

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 A Class B Office Building in an R-O zone and/or to determine the validity of previous Special Exception in Case No. 68-179 and/or to Amend previous site plan to reshape parking and open space area and to change building design.

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

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: 686-8274

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

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

Orville M. Jones

Address

City and State

Attorney's Telephone No.: 686-8274

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of September, 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 13th day of November, 1985, at 10:45 o'clock.

1985-198-XA

DATE 10/13/85 BY John B. Contrum

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PETITION FOR ZONING VARIANCE

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 Variance from Section 217.2 to permit a front yard setback of 13 feet instead of the required 30 feet and a side yard setback of 20 feet instead of the required 25 feet and from Section 203.4 to permit 3,784 square feet of amenity open space in lieu of the required 7,013 square feet of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Conformance with the current regulations would create practical difficulty due to partial development of site and configuration of parcel.

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

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

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

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

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

Orville M. Jones

Address

City and State

Attorney's Telephone No.: 686-8274

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

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

Orville M. Jones

Address

City and State

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

Orville M. Jones

Address

City and State

Attorney's Telephone No.: 686-8274

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of September, 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 13th day of November, 1985, at 10:45 o'clock.

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IN RE: PETITIONS SPECIAL EXCEPTION AND VARIANCES * BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY * Case No. 86-198-XA * Orville M. Jones, Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a determination as to whether a special exception previously granted in Case No. 68-179-XASPH is still valid, or in the alternative, a special exception for a Class B office building and, additionally, variances to permit 3,784 square feet of amenity open space instead of the required 7,013 square feet, a front yard setback of 13 feet instead of 30 feet, and a side yard setback of 20 feet instead of the required 25 feet.

The Petitioner appeared and testified and was represented by Counsel. John Smith, a registered engineer, appeared on behalf of the Petitioner. There were no Protestants.

Testimony indicated that the subject property, presently zoned R-O and D.R.16 and located at Belair and Klausmier Roads, was previously granted a special exception for offices and an office building, a variance to permit a side yard setback, and a special hearing for parking in a residential zone in Case No. 68-179-XSPIA. At that time, the property, owned by the herein Petitioner, was zoned R.A. and the special exception was for the conversion of an existing dwelling to an office building and for the construction of a two-story office building.

The Petitioner converted the existing dwelling but never constructed the new building nor did he pave the entire area shown on the approved site plan.

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Md. or Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception and variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of December, 1985, that the Petition for Special Exception for a Class B office building in a R-O Zone and, additionally, variances to permit 3,784 square feet of amenity open space instead of the required 7,013

He testified that he did not because he was unable to find prospective tenants.

As a result of Bill No. 100, 1970, the property was rezoned to D.R.16. Subsequent thereto, the Petitioner had a portion rezoned to R.O. It is on this northwestern portion that the Petitioner was to originally construct the two-story office building and on which he now wishes to do so.

The State Highway Administration (State) has indicated that a new Project Planning Study for the section of Route 1 (Belair Road) north of Silver Spring Road to Maryland Route 152 in Harford County has been undertaken. As a result, the State is recommending that a right-of-way width of 110 feet in this section be used for development setbacks. If the Petitioner complied with this recommendation, his proposal, as described on Petitioner's Exhibit 3, would not be viable. The proposed office building would be set back 13 feet from the existing right of way but would have to be moved back further if the State's 110-foot widening is required, thereby necessitating a variance for 16 parking spaces instead of 20 spaces and a variance for less amenity open space than requested.

If the original special exception is still valid, then these latter variances would not be required. The original approved site plan, with the proposed building being able to satisfy the State's recommendation, would still be valid and viable. If it is not, then the Petitioner has moved to amend his Petition to reflect variances to permit 16 parking spaces instead of the required 20 spaces and 2,300 square feet of amenity open space instead of the required 7,013 square feet.

Mr. Smith testified that, in his opinion, the requirements of Section 502.1, Baltimore County Zoning Regulations (BCZR), would be satisfied and that the proposed office building would be compatible with the surrounding area.

square feet and 16 parking spaces instead of the required 20 spaces be and are hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

It is FURTHER ORDERED that the previously granted special exception is determined to be expired and, as such, any proposed construction under Case No. 68-179-XSPIA is hereby DENIED.

It is FURTHER ORDERED that the variances to permit a front yard setback of 13 feet instead of the required 30 feet and a side yard setback of 20 feet instead of the required 25 feet be and are hereby DISMISSED.

John B. Contrum, Esquire
Zoning Commissioner of Baltimore County

AJ/srl
cc: John B. Contrum, Esquire
People's Counsel

Section 502.3, BCZR, requires that any special exception which requires construction for its utilization be commenced during the authorized time period, provided that the construction is pursued to completion with reasonable diligence.

In Rupp v. Earl H. Cline & Sons, 230 Md. 573 (1963), the Court of Appeals applied a two-prong test to determine the validity of a special exception, i.e., a manifest commencement of some work and the work done must have been begun with the intention and purpose then formed to continue the work until the completion of the building. See also Pemberton v. Montgomery County, 275 Md 363 (1974). See Baltimore County v. Soley, Circuit Court of Baltimore County, Case No. 84-CG-1472 (1985).

The Petitioner took no action to continue the work until he had completed the building; he voluntarily abandoned the special exception granted. He did not comply with Section 502.1; therefore, the special exception previously granted in Case No. 68-179-XSPIA is no longer valid.

In the alternative, the Petitioner seeks relief from Section 203.3.B.2, pursuant to Section 502.1, and from Sections 203.4 and 409.2.B, pursuant to Section 307, BCZR.

The Petitioner also requested variances to permit front and side yard setbacks, but since there are no

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MARYLAND 21204

August 15, 1985

Description to Accompany A Petition For
A Special Exception For
A Class "B" Office Building
And A Variance to Amend
Open Space in A R.O. Zone
And A Special Hearing
To Determine Validity of Case #68-179

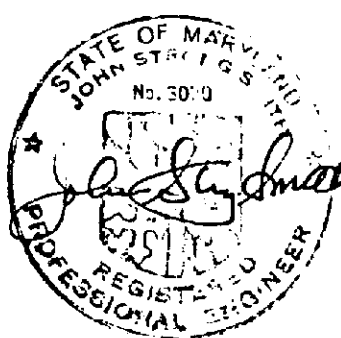
Point of beginning being located at the P.I. of the north side of Klausmier
Road with the west side Bel Air Road (U.S. Route #1) running thence

1. N 42° 28' 00" W 135.00 Feet ±
2. N 47° 32' 00" E 150.00 Feet ±
3. N 42° 28' 00" W 15.00 Feet ±
4. N 47° 32' 00" E 50.00 Feet ±
5. S 42° 28' 00" E 150.00 Feet ± And
6. S 47° 32' 00" W 200.00 Feet ± to the place of beginning.

Containing 0.64 Acres of land more or less.

Saving and Excepting that area presently zoned DR-16 consisting of 0.18 Ac.
of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY).



PETITION FOR SPECIAL EXCEPTION AND VARIANCE
11th Election District

LOCATION: Northwest corner of Belair Road and Klausmier Road
(9524 Belair Road)
DATE AND TIME: Wednesday, November 13, 1985 at 10:45 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 Special Exception for a Class B Office Building in an R.O. zone
and/or to determine the validity of previous Special Exception in Case
No. 68-179 and/or to Amend previous siteplan to reshape parking and open
space area and to change building design & a Variance from Section 217.2
to permit a front yard setback of 13' instead of the required 30' and a
side yard of 20' instead of the required 25' and 203.4 to permit a 3,784
square foot of amenity open space in lieu of the required 7,013 square feet.

Being the property of Orville M. Jones, as shown on plat
plan filed with the Zoning Office.

In the event that these Petitions are 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

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCES : OF BALTIMORE COUNTY
NW/cor. Belair Rd. & Klausmier :
Rd. (9524 Belair Rd.), 11th Dist.
ORVILLE M. JONES, Petitioner : Case No. 86-198-XA
: : : : :
: : : : :

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 15th day of October, 1985, a copy
of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire,
809 Eastern Blvd., Baltimore, MD 21221, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 6, 1985

John B. Gontrum Esquire
809 Eastern Blvd.
Baltimore, Maryland 21221

Re: Petitions for Special Exception and
Variance
NW/cor. Belair & Klausmier Rds.
(9524 Belair Road)
Orville M. Jones - Petitioner
Case No. 86-198-XA

Dear Mr. Gontrum:

This is to advise you that \$76.87 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012447
DATE 11-15-85 ACCOUNT R-01-615-009
AMOUNT \$ 76.87
RECEIVED John B. Gontrum, Esq.
FROM
Advertising and Posting 86-198-XA
FOR 8175*****77 711 11:11
VALIDATION OR SIGNATURE OF CASHIER

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

NOTICE OF HEARING

RE: Petitions for Special Exception and Variance
NW/cor. Belair & Klausmier Rds.
(9524 Belair Rd.)
Orville M. Jones - Petitioner
Case #86-198-XA

TIME: 10:45 a.m.

DATE: Wednesday, November 13, 1985

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

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 008687
DATE 9-10-85 ACCOUNT R-01-615-009
AMOUNT \$ 200.00
RECEIVED FROM
FOR 8175*****77 711 11:11
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
October 21, 1985

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

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Item No. 70 - Case No. 86-198-XA
Petitioner - Orville M. Jones
Special Exception and Variance Petitions

Dear Mr. Gontrum:

The Zoning Plans Advisory Committee has reviewed the plans sub-
mitted 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 infor-
mative 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,

James E. Dyer, Jr.
JAMES E. DYER, JR.
Chairman
Zoning Plans Advisory Committee

JED:nrr

Enclosures

cc: George William Stephens, Jr.
& Associates, Inc.
P. O. Box 6828
Towson, Maryland 21204

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

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21221

OCTOBER 31, 1985

Re: Zoning Advisory Meeting of AUGUST 27, 1985
Item # 70
Property Owner: ORVILLE JONES
Location: W/S BELAIR RD, N/S KLAUSMIER
RD.

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.

- ☒ There are no planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be
forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore 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
B111.173-179. 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 B111.173-179, and as conditions change
traffic capacity may become more limited. The basic Services Areas
are reevaluated annually by the County Council.
- ☒ Additional comments: _____

cc: James Roswell

Eugene A. Soper
Chief, Current Planning and Development

86-198-XA

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

TED ZALESKI, JR.
DIRECTOR

September 18, 1985

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

Dear Mr. Jablon:

Comments on Item # 70 Zoning Advisory Committee Meeting are as follows:

Property Owner: Orville Jones
Location: W/S Belair Road, N/S Klausmier Road
District: 11th.

APPLICABLE CODES ARE CHECKED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council 2111 61-86,
the Maryland Code for the Building Code and Code (A.3.3.11. 611-1) - 1980 and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a
registered in Maryland Architect or Engineer is/are not required on plans and technical data.
- ☒ 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. Approved seals are not acceptable.
- ☒ All Use Groups except R-1, 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-4, Use Groups require a one hour wall 12' closer
than 3'-0" to an interior lot line. Any wall built up an interior lot line shall require a fire or party
wall. See Table LUL, Section LUL7, Section LUL6.2 and Table LUL2. No openings are permitted in an
exterior wall within 3'-0" of an interior lot line.
- ☒ The structure does not appear to comply with Table 505 for permissible 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 LUL and 505 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section(s) _____ of the Baltimore
County Building Code.
- ☒ When filing for a required Change of Use/Temporary Permit, an alteration permit application shall also
be filed along with three sets of acceptable construction 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 the _____ to the _____ in
to Mixed Use. See Section 317 of the Building Code.
- ☒ The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached
copy of Section 316 of the Building Code as adopted by B111 61-86. Site plans shall show the current
elevation above sea level for the lot and the final floor levels including basement.
- ☒ Comments: Buildings over 4,000 sq. feet require handicapped
access to those levels. See State Code effective 1/1/85
for positive information.
- ☒ 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 106 of the County Office Building at 111
W. Chesapeake Avenue, Towson, Maryland 21204.

Arnold Jablon
Mr. C. E. Burman, Chief
Building Plans Review

AUG 7, 1985



Maryland Department of Transportation
State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

September 24, 1985

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

Re: Baltimore County
Item #70
Property Owner: Orville Jones
Location: W/S Belair Rd,
Maryland Route 1-N
W/S Klausmier Road
Existing Zoning: R.O.
and D.R. 16
Proposed Zoning: Var.
to permit a front yard
setback of 13' instead
of the req. 30' and a side
yard of 20' instead of
the required 25' & to
permit 3,784 sq. ft. of
amenity open space in lieu
of the req. 7,013 sq. ft.
and Special Exception for
a Class B office bldg.
in an R.O. Zone & to
determine the validity of
previous special exception
in Case No. 68-179 & to
amend previous site plan
to reshape parking &
open space area and to
change bldg. design
Acres: .46
District: 11th

Dear Mr. Dyer:

On review of the submittal of 7/12/85, the State Highway Administration offers the following comments.

The property scheduled for development at 9524 Belair Road is within a new Project Planning study, that is scheduled to begin in Fiscal Year 1987, for the section of U.S. Route 1 from north of Silver Spring Road to Maryland Route 152, in Harford County. Until such time as the type of improvements to be considered in that study are known it is this Bureau's recommendation that the same typical section and right of way width, (i.e., 110 feet) as proposed in the current U.S. Route 1 study be used for development set backs within the study corridor.

Continued

My telephone number is 301-659-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5082 Statewide Toll Free
P.O. Box 717 707 North Calvert St., Baltimore, Maryland 21203-0717

Mr. J. Dyer
Page 2
September 24, 1985

The proposed 110' Right of way shall be established on the existing centerline of Belair Road, with a 55' section.

We (S.H.A.) strongly recommend to Baltimore County, that all access to the proposed site be by way of Klausmier Road.

The site plan must be revised to show the following improvements.

1. A existing R/W for Belair Road at 60' (30' section)
2. A proposed R/W for Belair Road at 110' (55' section) centered on existing Belair Road.
3. Provide an additional 12' lane on the W/S of Belair Road along the frontage to improve access to Klausmier Road.
4. Construct S.H.A. Type "A" concrete curb, gutter and sidewalk with Handi-Cap Ramp at proposed 30' radius at Klausmier Road.

It is requested that the site plan of 7/12/85, be revised prior to a hearing date being set.

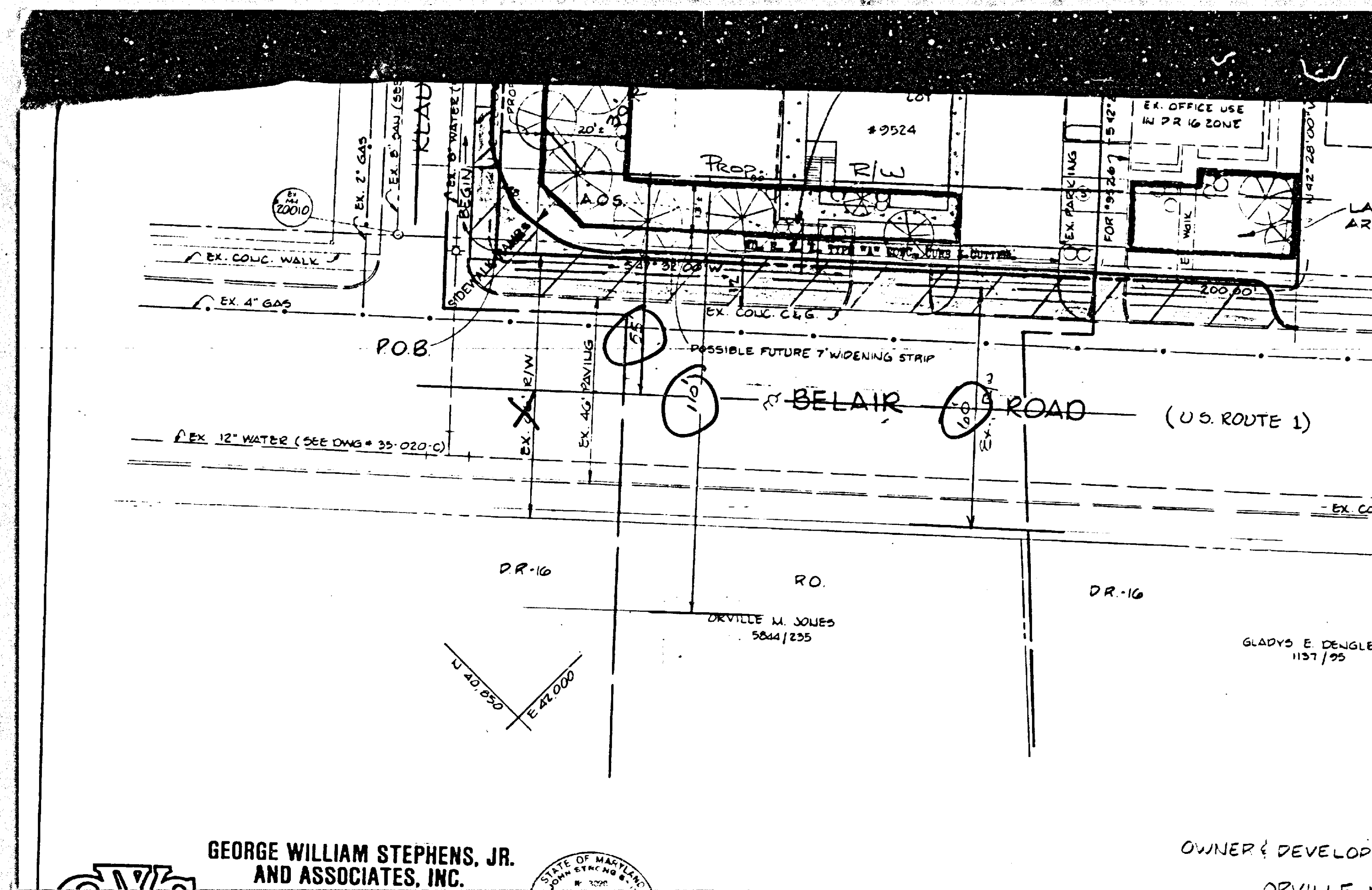
Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits

by: George Wittman

CL-GW:es

cc: J. Ogle
enclosure



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

OWNER & DEVELOPER
ORVILLE JONES



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3350

STEPHEN E. COLLINS
DIRECTOR

September 24, 1985

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

Item No. 70 -2AC- Meeting of August 27, 1985
Property Owner: Orville Jones
Location: W/S Belair Road, W/S Klausmier Road
Existing Zoning: R.O. and D.R. 16
Proposed Zoning: Var.

Acres: .46
District: 11th

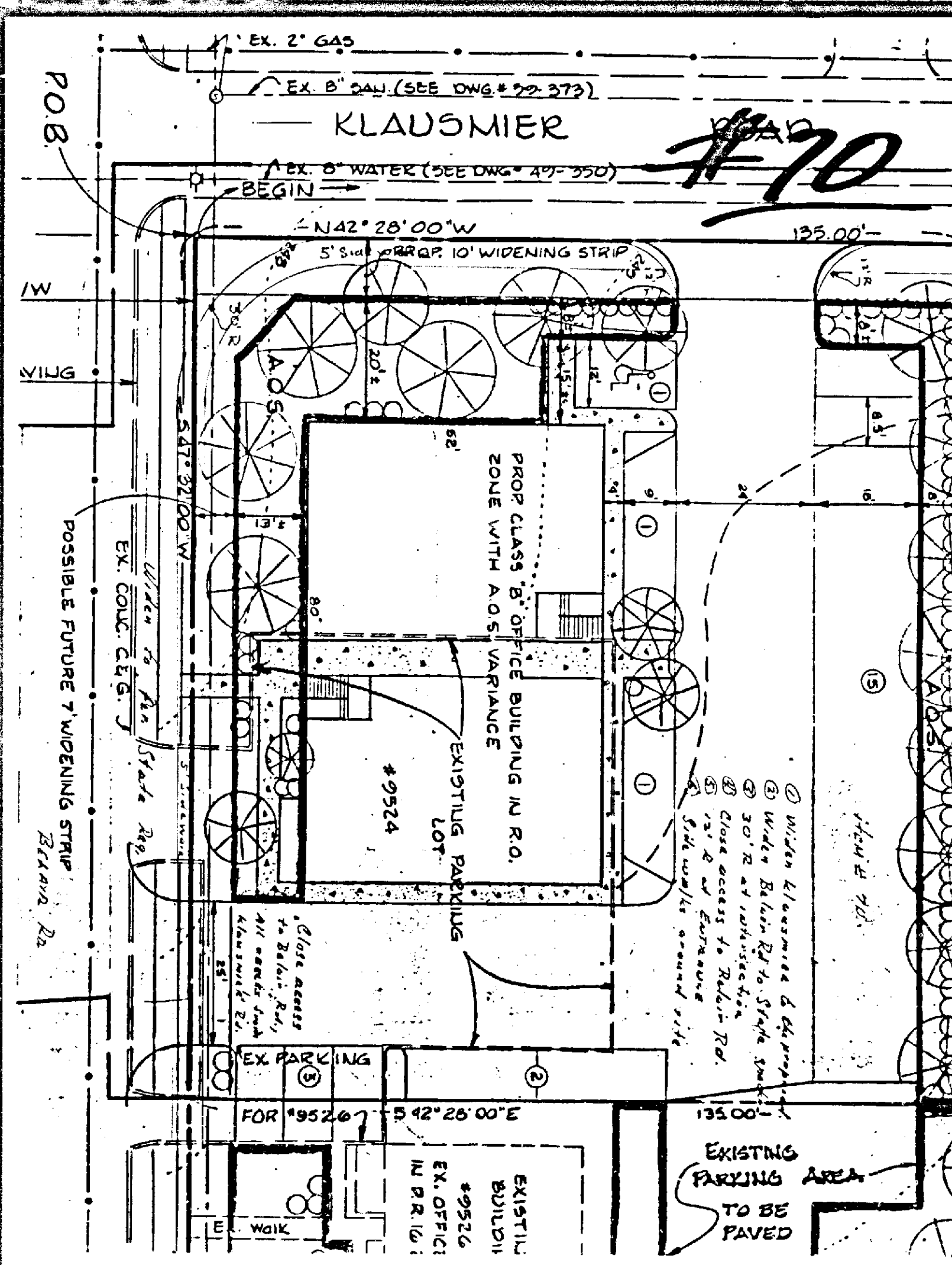
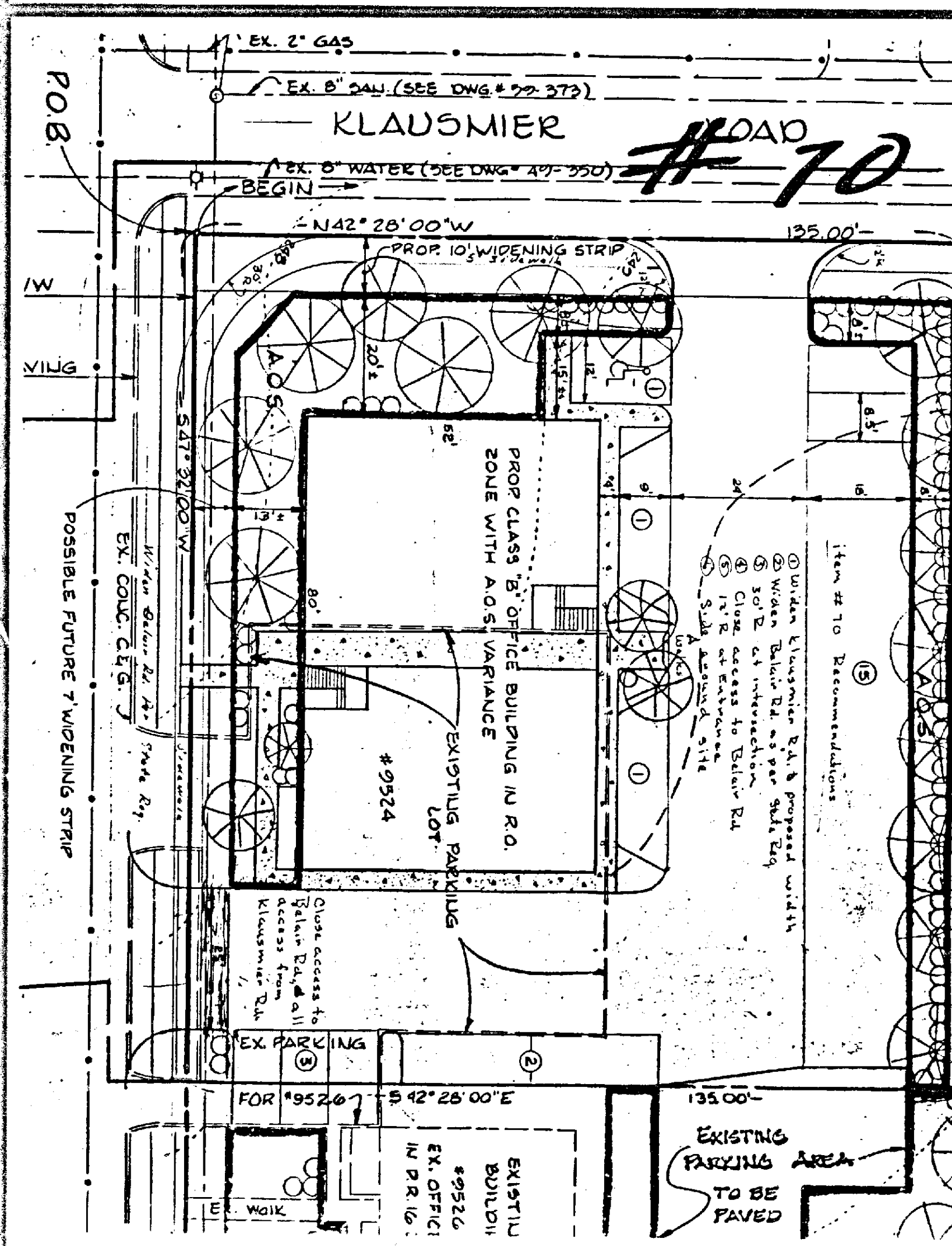
Dear Mr. Jablon:

- The following changes are recommended in the plan.
- 1) Widen Klausmier Road to proposed width.
 - 2) Widen Belair Road per State Highway Administration.
 - 3) 30' R at this intersection.
 - 4) Close access to Belair Road.
 - 5) 12' R at Entrance.
 - 6) Side walks around the site.

Note: See attached sketch.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc II

MSF/bld



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2566
494-4500

PAUL H. REINCKE
CHIEF

August 27, 1985

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

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Orville Jones

Location: W/S Belair Road, W/S Klausmier Road

Item No.: 70

Zoning Agenda: Meeting of August 27, 1985

Gentlemen:

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

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of 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: *John L. O'Neill*
Planning Group
Special Inspection Division

Noted and Approved:

John L. O'Neill
Fire Prevention Bureau

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO Zoning Commissioner
Norman E. Gerber, Director
FROM Office of Planning and Zoning
SUBJECT Zoning Petition No. 86-198-XA

Date November 4, 1985

This office generally does not support variances to the amenity open space requirements and see no basis for supporting this one. Further, the dimensions of the proposed building are far larger than those of the surrounding structures shown on the petitioner's and, hence, would not appear to be compatible with the surrounding area.

If the Zoning Commissioner rules that the prior S.E. is valid then, obviously, the aforementioned comments as they apply under the R.O. classification are not applicable.

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

NEG:JGH:slm

Petition for Special Exception and Variance

11th Election District
LOCATION: Northwest corner of Belair Road and Klausmier Road (9524 Bel Air Road)
DATE & TIME: Wednesday, November 13, 1985 at 10:45 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 Special Exception for a Class B Office Building in an R.O. zone and/or to determine the validity of previous Special Exception in Case No. 68-179 and/or to Amend previous site plan to reshape parking and open space area and to change building design & a Variance from Section 217.2 to permit a front yard setback of 13' instead of the required 30' and a side yard of 20' instead of the required 25' and 203.4 to permit a 3,784 square foot of amenity open space in lieu of the required 7,013 square feet.

Being the property of Orville M. Jones, as shown on plat plan filed with Zoning Office.
In the event that these Petitions are 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

The Times

Middle River, Md., Oct 24 1985

This is to Certify, That the annexed

Petition
80. 70. 70. 59

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 24th day of

Oct, 19 85
James E. Deane Publisher.

86-198-XA
CERTIFICATE OF PUBLICATION

TOWSON, MD., October 24, 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 October 24, 1985.

THE JEFFERSONIAN,

B. Venetoni
Publisher

Cost of Advertising

30.25

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
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By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Oct. 24.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-198-XA

District 11th Date of Posting 10/15/85
Posted for: Special Exception & Variance
Petitioner: Orville M. Jones
Location of property: NW cor. Belair Rd. & Klausmier Rd.
9524 Belair Rd.
Location of Signs: (2) Facing Klausmier Rd. (2) Facing Belair Rd. all approx 15' Fr. roadway & approx 110' Fr. intersection, all on property of Petitioner
Remarks: _____
Posted by: M. L. Lattin Date of return: 10/15/85
Signature
Number of Signs: 4

Case No. 86-198-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

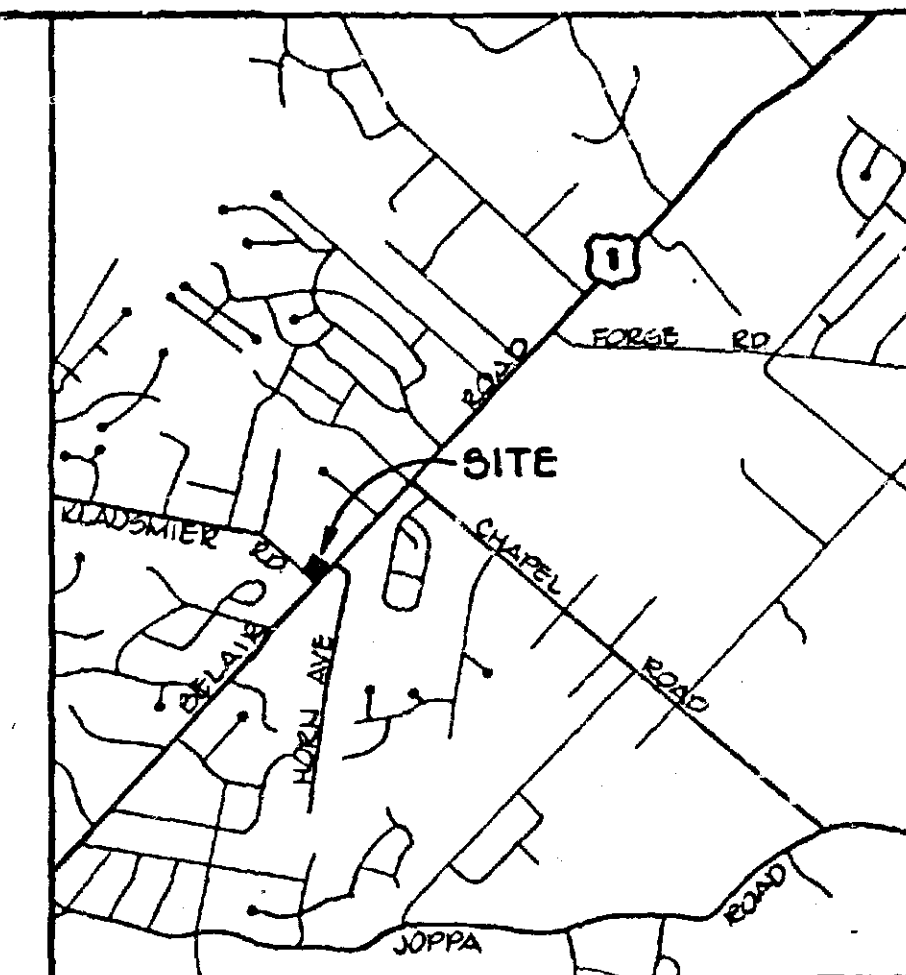
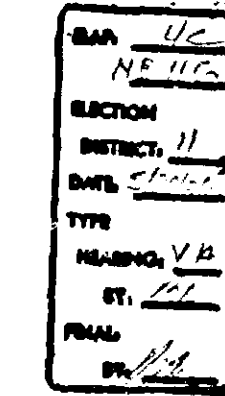
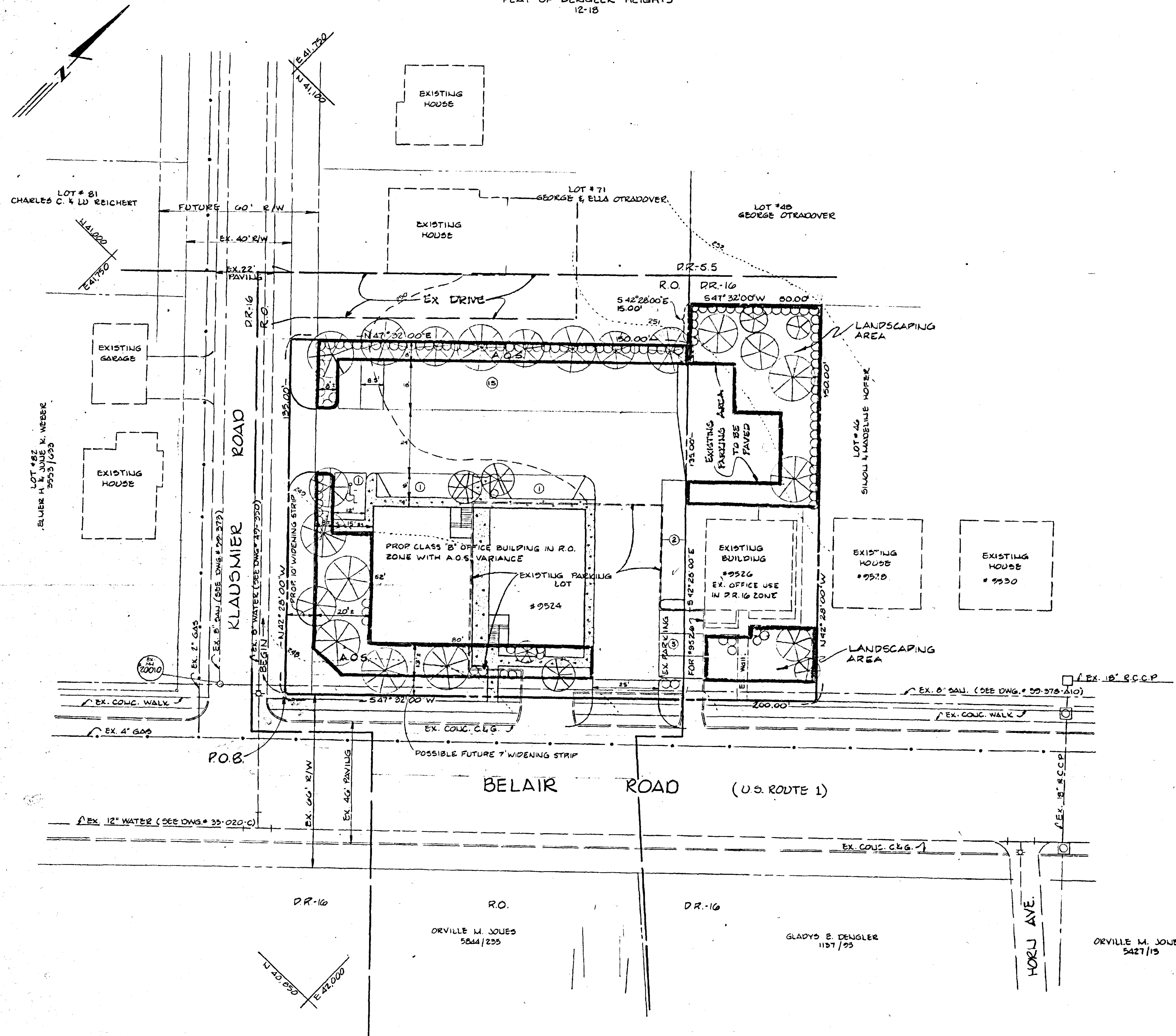
Your petition has been received and accepted for filing this 30th day of September, 1985.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner Orville M. Jones
Petitioner's Attorney John B. Contrus, Esquire

Received by: *James E. Deane*
Chairman, Zoning Plans
Advisory Committee

PLAT OF DENGLE HEIGHTS
12-18



LOCATION MAP
SCALE: 1" = 2000'

GENERAL NOTES:

1. ELECTION DISTRICT
2. COUNCILMANIC DISTRICT
3. CENSUS TRACT
4. WATERSHED
5. SUBWATERSHED
6. SITE DATA
 - NET AREA
 - GROSS AREA
 - AMENITY O.S. REQUIRED (25%)
 - AMENITY O.S. PROVIDED
 - TOTAL FLOOR AREA
 - PARKING REQUIRED
 - PARKING SHOWN
7. FLOOR AREA RATIO
 - PERMITTED (S)
 - SHOWN (20)
8. STORM WATER MANAGEMENT TO BE DETERMINED (21)
9. NO WETLANDS
10. GEOLOGICAL INFORMATION (SEE ENVIRONMENTAL REPORT)
11. NO ARCHEOLOGICAL SITES
12. NO HAZARDOUS MATERIALS
13. NO ENDANGERED SPECIES
14. NO SLOPES GREATER THAN 25%
15. LIGHTING SHALL BE SO DIRECTED AS TO NOT REFLECT RAYS TOWARD ADJACENT RESIDENCES OR INTERFERE WITH TRAFFIC (MAX. HEIGHT 8 FEET)
16. LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH APPROPRIATE REGULATIONS
17. PARKING TO BE SCREENED FROM ADJACENT RESIDENCES BY WALL, SLOPE, EVERGREEN PLANTINGS, AND FENCES (EITHER OF, OR IN COMBINATION WITH)
18. SOIL TYPE FOR ENTIRE SITE

SOIL TYPE	BUILDING 3 STY OR LESS WITH BASEMENT	STREETS AND PARKING LOTS WITHOUT BASEMENT	STREETS AND PARKING LOTS SLIGHT	STREETS AND PARKING LOTS MODERATE
BtB	MODERATE	SLIGHT	MODERATE	C

19. A.D.T. = 75 x 123 = 90 A.D.T.
20. NO. OF EMPLOYEES
21. HOURS OF OPERATION
22. EXISTING CONTOURS
23. PROPOSED CONTOURS
24. PROPOSED SIGN
25. U.T.A. BUS ROUTE BELAIR ROAD IS SERVED BY THE
26. TOPO SUBJECT TO CHANGE
27. TRACT CONSIST OF LOTS 20, 91, 192 PLAT OF "DENGLE HEIGHTS" 12/18

PETITIONER'S
EXHIBIT 3

C.R.G. PLAN

PLAT TO ACCOMPANY A PETITION
FOR A CLASS 'B' OFFICE BUILDING
IN AN R.O. ZONE AND A VARIANCE OF
AMENITY OPEN SPACE
ALSO A SPECIAL HEARING *
FOR
9524 BELAIR ROAD

BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20'
JULY 12, 1985
P.M. 575

**GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.**
CIVIL ENGINEERS & LAND SURVEYORS
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-9120

OWNER & DEVELOPER:

ORVILLE M. JONES
9533 BELAIR ROAD
PERRY HALL, MARYLAND 21236
252-6630

* = SPECIAL HEARING IS TO DETERMINE THE VALIDITY OF CASE NO. 122-172 AMENDED TO REQUEST A VARIANCE TO PERMIT A FRONT YARD OF 15' IN LIEU OF THE THEN REQUIRED 30' AND A SIDE YARD OF 20' ALONG KLAUSMIER ROAD IN LIEU OF THE THEN REQUIRED 20'

DEED REF: 6067-406