

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 ML-CR zone to an BL-CR zone, 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:

(See attached statement)

MAP: _____
REASON: _____
DATE: _____
BY: _____

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

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: _____
(Type or Print Name)

Legal Owner(s): _____
(Type or Print Name)

Signature: _____
Address: _____
City and State: _____

Signature: _____
Address: _____
City and State: _____

Attorney for Petitioner: _____
(Type or Print Name)
ROCKLIN & ROCKLIN
Signature: _____
Norman P. Rocklin
804 Equitable Towson Building
Address: _____
Towson, Maryland - 21204
City and State: _____

Signature: _____
Address: _____
City and State: _____

Attorney's Telephone No.: 296-4440

Address: 11348 Glen Arm Road, 21057
Phone No. 668-6481

BADC-Form 1

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
from M.L. to B.L. Zone
S/S Glen Arm Rd. 1690'
SW from Long Green Pike,
11th District
FAIRHAVEN LTD. PARTNERSHIP, : Case No. R-82-194 (Item 17, Cycle II)
Petitioner

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

Pursuant to the authority contained in Section 524, I 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 therefor, 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
494-2138

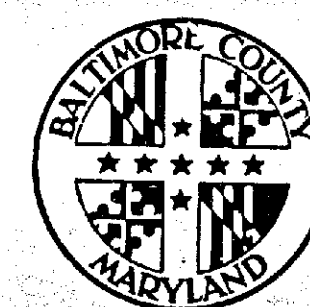
I HEREBY CERTIFY that on this 26th day of March, 1982, a copy of the foregoing Order was mailed to Norman P. Rocklin, Esquire, Rocklin & Rocklin, 804 Equitable Towson Building, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 30, 1981

COUNTY OFFICE BLDG.
111 W. C. H. Avenue Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

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

Norman P. Rocklin, Esquire
804 Equitable Towson Building
Towson, Maryland 21204

RE: Item No. 17 - Cycle II
Petitioner - Fairhaven Ltd. Partnership
Reclassification Petition

Dear Mr. Rocklin:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the October 1981 - April 1982 reclassification cycle (Cycle II). 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 before November 30. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

Because of your proposal to reclassify this vacant property from an M.L. to a B.L. zone, this hearing is required. The property is actually zoned M.L.-C.R., and I question whether you wish to retain the C.R. designation or have that removed as part of your request. In order to assure proper advertising, you should contact me prior to the date listed above in order to discuss this matter.

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.

Item No. 17 - Cycle II
Petitioner - Fairhaven Ltd. Partnership
Reclassification Petition

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-3391. Notice of the specific hearing date, which will be between March 1 and June 30, 1982, will be forwarded to you in the future.

Very truly yours,

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

NBC:uch

Enclosures

cc: Morris & Ritchie Associates, Inc.
111 North Main Street
Belair, Maryland 21014

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.
DIRECTOR

October 8, 1981

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

Re: Item #17 Zoning Cycle II (Oct. 1981-Apr. 1982)
Property Owner: Fairhaven Ltd. Partnership
S/S Glen Arm Rd. 1275' S/W from Long Green Pike
Existing Zoning: M-L
Proposed Zoning: B-L
Acres: 0.82 District: 11th

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.

Highways:

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

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.

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 #17 Zoning Cycle II (Oct. 1981-Apr. 1982)
Property Owner: Fairhaven Ltd. Partnership
Page 2
October 8, 1981

Sanitary Sewer and Water:

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-17A, as amended, indicate "No Planned Service" in the area.

Very truly yours,

Robert A. Norton, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley

Q-NW Key Sheet
58 NE 22 & 23 Pos. Sheets
NE 15 F Topo
53 Tax Map

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

NORMAN E. GERGER
DIRECTOR

October 29, 1981

Mr. William Hackett - Chairman
Board of Appeals
Room 219 - Court House
Towson, Maryland 21204

Dear Mr. Hackett:

Comments on Item #17, Zoning Cycle II, - 1981, are as follows:

Property Owner: Fairhaven Ltd. Partnership
Location: S/S Glen Arm Road 1275' S/W from Long Green Pike
Acres: 0.82
District: 11th

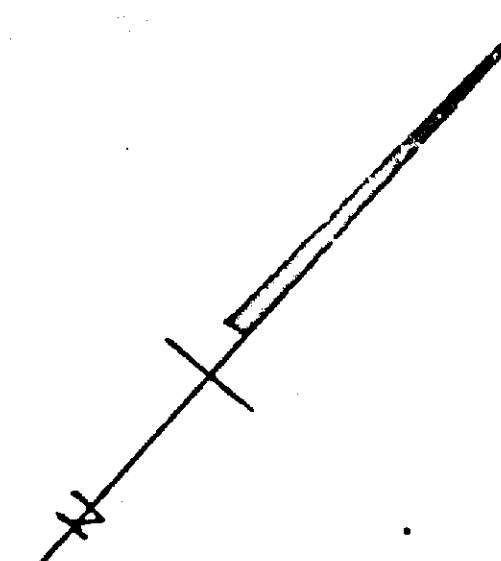
This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on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

The subject site plan does not have sufficient information to make site plan comments at this time.

Very truly yours,

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

JLW:rh



R6

BL

R 6

BL

ZONING FILE 2601

51

ML

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY AL. [Signature]
DATE 10/27/87

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY [Signature]
PLANNING
DATE 10-17-67
BY [Signature]
ZONING COMMISSIONER
DATE 10-17-67

No. of EMPLOYEES 7
No. of REQUIRED PARKING SPACES 2
No. of PARKING SPACES 7

No. of employees - 12-15
No. of required parking spaces - 5
No. of spaces (1070) - 7

VARIANCES REQUESTED:
AS INDICATED AND AS REQUIRED
IN SECTION 295.1 AND 295.4

ZONING M.L.

Use in ML

253 - INBOOK

More:

Drawn From Previous Surveys of Rats.

ZONING PLAT
WILLY KURT SIMONS, SR
GLEN ARM, 11TH DIST
BALTIMORE COUNTY, MD.

EDWIN J. KIRBY RS. 1100
1711 E. 32ND STREET
BALT. MCG. MD. 21216

STEPHEN E. COLLINS
DIRECTOR

October 8, 1981

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

Cycle II - Meeting of September 14, 1981
Item No. - 17
Property Owner: Fairhaven Ltd. Partnership
Location: S/S Glen Arm Road 1275' S/W from Long Green Pike
Existing Zoning: M-L
Proposed Zoning: B-L
Acres: 0.82
District: 11th.

Dear Mr. Hackett:

The existing M-L zoning for this site can be expected to generate approximately 80 trips per day and the proposed B-L zoning can be expected to generate approximately 410 trips per day.

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

MSF/r1j

September 30, 1981

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

Dear Mr. Reiter:

Comments on Item #17, Zoning Advisory Committee Meeting for Cycle II, are as follows:

Property Owner: Fairhaven Ltd. Partnership
Location: S/S Glen Arm Road 1275' S/W from Long Green Pike
Existing Zoning: M-L
Proposed Zoning: B-L
Acres: 0.82
District: 11th

The existing dwelling and commercial building are served by a drilled well and separate septic tanks. The septic tank serving the dwelling is in poor physical condition; creating a health and safety hazard. The owner has been ordered to correct the situation.

Prior to application for a building permit and/or approval of tentative subdivision plans, soil percolation tests must be conducted. The soil percolation tests must be conducted during the wet weather testing season (February 1st to April 30th) of any given year. Prior to approval of a building permit, Article XI, Section 13-118 (g) of the Baltimore County Code requires that a well be drilled, meeting the minimum recovery rate of 1-gallon per minute.

The Zoning Plan, as submitted, does not include enough information to enable the Baltimore County Department of Health to make complete comments.

Very truly yours,

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

LJF/JRP/mgt

October 9, 1981

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Fairhaven Ltd. Partnership

Location: S/S Glen Arm Road 1275' S/W from Long Green Pike

Item No.: 17

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 or _____ 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 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.

REVISOR: *Pat J. Kelly 10/14/81*
Planning Group
Special Inspection Division

Noted and Approved: *George M. Hargrett*
Fire Prevention Bureau

JK/mh/cm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William Hackett-Chairman
Board of Appeals
TO: _____ Date: September 23, 1981
CC: Nick Commodari
FROM: Charles E. Burnham
Cycle II-1981
SUBJECT: Item #17 Zoning Advisory Committee Meeting 9-14-81

Property Owner: Fairhaven Ltd. Partnership
Location: S/S Glen Arm Road 1275' S/W from Long Green Pike
Existing Zoning: M-L
Proposed Zoning: B-L

Acres: 0.82
District: 11th

Any proposed structures and improvements shall comply with the Baltimore County Building Code in force at the time. Compliance to the State of Maryland, regulations 05.01.07 and other applicable codes, rules and regulations shall be required.

Permits shall be secured for any improvement or new uses beyond which currently exist.

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. 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: 17
Property Owner: Fairhaven Ltd. Partnership
Location: S/S Glen Arm Rd. 1275' S/W from Long Green Pike
Present Zoning: M-L
Proposed Zoning: B-L
Acreage: 0.82
School Situation

School	Enrollment	Capacity	Over/Under
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Comments: No bearing on the educational system.

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

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

WNF/bp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William Hackett-Chairman
Board of Appeals
TO: _____ Date: September 23, 1981
CC: Nick Commodari
FROM: Charles E. Burnham
Cycle II-1981
SUBJECT: Item #17 Zoning Advisory Committee Meeting 9-14-81

Property Owner: Fairhaven Ltd. Partnership
Location: S/S Glen Arm Road 1275' S/W from Long Green Pike
Existing Zoning: M-L
Proposed Zoning: B-L
Acres: 0.82
District: 11th

Any proposed structures and improvements shall comply with the Baltimore County Building Code in force at the time. Compliance to the State of Maryland, regulations 05.01.07 and other applicable codes, rules and regulations shall be required.

Permits shall be secured for any improvement or new uses beyond which currently exist.

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

CEB:rrj

RECEIVED
SEP 22 10 51 AM '81
COUNTY CLERK
BALTIMORE COUNTY

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

Dear Mr. Reiter:

Comments on Item #17, Zoning Advisory Committee Meeting for Cycle II, are as follows:

Property Owner: Fairhaven Ltd. Partnership
Location: S/S Glen Arm Road 1275' S/W from Long Green Pike
Existing Zoning: M-L
Proposed Zoning: B-L
Acres: 0.82
District: 11th

The existing dwelling and commercial building are served by a drilled well and separate septic tanks. The septic tank serving the dwelling is in poor physical condition; creating a health and safety hazard. The owner has been ordered to correct the situation.

Prior to application for a building permit and/or approval of tentative subdivision plans, soil percolation tests must be conducted. The soil percolation tests must be conducted during the wet weather testing season (February 1st to April 30th) of any given year. Prior to approval of a building permit, Article XI, Section 13-118 (g) of the Baltimore County Code requires that a well be drilled, meeting the minimum recovery rate of 1-gallon per minute.

The Zoning Plan, as submitted, does not include enough information to enable the Baltimore County Department of Health to make complete comments.

Very truly yours,

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

LJF/JRP/mgt

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

February 26, 1982

Norman P. Rocklin, Esquire
804 Equitable Towson Bldg.
Towson, Maryland 21204

Re: Item #17, Case #R-82-194
Cycle II, Fairhaven Ltd. Partnership

Dear Mr. Rocklin:

Your case has been assigned for hearing before the Board during the normal cycle period for reclassification petitions. Written and public notice of the date of the hearing has either been given or is in the process of publication.

The Board has been informed that there are presently pending in the Circuit Court for Baltimore County three separate suits, all of which directly question the validity of the adoption of the 1980 comprehensive zoning map by the County Council of Baltimore County. The suits to which we refer are:

Home Builders Assn. of Md., Inc., et al. v. Baltimore County, Md., et al - Circuit Court Equity #107047

Isaac A. Jones v. Baltimore County, Md., et al - Circuit Court Equity #106029

Shopco Reisterstown Associates, et al v. Baltimore County, Md., et al - Circuit Court Equity #107318.

The Board, of course, is not involved in those suits and consequently will not be asked to express any opinion on the enactment question. However, we are concerned that the parties to the pending reclassification cases be made aware that there will probably be a judicial decision on the question sometime in the future, and if the Circuit Court should find that the maps were, in fact, improperly enacted, and that decision is affirmed by an appellate court, the various parties to reclassification cases might then be placed in the position of having expended time and money in the preparation and trial of their cases based on the comprehensive map which legally might not exist. The Board has, therefore, determined that it will afford each of the petitioners in the pending reclassification cases the opportunity to review the pending Circuit Court cases and make their individual determination as to whether they wish to proceed at this time to fully try their reclassification case or whether they would prefer not to take that risk and ask the Board for a continuance of their case without hearing until such time as there has been a definitive ruling by the courts on the question of the validity of the 1980 maps.

IN THE MATTER OF THE APPLICATION OF FAIRHAVEN LIMITED PARTNERSHIP FOR REZONING OF PROPERTY S/S Glen Arm Road 1275' SW from Long Green Pike 11th District From M.L. to B.L.

BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY No. R-82-194 Item #17

OPINION

This case comes before this Board on petition for reclassification of a parcel of property, containing some .82 acres, from an M.L. zone to a B.L. zone. The case was heard this day, May 26, 1982, in its entirety.

Testimony presented indicates that the Petitioner purchased the property in 1980 with the knowledge that it was zoned M.L. The property was originally zoned B.L., but was rezoned M.L. in 1966 or 1967 to allow the land to be used for a machine shop. This shop is no longer in business and the building has been converted to a storage use, and the Petitioner has also converted the original home into an office use. There are two parcels contained in the entire property and the matter before the Board concerns only the parcel containing 0.82 acres of totally undeveloped land. The parcel zoned M.L. containing the storage building and the converted office use is not an issue before the Board. When the Petitioner attempted to obtain use of this 0.82 parcel for building purposes he was informed that the setback requirements in an M.L. zone virtually precluded any use of the land since it abuts residentially zoned acreage on both the north and south sides. Since this petition was filed under the so-called "open plot" method the Board has no knowledge of the intended use, but any building use whatever must comply with all setback requirements. Surely if the zoning assigned to a parcel totally negates its use for any legitimate purpose then the zoning is in error, and this is the question which is posed before the Board at this time.

The parcel in question is approximately 206 feet in depth from south to north and is abutted by R.C. 5 zoning on both of these property lines. Section 255.2 of the Baltimore County Zoning Regulations addresses the area requirements and setback require-

FAIRHAVEN LTD. PARTNERSHIP - #R-82-194

2.

ments in an M.L. zone. This section refers these requirements back to the requirements under an M.R. zone, specifically set out in Sections 243.1, 243.2 and 243.3 of said Regulations. Section 255.2 specifically does not cite Sections 243.4, 243.5 or 243.6, so these sections apply only to M.R. zoning and, therefore, do not affect M.L. zoning. Since any proposed use of this parcel will be within 100 feet of a residential zone boundary, Section 255.2 states the front, side and rear yards setbacks shall be required as under Sections 243.1, 243.2 and 243.3. These sections require a 75 foot front yard setback, a 50 foot rear yard setback and 50 foot side yard setbacks. Since the parcel in question is 206 feet by 184 feet, it would appear that a building 81 feet by 84 feet could be constructed on the property. This would offer a reasonable use of this M.L. parcel and answer the original question as to Petitioner's contention that the M.L. zoning denied all use of the property. The property is abutted on both the east and the west by B.L. zoned land, is situated in a cluster of various commercial type uses and quite possibly should be carefully addressed during the comprehensive map process, but it is the opinion of this Board that the burden to prove error on this specific parcel has not been met, that reasonable use under this M.L. zoning is available and that the petition for reclassification must be denied, and will so order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 17th day of September, 1982, by the County Board of Appeals, ORDERED that the reclassification petitioned for be and the same is hereby DENIED.

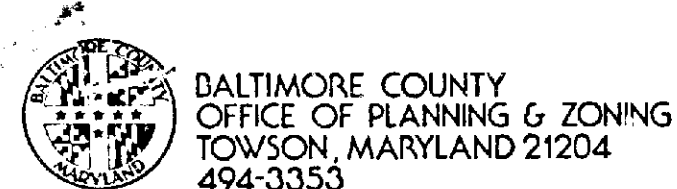
Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett, Chairman

Leroy B. Spuyler

Patricia Chippis



WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 7, 1982

Peter Max Zimmerman, Esquire
Deputy People's Counsel
Baltimore County, Maryland
Room 223, Court House
Towson, Maryland 21204

RE: Fairhaven Ltd. Partnership
Case No. R-82-194
(Item No. 17, Cycle II)

Dear Mr. Zimmerman:

Your letter of June 2, 1982, addressed to The Honorable William T. Hackett, Chairman, County Board of Appeals, requests that I review and comment as to the intent and application of Section 255.2 of the Baltimore County Zoning Regulations. You have included with your request a letter from Mr. Paul C. Botzler which purports to relay this office's interpretation of the intent and application of M.L. zoning setback requirements as they pertain to the above-referenced.

Section 255.2 states the following:

"Within 100 feet of any residential zone boundary or the right of way of any street abutting such a boundary, or within 100 feet of the right of way of an existing or proposed interstate highway, other freeway, or expressway which motorway is officially so designated by the State Roads Commission and/or the County, the front, side, and rear yards shall be as required in M.R. Zone (see Section 243.1, 243.2 and 243.3)."

It is the interpretation of this office that the proper application of the above Section would be that any property lying within 100 feet of a residential zone boundary or right of way of any street abutting such a property, or within 100 feet of an existing or proposed interstate highway, other freeway, or expressway which motorway is officially so designated by the State Roads Commission and/or the County must comply with the front, side, and rear yard setbacks as required in the M.L. Zone under Sections 243.1, 243.2, and 243.3. Section 243.4, which requires that no building or other structure be closer than 125 feet to the nearest residential zone boundary line, does not apply.

MICROFILMED

Peter Max Zimmerman, Esquire
Page 2
June 7, 1982

After reviewing Mr. Botzler's letter as it applies to this office's interpretation of the M.L. setback requirements, I have come to the conclusion that with the exception of Paragraph No. 1, it is substantially correct.

The tract or parcel in question is bounded along the front and rear property lines by residentially zoned land. Therefore, that portion of the parcel that lies within 100 feet of the front and rear property lines may be developed only with M.R. uses in accordance with Section 253.4 and any such uses situated within these 100 foot areas must adhere to the M.R. setbacks in accordance with Section 255.2. Two such M.R. uses are office buildings and/or warehousing. Any such use would require a 75 foot front yard setback, a 50 foot rear yard setback, and 50 foot side yard setbacks. Since the parcel in question is 206 feet by 184 feet, it would appear that a 81 foot by 84 foot warehouse or office building could be constructed on the property. Mr. Botzler's reference to a 6 foot wide building is incorrect since the 6 foot width deals only with that portion of the property which is not subject to M.R. uses and setbacks. Mr. Botzler's statement with regard to 100 feet between separate buildings is correct since each building must have its own separate side yard area of 50 feet. However, there are no restrictions prohibiting connecting the two buildings and/or expanding one of the existing buildings, in which case no side yard between the buildings would be required.

If you desire any additional information, please contact me.

Very truly yours,

James E. Dyer
Zoning Supervisor

JED:mr

cc: Norman P. Rocklin, Esquire
804 Equitable Towson Building
Corner Washington and Chesapeake Avenues
Towson, Maryland 21204

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

Mr. William E. Hammond
Zoning Commissioner

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner

Mr. Nicholas B. Commodari
Chief, Development Control Section

RECLASSIFICATION PETITION
FROM M.L. to B.L.
OF
FAIRHAVEN LIMITED PARTNERSHIP

PEOPLE'S COUNSEL
ROOM 223, COURT HOUSE
TOWSON, MARYLAND 21204

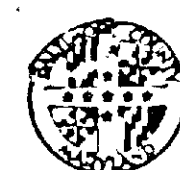
MEMORANDUM OF DECISION FOR THE BOARD OF APPEALS

The subject property is located in the Fourth Congressional District on the southeast side of Glen Arm Road. There are no trees on the property, which is known as part of 1275' Glen Arm Road. The current zoning classification is M.L. and B.L., but this classification is clearly inappropriate to the size of the property and to the surrounding area and manifests gross error.

The tract for which reclassification is sought is comprised of one lot with a total area of approximately .82 acres M.L. The existing use of the lot is more compatible with zoning and building regulations than other manufacturing. The current zoning, therefore, is not appropriate.

The population trend in the immediate area is upward. In the last ten years some of the surrounding area has been developed for business and professional offices. Immediately adjacent to the property are a Lyons, in a B.L. zone, a sizeable lawn service, nursery business, retail shop. Across Glen Arm Road at the turn is a current B.L. zone, which includes a dentist and other offices, barber shop and florist. Directly across the road is R.C. classification while directly behind the property is R.C. classification all better served and less objectionable by a B.L. rather than a M.L. classification. Indeed, the immediate area encompassing the subject tract is used as a service commercial area for a community and also for the Grumman and Koppers Plants in the area. The existing M.L. zoning on this particular tract accomplishes none of the purposes envisioned by a M.L. district and adds nothing to the development of the community. B.L. zoning would increase the consistent B.L. zoning in the block.

The community would be much better served if the zoning on this property were reclassified to B.L. The impetus of change over the last few years has been toward a commercial service area. The surrounding locale is now used to serve the community by business and professional offices. It serves as a hub for the local community. To hold this single tract out from an area now actively serving the general community not only defeats the development



Baltimore County, Maryland

PEOPLE'S COUNSEL
ROOM 223, COURT HOUSE
TOWSON, MARYLAND 21204

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

June 2, 1982

The Honorable
William T. Hackett, Chairman
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Fairhaven Ltd. Partnership, Petitioner
Zoning Case No. R-82-194 Item 17,
Cycle III

Dear Mr. Hackett:

In reference to the letter of Norman P. Rocklin, Esquire, dated June 1, 1982, with the accompanying letter from Paul C. Botzler dated May 27, 1982, we would respectfully request additional time to respond. We are forwarding the correspondence to James Dyer, Zoning Supervisor, for review and comment as to the intent and application of Section 255.2 of the Baltimore County Zoning Regulations. In the event that there remains any question after that review, we will respectfully request an additional day of hearing to resolve the matter.

Very truly yours,

James E. Dyer
Zoning Supervisor
Peter Max Zimmerman
Deputy People's Counsel

cc: James Dyer
Norman P. Rocklin, Esquire
Nicholas Commodari

PMZ:ah

There is no other matter in this case. The matter is hereby closed.

The Board of Appeals has considered the matter and has decided to deny the petition for reclassification. The Board of Appeals has considered the matter and has decided to deny the petition for reclassification. The Board of Appeals has considered the matter and has decided to deny the petition for reclassification.

The Board of Appeals has considered the matter and has decided to deny the petition for reclassification. The Board of Appeals has considered the matter and has decided to deny the petition for reclassification. The Board of Appeals has considered the matter and has decided to deny the petition for reclassification.

William T. Hackett, Chairman

Leroy B. Spuyler

Patricia Chippis

HACKETT AND HACKETT

ATTORNEYS AT LAW

804 EQUITABLE TOWSON BUILDING

CORNER WASHINGTON AND CHESAPEAKE AVENUES

TOWSON, MARYLAND 21204

June 2, 1982

Baltimore County
Board of Appeals
Court House
Towson, Maryland 21204

RE: Item #17, Case # R-82-194
Cycle III, Fairhaven Ltd.
Partnership

Mr. C. M. Ladd and
Coastlines of the South

If you will remember of the hearing, there was a question relative to the intended use of the above property. I am herewith enclosing a letter dated May 27, 1982, from my client to me, which is self explanatory, which the Petitioner would like taken into consideration. I personally visited the office of the Baltimore County Zoning Office and spoke with Mr. Nicholas B. Commodari, who verified that the contents of this letter are correct. Please consider the matter and to advise me to the other parties in writing of your decision.

Very truly yours,

ROBERT A. HACKETT

By:

679 30

601.

cc: Peter Max Zimmerman, Esq.
Deputy People's Counsel
Court House
Towson, Maryland 21204

TAMARACK
CONSTRUCTION COMPANY, INC.

P O BOX 226 GLEN ARM, MARYLAND 21057 592-5020

Page Two

Since there must be some limit to the period of time within which a decision should be made and communicated to the Board, it has been decided that all requests for postponements made pursuant hereto must be delivered in writing to the Board on or before March 15, 1981.

The Board has attached one very important provision to its willingness to co-operate in the granting of postponements for the purpose outlined above, which is that it will not countenance the use of the reasons given above for a postponement for other reasons and, therefore, if a case is postponed for the reason given above it must remain inactive until there is a definitive action from the courts. Therefore, parties are cautioned that if they do, in fact, seek a postponement because of the doubt surrounding the validity of the enactment of the 1980 comprehensive maps, they will be required to wait until there is a decision from the courts on the question before the Board will again assign their case no matter how long the case is suspended.

The purpose of this communication is to alert all parties of record involved of the Board's intention if a request is timely submitted.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman

WTH:c

cc: Paul C. Botzler

MORRIS & RITCHIE ASSOCIATES, INC.

CIVIL ENGINEERS & SURVEYORS
141 NORTH MAIN STREET
BEL AIR, MARYLAND 21014

AREA CODE 301
836-7560

August 28, 1981

PARTICULAR DESCRIPTION

0.82 Acre parcel to be reclassified for Fairhaven Ltd. Partnership

BEGINNING for the same at a point on the south side of Glen Arm Road located 1275 feet more or less southwesterly from its intersection with Long Green Pike and running thence, South 40°09'24" East 206.20 feet; South 49°12'24" West 50.07 feet; South 46°27'24" West 50.07 feet; South 44°27'24" West 50.07 feet; South 42°27'24" West 9.42 feet and North 46°49'14" West 213.03 feet to the south side of Glen Arm Road, thence along same North 48°35'06" East 184.00 feet to the beginning.

CONTAINING 0.82 Acres more or less.

BEING part of that tract or parcel of land conveyed by and described in a deed from Dorothy E. Simon to Fairhaven Ltd. Partnership, dated November 13, 1980 and recorded among the land records of Baltimore County in Liber EHK Jr. 6229 folio 37.

PETITION FOR RE-CLASSIFICATION

11th DISTRICT

ZONING: Petition for Reclassification
LOCATION: South side of Glen Arm Rd., 1690 ft. Northwest from Long Green Pike
DATE & TIME: Wednesday, May 26, 1982 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: M.L.-C.R.
Proposed Zoning: B.L.-C.R.

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

Being the property of Fairhaven Ltd. Partnership, as shown on plat plan filed with the Zoning Department

Hearing Date: Wednesday, May 26, 1982 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

MORRIS & RITCHIE ASSOCIATES, INC.

RICHARD MORRIS, P.E.
KIRK RITCHIE, P.L.S.

CIVIL ENGINEERS & SURVEYORS
141 NORTH MAIN STREET
BEL AIR, MARYLAND 21014

AREA CODE 301
836-7560

October 8, 1981

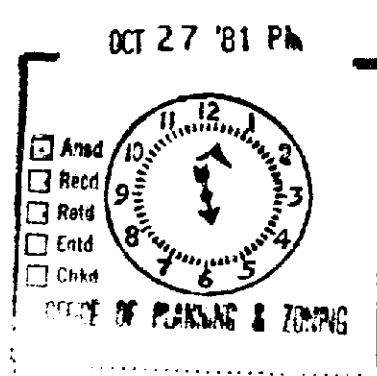
PARTICULAR DESCRIPTION

0.82 Acre parcel to be reclassified for Fairhaven Ltd. Partnership

BEGINNING for the same at a point on the south side of Glen Arm Road located 1690 feet more or less northwesterly from its intersection with Long Green Pike and running thence, South 40°09'24" East 206.20 feet; South 49°12'24" West 50.07 feet; South 46°27'24" West 50.07 feet; South 44°27'24" West 50.07 feet; South 42°27'24" West 9.42 feet and North 46°49'14" West 213.03 feet to the south side of Glen Arm Road, thence along same North 48°35'06" East 184.00 feet to the beginning.

CONTAINING 0.82 Acres more or less.

BEING part of that tract or parcel of land conveyed by and described in a deed from Dorothy E. Simon to Fairhaven Ltd. Partnership, dated November 13, 1980 and recorded among the land records of Baltimore County in Liber EHK Jr. 6229 folio 107.



ROCKLIN AND ROCKLIN

ATTORNEYS AT LAW

804 EQUITABLE TOWSON BUILDING
CORNER WASHINGTON AND CHESAPEAKE AVENUES
TOWSON, MARYLAND 21204

J. PAUL ROCKLIN
(907) 1977
TELEPHONE
AREA CODE 301
296-4440

June 1, 1982

Baltimore County
Board of Appeals
Court House
Towson, Maryland 21204

RE: Item #17, Case # R-82-194
Cycle II, Fairhaven Ltd.
Partnership

Mr. Chairman, Ladies and
Gentlemen of the Board:

If you will remember at the hearing, there was a question relative to the allowed uses of the above property. I am herewith enclosing a letter dated May 27, 1982 from my client to me, which is self-explanatory, which the Petitioners would like taken into consideration. I personally visited the offices of the Baltimore County Zoning Office and spoke with Mr. Nicholas B. Commodari, who verified that the contents of this letter are correct. Please consider the enclosed in addition to the other evidence in arriving at your decision.

Very truly yours,

ROCKLIN & ROCKLIN

By: [Signature]

NPR:bs

Encl.

cc: Peter Max Zimmerman, Esq.
Deputy People's Counsel
Court House
Towson, Maryland 21204

TAMARACK
CONSTRUCTION COMPANY, INC.

P.O. BOX 226 GLEN ARM, MARYLAND 21057 592-5020

May 27, 1982

Mr. Norman T. Rocklin, Esquire
804 Equitable Towson Bldg.
Towson, Maryland 21204

RE: Item #17, Case #R-82-194
Cycle II, Fairhaven Ltd.
Partnership

Dear Norman,

After the hearing yesterday by the Zoning Board on the above referenced Item #17, I am not sure the Board understands the limitations of this property caused by the set back requirement.

This morning I visited the Planning & Zoning Offices and talked to a Mr. Douglas Swan. I asked him to tell me where the set-back lines are located in the present MLCR zoning. The following were his comments:

1. A 100 ft. line from both the rear property line and the front property line of the property must be drawn. Any building located within these boundaries must comply with the M.R. zoning requirements. Since the total depth to our property is 206.20' only a 6' wide building could be constructed under ML. zoning restrictions. Therefore we must comply to the M.R. requirement since a 6' wide building is impractical.

2. Side set backs must be 50' to comply with the M.R. requirements. In lieu of 30' for M.L.C.R.

3. Rear set back is 50' and front set back is 75'.

In addition to these requirements we must set our new proposed building 100' from any existing structure on our property.

It is apparently clear to me that if the Zoning Board is made aware of the fact that although our property is presently zoned ML, but because of other requirements imposed by the Planning & Zoning Department it can only be developed under the requirements of M.R., they will rule in favor of returning this parcel to its previous zoning of B.L.

Thanks for your guidance.

Sincerely,

Paul C. Botzler
Paul C. Botzler

PCR/rlw

ROCKLIN AND ROCKLIN

ATTORNEYS AT LAW

804 EQUITABLE TOWSON BUILDING
CORNER WASHINGTON AND CHESAPEAKE AVENUES
TOWSON, MARYLAND 21204

J. PAUL ROCKLIN
(907) 1977
TELEPHONE
AREA CODE 301
296-4440

June 16, 1982

Baltimore County
Board of Appeals
Court House
Towson, Maryland 21204

RE: Fairhaven Ltd. Partnership
Case No. F-82-194
(Item No. 17, Cycle II)

Gentlemen:

I am in receipt of letter dated June 7, 1982 addressed to Peter Max Zimmerman, Esquire, over the signature of James E. Dyer. I see no reason for the necessity of additional testimony or hearing relative to the above entitled matter. It seems as if whatever use can be made of this property must be made in an M.R. zone. This seems to be one additional reason showing error in zoning this property W. L.

If you desire any additional information, please contact me.

Very truly yours,

ROCKLIN & ROCKLIN

By: [Signature]

NPR:bs

cc: Peter Max Zimmerman, Esq.
Deputy People's Counsel

Fairhaven Ltd.

RECEIVED
BALTIMORE COUNTY
JUN 17 11 44 AM '82
COUNTY CLERK
OF BALTIMORE

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 7, 1982

Peter Max Zimmerman, Esquire
Deputy People's Counsel
Baltimore County, Maryland
Room 223, Court House
Towson, Maryland 21204

RE: Fairhaven Ltd. Partnership
Case No. R-82-194
(Item No. 17, Cycle II)

Dear Mr. Zimmerman:

Your letter of June 2, 1982, addressed to The Honorable William T. Hackett, Chairman, County Board of Appeals, requests that I review and comment as to the intent and application of Section 255.2 of the Baltimore County Zoning Regulations. You have included with your request a letter from Mr. Paul C. Botzler which purports to relay this office's interpretation of the intent and application of M.L. zoning setback requirements as they pertain to the above-referenced.

Section 255.2 states the following:

"Within 100 feet of any residential zone boundary or the right of way of any street abutting such a boundary, or within 100 feet of the right of way of an existing or proposed interstate highway, other freeway, or expressway which motorway is officially so designated by the State Roads Commission and/or the County, the front, side, and rear yards shall be as required in M.R. Zone (see Section 243.1, 243.2 and 243.3)."

It is the interpretation of this office that the proper application of the above Section would be that any property lying within 100 feet of a residential zone boundary or right of way of any street abutting such a property, or within 100 feet of an existing or proposed interstate highway, other freeway, or expressway which motorway is officially so designated by the State Roads Commission and/or the County must comply with the front, side, and rear yard setbacks as required in the M.L. Zone under Sections 243.1, 243.2, and 243.3. Section 243.4, which requires that no building or other structure be closer than 125 feet to the nearest residential zone boundary line, does not apply.

Peter Max Zimmerman, Esquire
Page 2
June 7, 1982

After reviewing Mr. Botzler's letter as it applies to this office's interpretation of the M.L. setback requirements, I have come to the conclusion that with the exception of Paragraph No. 1, it is substantially correct.

The tract or parcel in question is bounded along the front and rear property lines by residentially zoned land. Therefore, that portion of the parcel that lies within 100 feet of the front and rear property lines may be developed only with M.R. uses in accordance with Section 253.4 and any such uses situated within these 100 feet areas must adhere to the M.R. setbacks in accordance with Section 255.2. Two such M.R. uses are office buildings and/or warehousing. Any such use would require a 75 foot front yard setback, a 50 foot rear yard setback, and 50 foot side yard setbacks. Since the parcel in question is 206 feet by 184 feet, it would appear that a 81 foot by 84 foot warehouse or office building could be constructed on the property. Mr. Botzler's reference to a 6 foot wide building is incorrect since the 6 foot width deals only with that portion of the property which is not subject to M.R. uses and setbacks. Mr. Botzler's statement with regard to 100 feet between separate buildings is correct since each building must have its own separate side yard area of 50 feet. However, there are no restrictions prohibiting connecting the two buildings and/or expanding one of the existing buildings, in which case no side yard between the buildings would be required.

If you desire any additional information, please contact me.

Very truly yours,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

JED:nr

cc: Norman P. Rocklin, Esquire
801 Equitable Towson Building
Corner Washington and Chesapeake Avenues
Towson, Maryland 21204

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

Mr. William E. Hammond
Zoning Commissioner

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner

Mr. Nicholas B. Commodari
Chief, Development Control Section

Norman P. Rocklin, Esquire
Rocklin & Rocklin
804 Equitable Towson Building
Towson, Maryland 21204

March 23, 1982

NOTICE OF HEARING

RE: Petition for Re-Classification
C/O Glen Arm Road 1/301 N/W from Long Green Pike
Fairhaven Ltd. Partnership - Petitioner
Case #R-82-194

TIME: 10:00 A.M.

DATE: Wednesday, May 26, 1982

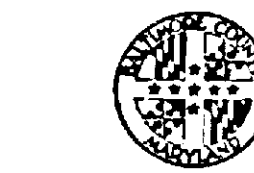
PLACE: Room 218, Courthouse, Towson, Maryland

CC: John W. Hession, III
People's Counsel

Paul C. Botzler, General Partner
P.O. Box 226
11578 Glen Arm Road
Glen Arm, Maryland 21057

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

PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204



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

TEL. 494-2188

June 2, 1982

The Honorable
William T. Hackett, Chairman
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Fairhaven Ltd. Partnership, Petitioner
Zoning Case No. R-82-194 (Item 17,
Cycle II)

Dear Mr. Hackett:

In reference to the letter of Norman P. Rocklin, Esquire, dated June 1, 1982, with the accompanying letter from Paul C. Botzler dated May 27, 1982, we would respectfully request additional time to respond. We are forwarding the correspondence to James Dyer, Zoning Supervisor, for review and comment as to the intent and application of Section 255.2 of the Baltimore County Zoning Regulations. In the event that there remains any question after that review, we will respectfully request an additional day of hearing to resolve the matter.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

cc: James Dyer
Norman P. Rocklin, Esquire
Nicholas Commodari

PMZ:sh

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

September 17, 1982

Norman P. Rocklin, Esq.
Rocklin & Rocklin
804 Equitable Towson Bldg.
Towson, Maryland 21204

Re: Case No. R-82-194
Fairhaven Ltd. Partnership

Dear Mr. Rocklin:

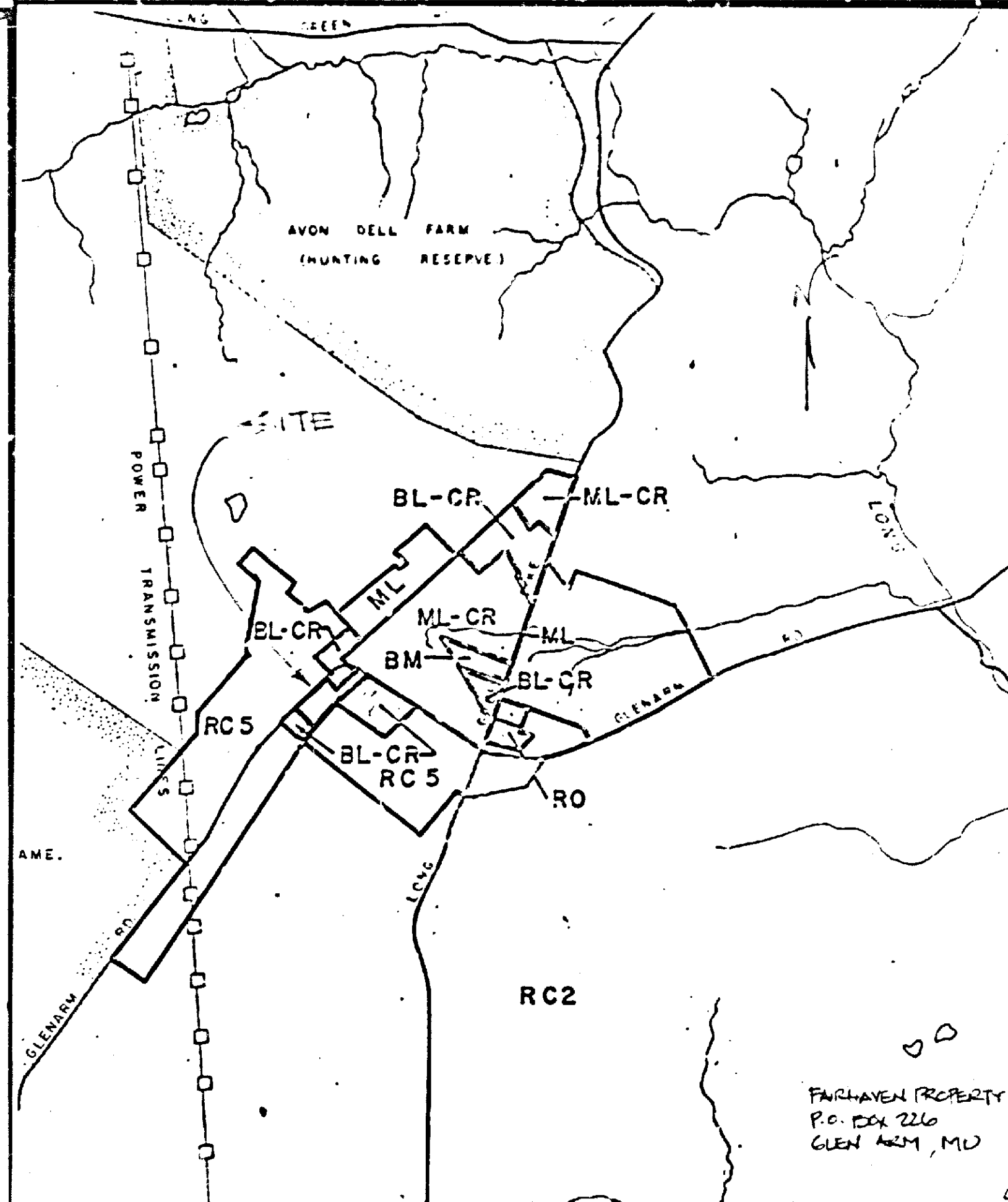
Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

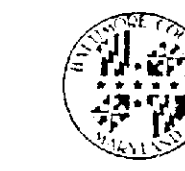
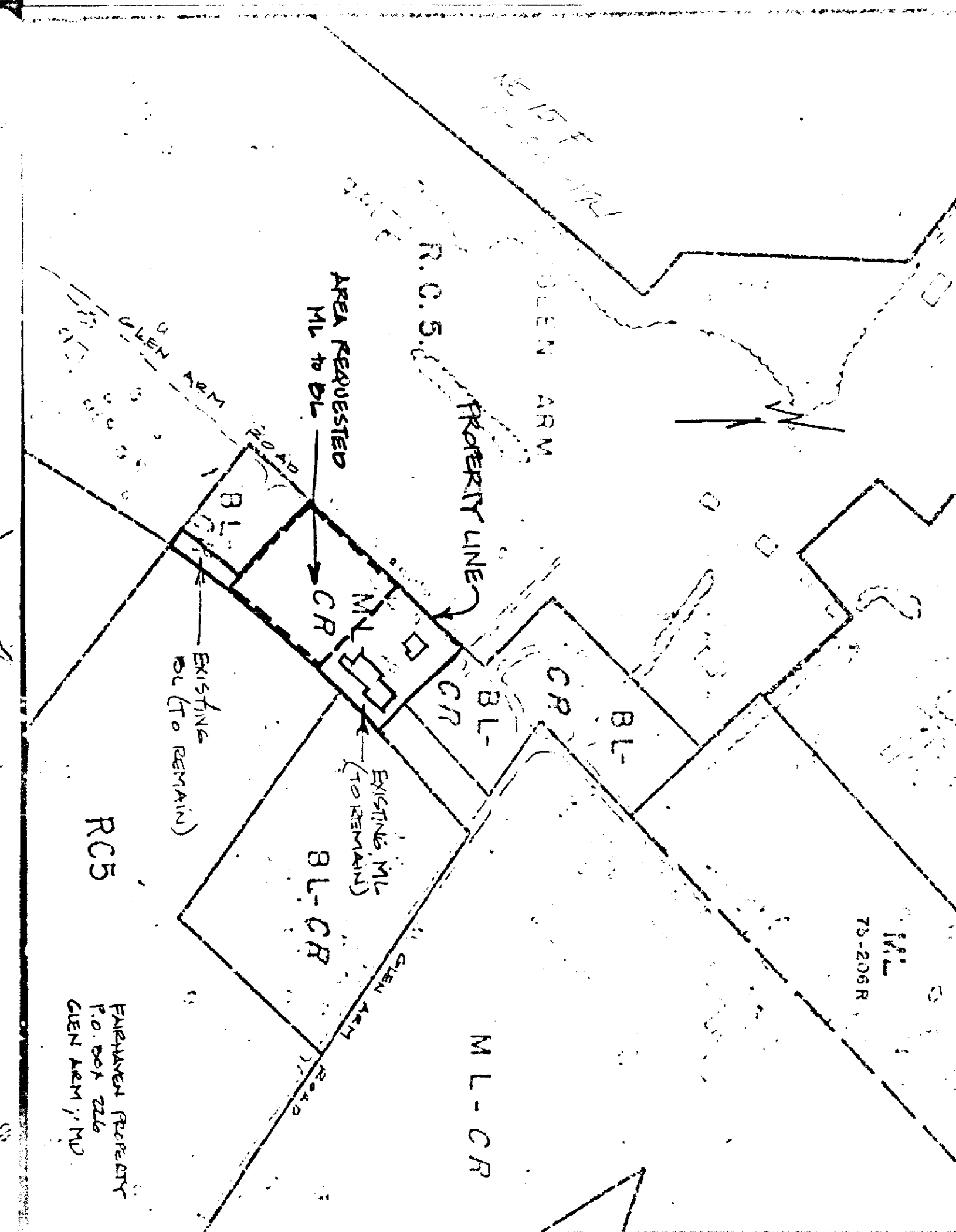
Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Encl.

cc: Paul C. Botzler
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. N. E. Gerber
Mr. J. G. Hoswell
Board of Education
John W. Hession, III, Esq.



1980 COMPREHENSIVE ZONING MAP
ADOPTED BY THE



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

March 6, 1982

Norman P. Rocklin, Esquire
Rocklin & Rocklin
804 Equitable Towson Building
Towson, Maryland 21204

RE: Petition for Reclassification 1/301 N/W
S/s of Glen Arm Rd., 1275' SW from Long Green Pike
Fairhaven Ltd. Partnership - Petitioner
cycle 2 - Item 17
Case #R-82-194

Dear Mr. Rocklin:

This is to advise that \$52.75 is due for the 2nd full page add of the cycle 2 billing. You have already been billed for the 1st full page add. A third bill for the individual advertising and posting of the above property will be forthcoming. All bills must be paid before an order is issued.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland, 21204, as soon as possible.

Very truly yours,

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

No. 106824

DATE: 3/23/82 ACCOUNT: 01-662

AMOUNT: \$52.75

RECEIVED FROM: Hammark Construction Co., Inc.

FOR: 2nd full page add for Case #R-82-194 (Fairhaven Ltd.)

52.75

VALIDATION OR SIGNATURE OF CASHIER

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 20, 1982

Norman P. Rocklin, Esquire
Rocklin & Rocklin
304 Equitable Towson Building
Towson, Maryland 21204

Re: Petition for Reclassification
S/S of Glen Arm Rd., 1890' NW from
Long Green Pike
Fairhaven Ltd. Partnership - Petitioner
Cycle II - Item 17
Case #R-82-194

Dear Mr. Rocklin:

This is to advise you that \$52.46 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, 1 wson, Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WILLIAM E. HAMMOND
ZONING COMMISSIONER

January 19, 1982

Norman P. Rocklin, Esquire
Rocklin & Rocklin
304 Equitable Towson Building
Towson, Maryland 21204

RE: Petition for Reclassification
S/S of Glen Arm Road, 1275' SW from Long Green Pike
Fairhaven Ltd. Partnership - Petitioner
Cycle #2 - Item #17

Dear Mr. Rocklin:

This is to advise you that \$96.89 is due for the first advertising of the above property. Two additional bills will be forwarded to you in the near future. All bills must be paid before an order is issued.

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
Zoning Commissioner

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

No. 107652

DATE 5/25/82 ACCOUNT 01-662

AMOUNT \$52.46

RECEIVED FROM Paul Roteler

FOR Advertising A Posting Case #R-82-194

C 109*****52461D 5262A

VALIDATION OR SIGNATURE OF CASHIER

WETMCH

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

No. 104535

DATE 1/26/82 ACCOUNT 01-662

AMOUNT \$96.89

RECEIVED FROM Tamarack Construction Co.

FOR 1st full page add for Item #17 Cycle #2 (Fairhaven Ltd.)

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR
RECLASSIFICATION
11th DISTRICT

ZONING: Petition for Reclassification
LOCATION: South side of Glen Arm Rd., 1890' NW from Long Green Pike
DATE & TIME: Wednesday, May 26, 1982 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 on the proposed zoning M.L.-C.R. All that parcel of land in the Eleventh District of Baltimore County beginning for the same at a point on the south side of Glen Arm Road located 1890 feet more or less northwesterly from its intersection with Long Green Pike and running thence South 40° 00' 00" East 208.20 feet; South 49° 12' 24" West 80.07 feet; South 49° 12' 24" West 80.07 feet; South 49° 12' 24" West 80.07 feet and North 49° 12' 24" West 218.00 feet to the south side of Glen Arm Road, thence along same North 49° 12' 24" East 181.00 feet to the beginning. Containing 0.82 Acres more or less.

Being part of that tract or parcel of land conveyed by and described in a deed from Dorothy E. Simon to Fairhaven Ltd. Partnership, dated November 13, 1980 and recorded among the land records of Baltimore County in Liber BHE Jr. 629 folio 107.
Being the property of Fairhaven Ltd. Partnership, as shown on plan filed with the Zoning Department.
Hearing Date: Wednesday, May 26, 1982 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
May 6, 1982

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 6, 1982.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time before the 26th day of May, 1982, the 1st publication appearing on the 6th day of May, 1982.

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$

Petition for
Reclassification

ZONING: Petition for Reclassification
LOCATION: South side of Glen Arm Rd., 1890' NW from Long Green Pike
DATE & TIME: Wednesday, May 26, 1982 at 10:00 A.M.
PUBLIC HEARING: Room 218, Courthouse, Towson, Md.
The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing on the proposed zoning M.L.-C.R. All that parcel of land in the Eleventh District of Baltimore County beginning for the same at a point on the south side of Glen Arm Road located 1890 feet more or less northwesterly from its intersection with Long Green Pike and running thence South 40° 00' 00" East 208.20 feet; South 49° 12' 24" West 80.07 feet; South 49° 12' 24" West 80.07 feet; South 49° 12' 24" West 80.07 feet and North 49° 12' 24" West 218.00 feet to the south side of Glen Arm Road, thence along same North 49° 12' 24" East 181.00 feet to the beginning. Containing 0.82 Acres more or less.

BEING part of that tract or parcel of land conveyed by and described in a deed from Dorothy E. Simon to Fairhaven Ltd. Partnership, dated November 13, 1980 and recorded among the land records of Baltimore County in Liber BHE Jr. 629 folio 107.
Being the property of Fairhaven Ltd. Partnership, as shown on plan filed with the Zoning Department.
Hearing Date: Wednesday, May 26, 1982 at 10:00 A.M.
Public Hearing: Room 218, Courthouse, Towson, Md.
BY ORDER OF
WILLIAM T. HACKETT,
Chairman
County Board of Appeals of Baltimore County
May 6, 1982

The Times

Middle River, Md. 19

This is to Certify, That the annexed

was inserted in the Times, a newspaper printed and published in Baltimore County, once in each of successive weeks before the 15 day of May, 1982.

No. 106838

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

DATE March 30, 1982 ACCOUNT 01-662

AMOUNT \$52.46

RECEIVED FROM Tamarack Construction Co., Inc.

FOR Filing fee for Reclass - Fairhaven Ltd. Partnership Case #R-82-194

VALIDATION OR SIGNATURE OF CASHIER

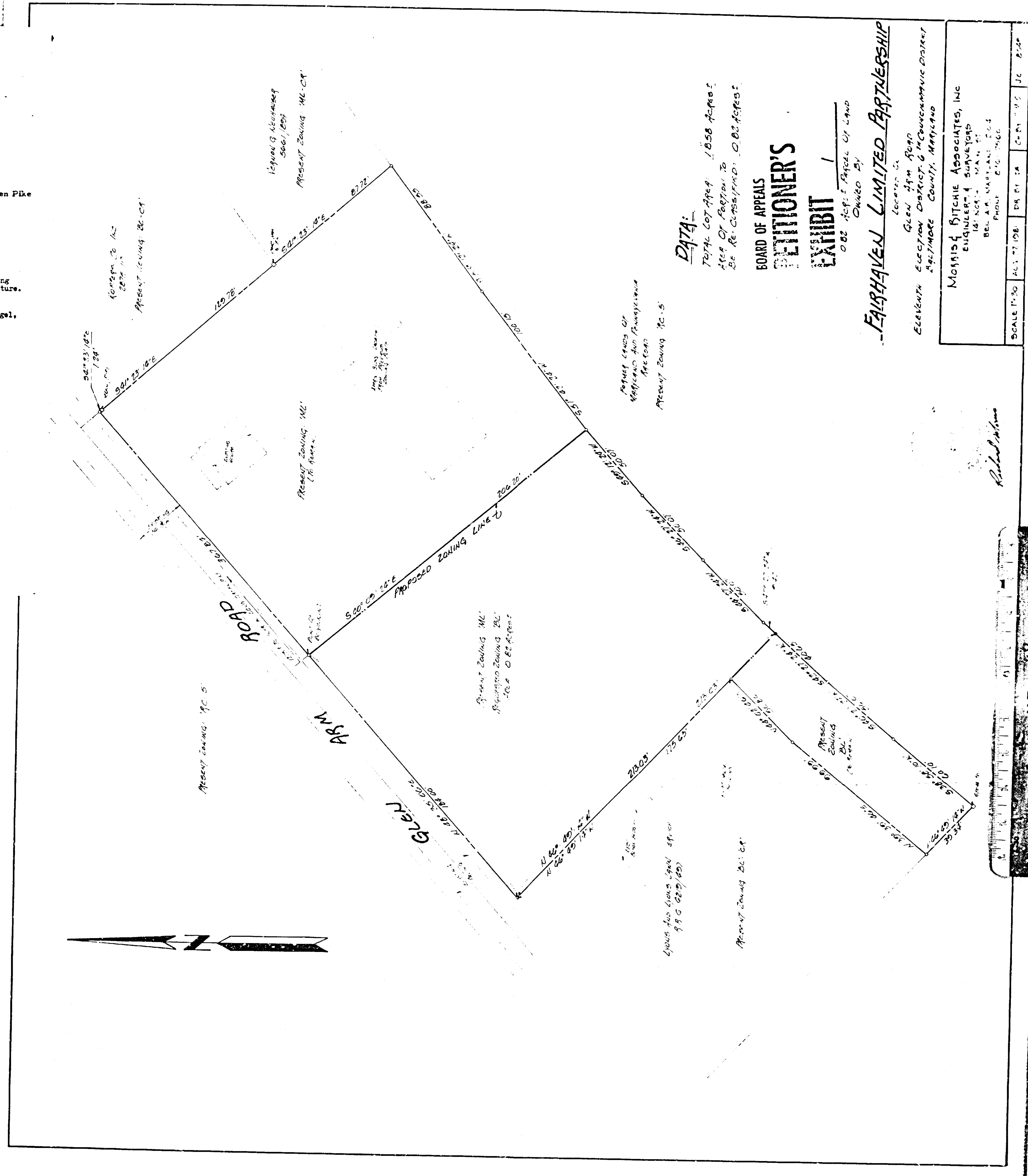
BY ORDER OF
WILLIAM T. HACKETT,
Chairman
County Board of Appeals of Baltimore County
May 6, 1982

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11 Date of Posting 5/14/82
Posted for: Petition for Reclassification
Petitioner: Fairhaven Ltd. Partnership
Location of property: S/S of Glen Arm Rd., 1890' NW from Long Green Pike
Location of Signs: Along Glen Arm Rd.

Remarks: None
Posted by: [Signature] Date of return: 5/14/82



DATA:

TOTAL LOT AREA: 1.058 Acres
AREA OF PETITION: 0.82 Acres
RE-CLASSIFIED: 0.82 Acres

BOARD OF APPEALS
PETITIONER'S
EXHIBIT

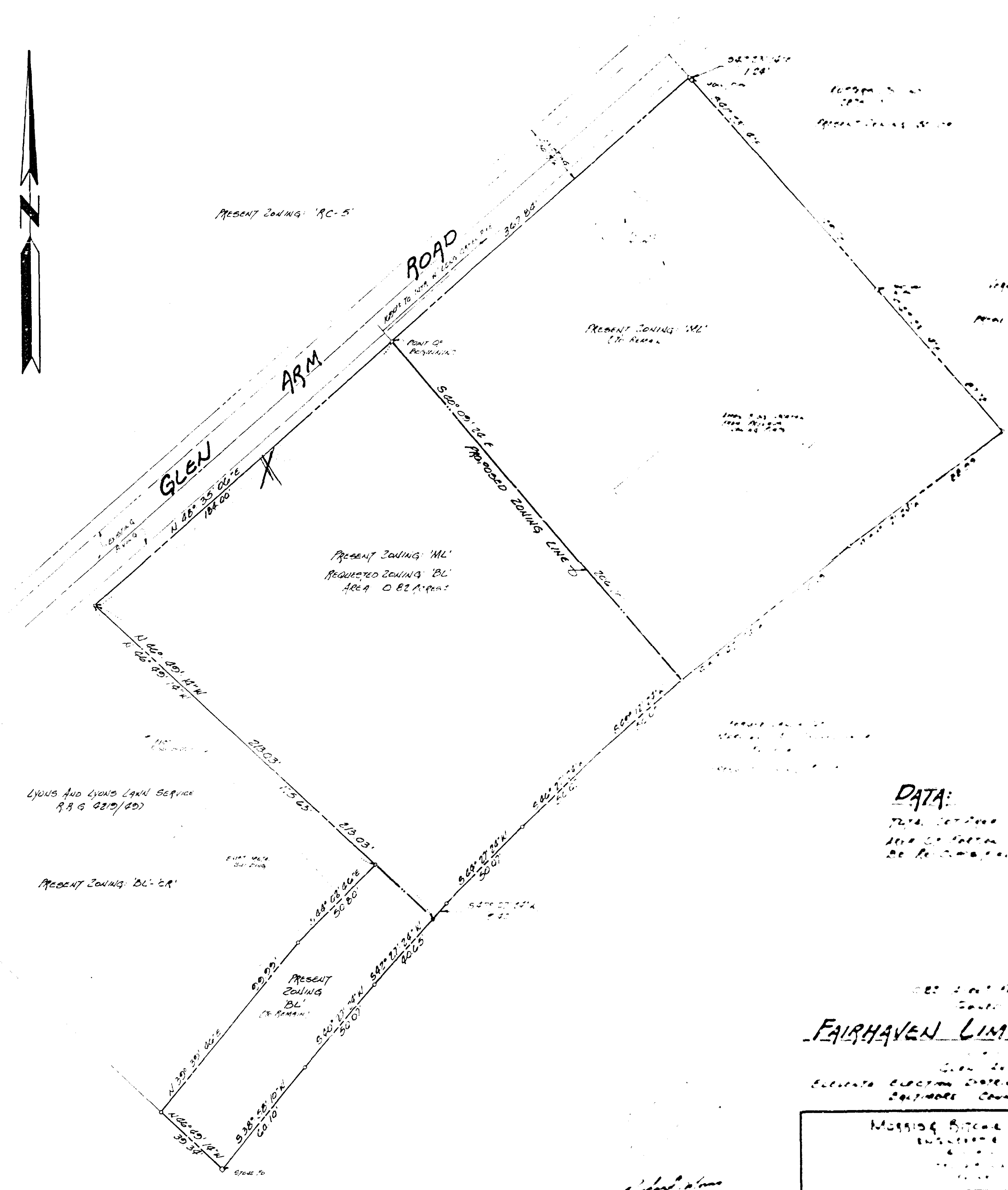
002 - Petition for Land
Owned By
FAIRHAVEN LIMITED PARTNERSHIP

FAIRHAVEN LIMITED PARTNERSHIP

Location: Glen Arm Road
Eleventh Election District - Baltimore County, Maryland

MORRIS B. BISHOP ASSOCIATES, INC.
ENGINEERS & SURVEYORS
1615 N. W. 10th St.
Boca Raton, Florida 33431
Phone: (305) 993-1100

SCALE 1" = 50' DATE 5/14/82



PRESENT ZONING: 'RC-5'

PRESENT ZONING: 'ML'
(To Remain)

PRESENT ZONING: 'ML'
REQUESTED ZONING: 'BL'
AREA 0.82 ACRE

LYONS AND LYONS LAND SERVICE
R.R. 6 8819/89

PRESENT ZONING: 'BL-CR'

PRESENT
ZONING
'BL'
(To Remain)

DATA:

7/24/2008
10:00 AM
DEVELOPMENT

FAIRHAVEN LIMITED PARTNERSHIP

10000 E. 10th Ave.
Boulder, Colorado 80501
Boulder County, Colorado

MORRIS BIRCH ASSOCIATES, INC.				
REGISTERED PROFESSIONAL ENGINEER				
10000 E. 10th Ave.				
Boulder, Colorado 80501				
7/24/2008				
SCALE	DATE	BY	CHKD	APP'D

Plan #17
REVISED PLANS

