

PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an RC-2 zone to an RC-5 zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

Property is to be posted and advertised as prescribed by The Baltimore County Code.

Contract purchaser agrees to pay expenses of above re-classification, 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.

Legal Owners:

Mary M. Klimm (Type or Print Name)	James J. Klimm (Type or Print Name)
<i>Mary M. Klimm</i> Signature	<i>James J. Klimm</i> Signature
George G. Klimm (Type or Print Name)	Martin K. Klimm (Type or Print Name)
<i>George G. Klimm</i> Signature	<i>Martin K. Klimm</i> Signature
Attorney for Petitioner: (Type or Print Name)	Matthew M. Klimm (Type or Print Name)
Signature	<i>Matthew M. Klimm</i> Signature
Address	4212 Thorncliff Road, 21236 City and State
City and State	Name, address and phone number of contract purchaser to be contacted
Attorney's Telephone No.:	John F. Cawings, Jr. Name
	P.O. Box 2915, Cawings Mills, Md. 21117 Address Phone No.

BALCO Form 1

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 30, 1981

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

Mrs. Mary M. Klimm
4212 Thorncliff Road
Baltimore, Maryland 21236

RE: Item No. 6 - Cycle No. II
Petitioner - Mary Klimm, et al
Reclassification Petition

Dear Mrs. Klimm:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing. It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office.

Because of your proposal to reclassify the subject property from an R.C.2 zone to an R.C.5 zone, this hearing is required. As you are already aware, the County Council through resolution No. 74-51 exempted this petition from the regular zoning cycle.

In view of the fact that the submitted site plan does not indicate a proposed development of the subject property, the enclosed comments from the Committee are general in nature. If the requested reclassification is granted, more detailed comments from County agencies and/or this Committee will be submitted when a proposed development is shown.

If you have any questions concerning the enclosed comments, please feel free to contact me at 451-3391. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Cawings, Jr.
NICHOLAS B. CAWINGS, JR., Chairman
Zoning Plans Advisory Committee

Enclosures
cc: John F. Cawings, Jr.
P.O. Box 295
Cawings Mills, Md. 21117



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

September 25, 1981

Mr. William T. Hackett, Chairman
Board of Appeals
Court House
Towson, Maryland 21204

Re: Item #6 Cycle Zoning II (Oct. 1981-Apr. 1982)
Property Owner: James J. Klimm, et al
735' N/E Park Heights Ave. 4350' S/E of Walnut Ave.
Existing Zoning: RC 2
Proposed Zoning: RC 5
Acres: 7.74 District: 4th

Dear Mr. Hackett:

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.

General:

The comments supplied in conjunction with the Zoning Advisory Committee review of this property for Item 6 Zoning Cycle V (April-October 1979) are referred to for your consideration.

The water and Sanitary Sewer Comments therein, are amended as follows:

Baltimore County Water and Sewerage Plans W and S-16A, as presently amended, indicate "No Planned Service" in the area.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 6 Zoning Cycle II (October 1981-April 1982).

Very truly yours,

Robert A. Morton, P.E.
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:SS

cc: Jack Wimbley

T-NE Key Sheet
57 & 58 25 & 26 Pos. Sheets
NW 15 G Topo
49 & 50 Tax Maps

Attachment



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
(301) 454-3550

STEPHENE COLLINS
DIRECTOR

October 8, 1981

Mr. William Hackett
Chairman, Board of Appeals
Office of Law, Courthouse
Towson, Maryland 21204

Dear Mr. Hackett:

The Department of Traffic Engineering has no comment for Item no. 6 of Cycle II.

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

MSF/r11

Item #6 (Cycle V-April - October 1979)
Property Owner: Mary M. Klimm, et al
Page 2
May 2, 1979

Storm Drainage (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

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

Future drainage and utility easements are required through this property.

Water and Sanitary Sewers

Public water supply and sanitary sewerage are not available to serve this property, which is beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W and S-16A, as amended, indicate "Planned Service" in the area in 11 to 30 years.

Very truly yours,

(SIGNED) ERNEST A. R. DYER
ERNEST A. R. DYER, P.E.
Chief, Bureau of Engineering

ED:EAM:FWR:SS

cc: J. Wimbley
D. Crise

T-NE Key Sheet
57 & 58 NW 25 & 26 Pos. Sheets
NW 15 G Topo
49 & 50 Tax Maps

May 2, 1979

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

Re: Item #6 (Cycle V-April - October 1979)
Property Owner: Mary M. Klimm, et al
735' N/E Park Heights Ave. 4350' SE Walnut Ave.
Existing Zoning: RC 2
Proposed Zoning: RC 5
Acres: 13.24342 District: 4th

Dear Mr. DiNanna:

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.

General:

This property comprises a portion of the plat of "The Caves - Plat 1" recorded J.W.S. 2 - Part 1, Folio 89.

Highways

Park Heights Avenue (Md. 129) is a State Road; therefore, all improvements, intersections, entrance 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.

It is the responsibility of the Petitioner to ascertain and clarify his rights in and to the indicated private 30-foot right-of-way to Park Heights Avenue.

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.

JLW:rh

Office of The ~~Carroll County~~ Times

Westminster, Md. November 19, 1941
Baltimore, Md. 12, 1941

THIS IS TO CERTIFY that the annexed.....
is published for one (1) successive weeks previously to the.....
COMPTON

PETITION FOR RE-CLASSIFICATION
4th DISTRICT

ZONING LOCATION:
4th DISTRICT
Petition for Re-classification
(southwestmost property line)
735' Northeast of Park Heights Avenue,
4,350' Southeast of Walnu Avenue (easternmost property line)
south termination of Heneson and Garth)

DATE & TIME:
Tuesday, December 8, 1981, at
10:00 A.M.

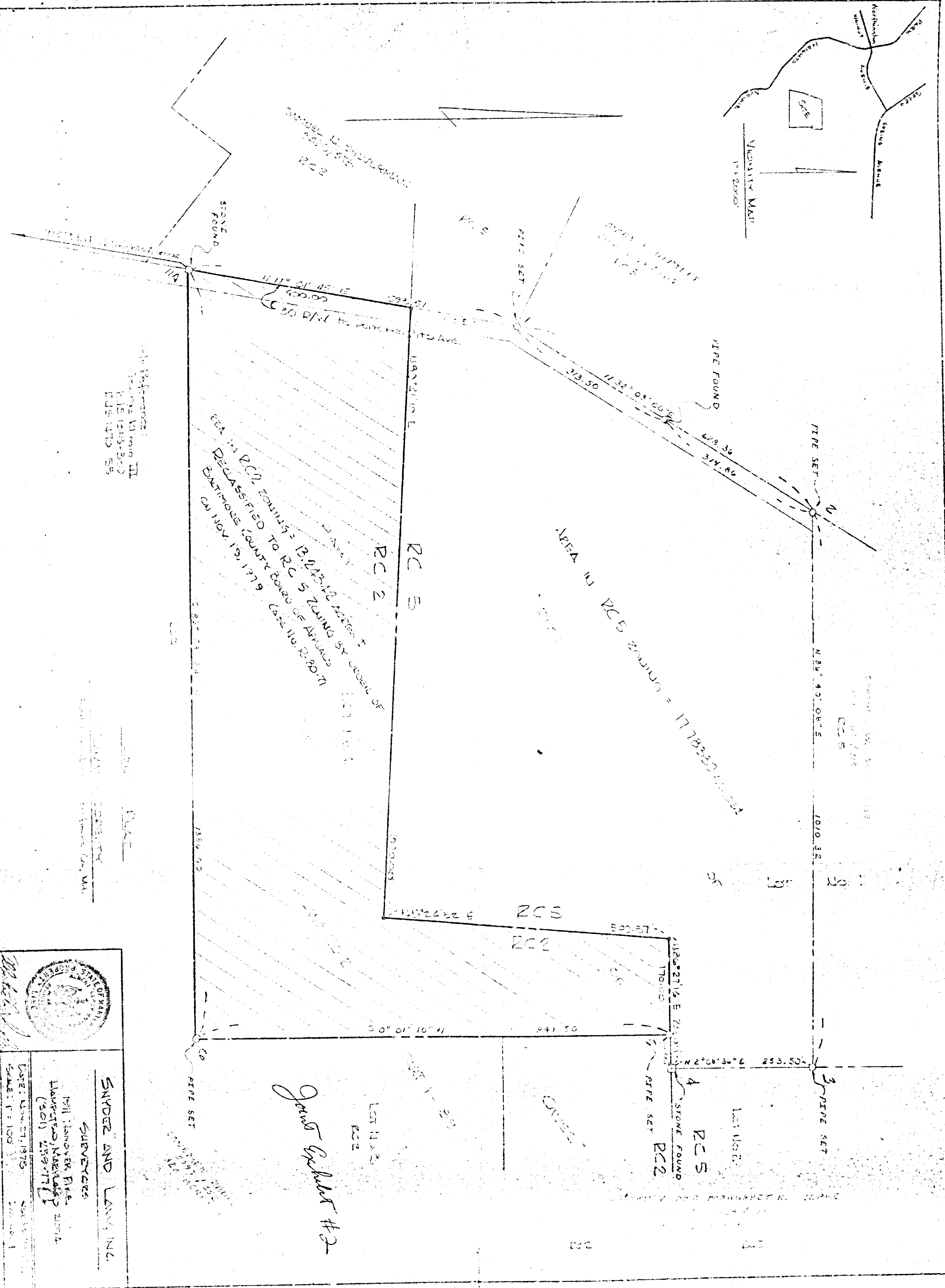
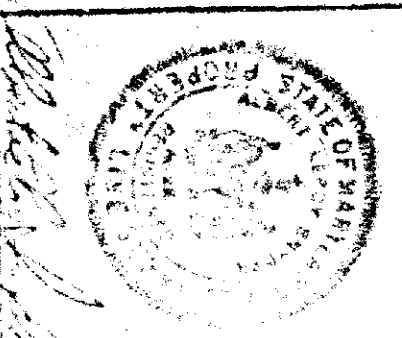
PUBLIC HEARING:
Room 218, Courthouse, Towson, Maryland
for Baltimore County, by

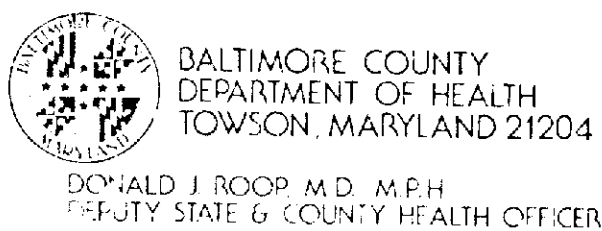
The County Board of Appeals for Baltimore
authority of the Baltimore County Charter, will hold a public
hearing:
Present Zoning: R. C. 2
Proposed Zoning: P. C. 5
All that parcel of land in the Fourth District of Baltimore
County
beginning for the same at a point 735 feet, more or less
of Park Heights Avenue, 4350 feet

[illegible]

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

SNYDER AND LAM, INC.
SUPERVISORS
1911 Hanover Bldg.
Hanover, Maryland
(301) 279-7172
Date: 11-21-1973
Sales: 11-100-1
Sales: 11-100-1





September 30, 1981

Mr. Walter Reiter, Chairman
Board of Appeals
Court House
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Item #6, Zoning Advisory Committee Meeting for
Cycle II, are as follows:

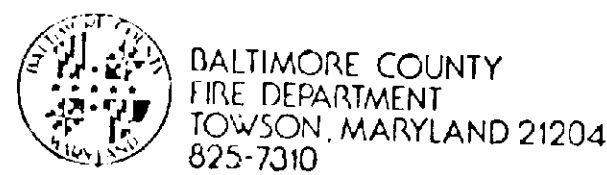
Property Owner: James J. Klimm, et al
Location: 735' N/E Park Heights Avenue 4350' S/E of Walnut Avenue
Existing Zoning: R.C. 2
Proposed Zoning: R.C. 5
Acres: 7.74
District: 4th

The proposed lots will be served by individual wells and sewage
disposal systems. Soil percolation tests have been conducted on the pro-
posed lots with favorable results.

Very truly yours,

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJE/JKF/mgt



October 9, 1981

Mr. William Hammond cc: William Hackett
County Commissioner Chairman of Board of Appeals
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: James J. Klimm, et al

Location: 735' N/W Park Heights Avenue 4350' S/E of Walnut Avenue

Item No.: 6 Zoning Agenda Meeting of September 14, 1981

Gentlemen:

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

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

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

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the
Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing 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.

REVIEWED BY: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/mb/cm

BALTIMORE COUNTY, MARYLAND

INTL-OFFICE CORRESPONDENCE

William Hackett-Chairman
Board of Appeals
Nick Commodari
Charles E. Burnham
Cycle II - 1981
Item #6 Zoning Advisory Committee Meeting 9-14-81
Property Owner: James J. Klimm, et al
Location: 735' N/E Park Heights Avenue 4350' S/E of Walnut Avenue
Existing Zoning: R.C. 2
Proposed Zoning: R.C. 5
Acres: 7.74
District: 4th

All future improvements shall be in compliance with the Baltimore
County Building Code, the Handicapped Code of the State of Maryland
and other applicable rules, regulations and codes.

No construction shall begin until the applicable permits have been
obtained.

Charles E. Burnham
Plans Review Chief

CLE:rrj

RE: PETITION FOR RECLASSIFICATION : BEFORE
from R.C. 2 to R.C. 5 : COUNTY BOARD OF APPEALS
Beg. 735' NE from a point in Park :
Heights Ave. 4350' SE of : OF
Walnut Avenue :
4th District :
James J. Klimm, et al : BALTIMORE COUNTY
Petitioners :
John F. Owings, Jr., : No. R-82-135
Contract Purchaser :

OPINION

This case comes before this Board on a request by the Petitioner for a re-
classification of 7.74 acres of the subject property from R.C. 2 to R.C. 5. The location
of the property begins 735 feet northeast from a point in Park Heights Avenue 4350 feet
southeast of Walnut Avenue, in the Fourth Election District of Baltimore County. On
October 5, 1981, by Resolution #74-81, the Baltimore County Council authorized that this
petition be heard out of cycle, and the case was heard this day, December 8, 1981, in its
entirety.

Testimony produced this day indicated that the zoning demarcation lines
bisecting this property have been drawn and redrawn several times with the intent that the
entire property be zoned R.C. 5, but because of the shape and location of the property
some portion always ends up zoned R.C. 2, the zoning of the abutting properties. In
November, 1980, Mr. John Owings, a real estate developer, contracted to purchase this
property with intentions to develop it under the R.C. 5 classification. He had an actual
property survey made by Mr. Robert Poremski, a registered professional engineer. This
survey was conducted using registered Baltimore County coordinates and finally located the
property lines accurately. This survey showed the zoning lines paralleling the property
lines but offset from the property lines, thus the 7.7 acres ended up classified R.C. 2.
All proper Baltimore County authorities concur that the proper classification, and the one
intended for this property, is R.C. 5, and now that the property lines are accurately
determined this should be accomplished. The Board, in this Opinion, concurs with all
these proper authorities and will so order.

Klimm - #R-82-135

2.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 14th day
of January, 1982, by the County Board of Appeals, ORDERED that the reclassification
petitioned for be and the same is hereby GRANTED and, therefore, the entire property
containing some 30+ acres, known as the Klimm property and being under contract to
purchase by Mr. John Owings, will be zoned R.C. 5.

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

William T. Hackett, Chairman

Patricia Phipps

Keith S. Franz

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
735' NE Park Heights Ave. 4350' :
SE of Walnut Avenue, 4th District : OF BALTIMORE COUNTY
JAMES J. KLIMM, et al, : Case No. R-82-135
Petitioners :

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

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.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2133

I HEREBY CERTIFY that on this 13th day of November, 1981, a copy of the foregoing

Order was mailed to James J. Klimm, Martin K. Klimm, Matthew M. Klimm, Mary M.
Klimm, and George G. Klimm, 4212 Thorncliff Road, Baltimore, Maryland 21236,
Petitioners; and Mr. John F. Owings, Jr., P. O. Box 275, Owings Mills, Maryland
21117, Contract Purchaser.

John W. Hession, III

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson Maryland - 21204

Date: 9/22/81

Mr. Walter Reiter
Chairman, Board of Appeals
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Zoning Cycle #11 - 1981
Meeting of 9/14/81

RE: Item No: 6
Property Owner: James J. Klimm, et al
Location: 735' N/E Park Heights Ave. 4350' S/E of Walnut Avenue
Present Zoning: R.C. 2
Proposed Zoning: R.C. 5
Acreage: 7.74

School Situation

School	Enrollment	Capacity	Over/Under
--------	------------	----------	------------

Comments: Since the rezoning would only mean an increase of 2 or 3 additional
lots the effects would be minimal as far as the educational system
is concerned.

Student Yield With:	Existing Zoning	And	Proposed Zoning
Elementary			
Junior High			
Senior High			

Very truly yours,
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

JOHN OWINGS, Jr., et al, : IN THE
Plaintiffs : CIRCUIT COURT
VS. :
BALTIMORE COUNTY, MD., et al, : FOR
Defendants : BALTIMORE COUNTY
Misc. #7594

AFFIDAVIT IN OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

I HEREBY CERTIFY that on the 30th day of October, 1981, before me,
the subscriber, a Notary Public of the State of Maryland, Baltimore County, personally
appeared William T. Hackett, and made oath in due form of law, to wit:

I, WILLIAM T. HACKETT, Chairman of the County Board of Appeals of
Baltimore County, do hereby declare and affirm, under penalty of perjury, that I am
competent to be a witness in this case, to testify to the matters and facts herein stated,
and that said matters and facts are true and correct:

1. The County Board of Appeals of Baltimore County is in receipt of
notice from the Baltimore County Council that it has certified that the
zoning reclassification case of

Mary M. Klimm, et al
735' NE Park Heights Ave.
4350' SE of Walnut Ave.
4th Election District

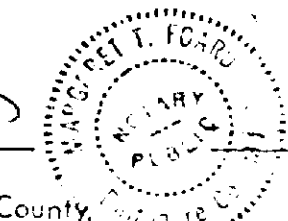
has been removed from the cycle zoning process, and may proceed
with an "out of cycle" hearing before the County Board of Appeals of
Baltimore County.

2. The Baltimore County Council exempted this case from the cyclical
procedures for rezoning at its meeting on the 5th day of October, 1981.

I am competent to be a witness and have personal knowledge of the

accuracy of the facts herein stated.

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals of Baltimore County



Notary Public

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1981, Legislative Day No. 19

RESOLUTION NO. 74-81

Mr. Ronald B. Hickernell, Councilman

By the County Council, October 5, 1981

A RESOLUTION to approve the Planning Board's certification that the zoning reclassification petition filed on behalf of Mary M. Klimm, et al, for a portion of her property on Park Heights Avenue should be exempted from the regular cyclical procedure of Section 2-58.1 (c) through (h) inclusive of the Baltimore County Code, 1978, 1979 Cumulative Supplement, as amended.

WHEREAS, the Planning Board, by resolution dated September 10, 1981, has certified that early action on the Petition for Zoning Reclassification filed on behalf of Mary M. Klimm, et al requesting a reclassification of a portion of her property on Park Heights Avenue from R.C.2 to R.C.5 would be in the public interest; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-58.1(i) may approve said certification and exempt the Petition for Zoning Reclassification from the regular, cycle procedures of Section 2-58.1; and

NOW THEREFORE BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the Zoning Reclassification Petition filed on behalf of Mary M. Klimm, et al, be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-58.1(i) of the Baltimore County Code.

6. As a result of the field survey, Owings discovered that the zoning demarcation line between the RC-2 and RC-5 zones was erroneously drawn so that 7.74 acres of the Land remained in the RC-2 zone. The erroneous location of the zoning line is shown on Exhibit "A" as the line designated N 86° 04' 34" E 1323.11 feet. The correct zoning line for the RC-2 -- RC-5 line is the southernmost boundary line of the Land, which is designated as S 79° 53' 54" W 1376 feet on Exhibit "A".

7. Owings discussed this error with representatives of the Planning Office of Baltimore County and was advised that the Baltimore County Zoning Maps 2D (1000' scale) and NW 150 (200' scale), which includes the Land, were erroneous in that they did not place the entire Land in the RC-5 zone as was approved by the Planning Board and by the County Council. A copy of a letter dated June 11, 1981 from Joseph V. Maranto to Owings is attached as Exhibit "B".

8. A subsequent review of the facts of the preparation of the zoning map reveals that although there was an intention to include the entire Land in the RC-5 zone, there was confusion concerning the location of the Land in relation to the 1976 zoning line, and the zoning line on the 1980 map.

9. In spite of the confusion concerning the location of the Land in relation to zoning lines, the original request filed by the Klimms, as shown on the plat in the zoning file of Baltimore County, File R-10-71, requested rezoning on all of the parcel which was erroneously left in the RC-2 zone in the 1976 and 1980 zoning maps. A copy of that plat is attached as Exhibit "C".

BALTIMORE COUNTY COUNCIL AGENDA
Legislative Day No. 19
October 5, 1981 - 7:30 P.M.

- Moment of silent prayer
Pledge of Allegiance to the Flag
- Approval of Journal - Meeting of September 21, 1981
- Enrollment of Bills Nos. 152-81, 154-81, 155-81, 156-81, 157-81, 158-81, 159-81, 160-81 and 161-81

D. Introduction of Bills

Bill No. 166-81 - Mr. Hickernell (By Req.) - Community Home Care Program-WAIVER & EMERGENCY
Bill No. 167-81 - Mr. Hickernell (By Req.) - Ind.Dev.Rev.Bond - North Park Associates
Bill No. 168-81 - Mr. Hickernell (By Req.) - Ind.Dev.Rev.Bond - Tate Temco, Inc.
Bill No. 169-81 - Mr. Hickernell (By Req.) - Summer Day Camp Program
Bill No. 170-81 - Mr. Hickernell (By Req.) - Animal related licenses and permits
Bill No. 171-81 - Mr. Hickernell (By Req.) - Md. Historical Trust - Courtroom 5
Bill No. 172-81 - Mr. Gallagher - Charter Amendment - Title of County Solicitor
Bill No. 173-81 - Mr. Hickernell (By Req.) - Youth Conservation Corps

E. Call of Bills for Final Reading and Vote

Bill No. 138-81 - Mr. Gallagher - Landlord and Tenant - EMERGENCY
Bill No. 144-81 - Mr. Smith - Penalties for Dumping and Other Offenses
Bill No. 145-81 - Mr. Smith - Solicitation
Bill No. 146-81 - Mr. Smith - Property Transfer Tax - Exemptions
Bill No. 147-81 - Mr. Hickernell (By Req.) - Water Extension - Philadelphia Road
Bill No. 148-81 - Mr. Hickernell (By Req.) - Sewer Extension - Falls Road
Bill No. 149-81 - Mr. Hickernell (By Req.) - Md. Historical Trust - Courtroom 5
Bill No. 150-81 - Mr. Hickernell (By Req.) - Employees Retirement - Optional Membership
Bill No. 151-81 - Mr. Hickernell (By Req.) - Employees Retirement - Exemption from Mandatory Membership
Bill No. 153-81 - Mr. Gallagher - Parks and Recreational areas after posted hours
Bill No. 162-81 - Mr. Hickernell (By Req.) - Ind.Dev.Rev.Bond - Eastpoint Nursing Home
Bill No. 163-81 - Mr. Hickernell (By Req.) - Ind.Dev.Rev.Bond - Weber Moving & Storage
Bill No. 164-81 - Mr. Hickernell (By Req.) - Storm Drain Projects
Bill No. 165-81 - Mr. Hickernell (By Req.) - Ind.Dev.Rev.Bond - Metro II Associates

F. Approval of Fiscal Matters

- Amendment to Agreement - Elemental Assoc.Inc. - Highways Terminal Information System
- Agreement - Fish Rental Services, Inc. - Linen service to various fire stations
- Agreement - Overlea/Caterers, Inc. - Meals - Congregate Nutrition Services-Elderly
- Agreement - Kopple, Sheward & Day - Perry Hall-White Marsh Development Study

G. Miscellaneous Business

- Correspondence
- Resolution No. 60-81 - Ind.Dev.Rev.Bond - Eastpoint Nursing Home
- Resolution No. 61-81 - Ind.Dev.Rev.Bond - Weber Moving and Storage
- Resolution No. 62-81 - Ind.Dev.Rev.Bond - Associated Printers
- Resolution No. 63-81 - Ind.Dev.Rev.Bond - Pikesville Office Building
- Resolution No. 64-81 - Ind.Dev.Rev.Bond - Lansdowne Bldg. Partnership/Tate Temco
- Resolution No. 66-81 - Ind.Dev.Rev.Bond - Shapiro's Super Market
- Resolution No. 67-81 - Ind.Dev.Rev.Bond - Princess Shops
- Resolution No. 69-81 - Extension - Term of Franchise - CALTEC
- Resolution No. 70-81 - MIFA Loan - Thomas Manufacturing Corporation
- Resolution No. 71-81 - Ind.Dev.Rev.Bond - Allied Product/Brandswood Associates
- Resolution No. 72-81 - Ind.Dev.Rev.Bond - North Park Associates - INTRO. ONLY
- Resolution No. 73-81 - MIFA Loan - Wm. C. Staley Machinery Corporation-INTRO. ONLY
- Resolution No. 74-81 - Mary M. Klimm - Petition for Zoning Reclassification
- Special Resolution - Commendation - Frederick Douglas Johnson
- Special Resolution - Commendation - Westgate Community Association
- Appointment - Member - Animal Welfare Hearing Board

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1981, Legislative Day No. 19

RESOLUTION NO. 74-81

Mr. Ronald B. Hickernell, Councilman

By the County Council, October 5, 1981

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WHEREAS, the Planning Board, by resolution dated September 10, 1981, has certified that early action on the Petition for Zoning Reclassification filed on behalf of Mary M. Klimm, et al requesting a reclassification of a portion of her property on Park Heights Avenue from R.C.2 to R.C.5 would be in the public interest; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-58.1(i) may approve said certification and exempt the Petition for Zoning Reclassification from the regular, cycle procedures of Section 2-58.1; and

NOW THEREFORE BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the Zoning Reclassification Petition filed on behalf of Mary M. Klimm, et al, be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-58.1(i) of the Baltimore County Code.

PETITION FOR RE-CLASSIFICATION

4th DISTRICT

ZONING: Petition for Re-classification

LOCATION: (southwesternmost property line) 735' Northeast of Park Heights Avenue, 4,350' Southeast of Walnut Avenue (easternmost property line) south termination of Heneason and Garth)

DATE & TIME: Tuesday, December 8, 1981, at 10:00 A.M.

PUBLIC HEARING: Room 218, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing:

Present Zoning: R.C.2
Proposed Zoning: R.C.5

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

Being the property of James J. Klimm, et al, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, December 8, 1981 at 10:00 A.M.
Public Hearing: Room 218, Courthouse, Towson, Maryland

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

DEVELOPMENT ENGINEERS

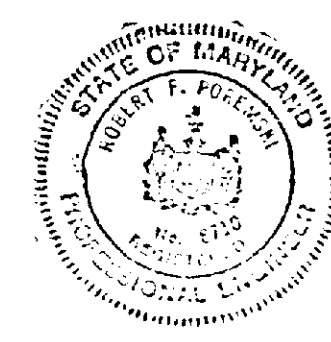
CIVIL ENGINEERS

812 OLD JOPPA ROAD - BALTIMORE, MD. 21047
870-3253

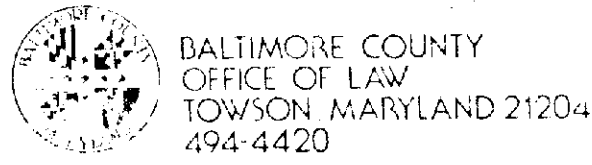
NOTES AND SURVEY DESCRIPTION IN ACCORDANCE WITH
FOR ZONING RECLASSIFICATION ON KLIMM PROPERTY

Beginning for the same at a point 735 feet, more or less, northeasterly from a point in Park Heights Avenue, 4350 feet, more or less, southeasterly from the intersection of Park Heights Avenue and Walnut Avenue and at the southwest corner of Lot No. 1 as shown on the plat entitled "Plat of Part of The Caves", recorded among the Land Records of Baltimore County, Maryland, in Plat Book J.W.S. No. 2, Part 1, Folio 89, running thence with the outlines of said Lot No. 1:

1) North 14 degrees, 02 minutes 15 seconds East 368.25 feet, thence through the said lot No. 1; 2) North 86 degrees, 04 minutes 34 seconds East 1323.11 feet, thence with the outline of said lot No. 1; 3) South 6 degrees, 53 minutes 20 seconds East 176.19 feet, thence; 4) South 79 degrees, 53 minutes 54 seconds West 1376.00 feet to the place of beginning. Containing 7.74 acres of land, more or less.



Robert J. Hamond



LEONARD S. JACOBSON
COUNTY SOLICITOR

December 22, 1981

William T. Hackett, Member
Baltimore County Board of Appeals
Second Floor - Court House
Towson, Maryland 21204

Re: R-82-135 James J. Klimm, et al
Owings, et al v. Baltimore
County, Maryland
Law #160/135/107681

Dear Mr. Hackett:

Judge Wittstadt, specially assigned to Circuit Court, has suspended the jurisdiction of that Court for ninety (90) days pending the administrative review of the Klimm's petition to see adjusted the zoning boundary lines on the Klimm property. You will respectfully recall that the County Council exempted the Klimm petition from the zoning cycle to expedite action on the zoning reclassification petition. If you Order is soon finalized and a copy of the same were to accompany the Motion and Order of Dismissal to be filed with the Clerk of the Circuit Court, all pursuant to Maryland Rules of Procedure 541, within the ninety (90) day period of the suspension of the jurisdiction of that Court, this case will not be assigned a hearing date, and will be dismissed.

With that idea in mind to see the Circuit Court action closed, it is respectfully requested that the Board's Order in this case be entered on or before January 15, 1982.

Very truly yours,

Michael J. McMahon
Michael J. McMahon
Assistant County Solicitor

MJM:gp

cc: Robert J. Ryan, Esquire

JOHN F. OWINGS, JR.
P. O. Box 295
OWINGS MILLS, MARYLAND 21117

November 13, 1981

Mr. William T. Hackett, Chairman
County Board of Appeals
Court Building
Towson, Md. 21204

Re: Petition for Reclassification
735' NE Park Heights Ave.
4350' SE of Walnut Ave.
4th District
James J. Klimm, et al
Case # R-82-135

Attn: Mrs. Eisenhart

Dear Mrs. Eisenhart:

Please request the Sheriff's Office to subpoena Mr. James C. Hoswell of Baltimore County Planning and Zoning Department to appear with his records at the above referenced hearing on December 8, 1981/so that he may testify on the particulars of this matter.

Thank you.

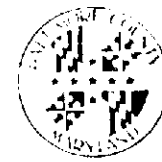
Very truly yours,

John F. Owings, Jr.

Mr. Sheriff:

Please serve the above summons.

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of Baltimore County



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-0353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

December 3, 1981

Mr. John F. Owings, Jr.
P. O. Box 295
Owings Mills, Maryland 21117

Re: Petition for Reclassification
James J. Klimm, et al - Petitioners
Case #R-82-135 - Box 295 - Cycle II

Dear Mr. Owings:

This is to advise you that \$64.95 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WELH:klr

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

No. 102668

DATE 12/8/81 ACCOUNT 01-662

AMOUNT \$64.95

RECEIVED FROM John F. Owings, Jr.
FOR Posting & Advertising of Case #R-82-135 (Klimm)

VALIDATION OR SIGNATURE OF CASHIER

JOHN F. OWINGS, JR.
P. O. Box 295
OWINGS MILLS, MARYLAND 21117

November 18, 1981

Mr. William T. Hackett, Chairman
County Board of Appeals
Court Building
Towson, Md. 21204

Re: Petition for Reclassification
735' NE Park Heights Ave.
4350' SE of Walnut Ave.
4th District
James J. Klimm, et al
Case # R-82-135

Attn: Mrs. Eisenhart

Dear Mrs. Eisenhart:

Please request the Sheriff's Office to subpoena Mr. James C. Hoswell of Baltimore County Planning and Zoning Department to appear with his records at the above referenced hearing on December 8, 1981/so that he may testify on the particulars of this matter.

Thank you.

Very truly yours,

Mr. Sheriff:

Please serve the above summons.

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of Baltimore County

Mr. John F. Owings, Jr.
P. O. Box 295
Owings Mills, Maryland 21117

November 12, 1981

NOTICE OF HEARING

RE: Petition for Reclassification
(sw/most property line) 735' NE of Park Heights
Ave., 4,350' SE of Walnut Ave. (e/most property
line) south termination of Heneson & Gardin
James J. Klimm, et al
Case #R-82-135

10:00 A.M.

TIME:

Tuesday, December 8, 1981

DATE:

PLACE: Room 218, Courthouse, Towson, Maryland

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

County Council of Baltimore County
Court House, Tower 4, Maryland 21204
[301] 491-3193

October 8, 1981

COUNCIL

James J. Klimm, et al

Gary Hackett

James J. Klimm, Jr.

Barbara L. Hackett

Norman W. Lichtenstein

Lucas W. Galloway

John W. O'Brien

Thomas Toporovich

Mr. William T. Hackett, Chairman
Baltimore County Board of Appeals
Court House
Towson, Maryland 21204

Dear Mr. Hackett:

At their meeting on October 5, 1981, the Baltimore County Council approved the attached Resolution No. 74-81 to certify that early action is manifestly required in the public interest on the petition by Mrs. Mary Klimm to be heard out of the regular zoning cycle.

This resolution is forwarded for your information and appropriate action.

Sincerely yours,

Thomas Toporovich
Thomas Toporovich
Secretary

TT:bl

Enc: 1

CC: Norman E. Gerber
William F. Kirwin

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. William T. Hackett, Chairman
County Board of Appeals
Norman E. Gerber, Director
Office of Planning and Zoning
Zoning Reclassification Petition
Klimm Property

Date: November 17, 1981

In preparing the 1980 Comprehensive Zoning Map for adoption by the County Council, it was the intention of the Planning Staff and the Planning Board to place the subject property in its entirety within the P.C. 5 zoning classification boundaries. On the basis of the field survey prepared by a registered engineer for the contract purchaser, Mr. John Owings, Jr., and submitted to the Planning office after the adoption of the 1980 Comprehensive Zoning Map, it is apparent that a portion of the subject property was inadvertently placed in the P.C. 2 zoning classification. It is therefore recommended that the petitioner's request be granted so as to correct this apparent error.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:dme

cc: James G. Hoswell, Community Planning Division
John W. Hessian, III, People's Counsel Office

September 30, 1981

Mr. Walter Reiter, Chairman
Board of Appeals
Court House
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Item #6, Zoning Advisory Committee Meeting for Cycle II, are as follows:

Property Owner: James J. Klimm, et al
Location: 735' N/E Park Heights Avenue 4350' S/E of Walnut Avenue
Existing Zoning: R.C. 2
Proposed Zoning: P.C. 5
Acres: 7.74
District: 4th

The proposed lots will be served by individual wells and sewage disposal systems. Soil percolation tests have been conducted on the proposed lots with favorable results.

Very truly yours,

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

IJF/JRP/mgt

BALTIMORE COUNTY
OFFICE OF LAW
TOWSON, MARYLAND 21204
494-4420

Mr. Sheriff:

Please serve the above summons.

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of Baltimore County

RECEIVED
OCT 13 11 55 AM '81
OFFICE OF PLANNING & ZONING
Baltimore County, Maryland

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William Hackett-Chairman
 Board of Appeals
 CC: Nick Commodari
 FROM: Charles E. Burnham
 Cycle II - 1981
 SUBJECT: Item #6 Zoning Advisory Committee Meeting 9-11-81

Property Owner: James J. Klimm, et al
 Location: 735' 1/8 Park Heights Avenue 1,350' S/W of Walnut Avenue
 Existing Zoning: R.C. 2
 Proposed Zoning: R.C. 5

Acres: 7.74
 District: 4th

All future improvements shall be in compliance with the Baltimore County Building Code, the Handicapped Code of the State of Maryland and other applicable rules, regulations and codes.

No construction shall begin until the applicable permits have been obtained.

Charles E. Burnham
 Charles E. Burnham
 Plans Review Chief

CHB:rrg

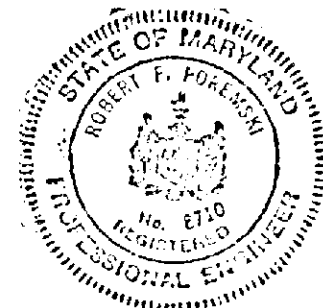
DEVELOPMENT ENGINEERS

CIVIL ENGINEERS

312 OLD JOPPA ROAD - FALLSTON, MD. 21017
 879-3253

WORDS AND BOUNDS DESCRIPTION TO ACCOMPANY PETITION
 FOR ZONING RECLASSIFICATION ON KLINM PROPERTY

Beginning for the same at a point 735 feet, more or less, northeasterly from a point in Park Heights Avenue, 1,350 feet, more or less, southeasterly from the intersection of Park Heights Avenue and Walnut Avenue and at the southwest corner of Lot No. 4 as shown on the plat entitled "Plat of Part of The Caves", recorded among the Land Records of Baltimore County, Maryland, in Plat Book J.V.S. No. 2, Part 1, Folio 89, running thence with the outlines of said Lot No. 4: 1) North 4 degrees, 02 minutes 35 seconds East 1,123.11 feet, thence through the said Lot No. 4; 2) North 55 degrees, 01 minutes 21 seconds East 1323.11 feet, thence with the outline of said Lot No. 4; 3) South 6 degrees, 58 minutes 20 seconds East 176.19 feet, thence; 4) South 79 degrees, 53 minutes 54 seconds West 1,350.00 feet to the place of beginning. Containing 7.74 acres of land, more or less.



Robert J. Carmali

Exhibit "D"

June 11, 1981

Mr. John Owings
 P. O. Box 295
 Owings Mills, Maryland 21117

Dear Mr. Owings:

It was the recommendation of the Office of Planning and Zoning staff and the Baltimore County Planning Board that the 31 acre + Mary M. Klimm property located 735' N.E. of Park Heights Avenue, + 1,750' S. of Walnut Avenue be Zoned R.C. 5 in its entirety. The County Council adopted the recommendation of the staff and Planning Board (see Issue 3-12 in the County Council log of Issues), and on October 14, 1980, adopted Bill No. 184-80, the 3rd District Councilmatic map.

The Baltimore County Zoning Map No. 184-80 is erroneous with respect to the subject property and should be changed to reflect R.C. 5 zoning, and no portion of this property should be Zoned R.C. 2.

Sincerely,

Joseph V. Maranto
 Joseph V. Maranto
 Area Planner
 Community Planning Division

JVM:dne

cc: Frank H. Fisher, Chief, Community Planning Division

June 11, 1981

Mr. John Owings
 P. O. Box 295
 Owings Mills, Maryland 21117

Dear Mr. Owings:

It was the recommendation of the Office of Planning and Zoning staff and the Baltimore County Planning Board that the 31 acre + Mary M. Klimm property located 735' N.E. of Park Heights Avenue, + 1,750' S. of Walnut Avenue be Zoned R.C. 5 in its entirety. The County Council adopted the recommendation of the staff and Planning Board (see Issue 3-12 in the County Council log of Issues), and on October 14, 1980, adopted Bill No. 184-80, the 3rd District Councilmatic map.

The Baltimore County Zoning Map No. 184-80 is erroneous with respect to the subject property and should be changed to reflect R.C. 5 zoning, and no portion of this property should be Zoned R.C. 2.

Sincerely,

Joseph V. Maranto
 Joseph V. Maranto
 Area Planner
 Community Planning Division

JVM:dne

cc: Frank H. Fisher, Chief, Community Planning Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. William T. Hackett, Chairman
 County Board of Appeals
 FROM: Norman E. Gerber, Director
 Office of Planning and Zoning
 SUBJECT: Zoning Reclassification Petition
 Klimm Property

Date: November 17, 1981

In preparing the 1980 Comprehensive Zoning Map for adoption by the County Council, it was the intention of the Planning staff and the Planning Board to place the subject property in its entirety within the R.C. 5 zoning classification boundaries. On the basis of the field survey prepared by a registered engineer for the contract purchaser, Mr. John Owings, Jr., and submitted to the Planning office after the adoption of the 1980 Comprehensive Zoning Map, it is apparent that a portion of the subject property was inadvertently placed in the R.C. 2 zoning classification. It is therefore recommended that the petitioner's request be granted so as to correct this apparent error.

Norman E. Gerber, Director
 Office of Planning and Zoning

NEG:JGH:dne

cc: James G. Hoswell, Community Planning Division
 John W. Hessian, III, People's Counsel Office

John E. Hackett #3

494-3180

County Board of Appeals

Room 219, Court House
 Towson, Maryland 21204

January 14, 1982

Mr. James J. Klimm
 4212 Thorncliff Road
 Baltimore, Md. 21236

Re: Case No. R-82-135
 James J. Klimm, et al

Dear Mr. Klimm:

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

Very truly yours,

Edith T. Eisenhart, Adm. Secretary

Encl.

cc: John F. Owings, Jr.
 John W. Hessian, III, Esq.
 Mr. W. E. Hammond
 Mr. J. E. Dyer
 Mr. N. E. Gerber
 Mr. J. G. Hoswell
 Board of Education
 Michael J. McMahon, Esq.

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

No. 102615

DATE: 11/10/81 ACCOUNT: 01-662

AMOUNT: \$50.00

RECEIVED FROM: John F. Owings, Jr.
 FOR: Filing Fee for Case #R-82-135 (Klimm)

VALIDATION OR SIGNATURE OF CASHIER

Mrs. Mary M. Klimm
 4212 Thorncliff Road
 Baltimore, Md. 21236

John F. Owings, Jr.
 P.O. Box 295
 Owings Mills, Md. 21117

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 5th day of October, 1981.

WILLIAM E. HAMMOND
 Zoning Commissioner

Petitioner: Mary M. Klimm, et al

Petitioner's Attorney

Reviewed by: Nicholas B. Commodari
 Chairman, Zoning Plans
 Advisory Committee

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 4th Date of Posting: Nov. 20 - 81

Posted for: R.C. 5 Reclassification

Petitioner: James J. Klimm, et al

Location of property: 735' N.E. of Park Heights Avenue, 1,750' S. of Walnut Avenue

TERMINATION OF HINEWORTH SOUTH

Location of Signs: 1/10 N. W. Side of HINEWORTH SOUTH APPROX. 200' SOUTH OF HINEWORTH SOUTH

Remarks: 1/10 N. W. Side of HINEWORTH SOUTH APPROX. 200' SOUTH OF HINEWORTH SOUTH

Posted by: J. G. Hoswell Date of return: Nov. 20 - 81

Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 20, 1981

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 the successive weeks before the 19th day of December, 1981, the next publication appearing on the 19th day of December, 1981.

THE JEFFERSONIAN
 Manager

Cost of Advertisement, \$.....

Mrs. Mary M. Klimm
 4212 Thorncliff Road
 Baltimore, Md. 21236

John F. Owings, Jr.
 P.O. Box 295
 Owings Mills, Md. 21117

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 5th day of October, 1981.

WILLIAM E. HAMMOND
 Zoning Commissioner

Petitioner: Mary M. Klimm, et al

Petitioner's Attorney

Reviewed by: Nicholas B. Commodari
 Chairman, Zoning Plans
 Advisory Committee

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION
 TO THE BOARD OF APPEALS OF BALTIMORE COUNTY
 I, or we, of the County of Baltimore, do hereby petition the Board of Appeals of Baltimore County to re-classify the property described in the attached map and to grant a special exception to the use of the property as described in the attached map and to grant a special exception to the use of the property as described in the attached map.

PETITION FOR RECLASSIFICATION
 FROM R.C. 2 TO R.C. 3
 7301 NE of Park Heights Avenue
 4300 SE of Walnut Avenue
 An District
 Mary M. Klimm, et al
 Petitioners
 McClure Properties, Joint Venture
 General Purchaser

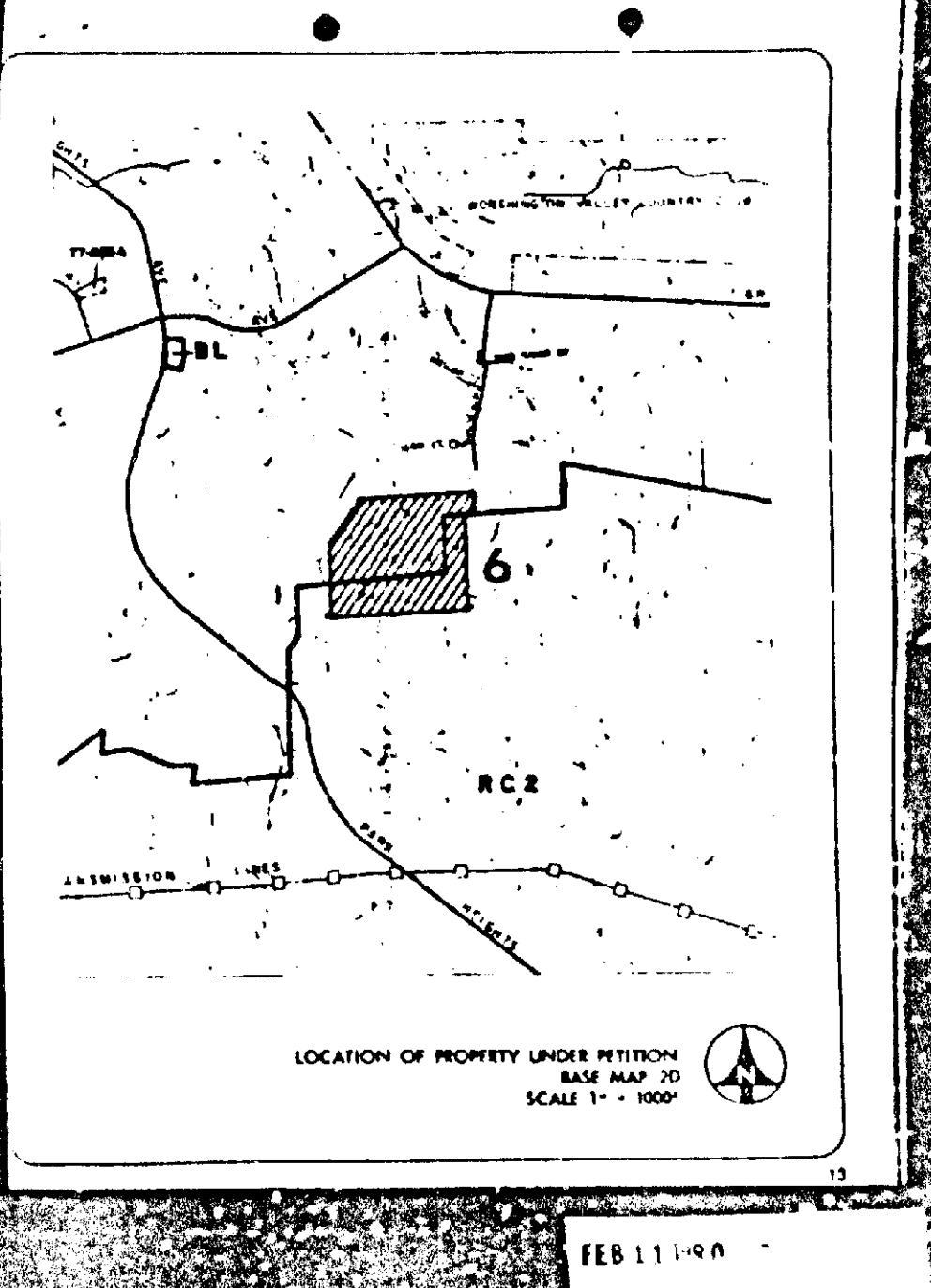
MEMORANDUM
 FOR THE COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY
 RE: PETITION FOR RECLASSIFICATION FROM R.C. 2 TO R.C. 3
 7301 NE of Park Heights Avenue
 4300 SE of Walnut Avenue
 An District
 Mary M. Klimm, et al
 Petitioners

MEMORANDUM
 FOR THE COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY
 RE: PETITION FOR RECLASSIFICATION FROM R.C. 2 TO R.C. 3
 7301 NE of Park Heights Avenue
 4300 SE of Walnut Avenue
 An District
 Mary M. Klimm, et al
 Petitioners

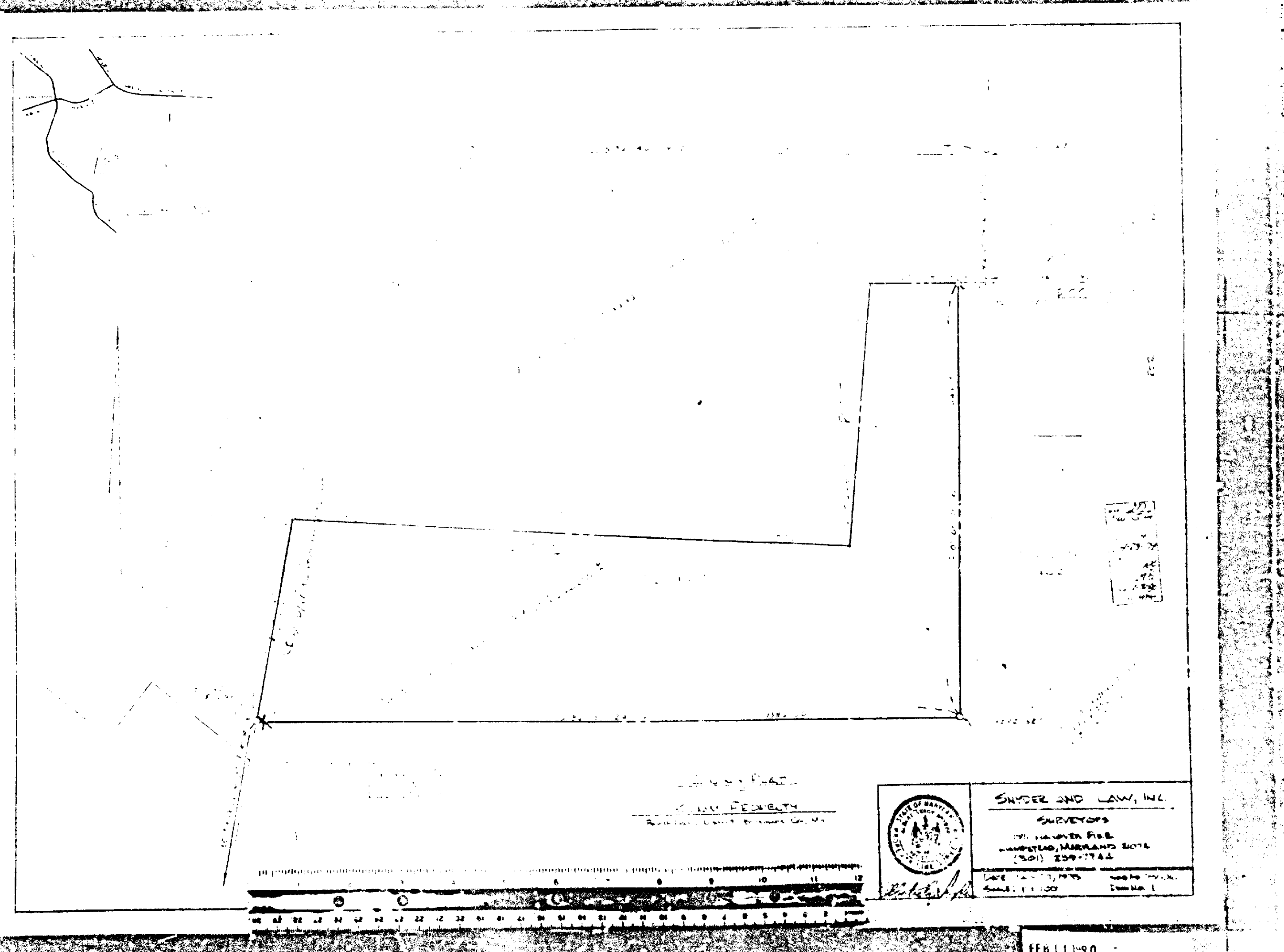
County Board of Appeals
 Room 319, Court House
 Towson, Maryland 21204
 November 19, 1979
 W. Lee Harrison, Inc.
 20001 Ocean Road
 Towson, MD 21204
 Re: Case No. 8-80-71
 Mary M. Klimm, et al
 Petitioners
 Enclosed herewith is a copy of the Opinion and Order passed by the County Board of Appeals on the above entitled case.
 Very truly yours,
 [Signature]
 Clerk, Board of Appeals

Snyder and Law, Inc.
 1811 Hanover Pike
 Hampstead, MD 21074
 Phone (301) 239-7744
 [Signature]
 Attorney for Petitioners

ITEM NO. 6
 PROPERTY OWNERS: Mary M. Klimm, et al
 LOCATION: 7301 NE of Park Heights Avenue, 4300 SE of Walnut Avenue, An District
 ZONING: R.C. 2 TO R.C. 3
 RECOMMENDED DATE OF HEARING: Week of October 22, 1979
 FUNCTIONAL CATEGORY: None



CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 District: 4th
 Date of Posting: 10/15/79
 Posted to: [Signature]
 Location of property: 7301 NE of Park Heights Ave, 4300 SE of Walnut Ave
 Location of signs: 5 ft corner of Park Heights Ave and Walnut Ave
 Remarks: [Signature]
 Date of return: 10/15/79



BALTIMORE COUNTY, MARYLAND
 STATE OF MARYLAND
 BALTIMORE COUNTY, MARYLAND
 BALTIMORE COUNTY, MARYLAND
 BALTIMORE COUNTY, MARYLAND

OFFICE OF THE TIMES
 TOWSON, MD 21204
 October 18, 1979
 THIS IS TO CERTIFY that the enclosed advertisement of PETITION FOR RECLASSIFICATION-MARY M. KLIMM, et al was inserted in the following:
 [List of newspapers]
 STROMBERG PUBLICATIONS, INC.
 BY [Signature]

CERTIFICATE OF PUBLICATION
 TOWSON, MD 21204
 THIS IS TO CERTIFY that the enclosed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week, on the 18th day of October, 1979, that is to say, the same was inserted in the issue of October 18, 1979.
 [Signature]
 Manager

SWORE AND LAW, INC.
 SURVEYORS
 1714 SOUTH PINE
 WASHINGTON, MARYLAND 20756
 (202) 239-7744
 DATE: 11-19-79
 SCALE: 1" = 100'

CERTIFICATE OF POSTING
TOWNSHIP DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Subject: *Reclassification of property*
Parcel No: *100-100-100*
Location of property: *100-100-100*
Date of posting: *10/10/77*
Time of return: *10/10/77*

OFFICE OF
THE CLERK
BALTIMORE COUNTY
TOWSON, MARYLAND 21204

THIS IS TO CERTIFY that the attached advertisement of
PETITION FOR RECLASSIFICATION Mary M. Klimm, et al
was published in the following:

Publication Title: *The Baltimore Sun*
Edition: *Evening Edition*
Date of Publication: *10/10/77*
Page: *1*
Column: *1*
Time of Day: *Evening*
Number of Copies: *1*

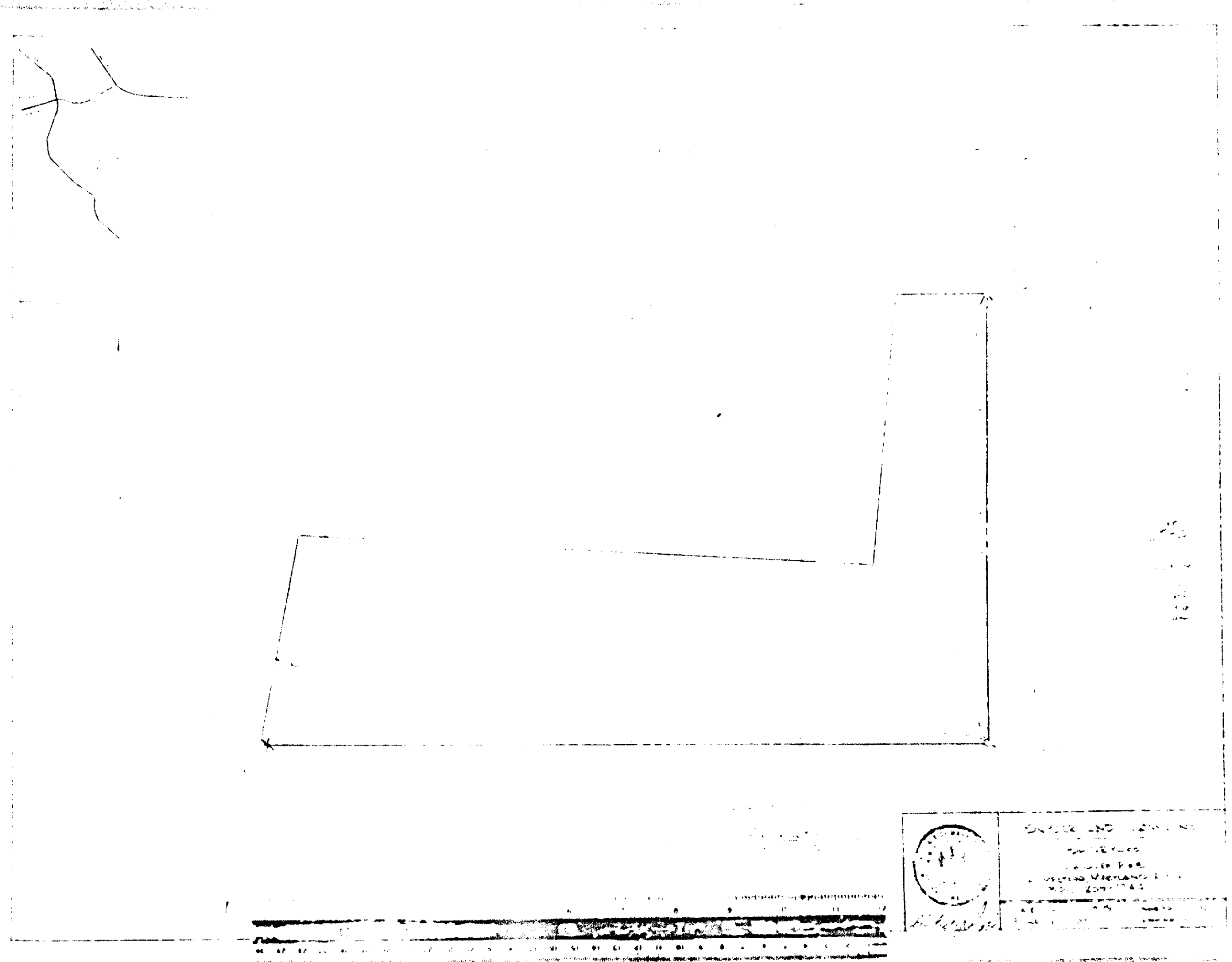
Clerk's Office: *100-100-100*
Date of Posting: *10/10/77*
Time of Return: *10/10/77*

CERTIFICATE OF PUBLICATION
TOWSON, MD.

THIS IS TO CERTIFY that the attached advertisement was
published in the following:

Publication Title: *The Baltimore Sun*
Edition: *Evening Edition*
Date of Publication: *10/10/77*
Page: *1*
Column: *1*
Time of Day: *Evening*
Number of Copies: *1*

Clerk's Office: *100-100-100*
Date of Posting: *10/10/77*
Time of Return: *10/10/77*



PETITION FOR ZONING RECLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE BOARD OF APPEALS OF BALTIMORE COUNTY

I, *Mary M. Klimm*, of the County of Baltimore, Maryland, do hereby petition the Board of Appeals of Baltimore County to reclassify the property described in the attached map and to grant a special exception to the zoning ordinance of Baltimore County for the property described in the attached map.

The property described in the attached map is located in the County of Baltimore, Maryland, and is currently zoned *R-1*. The property is owned by *Mary M. Klimm*, et al.

The Board of Appeals of Baltimore County is requested to reclassify the property from *R-1* to *R-2* and to grant a special exception to the zoning ordinance of Baltimore County for the property described in the attached map.

Very truly yours,
Mary M. Klimm
Attorney for Petitioners

PETITION FOR RECLASSIFICATION
BEFORE THE
COUNTY BOARD OF APPEALS

OF
BALTIMORE COUNTY

No. *100-100-100*

The case before the Board is a petition for reclassification of approximately 13.2 acres of property located northeast of Park Heights Avenue and west of Walnut Avenue, in the Fourth Election District of Baltimore County.

The Petitioner introduced exhibits 1, 2 and 3 which outline the subject property and a proposed right-of-way from Park Heights Avenue. As noted on Petitioner's Exhibit 1, an irregularly shaped lot divides the subject property into approximately 13.2 acres of R.C. 2 zoning and approximately 17.78 acres of R.C. 5 property.

James Howell, a planner for Baltimore County, told the Board that this irregularly shaped lot was a drafting error made by the Planning staff and perpetuated into a final zoning map by the County Council. When they adopted the comprehensive zoning map for this area in October, 1976, Mr. Howell stated that it was the intention of the Planning staff to do this demonstration line along the southern and eastern boundaries of the subject property.

The Board was told that a physical inspection of the subject property reflects no rhyme or reason for dividing the property into the two zoning classifications as was shown on the 1976 map. Hence, for the reasons set out above, the Board will grant the reclassification as petitioned.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 10th day of November, 1977, by the County Board of Appeals, ORDERED that the reclassification petitioned for of approximately 13.2 acres of R.C. 2 zoned land, as outlined on Petitioner's

PETITION FOR RECLASSIFICATION
BEFORE THE
COUNTY BOARD OF APPEALS

OF
BALTIMORE COUNTY

No. *100-100-100*

The case before the Board is a petition for reclassification of approximately 13.2 acres of property located northeast of Park Heights Avenue and west of Walnut Avenue, in the Fourth Election District of Baltimore County.

The Petitioner introduced exhibits 1, 2 and 3 which outline the subject property and a proposed right-of-way from Park Heights Avenue. As noted on Petitioner's Exhibit 1, an irregularly shaped lot divides the subject property into approximately 13.2 acres of R.C. 2 zoning and approximately 17.78 acres of R.C. 5 property.

James Howell, a planner for Baltimore County, told the Board that this irregularly shaped lot was a drafting error made by the Planning staff and perpetuated into a final zoning map by the County Council. When they adopted the comprehensive zoning map for this area in October, 1976, Mr. Howell stated that it was the intention of the Planning staff to do this demonstration line along the southern and eastern boundaries of the subject property.

The Board was told that a physical inspection of the subject property reflects no rhyme or reason for dividing the property into the two zoning classifications as was shown on the 1976 map. Hence, for the reasons set out above, the Board will grant the reclassification as petitioned.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 10th day of November, 1977, by the County Board of Appeals, ORDERED that the reclassification petitioned for of approximately 13.2 acres of R.C. 2 zoned land, as outlined on Petitioner's

PETITION FOR RECLASSIFICATION
BEFORE THE
COUNTY BOARD OF APPEALS

OF
BALTIMORE COUNTY

No. *100-100-100*

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County Board of Appeals
November 14, 1977

W. Lee Harrison, Petitioner
305 N. Joppa Road
Towson, Md. 21204

Re: Case No. 100-100-100
Mary M. Klimm, et al.

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

Very truly yours,
Edith L. Eustachy
Edith L. Eustachy, Admin. Secretary

cc: McLean Properties Joint Venture
John W. Hession, III, President
Mr. A. L. Smith
Mr. Martin Klimm
Mr. Chip Farmer
Mr. Ron Thomas
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. J. H. Powell
Board of Education

Snyder and Law, Inc.
1911 Hanover Pike
Hampstead, MD 21074
Phone (301) 337-1744

Opinion for the Board of Appeals, Case No. 100-100-100, filed November 14, 1977.

The Board of Appeals of Baltimore County, in its decision of November 14, 1977, ordered that the reclassification petitioned for of approximately 13.2 acres of R.C. 2 zoned land, as outlined on Petitioner's

ITEM NO. 6

PROPERTY OWNER: *Mary M. Klimm, et al.*
LOCATION: *100-100-100*
ZONING DISTRICT: *R-1*
RECOMMENDED DATE OF HEARING: *Week of October 22, 1977*
FUNCTIONAL CATEGORY: *Residential*

ZONING MAP TO ADOPT: *1977 Comprehensive Zoning Map, R.C.P.*
EXISTING ZONING: *R.C. 2*
REQUESTED ZONING: *R.C. 2*

PLANNING BOARD RECOMMENDATION: *Reclassification from R.C. 2 to R.C. 5*

This parcel of land is a portion of a larger property located in the vicinity of Park Heights Avenue and Walnut Avenue. The parcel is currently zoned R.C. 2. The Board of Appeals of Baltimore County, in its decision of November 14, 1977, ordered that the reclassification petitioned for of approximately 13.2 acres of R.C. 2 zoned land, as outlined on Petitioner's

