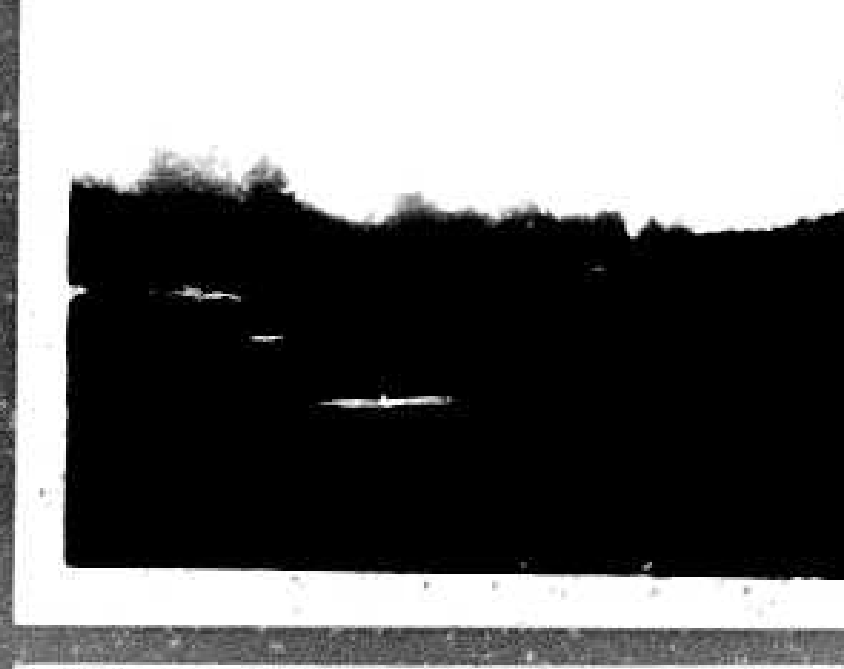
AMOUNT: \$25.00

RECEIVED FROM: Leonard A. Kraus Co., Inc.
FOR: Filing Fee for Case No. 80-138-A

88342113

25.00

VALIDATION OR SIGNATURE OF CASHIER



PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John E. Brown and Ella L. Brown 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 Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use for the storage of commercial vehicles (sanitary waste removal) at 335 Back River Neck Road and to clarify the status of the existing piggery at this location.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing 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: John E. Brown
Address: 335 Back River Neck Road
Baltimore County, Maryland 21221
Protestant's Attorney: Constantine Bakas
Address: Suite 607 Loyola Federal Bldg.
Towson, Maryland 21204 - phone: 825-7860

ORDERED By the Zoning Commissioner of Baltimore County, this 20th day of November, 1979, 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 28th day of November, 1979, at 10:00 o'clock P.M.

Zoning Commissioner of Baltimore County

(over)



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

November 28, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #65 (1979-1980)
Property Owner: John E. Brown
N/E cor. Back River Neck Rd. & Browns Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Special Hearing to determine a non-conforming use for the storage of commercial vehicles (sanitary waste removal) at 335 Back River Neck Rd.
Acres: 10.6 District: 15th

Dear Mr. Hammond:

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:

Back River Neck Road, an existing County road, is improved as a 48-foot closed section roadway on a 70-foot right-of-way, and no further improvements are proposed in this vicinity.

Browns Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including a fillset area for right distance at the Back River Neck Road intersection and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

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

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.

Item #65 (1979-1980)
Property Owner: John E. Brown
Page 2
November 28, 1979

Storm Drains: (Cont'd)

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

Water and Sanitary Sewer:

The submitted plan does not indicate the locations of any private onsite water supply or sewage disposal facilities.

There are public 16 and 8-inch water mains in Back River Neck Road and Browns Road, respectively.

There is public 12 and 15-inch sanitary sewerage traversing Back River Neck Road, approximately 350 feet northerly of this site.

Very truly yours,

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

END: EAM: PWR: ss

cc: J. Trenner
J. Somers

I-SE Key Sheet
2 & 3 NE 34 & 35 Pos. Sheets
NE 1 I Topo
97 Tax Map

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 27, 1979

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

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Constantino Bakas, Esquire
Suite 607 Loyola Federal Building
Towson, Maryland 21204

RE: Item No. 65
Petitioner - John E. Brown, et ux
Special Exception Petition

Dear Mr. Bakas:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 suitability of the requested zoning.

This Special Hearing originated as a result of an active zoning violation (Case 79-53-V) in which the parking of the existing commercial vehicles on this property was questioned. Since the subject property is less than 10 acres in area, I suggested that the status of the existing piggery also be included with the request. After consultation with you, I added this to the petition forms.

As indicated in our previous conversations, the Special Hearing forms are required to be signed by Mrs. Brown as part owner of the property. In addition, particular attention should be afforded to the comments of the Health Department.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

December 5, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #65, Zoning Advisory Committee Meeting, October 2, 1979, are as follows:

Property Owner: John E. Brown
Location: NE/C Back River Neck Road and Brown's Road
Existing Zoning: D-5.5
Proposed Zoning: Special Hearing to determine a non-conforming use for the storage of commercial vehicles (sanitary waste removal) at 335 Back River Neck Road.
Acres: 10.6
District: 15th

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
Current Planning and Development

Item No. 65
Special Exception Petition
December 27, 1979

Very truly yours,

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

NBC:hk

Enclosures

cc: Gerhold, Cross & Etzel
Registered Land Surveyors
412 Delaware Ave.
Towson, Md. 21204



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC ENGINEERING
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

November 21, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 65 - ZAC - Meeting of October 2, 1979
Property Owner: John E. Brown
Location: NE/C Back River Neck Rd. and Brown's Rd.
Existing Zoning: D-5.5
Proposed Zoning: Special Hearing to determine a non-conforming use for the storage of commercial vehicles (sanitary waste removal) at 335 Back River Neck Rd.

Acres: 10.6
District: 15th

Dear Mr. Hammond:

This department has no comment on the special hearing to determine if a non-conforming use exists.

Sincerely yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Associate II

MSF/mjn