86-6-X

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 28th day of May, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Stephen Brown, et ux
Petitioner's Attorney

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

86-6-X
DP

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER 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 for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for living quarters in a commercial building.

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Stephen P. Brown
(Type or Print Name)
Signature
Irene Brown
(Type or Print Name)
Signature

Attorney for Petitioner:
PHILIP O. TILGHMAN
(Type or Print Name)
Signature
201 N. LIBERTY ST. SUITE 401
Address
BALTIMORE, MD. 21201
City and State
Attorney's Telephone No.: 539-0512

7100 German Hill Rd. 288-3922
Address Phone No.
Baltimore, Md. 21222
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contracted
Name
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of May, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of July, 1985, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

(over)

DATE August 28, 1985
BY Philip A. Scheller
ADMINISTRATIVE ASSISTANT

Entered DP PLEASE FILE

8-6

7/2/85

County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

November 15, 1985

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 86-6-X — STEPHEN P. BROWN, ET UX
NE/s German Hill Rd. and 48th Street
12th District
SE-Living quarters in a commercial building
8/28/85 - D.Z.C.'s Order-DENIED

ASSIGNED FOR: THURSDAY, FEBRUARY 20, 1986, at 10 a.m.

cc: Philip O. Tilghman, Esq. — Counsel for Petitioners
Mr. & Mrs. Stephen Brown — Petitioners
Donald Brady — Protestant
Edward Daily — "
Phyllis C. Friedman — People's Counsel
Norman Gerber
James Hoswell
Arnold Jablon
Jean Jung
James Dyer

June Holmen, Secretary

15

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

May 16, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 296, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, (311) 312, 313, 314 Meeting of April 30, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 296, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 313, and 314.

Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm

Brown 7/2 86-6-X

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 14, 1985

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

Nicholas B. Commodari
Chairman

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

Mr. & Mrs. Stephen Brown
7100 German Hill Road
Baltimore, Maryland 21222

RE: Item No. 311 - Case No. 86-6-X
Petitioner - Stephen Brown, et ux
Special Exception Petition

Dear Mr. & Mrs. Brown:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.
DIRECTOR

July 5, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #311 (1984-1985)
Property Owner: Stephen Brown
NE/ Cor German Hill Rd. & 48th St.
District 12th

Dear Mr. Jablon:

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 Comments:

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.

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.

Since no public facilities are involved, this office has no comment.

Very truly yours,

JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:PMO:blp

cc: File

7/2 86-6-X

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

NORMAN E. GERBER
DIRECTOR

JUNE 11, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of APRIL 30, 1985
Item # 311
Property Owner: STEPHEN BROWN, ET UX
Location: NE/CORNER GERMAN HILL RD. + 48TH ST.

Dear Mr. Jablon:

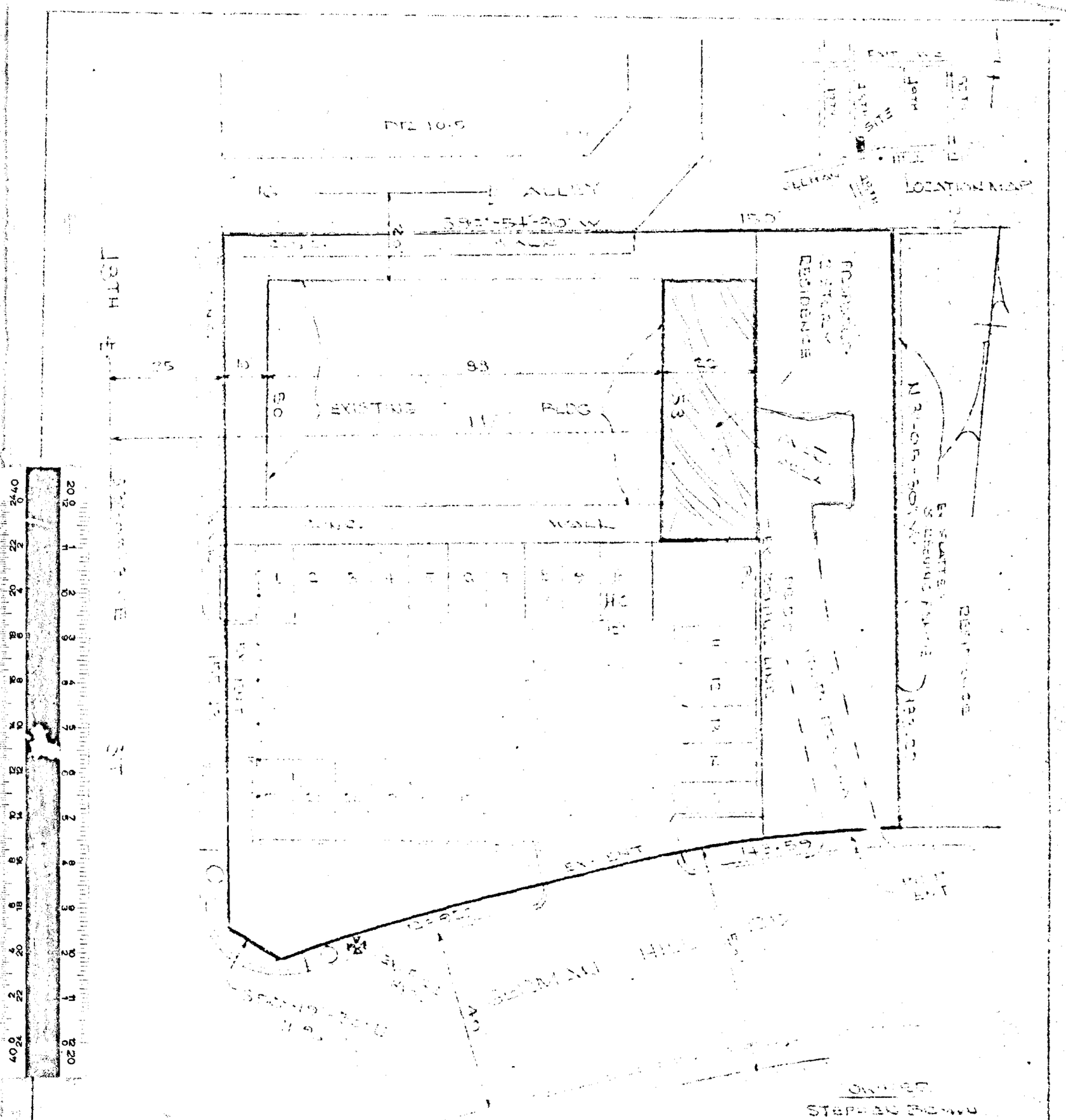
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

(X) There are no site planning factors requiring comment.
( ) A County Review Group Meeting is required.
( ) A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
( ) This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.
( ) A record plat will be required and must be recorded prior to issuance of a building permit.
( ) The access is not satisfactory.
( ) The circulation on this site is not satisfactory.
( ) The parking arrangement is not satisfactory.
( ) Parking calculations must be shown on the plan.
( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
( ) The amended Development Plan was approved by the Planning Board on
( ) Landscaping: Must comply with Baltimore County Landscape Manual.
( ) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
( ) Additional comments:

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell

JUL 1 1986



OWNER
STEPHEN BROWN
7100 GERMANTOWN AVE
BALTO, MD. 21212

PETITIONER'S EXHIBIT 1

311
4/30/85
REVISED PLANS

PLAT TO ACCOMPANY PETITION FOR A SPECIAL EXCEPTION FOR A RESIDENCE IN A CONFLICTING ZONE

LOTS 252-257 SECTION 4
GRACELAND PARK
PLAT BOOK 6-122
12TH DISTRICT BALTIMORE CO., MARYLAND
SCALE 1"=20' DATE 3-4-85 1-24-85

FRANK S. LEE
[illegible] AVE.
BALTIMORE, MD. 21206
687-2922

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

86-6-X

DP

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER 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 for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for living quarters in a commercial building.

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Stephen P. Brown (Type or Print Name)
Signature	Stephen P. Brown Signature
Address	Irene Brown (Type or Print Name)
City and State	Irene Brown Signature
Attorney for Petitioner:	7100 German Hill Rd. 288-3922
PHILIP O. TILGHMAN (Type or Print Name)	Address Phone No.
Philip O. Tilghman Signature	Baltimore, Md. 21222 City and State
201 N. LIBERTY ST. SUITE 401 Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
BALTIMORE, MD. 21201 City and State	Name
Attorney's Telephone No.: 539-0513	Address Phone No.

PLAT: 4A
SE 2E
PRICE: 12
DATE: 4/19/86
TYPE: X
BY: RE

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of May, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 2nd day of July, 1985, at 10:15 o'clock

Zoning Commissioner of Baltimore County.

(over)

Stamps

ORDER RECEIVED FOR FILING
DATE August 28, 1985
BY Barbara A. Kelly
ADMINISTRATIVE ASSISTANT

County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

November 15, 1985

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 86-6-X	STEPHEN P. BROWN, ET UX
	NE/s German Hill Rd. and 48th Street
	12th District
	SE-Living quarters in a commercial building
	8/28/85 - D.Z.C.'s Order-DENIED
ASSIGNED FOR:	THURSDAY, FEBRUARY 20, 1986, at 10 a.m.
cc: Philip O. Tilghman, Esq.	Counsel for Petitioners
Mr. & Mrs. Stephen Brown	Petitioners
Donald Brady	Protestant
Edward Daily	"
Phyllis C. Friedman	People's Counsel
Norman Gerber	
James Hoswell	
Arnold Jablon	
Jean Jung	
James Dyer	

June Holmen, Secretary

15

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

May 16, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 296, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, (311) 312, 313, 314 Meeting of April 30, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 296, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 313, and 314.

Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm

Brown 7/2 86-6-X

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

cdo

Nicholas B. Commodari
Chairman

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

June 14, 1985

Mr. & Mrs. Stephen Brown
7100 German Hill Road
Baltimore, Maryland 21222

RE: Item No. 311 - Case No. 86-6-X
Petitioner - Stephen Brown, et ux
Special Exception Petition

Dear Mr. & Mrs. Brown:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriatoness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari, Lee

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E.
DIRECTOR

July 5, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #311 (1984-1985)
Property Owner: Stephen Brown
NE/ Cor German Hill Rd. & 48th St.
District 12th

Dear Mr. Jablon:

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 Comments:

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.

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.

Since no public facilities are involved, this office has no comment.

Very truly yours,

JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:PMO:blp

cc: File

7/2 86-6-X

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

NORMAN E. GERBER
DIRECTOR

JUNE 11, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of APRIL 30, 1985
Item # 311
Property Owner: STEPHEN BROWN, et ux
Location: NE/CORNER GERMAN HILL RD. + 48TH ST.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

(X) There are no site planning factors requiring comment.
( ) A County Review Group Meeting is required.
( ) A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
( ) This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.
( ) A record plat will be required and must be recorded prior to issuance of a building permit.
( ) The access is not satisfactory.
( ) The circulation on this site is not satisfactory.
( ) The parking arrangement is not satisfactory.
( ) Parking calculations must be shown on the plan.
( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
( ) The amended Development Plan was approved by the Planning Board on
( ) Landscaping: Must comply with Baltimore County Landscape Manual.
( ) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
( ) Additional comments:

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell

86-6-X

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 28th day of May, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Stephen Brown, et ux
Petitioner's Attorney

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

86-6-X

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER 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 for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for living quarters in a commercial building

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s):

Stephen P. Brown
(Type or Print Name)

Stephen P. Brown
Signature

Irene Brown
(Type or Print Name)

Irene Brown
Signature

Attorney for Petitioner:

PHILIP O. TILGHMAN
(Type or Print Name)

Philip O. Tilghman
Signature

204 W. LIBERTY ST. SUITE 401
Address

BALTIMORE, MD. 21201
City and State

Attorney's Telephone No.: 539-0513

7100 German Hill Rd. 288-3922
Address Phone No.

Baltimore, Md. 21222
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of May, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of July, 1985, at 10:15 o'clock A.M.

Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1 (over)

86-6-X #311

Stephen P. Brown, et ux — 86-6-X
NE/S German Hill Rd. & 48th Street
12th

ORDER RECEIVED FOR FILING
DATE August 28, 1985
BY Pauline A. Kelly
ADM. ASSISTANT SECRETARY

86-6-X

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER 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 for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for living quarters in a commercial building.

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s):

Stephen P. Brown
(Type or Print Name)

Stephen P. Brown
Signature

Irene Brown
(Type or Print Name)

Irene Brown
Signature

Attorney for Petitioner:

PHILIP O. TILGHMAN
(Type or Print Name)

Philip O. Tilghman
Signature

204 W. LIBERTY ST. SUITE 401
Address

BALTIMORE, MD. 21201
City and State

Attorney's Telephone No.: 539-0513

7100 German Hill Rd. 288-3922
Address Phone No.

Baltimore, Md. 21222
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of May, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of July, 1985, at 10:15 o'clock

Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1 (over)

5/28/85

HA
SE RE
12
4/14/86
X
DE

County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

November 15, 1985

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 86-6-X — STEPHEN P. BROWN, ET UX

NE/s German Hill Rd. and 48th Street

12th District

SE-Living quarters in a commercial building

8/28/85 - D.Z.C.'s Order-DENIED

ASSIGNED FOR: THURSDAY, FEBRUARY 20, 1986, at 10 a.m.

cc: Philip O. Tilghman, Esq. — Counsel for Petitioners
Mr. & Mrs. Stephen Brown — Petitioners
Donald Brady — Protestant
Edward Daily — "
Phyllis C. Friedman — People's Counsel
Norman Gerber
James Hoswell
Arnold Jablon
Jean Jung
James Dyer

June Holmen, Secretary

86-6-X

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 28th day of May, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Stephen Brown, et ux
Petitioner's Attorney

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 14, 1985

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

Mr. & Mrs. Stephen Brown
7100 German Hill Road
Baltimore, Maryland 21222

RE: Item No. 311 - Case No. 86-6-X
Petitioner - Stephen Brown, et ux
Special Exception Petition

Nicholas B. Commodari
Chairman

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

Dear Mr. & Mrs. Brown:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari, Lee

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.
DIRECTOR

July 5, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #311 (1984-1985)
Property Owner: Stephen Brown
NE/ Cor German Hill Rd. & 48th St.
District 12th

Dear Mr. Jablon:

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 Comments:

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.

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.

Since no public facilities are involved, this office has no comment.

Very truly yours,

JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:PMO:blp

cc: File

7/2 86-6-X

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

NORMAN E. GERBER
DIRECTOR

JUNE 11, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of APRIL 30, 1985
Item # 311
Property Owner: STEPHEN BROWN, et ux
Location: NE/CORNER GERMAN HILL RD. & 48TH ST.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

(X) There are no site planning factors requiring comment.
( ) A County Review Group Meeting is required.
( ) A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
( ) This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.
( ) A record plat will be required and must be recorded prior to issuance of a building permit.
( ) The access is not satisfactory.
( ) The circulation on this site is not satisfactory.
( ) The parking arrangement is not satisfactory.
( ) Parking calculations must be shown on the plan.
( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
( ) The amended Development Plan was approved by the Planning Board on
( ) Landscaping: Must comply with Baltimore County Landscape Manual.
( ) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
( ) Additional comments:

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell

15

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

May 16, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 296, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, (311) 312, 313, 314 Meeting of April 30, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 296, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 313, and 314.

Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm

Bureau 7/2 86-6-X

JUN 20 ...

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Arnold Jablon, Zoning Commissioner Date June 11, 1985

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

SUBJECT Zoning Petition No. 86-6-X

This office is not opposed to the granting of the subject request.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301)494-3180

March 6, 1986

Philip O. Tilghman, Esquire
204 N. Liberty Street
Suite 400
Baltimore, MD 21201

Re: Case No. 86-6-X
Stephen P. Brown, et ux

Dear Mr. Tilghman:

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

enclosure

cc: Mr. and Mrs. Stephen P. Brown
Mr. Donald Bracy
Mr. Edward Daily
Dorothy Augustine
Phyllis Cole Friedman
Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

May 15, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Stephen Brown, et ux

Location: NE/Cor German Hill Road and 48th Street

Item No.: 311 Zoning Agenda: Meeting of 4-30-85

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.

REVIEWER: Capt. Joseph Kelly Hale, Planning Group, Special Inspection Division

Noted and Approved: Lt. Col. Edward N. Markowitz, Fire Prevention Bureau

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

May 13, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 311 Zoning Advisory Committee Meeting are as follows:

Property Owner: Stephen Brown, et ux
Location: N/E Cor. German Hill Road and 48th. Street
District: 12th.

APPLICABLE ITEMS ARE CIRCLED:

(A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, and other applicable Codes and Standards.

(B) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

(D) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-3 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-3 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) ____, ____, of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable constructica plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use ____ to Use ____, or to Mixed Uses ____, ____, ____. See Section 312 of the Building Code.

I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

(J) Comments: Provide a 3 hour fire separation wall between the retail area (Use Group "M")and the apartment dwelling unit R-2.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

By: C. E. Burnham, Chief
Building Plans Review

L/22/85

RE: PETITION FOR SPECIAL EXCEPTION
NE/S of German Hill Road and 48th Street - 12th Election District

Stephen P. Brown, et ux,
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-6-X

The Petitioners herein request a special exception for living quarters in a commercial building.

Testimony by one of the Petitioners indicated he purchased the property fronting on the north side of German Hill Road at the corner of 48th Street twelve years ago. The property is, as it was then, divided by a B.L. and D.R. 5.5 zoning line. Several years ago he developed the B.L. portion with a one-story masonary building now utilized by a Highs store and a video sales outlet. At this time he proposes to build a two-story, three-bedroom, 22' x 59' brick single-family dwelling attached to the existing stores and entirely located on the B.L. zoned land. The house will be rented. The D.R. 5.5 portion, approximately 30' x 132', would be utilized for a parking pad, drive with access to German Hill Road, and lawn. The adjacent neighbor to the east has a tall wood stockade fence along the property line. The dwelling would have no access to the alley behind the stores.

Testimony by Protestants indicated that fast moving traffic traveling west on German Hill Road crests a substantial hill several hundred feet east of the site and thus approaches the site and the intersection with extremely limited sight distance. Traffic accidents have caused a death and extensive property damage in recent years. Traffic is heavy and parking is limited in the area. At least one existing home fronting on German Hill Road does not have a driveway or vehicular access to German Hill Road. The stores on the site utilize the alley behind for both parking and loading although the alley is supposed to be

Betty (Zoning)

IN THE MATTER OF THE APPLICATION OF STEPHEN P. BROWN, ET UX FOR SPECIAL EXCEPTION FOR LIVING QUARTERS IN A COMMERCIAL BUILDING NE/S GERMAN HILL ROAD AND 48th STREET 12th DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
NO. 86-6-X

OPINION

This matter comes before the Board on a request for a special exception to permit a residential use in a commercial zone. The property is located on the north side of German Hill Road at the corner of 48th Street in the Twelfth Election District of Baltimore County. The property, for the most part, is located within a B.L. zone with the easternmost portion, approximately 30 feet in width, being zoned D.R. 5.5. The configuration of the building that is proposed would be such that the total amount of construction would be within the B.L. zone, attached to the existing commercial building, and the driveway and parking area for the proposed dwelling would be on the residential property with access to German Hill Road.

The property owner, Stephen P. Brown, testified that he has not made full use of his property because of the split zoning. He indicated that there would be no problem with overcrowding, parking or congestion, and that all hookups for utilities are available on the site.

The testimony of the Protestants who live in the immediate neighborhood and adjoin the subject property was that traffic in this area is extremely congested as the result of the proximity of German Hill Road and 48th Street to Interstate highways and other major roads. They characterized both German Hill Road and 48th Street as major arteries. The topography of German Hill Road is such that a steep hill begins approximately two blocks

JUN 20 1986

above the subject property and continues past the subject property. Additionally, the intersection of German Hill Road and 48th Street contains a traffic light. Testimony of the Protestants was extensive as to the accidents that are caused in this location because of the dangerous condition of the hill and the congestion caused by the extensive use of the streets.

Protestants also contended that permitting the additional construction would overcrowd the land. The testimony was undisputed that the existing parking for the commercial lot is often completely filled. As a consequence, it was testified by the Protestants that German Hill Road, 48th Street and the alley behind the commercial property leading behind the homes on 48th Street is used extensively when the parking on the commercial lot is filled. Though the proposed driveway and parking area appears sufficient to hold a few cars, it is clear that, on occasion, the parking may not be sufficient to handle all vehicles that may be visiting the proposed residence.

In the opinion of the Board, the testimony was clear that the parking in this immediate neighborhood is a problem, especially on Friday and Saturday nights when the video store located on the commercial property attracts many customers.

On balance, the Board is of the belief that to permit a residence as proposed would overcrowd the land, tend to create increased congestion and traffic problems in the neighborhood and be detrimental to the health, safety and general welfare of the community. As such we hold that it would be improper to allow the proposed residence.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 6th day of March 1986, by the County Board of Appeals, ORDERED that the

special exception to permit living quarters in a commercial building petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keith A. Franz, Acting Chairman

LeRoy B. Spurrier

Lawrence E. Schmidt

STEPHEN P. BROWN - #86-6-X 2.

above the subject property and continues past the subject property. Additionally, the intersection of German Hill Road and 48th Street contains a traffic light. Testimony of the Protestants was extensive as to the accidents that are caused in this location because of the dangerous condition of the hill and the congestion caused by the extensive use of the streets.

Protestants also contended that permitting the additional construction would overcrowd the land. The testimony was undisputed that the existing parking for the commercial lot is often completely filled. As a consequence, it was testified by the Protestants that German Hill Road, 48th Street and the alley behind the commercial property leading behind the homes on 48th Street is used extensively when the parking on the commercial lot is filled. Though the proposed driveway and parking area appears sufficient to hold a few cars, it is clear that, on occasion, the parking may not be sufficient to handle all vehicles that may be visiting the proposed residence.

In the opinion of the Board, the testimony was clear that the parking in this immediate neighborhood is a problem, especially on Friday and Saturday nights when the video store located on the commercial property attracts many customers.

On balance, the Board is of the belief that to permit a residence as proposed would overcrowd the land, tend to create increased congestion and traffic problems in the neighborhood and be detrimental to the health, safety and general welfare of the community. As such we hold that it would be improper to allow the proposed residence.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 6th day of March 1986, by the County Board of Appeals, ORDERED that the

STEPHEN P. BROWN - #86-6-X 3.

special exception to permit living quarters in a commercial building petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keith A. Franz, Acting Chairman

LeRoy B. Spurrier

Lawrence E. Schmidt

Phone: 687-6922

FRANK S. LEE
Registered Land Surveyor
1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

April 24, 1985

Northeast corner of German Hill Road and 48th Street
12th District Baltimore County, Maryland

Beginning for the same at the corner formed by the intersection of the north side of German Hill Road with the east side of 48th Street and being known and designated as Lots 202,203,204,205,206 and 207 as laid out and shown on Section Four, Graceland Park, said plat being recorded among the land records of Baltimore County in Flat Book 6 folio 122.

Containing 21,600 square feet of land more or less.
Save and except that portion zoned DR5.5.

311

STATE OF MARYLAND · FRANK S. LEE · No. 11 · PROPERTY LINE SURVEYOR

IN THE MATTER OF THE APPLICATION OF STEPHEN P. BROWN, ET UX FOR SPECIAL EXCEPTION FOR LIVING QUARTERS IN A COMMERCIAL BUILDING NE/S GERMAN HILL ROAD AND 48th STREET 12th DISTRICT	:	BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY NO. 86-6-X

: :

OPINION

This matter comes before the Board on a request for a special exception to permit a residential use in a commercial zone. The property is located on the north side of German Hill Road at the corner of 48th Street in the Twelfth Election District of Baltimore County. The property, for the most part, is located within a B.L. zone with the easternmost portion, approximately 30 feet in width, being zoned D.R. 5.5. The configuration of the building that is proposed would be such that the total amount of construction would be within the B.L. zone, attached to the existing commercial building, and the driveway and parking area for the proposed dwelling would be on the residential property with access to German Hill Road.

The property owner, Stephen P. Brown, testified that he has not made full use of his property because of the split zoning. He indicated that there would be no problem with overcrowding, parking or congestion, and that all hookups for utilities are available on the site.

The testimony of the Protestants who live in the immediate neighborhood and adjoin the subject property was that traffic in this area is extremely congested as the result of the proximity of German Hill Road and 48th Street to Interstate highways and other major roads. They characterized both German Hill Road and 48th Street as major arteries. The topography of German Hill Road is such that a steep hill begins approximately two blocks

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

August 27, 1985

Mr. Philip O. Tilgrman, Esquire
204 N. Liberty Street, Suite 400
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
NE/S of German Hill Road and
48th Street - 12th Election
District
Stephen P. Brown, et ux,
Petitioner
Case No. 86-6-X

Dear Mr. Tilgrman:

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

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Mr. Donald Brady
6936 German Hill Road
Dundalk, Maryland 21222

Mr. Edward Daily
655 S. 48th Street
Baltimore, Maryland 21224

RE: PETITION FOR SPECIAL EXCEPTION NE/S of German Hill Road and 48th Street - 12th Election District Stephen P. Brown, et ux, Petitioner	*	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 86-6-X

* * * * * * * * * * *

The Petitioners herein request a special exception for living quarters in a commercial building.

Testimony by one of the Petitioners indicated he purchased the property fronting on the north side of German Hill Road at the corner of 48th Street twelve years ago. The property is, as it was then, divided by a B.L. and D.R. 5.5 zoning line. Several years ago he developed the B.L. portion with a one-story masonary building now utilized by a Highs store and a video sales outlet. At this time he proposes to build a two-story, three-bedroom, 22' x 58' brick single-family dwelling attached to the existing stores and entirely located on the B.L. zoned land. The house will be rented. The D.R. 5.5 portion, approximately 30' x 132', would be utilized for a parking pad, drive with access to German Hill Road, and lawn. The adjacent neighbor to the east has a tall wood stockade fence along the property line. The dwelling would have no access to the alley behind the stores.

Testimony by Protestants indicated that fast moving traffic traveling west on German Hill Road crests a substantial hill several hundred feet east of the site and thus approaches the site and the intersection with extremely limited sight distance. Traffic accidents have caused a death and extensive property damage in recent years. Traffic is heavy and parking is limited in the area. At least one existing home fronting on German Hill Road does not have a driveway or vehicular access to German Hill Road. The stores on the site utilize the a[illegible] behind for both parking and loading although the alley is supposed to be

ORDER RECEIVED FOR FILING
DATE August 27, 1985
BY [illegible]
ZONING ASSISTANT

JUN 20 [illegible]

private and for the use of Harbor View, a townhouse development on 48th Street. Much of the area proposed for lawn and drive is steeply sloped.

All parties stipulated that the Deputy Zoning Commissioner could visit the site and the general neighborhood. The site visit revealed a dangerous traffic condition on German Hill Road, especially for vehicles traveling west. The situation is intensified by the steepness of the hill, by traffic back-up caused by the traffic light at the intersection, by parking on German Hill Road, and by cars and trucks entering and exiting the parking lot on the site.

Pursuant to the advertisement, posting of property, and public hearing on the petition, and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations not having been met, as well as the health, safety and general welfare of the community being adversely affected, the special exception should not be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 28th day of August, 1985, that the Petition for Special Exception for living quarters in a commercial building is hereby DENIED.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE August 29, 1985
BY Barbara A. Gilliland
ADMINISTRATIVE ASSISTANT

PETITION FOR SPECIAL EXCEPTION

12th Election District

LOCATION: Northeast side of German Hill Road and 48th Street.

DATE AND TIME: Tuesday, July 2, 1985 at 10:15 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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

Petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for living quarters in a commercial building.

Being the property of Stephen P. Brown, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Phone: 687-6922

FRANK S. LEE
Registered Land Surveyor
1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

April 24, 1985

Northeast corner of German Hill Road and 48th Street
12th District Baltimore County, Maryland

Beginning for the same at the corner formed by the intersection of the north side of German Hill Road with the east side of 48th Street and being known and designated as Lots 202,203,204,205,206 and 207 as laid out and shown on Section Four, Graceland Park, said plat being recorded among the land records of Baltimore County in Plat Book 6 folio 122.

Containing 21,600 square feet of land more or less.
Save and except that portion zoned DR5.5.

STATE OF MARYLAND — FRANK S. LEE — No. 11 — REGISTERED PROPERTY LINE SURVEYOR

Stephen P. Brown
7100 German Hill Road
Baltimore, Maryland 21222

NOTICE OF HEARING

RE: Petition for Special Exception
NE side of German Hill Rd. & 48th St.
Stephen P. Brown, et ux
Case No. 86-6-X

TIME: 10:15 A.M.

DATE: Tuesday, July 2, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Zoning Commissioner
of Baltimore County

AJ:bg

RE: PETITION FOR SPECIAL EXCEPTION
NE/S of German Hill Rd. and
48th St., 12th District

STEPHEN P. BROWN, et ux,
Petitioners

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 86-6-X

: : : : : : :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 7th day of June, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Stephen Brown, 7100 German Hill Road, Baltimore, MD 21222, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

Re: PETITION FOR SPECIAL EXCEPTION
NE/S of German Hill Road and
48th. Street - 12th. Election
District

Stephen P. Brown et ux,

Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 86-6-X

* * * * * * * * * *

NOTICE OF APPEAL

Zoning Commissioner of Baltimore County
County Office Building
Towson, Maryland 21204

SEP 24 ZONING DEPARTMENT By

Please note an appeal by the Petitioners, Stephen P. Brown and Irene Brown, (whose address is 7100 German Hill Road, Baltimore Maryland, 21222) from the Order entered August 28, 1985 in the above captioned matter,to the County Board Of Appeals and forward all papers in connection therewith to the Board.

Philip O. Tillman
Philip O. Tillman
Attorney for Appellants
204 N. Liberty Street
Suite 400
Baltimore, Maryland 21201
539-0513

E

of September, 1985 a
led to Phyllis Cole
uire, People's
nd 21204

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012533

DATE 9/24/85 ACCOUNT R-01-615-000
AMOUNT $100.00
RECEIVED FROM Philip O. Tillman, Esquire
FOR Appeal Fee for case 86-6-X
Stephen P. Brown, et ux, Petitioners
B B085*****1000:0a 0244I

VALIDATION OR SIGNATURE OF CASHIER

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 24, 1985

Mr. Donald Brady
6936 German Hill Road
Dundalk, Maryland 21222

Mr. Edward Daily
655 S. 48th Street
Baltimore, Maryland 21224

RE: Petition for Special Exception
NE/S of German Hill Road and
48th Street - 12th Election
District
Stephen P. Brown, et ux,
Petitioners
Case No. 86-6-X

Gentlemen:

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

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

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:bg

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

ARNOLD JABLON
ZONING COMMISSIONER

June 25, 1985

Stephen P. Brown
7100 German Hill Road
Baltimore, Maryland 21222

RE: Petition for Special Exception
NE/S of German Hill Road & 48th St.
Stephen P. Brown, et ux
Case No. 86-6-X

Dear Mr. Brown:

This is to advise you that $55.80 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

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

Sincerely,

ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 007446

DATE 7-17-85 ACCOUNT R-01-615-000
AMOUNT $ 100.
RECEIVED FROM
FOR Filing Fee 311 Brown
B B085*****1000:0a 0165F

VALIDATION OR SIGNATURE OF CASHIER

JUN 20 1985

Theresa Nowicki 639 S. 48th St. #24
Michael Nowicki 639 S. 48th St
Gladys A. Clark 637 S. 48th St.
Gilda Augustine 641 S. 48th St #24
Dorothy Augustine 641 S. 48th St #24
Edward Daly 655 S. 48th St. #24
Donald Daly 6936 German Hill Rd #22

PETITION FOR SPECIAL EXCEPTION
12th Election District

LOCATION: Northeast side of German Hill Road and 48th Street.
DATE AND TIME: Tuesday, July 2, 1985 at 10:15 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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

Petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for living quarters in a commercial building.

Being the property of Stephen P. Brown, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

86-6-X

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 June 14, 1985

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Petition For Special Exception - P.O. #65871 - Req. #L73104.
was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~successive~~ weeks before the 14th day of June 1985 ; that is to say, the same was inserted in the issues of June 13, 1985

Kimbel Publication, Inc.
per Publisher.
By K. E. Oelke

86-6-X

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 13, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 13, 1985.

THE JEFFERSONIAN,
T. B. Venetoli
Publisher

Cost of Advertising
22.00

PETITION FOR EXCEPTION
12th Election District

LOCATION: Northeast side of German Hill Road and 48th Street.
DATE AND TIME: Tuesday, July 2, 1985 at 10:15 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for living quarters in a commercial building.

Being the property of Stephen P. Brown, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County

June 13.

86-6-X

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12th Date of Posting 6/7/85
Posted for: Special Exception
Petitioner: Stephen P. Brown, et ux
Location of property: N.E. side of German Hill Rd. & 48th St.
Location of Signs: Facing intersection at German Hill & 48th St.
approx. 10' from Railway, on property of Petitioner
Remarks:
Posted by [signature] Signature Date of return: 6/14/85
Number of Signs: 1

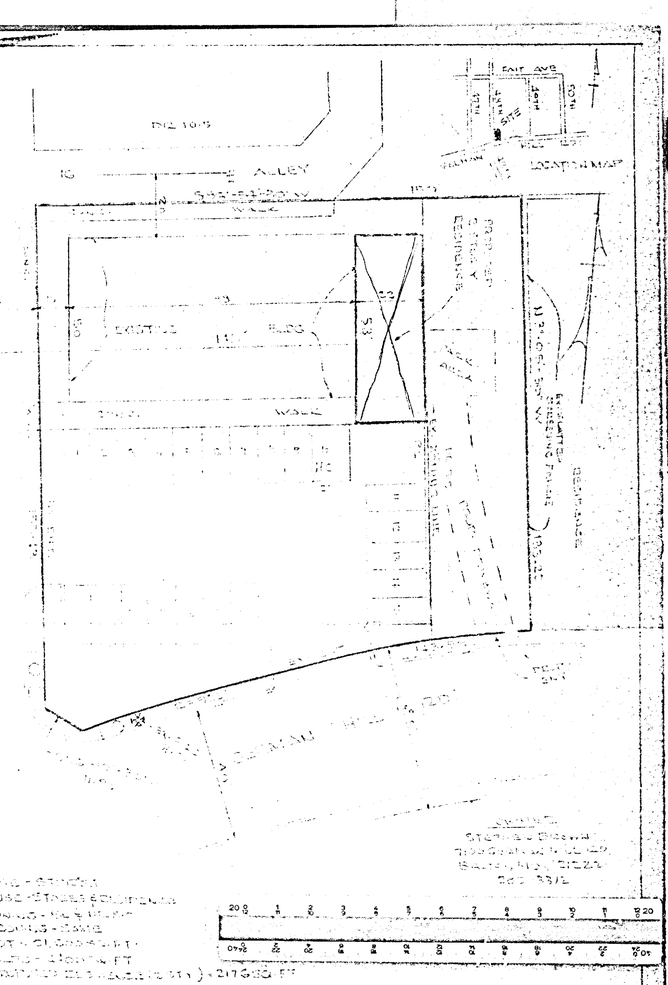
86-6-X

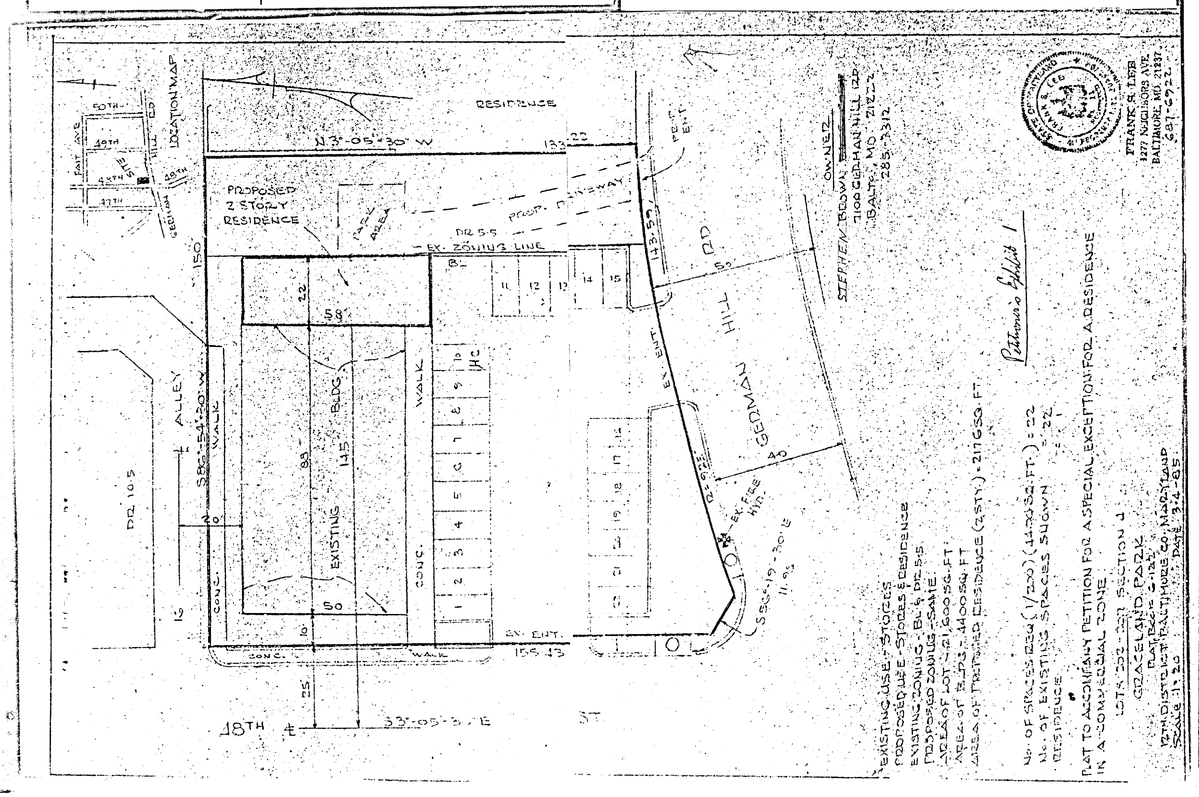
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

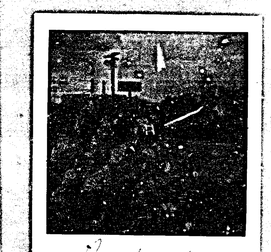
District 12th Date of Posting [illegible]
Posted for: Special Exception
Petitioner: Stephen P. Brown, et ux
Location of property: N.E. side of German Hill Rd. & 48th St.
Location of Signs: Facing intersection at German Hill & 48th St.
approx. 10' from Railway, on property of Petitioner
Remarks:
Posted by [signature] Signature Date of return: [illegible]
Number of Signs: 1

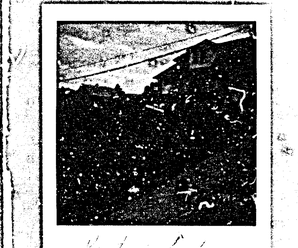
#86-6-X 12th District
NE/S German Hill Road and 48th Street
STEPHEN P. BROWN, ET UX
1 SIGN

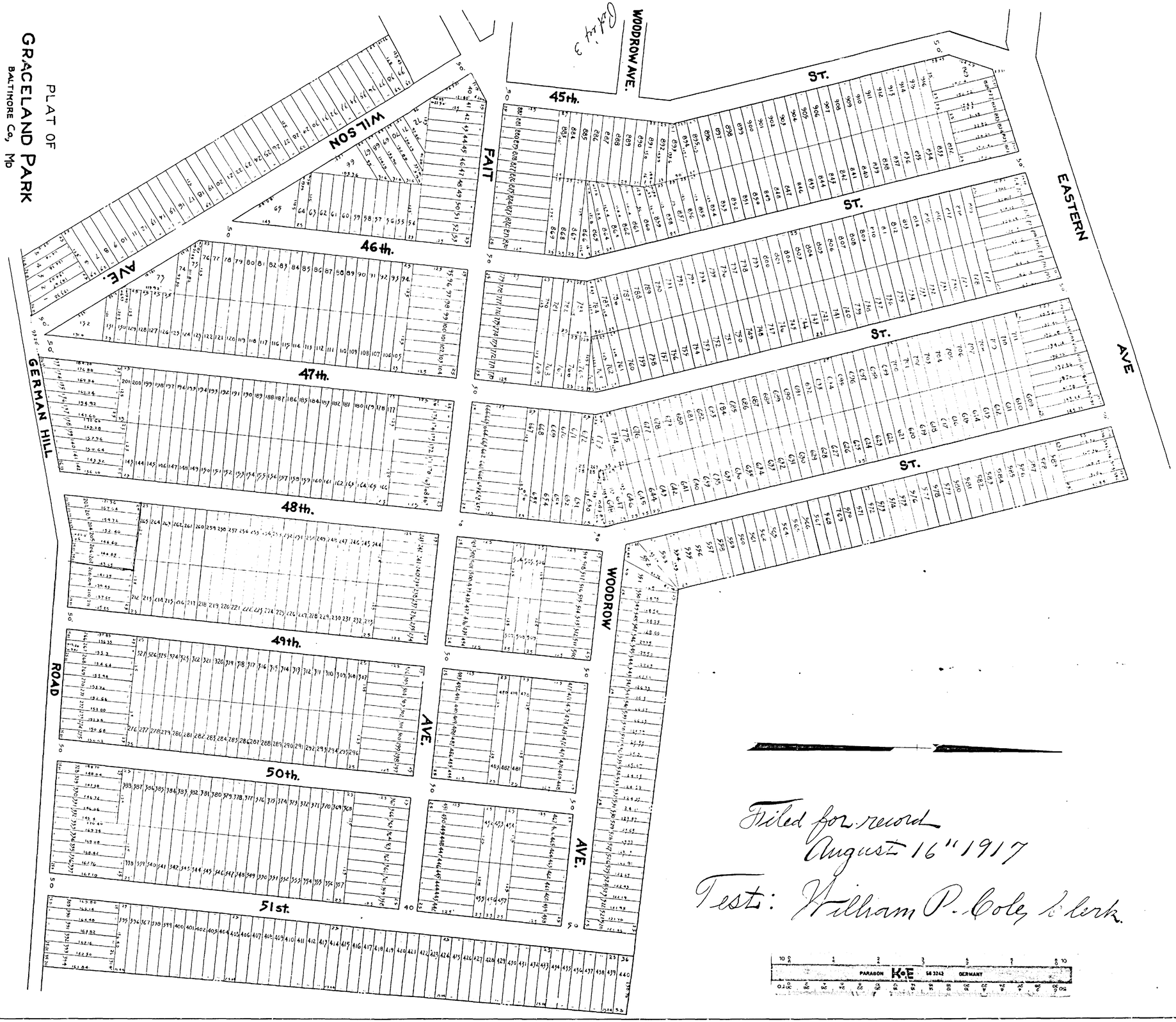
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 037261
ACCOUNT
AMOUNT $
FOR
VALIDATION OR SIGNATURE OF CASHIER











Scale: 1"=100'
E.H. Corner & Co.
Surveyors & Civil Engr.
Jones Co. Building
Baltimore, Md.