

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 409.2.b.(1) to permit five (5) parking spaces in... instead of the required eleven (11) parking spaces... a variance of six (6) spaces.

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

That absent the granting of the variance, the Petitioners cannot expand the existing office space and improve the office to allow continued use.

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: T. Rogers Harrison (Type or Print Name), Signature, Address, City and State, Attorney for Petitioner: William P. Harrison (Type or Print Name), Signature, Address, City and State, Attorney's Telephone No.: 828-1335

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of January, 1986, 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 10th day of February, 1986, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

T. Rogers Harrison, 86-295-KSPHA, 306 West Joppa Rd., Towson, Md. 21284

PETITION FOR SPECIAL HEARING

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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a revision of the site plan, removing the restriction contained in the special exception granted under the RA zoning (assuming the RA zoning carries over) and allowing the Petitioners to add on to and improve the existing structure.

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

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: T. Rogers Harrison (Type or Print Name), Signature, Address, City and State, Attorney for Petitioner: William P. Harrison (Type or Print Name), Signature, Address, City and State, Attorney's Telephone No.: 828-1335

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Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

T. Rogers Harrison, 86-295-KSPHA, 306 West Joppa Rd., Towson, Md. 21284

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 modestly expanded and remodeled office building requiring a Class "B" special exception in an R-O zone, assuming that the RA zoning is found not to carry over.

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: T. Rogers Harrison (Type or Print Name), Signature, Address, City and State, Attorney for Petitioner: William P. Harrison (Type or Print Name), Signature, Address, City and State, Attorney's Telephone No.: 828-1335

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of January, 1986, 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 10th day of February, 1986, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

T. Rogers Harrison, 86-295-KSPHA, 306 West Joppa Rd., Towson, Md. 21284

faces Joppa Road and is used for the Petitioners' law offices. One of the Petitioners is graduating from law school and will be joining the law firm founded by his father. More space will be needed, and the proposed addition will provide an additional conference room and two offices. The existing building has 3,002 square feet and the addition will add about another 30%. The Petitioners also propose certain aesthetic changes.

If unable to expand as proposed, the Petitioners would be forced to look elsewhere for offices. The site is uniquely shaped and is further restricted by slopes created by the expansion of Bosley Avenue and Joppa Road. Although it has 5,000 square feet of paving for parking, due to the required setbacks from the front property line and centerline of the street, technically, it cannot satisfy the required parking. The nature of the law practice, which is primarily insurance defense work, does not create much client traffic to the office. Mr. Harrison testified that there has never been a parking problem and he does not expect one to develop even with the addition.

Mrs. Biddison personally monitored the site for one week and testified that she does not believe there will be a parking problem. The Association believes the building will be compatible and that parking will not be a problem. See Petitioners' Exhibit 2.

The Petitioners request relief from Section 203.3.B.2, pursuant to Section 502.1, and from Section 409.2.b.(5), pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

It is clear that the BCZR permits the use requested by the Petitioners in an R-O Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated in Section 502.1 are satisfied by the Petitioners.

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

T. Rogers Harrison, 86-295-KSPHA, 306 West Joppa Rd., Towson, Md. 21284

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions, as more fully described below.

The Petitioners had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioners' Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the BCZR.

Section 203.2, BCZR, requires that the proposed office building "...shall be highly compatible with the present or prospective uses of nearby residential property..." Testimony presented by Mr. Leo and Mrs. Biddison during the hearing was convincing that there is substantial evidence to justify such a conclusion. In addition, Section 502.2.g, BCZR, requires that the proposed use not be inconsistent with the purposes of the property's zoning classification nor be inconsistent with the spirit and intent of the BCZR. A finding that the condition required by Section 502.1.g has been met necessarily implies a finding that the proposed use is a compatible one as required by

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

T. Rogers Harrison, 86-295-KSPHA, 306 West Joppa Rd., Towson, Md. 21284

Section 203.2, BCZR. See People's Counsel v. Webster, No. 361, Ct. of Sp. Appeals, January 8, 1986.

The Petitioners raised the argument that a special exception is not required inasmuch as the existing building is a nonconforming use; that is, the use was granted when the property was zoned R-A. The office use is, in fact, nonconforming; however, the Petitioners propose to expand by more than 25% of the ground floor area, i.e., 25% of 1,668 square feet. Since the Petitioners propose to expand more than Section 104.4, BCZR, permits, a special exception is required.

Notwithstanding this requirement, the fact that the office use has been in existence since 1968 must be considered when determining the requests made herein. They do not change the essential character of the use nor do they change the contrast between it and the surrounding community.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

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

See People's Counsel v. B.J. or Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

T. Rogers Harrison, 86-295-KSPHA, 306 West Joppa Rd., Towson, Md. 21284

IN RE: PETITIONERS SPECIAL EXCEPTION, SPECIAL HEARING, AND VARIANCE W/S of Bosley Avenue, Approx. 110' N of Joppa Road (306 West Joppa Road) - 9th Election District T. Rogers Harrison, et al, Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception for a Class B office building in an R-O Zone, a variance to permit five parking spaces instead of the required 11 spaces, and to amend the site plan approved in Case No. 68-255-RXA and delete Restriction 1 contained therein, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by T. Rogers Harrison, appeared and testified. Paul Lee, a registered civil engineer, testified on behalf of the Petitioners. Joy Biddison, President of the West Towson Neighborhood Association (Association), and Mary Ginn, a member of its Board of Directors, appeared and testified in total support of the requests. There were no Protestants.

Testimony indicated that the subject property, located at the corner of Bosley Avenue and Joppa Road and containing one-quarter acre, is presently improved with a 1 1/2-story office building granted in Case No. 68-255-RXA. In that case, the property was reclassified from an R-6 Zone to an R-A Zone and a special exception for an office building and offices and variances were granted with a restriction that the property be limited to the existing building. In 1980, the property was reclassified to an R-O Zone.

The Petitioners now wish to add 900 square feet to the existing building by constructing a 15' x 30' two-story addition to its rear. The building

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

It is clear from the testimony that if the variance 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 variance were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance 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, variance, and relief prayed for should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of January, 1986, that the Petition for Special Exception for a Class B office building in an R-O Zone be and is hereby GRANTED; the Petition for Zoning Variance to permit five parking spaces instead of the required 11 spaces be and is hereby GRANTED; and the amendment to the site plan approved in Case No. 68-255-RXA and the deletion of Restriction 1 therein be approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Petitioners' Exhibit 3, the letter dated February 5, 1986 from T. Rogers Harrison, Esquire, to Mrs. Biddison, shall be adopted in its entirety and made a part of this Order.

*[Signature]*  
Zoning Commissioner of  
Baltimore County

AJ/srl

cc: T. Rogers Harrison, Esquire  
Mrs. Joy Biddison  
People's Counsel

RECEIVED FOR FILING  
DATE January 12, 1986  
BY [Signature]

- 6 -

Paul Lee, P.E.

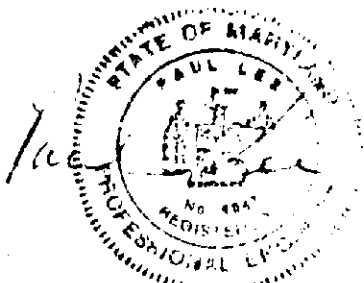
Paul Lee Engineering Inc.  
304 W. Pennsylvania Ave.  
Towson, Maryland 21284  
301 821-5941

DESCRIPTION

# 306 W. JOPPA ROAD

9th ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point, said point being located on the west side of Bosley Avenue 110 feet north of Joppa Road, thence binding on the west side of Bosley Avenue for two courses and distances, by a curve to the left (1) R = 3293.14 feet, L = 59.24 feet, Chord N 06°55'26" W - 59.23 feet, (2) N 08°14'11" W - 102.03 feet, thence leaving said west side of Bosley Avenue (3) S 27°08'51" W - 24.11 feet, (4) S 26°48'23" W - 163.40 feet to the north side of Joppa Road, thence binding on the north side of Joppa Road, (5) S 59°00'14" E - 56.59 feet, and thence by a curve to the left (6) R = 38.37 feet, L = 84.79 Feet, Chord N 57°41'32" E - 68.57 Feet to the point of beginning.



Engineers - Surveyors - Site Planners

PETITION FOR SPECIAL EXCEPTION  
PETITION FOR SPECIAL HEARING  
PETITION FOR ZONING VARIANCE

9th Election District

LOCATION: West side of Bosley Avenue, approximately 110 feet North of Joppa Road (306 West Joppa Road)

DATE AND TIME: Monday, February 10, 1986, at 10:00 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 to use the herein described property for a modestly expanded and restocked office building requiring a Class "M" special exception in an R0 zone, assuming that the R0 zoning is found not to carry over.

Petition for Special Hearing from Section 500.7 to permit a revision of the site plan (68-295 R0A) removing the restriction contained in the special exception granted under the R0 zoning.

Petition for Zoning Variance from Section 409.2.1(5): to permit five parking spaces instead of the required eleven parking spaces.

T. Rogers Harrison, Michael J. Harrison  
Being the property of \_\_\_\_\_ and William P. Harrison, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY  
PETITION FOR VARIANCE :  
W/S of Bosley Ave., 100'± :  
of Joppa Rd. (306 W. Joppa Rd.) :  
9th District :  
T. ROGERS HARRISON, et al., : Case No. 86-295-XSPHA  
Petitioners :  
: : : : :  
ENTRY OF APPEARANCE

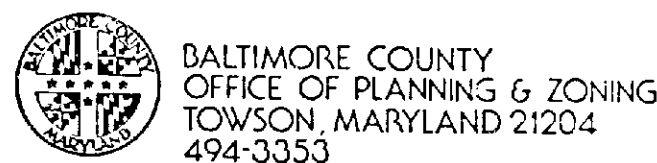
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*[Signature]*  
Phyllis Cole Fritchman  
People's Counsel for Baltimore County

*[Signature]*  
Peter Max Zirmeman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to T. Rogers Harrison, Esquire, 306 W. Joppa Rd., Towson, MD 21204, Attorney for Petitioners.

*[Signature]*  
Peter Max Zirmeman  
Peter Max Zirmeman



ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

January 28, 1986

Mr. T. Rogers Harrison  
Mr. Michael J. Harrison  
Mr. William P. Harrison  
306 West Joppa Road  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION, SPECIAL HEARING AND ZONING VARIANCE  
W/S Bosley Avenue, approximately 110' N of Joppa Rd.  
(306 West Joppa Rd.)  
T. Rogers Harrison, et al - Petitioners  
9th Election District  
Case No. 86-295-XSPHA

Dear Messrs. Harrison:

This is to advise you that \$82.00 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 No. 013413  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 2-5-86 ACCOUNT: R-01-615-000

AMOUNT \$ 82.00

RECEIVED Mudd, Harrison & Burch

FOR: Advertising and Posting 86-295-XSPHA

8 8016 \*\*\*\*\*027648 50007

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 23, 1986

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 January 23, 1986.

THE JEFFERSONIAN,

*[Signature]*  
Publisher

Cost of Advertising

33.60

86-295-XSPHA

PETITION FOR SPECIAL EXCEPTION  
PETITION FOR SPECIAL HEARING  
PETITION FOR ZONING VARIANCE

9th Election District

LOCATION: West side of Bosley Avenue, approximately 110 feet North of Joppa Road (306 West Joppa Road)

DATE AND TIME: Monday, February 10, 1986, at 10:00 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 to use the herein described property for a modestly expanded and restocked office building requiring a Class "M" special exception in an R0 zone, assuming that the R0 zoning is found not to carry over.

Petition for Special Hearing from Section 500.7 to permit a revision of the site plan (68-295 R0A) removing the restriction contained in the special exception granted under the R0 zoning.

Petition for Zoning Variance from Section 409.2.1(5): to permit five parking spaces instead of the required eleven parking spaces.

Being the property of T. Rogers Harrison, Michael J. Harrison and William P. Harrison, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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  
Jan. 23.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

86-295-XSPHA

District: 9th Date of Posting: January 24, 1986

Posted for: T. Rogers Harrison - Special Hearing & Petition

Petitioner: T. Rogers Harrison et al

Location of property: W/S of Bosley Ave. 100' N of Joppa Road (306 W. Joppa Road)

Location of Sign: 306 W. Joppa Road

Remarks: 306 W. Joppa Road, Bosley Avenue, west front of subject property

Posted by: [Signature] Date of return: January 24, 1986

Number of Signs: 3

PETITION FOR SPECIAL EXCEPTION  
PETITION FOR SPECIAL HEARING  
PETITION FOR ZONING VARIANCE

9th Election District

LOCATION: West side of Bosley Avenue, approximately 110 feet North of Joppa Road (306 West Joppa Road)

DATE AND TIME: Monday, February 10, 1986, at 10:00 a.m.

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

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Petition for Special Exception to use the herein described property for a modestly expanded and restocked office building requiring a Class "M" special exception in an R0 zone, assuming that the R0 zoning is found not to carry over.

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Petition for Zoning Variance from Section 409.2.1(5): to permit five parking spaces instead of the required eleven parking spaces.

Being the property of T. Rogers Harrison, Michael J. Harrison and William P. Harrison, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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  
Jan. 23.

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 22, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of \_\_\_\_\_ successive weeks, the first publication appearing on January 22, 1986.

TOWSON TIMES,

*[Signature]*  
Publisher

Cost of Advertising

34.00

86-295-XSPHA

Case No. 86-295-XSPHA

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 25th day of January, 1986.

*[Signature]*  
ARNOLD JABLON  
Zoning Commissioner

Petitioner: T. Rogers Harrison, et al Received by: [Signature]  
Petitioner's Attorney: \_\_\_\_\_ Chairman, Zoning Plans & Advisory Committee

Mr. T. Rogers Harrison  
Mr. Michael J. Harrison  
Mr. William P. Harrison  
306 West Joppa Road  
Towson, Maryland 21204

January 10, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION, SPECIAL HEARING AND ZONING VARIANCE  
W/S Bosley Avenue, approximately 110 feet North of Joppa Road  
(306 West Joppa Road)  
T. Rogers Harrison, Michael J. Harrison, and William P. Harrison, Petitioners  
Case No. 86-295-XSPHA

TIME: 10:00 a.m.

DATE: Monday, February 10, 1986

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

BALTIMORE COUNTY, MARYLAND No. 012352  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 1/29/86 ACCOUNT: R-01-615-000

AMOUNT \$ 250.00

RECEIVED Mudd, Harrison & Burch

FOR: [Signature]

8 8016 \*\*\*\*\*027648 50007

VALIDATION OR SIGNATURE OF CASHIER

LAW OFFICES  
MURD, HARRISON & BURCH  
306 WEST JOPPA ROAD  
TOWSON, MARYLAND 21204  
AREA CODE 301 968-1335

February 5, 1986

Mrs. Joy Biddison  
West Towson Improvement Association  
704 Allegheny Avenue  
Towson, Maryland 21204

Re: 306 West Joppa Road

Dear Mrs. Biddison:

It was a pleasure meeting with you and your committee and as promised, I am enclosing a summation regarding our proposed improvements at the above location.

Essentially, we intend to construct a two-story, 900 square foot addition with fireplace to be attached to our existing structure. In order to present an appealing appearance, the roof peak of the largest portion of the existing building will be maintained. The new addition will house 2 additional offices and a conference room.

The following briefly but fairly characterizes the nature of the construction and improvements we would make to the existing structure and site.

EXTERIOR:

1. Exterior surface - would be covered over with a cream colored plastic siding. They have a new pattern that looks identical to "german lap siding" that can actually be cleaned. All shutters will be replaced with fielded/paneled wood shutters and the trim color would be a Wilkinsburg pewter blue.

2. Entrances - Both existing porches would be removed with smaller brick with Chippendale slat railing versions and new fielded paneled entrance doors installed.

Handmade brass coach lamps (Chester Berry & Company) would be installed on both. The brick is reclaimed but it is handmade and has a lovely rose hue to it.

A fireplace would be installed in addition and the exterior chimney facing would, of course, be the

Mrs. Joy Biddison  
Page 2

February 5, 1986

same brick outlined in paragraph 2 above.

3. Foundation - all existing shrubs (except hollies trimmed back) would be removed, foundation re-water-proofed and the porage face below siding covered in brick. However, planting area would be maintained and professionally landscaped.

4. Storm Windows - all replaced with new storms with colonial appearance.

5. Signage - both signs replaced with an attractive (and quite expensive) post and lap paneled sign with double broken arch. Copies of shop signage used in Williamsburg. Again, colors pewter/blue and cream.

6. Parking Lot - The lot will be properly edged and overpaved with 3 1/2" of new asphalt.

7. Additional Landscaping - I would be delighted to assist the community in some landscaping of the bank areas contiguous to Bosley Avenue; and if the zoning is not granted, still would be willing to participate in and contribute to this proposal as long as I own the existing structure.

8. Interior Existing - We have no plans other than to remodel existing bathroom facilities.

9. Interior Proposed Addition - all random width hardwood floors, chair railing with a great deal of attention paid to detail.

10. Parking - We, as a practical matter, are reducing actual space used by a minimum anyway and have never parked in the surrounding community. However, we do plan to pool our secretaries from one of the local parking garages or perhaps even from rented space along York Road.

Our expanded use will not impact parking generally at all.

If you have any questions, please don't hesitate to contact me and I would like to thank everyone for

Mrs. Joy Biddison  
Page 3

February 5, 1986

allowing me to express my intentions at our recent meeting.

With kind regards,

Very truly yours,

*Tom Harrison*  
T. Rogers Harrison

TRH:lfc

West Towson Neighborhood Association  
Joy Biddison, President  
704 Allegheny Avenue  
Towson, Md. 21204  
823-6166

February 10, 1986

To: Mr. Arnold Jablon  
Zoning Commissioner, Baltimore County

From: Mical E. Wilmoth,  
Secretary, West Towson Neighborhood Association

Re: Request for Amendment to Existing Special Exception by  
Mr. T. Rogers Harrison

At its Annual Board Meeting, held on April 22, 1985, the West Towson Neighborhood Association empowered members of its Board of Governors to act on its behalf with regard to zoning matters. Mrs. Joy Biddison, President of the WTNA Board of Governors is thus appearing before the Zoning Commissioner on behalf of this Association as empowered at the Annual Board Meeting noted above.

At its regularly scheduled Board of Governors Meeting held February 3, 1986, a motion was made and unanimously passed that the WTNA support Mr. T. Rogers Harrison's request for an amendment to the existing Special Exception granting business use of his property located at 306 W. Joppa Road. Further, this motion noted that Mr. Harrison is to document his willingness to work with the WTNA with regard to landscaping his property at such time as work is carried out in accordance with this amendment, should it be granted.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner

Date: January 27, 1986

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

SUBJECT: Zoning Petition No. 86-295-XSPHA

This office is opposed to the granting of the subject request. The proposed addition would appear to overcrowd the site. Further, any overflow parking needs would tend to overflow into the adjacent residential area.

*Norman E. Gerber*  
Norman E. Gerber, AICP  
Director

NEG:JGH:alm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 10, 1986

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

T. Rogers Harrison et al  
306 West Joppa Road  
Towson, Maryland 21204

RE: Item No. 170, Case No. 86-295-XSPHA  
Petitioners - T. Rogers Harrison, et al  
Special Exception, Special Hearing, and  
Variance Petition

Dear Mr. Harrison:

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

JED:nr

Enclosures

cc: Paul Lee Engineering, Inc.  
304 W. Pennsylvania Avenue  
Towson, Maryland 21204

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
494-3211

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

JANUARY 14, 1986

Re: Zoning Advisory Meeting of November 19, 1985  
Item 170  
Property Owner: T. ROGERS HARRISON, et al  
Location: 306 WEST JOPPA ROAD AND  
BOSLEY AVENUE

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 site 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.
- 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 22-58 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 [unclear].
- Resubmitting: Use County with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 128-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [unclear].
- The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 128-79, and its conditions change are reevaluated annually by the County Council. The basic service areas are [unclear].

**SINCE THIS PROPOSED ADDITION WILL CHANGE THE EXISTING STANDBY TO A CLASS 2 OFFICE BLDG. COMPATIBILITY WILL BE REQUIRED TO DETERMINE SECT. 2-2-104 COUNTY DEVELOPMENT REGULATIONS.**

cc: James Roswell

Esther A. Soper  
Chief, Current Planning and Development

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

STEPHEN E. COLLINS  
DIRECTOR

January 7, 1986

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

Item No. 170 -ZAC-  
Property Owner: J. Rogers Harrison, et al  
Location: NW corner Joppa Road and Bosley Avenue  
R.O.  
Existing Zoning: R.O.  
Proposed Zoning: Special Hearing to revise the site plan, (68-255-10A) removing the restriction contained in the special exception granted under the RA zoning (assuming the RE zoning carries over) and allowing the petitioners to add on to and improve the existing structure and Special Exception for a modestly expanded

Address:  
District: 26  
9th

Dear Mr. Jablon:

The requested variances to parking can be expected to add to the parking problems in the Towson Area.

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

MSF/blb

PAUL H. REINCKE  
CHIEF

November 22, 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: T. Rogers Harrison, ET AL

Location: NW corner Joppa Road and Bosley Avenue

Item No.: 170 Zoning Agenda: Meeting of November 19, 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.

- ( ) 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: *[Signature]*  
Planning Group  
Special Inspection Division

Noted and Approved: *[Signature]*  
Fire Prevention Bureau

/mb

December 6, 1985

TED ZALESKI, JR.  
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 170 Zoning Advisory Committee Meeting are as follows:

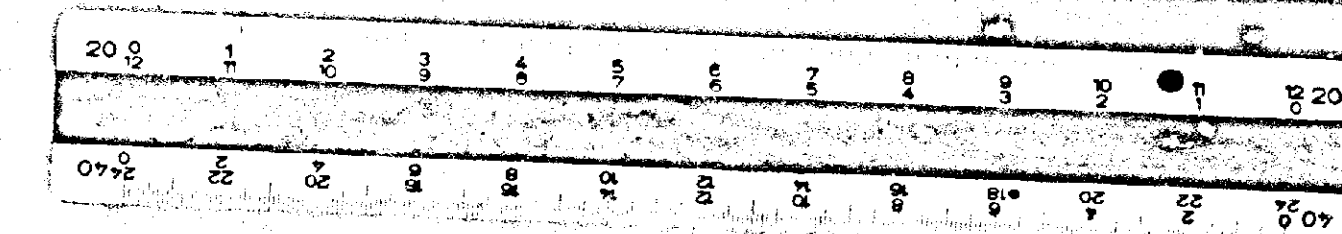
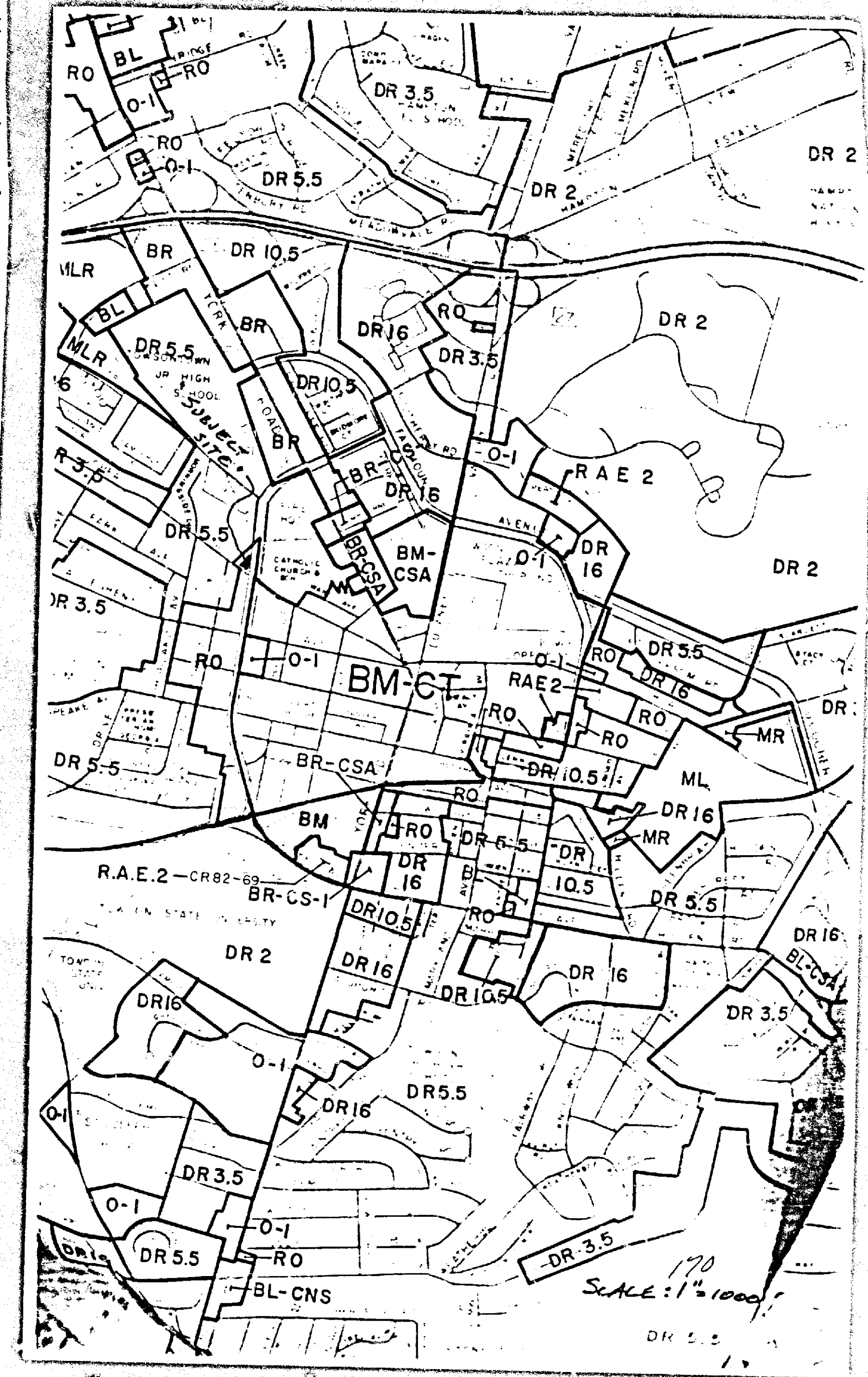
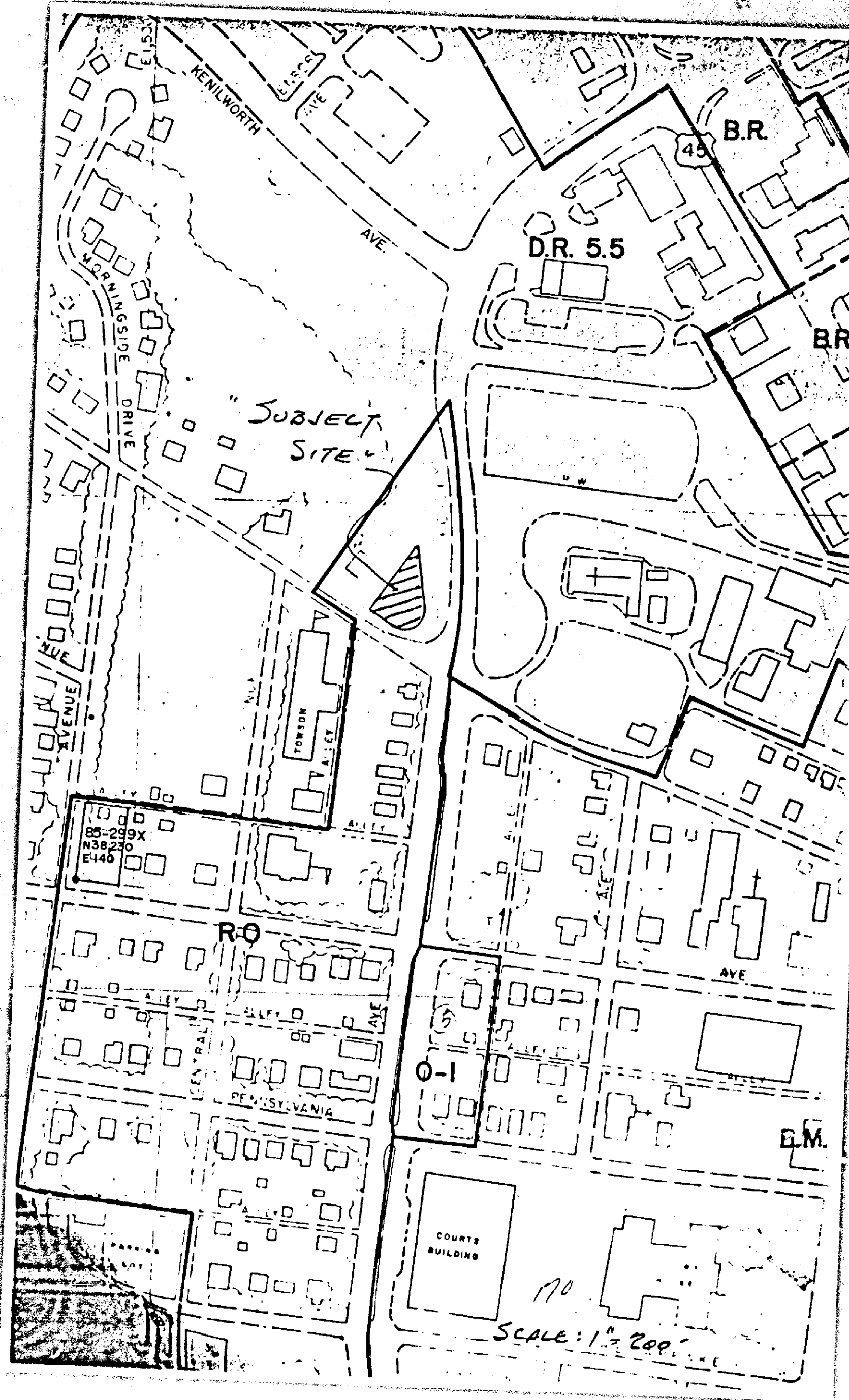
Property Owner: T. Rogers Harrison, et al  
Location: NW corner Joppa Road and Bosley Avenue  
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

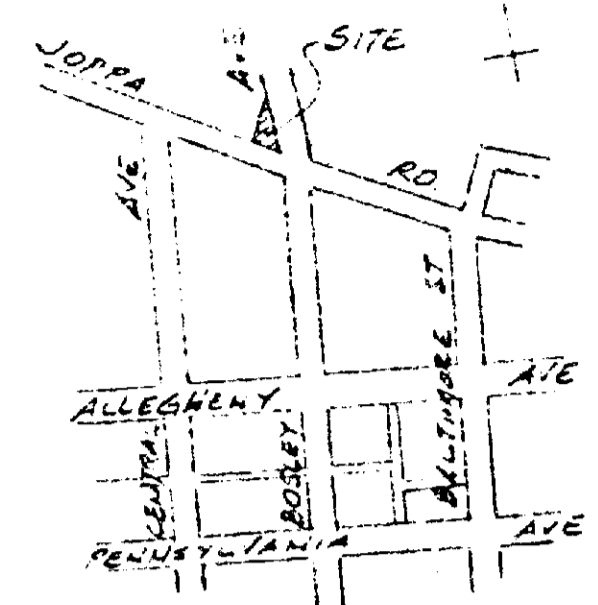
- ( X ) A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- ( ) B. A building and other miscellaneous permits shall be required before 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-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-1 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 101, Section 1007, Section 1106.2 and Table 1102. 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 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 101 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 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 Use \_\_\_\_\_ to Use \_\_\_\_\_ or to Fixed Use \_\_\_\_\_. 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 finished floor levels including basement.
- ( X ) J. Comments: Please be advised that when the area of a structure is increased Section 505.2 as well as the State Handicapped Code become applicable. Review building access and useability by A.N.S.I. # 117.1 - 1980 for the Handicapped. Please check permissible height and area versus construction type against Tables 101 and 501.
- ( ) 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.

*[Signature]*  
By: C. E. Burnham, Chief  
Building Plans Division

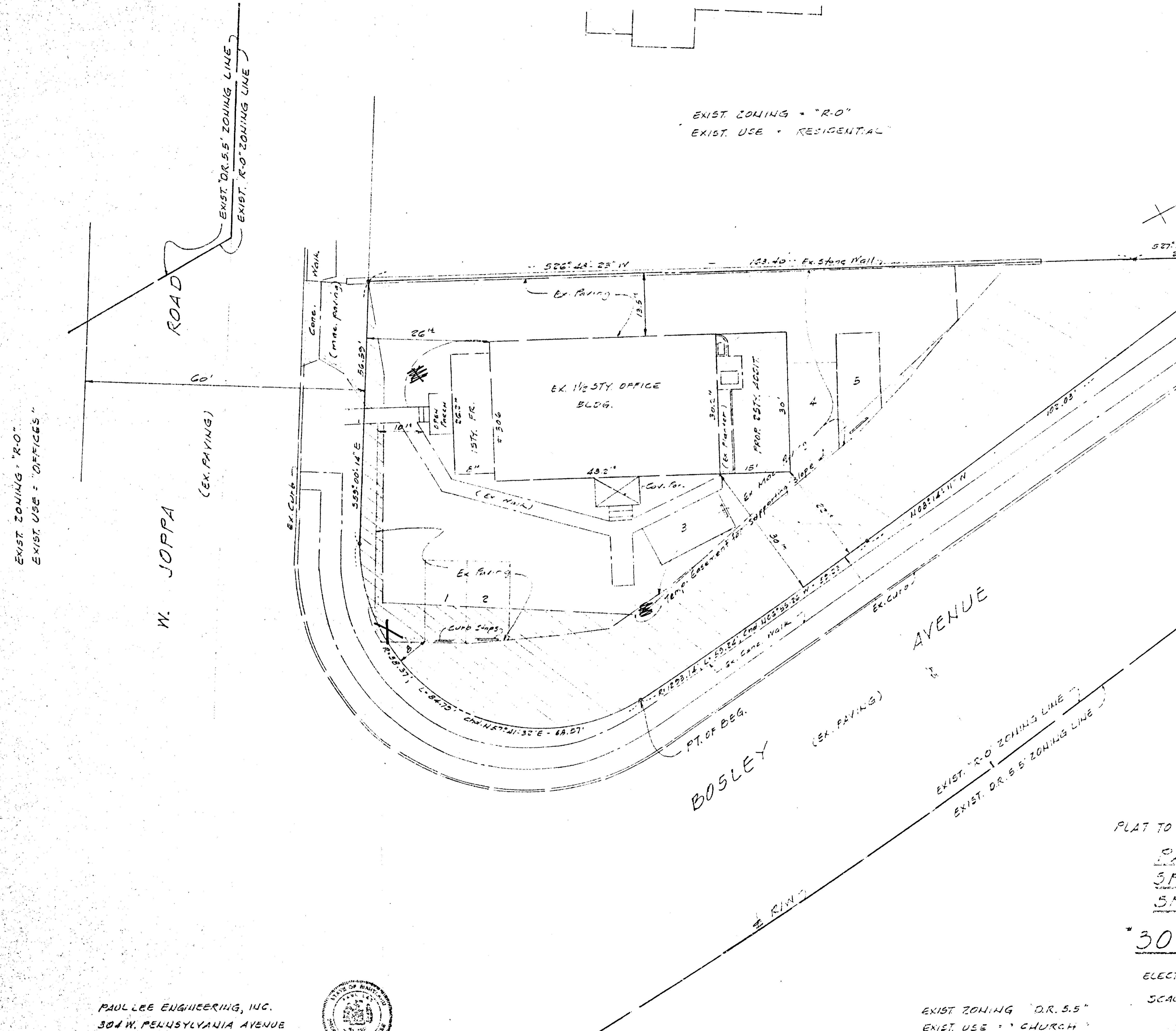
4/22/85



EXIST ZONING = "R-O"  
 EXIST. USE = RESIDENTIAL



LOCATION PLAN  
 SCALE: 1"=500'



GENERAL NOTES

1. AREA OF SITE = 0.26 AC (11,325 S.F.)
2. EXIST. ZONING OF SITE = "R-O" (RA W/S.A. CASE # 68255 RAA)
3. EXIST. USE OF SITE = OFFICES
4. PROP. ZONING OF SITE = "R-O" (RA W/S.A.) W/ SPECIAL EXCEPTION
5. PROP. ZONING OF SITE = "OFFICES"
6. OFF. STREET PARKING REQ'D.
 

EXIST. BLDG. 1ST FL. 1668.76 SF / 1300	= 5.66
2ND FL. 334 SF / 500	= 1.87
BASE 500 SF / 500	= 1.00
<hr/>	
PROP. ADDIT. 1ST FL. 480 SF / 300	= 1.6
2ND FL. 450 SF / 500	= 0.9
<hr/>	
2.4	= 10.63 = 11.75
	5.75
7. PARKING SPACES SHOWN = 5
8. PETITIONER IS REQUESTING A VARIANCE TO SECTION 400.2.6 (5) OF THE ZONING REGULATION TO PERMIT 5 PARKING SPACES INSTEAD OF THE REQUIRED 11 PARKING SPACES (A VARIANCE OF 3 SPACES)
9. PETITIONER TO PROVIDE VALET PARKING ON PROPERTY
10. PETITIONER REQUESTING A SPECIAL HEARING TO REVISE SITE PLAN & REMOVE BUILDING RESTRICTION IF RA ZONING CARRIES OVER
11. PETITIONER IS REQUESTING A CLASS B SPECIAL EXCEPTION IN AN "R-O" ZONE TO PERMIT AN ADDITION TO EXISTING OFFICE BLDG.
12. PROPERTY SERVED BY PUBLIC UTILITIES
13. OPEN SPACE REQ'D. 25% (11,325) = 2832 S.F.
14. OPEN SPACE SHOWN = 4402 S.F.
15. MAX. F.A.R. = 0.5 = 5662.5 SF
16. PROP. F.A.R. = 3902.26 / 11,325 = 0.34

PLAT TO ACCOMPANY PETITION FOR

PARKING VARIANCE,  
SPECIAL HEARING,  
SPECIAL EXCEPTION

PREPARED BY  
 EXHIBIT 1

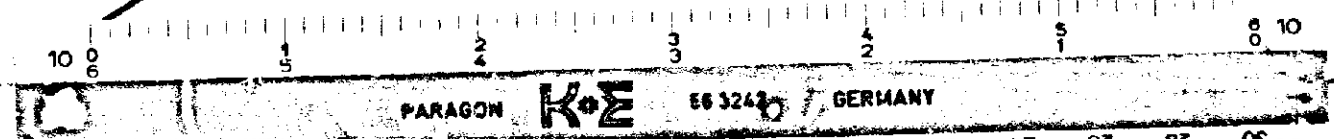
306 W. JOPPA ROAD

#170

ELECT. DIST 9 BALTIMORE COUNTY, MD  
 SCALE: 1"=10' OCT. 9, 1985

EXIST ZONING "D.R. 5.5"  
 EXIST. USE = CHURCH

PAUL LEE ENGINEERING, INC.  
 304 W. PENNSYLVANIA AVENUE  
 TOWSON, MARYLAND 21284



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 409.2.b.(1) to permit five (5) parking spaces in... instead of the required eleven (11) parking spaces... a variance of six (6) spaces.

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

That absent the granting of the variance, the Petitioners cannot expand the existing office space and improve the office to allow continued use.

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: T. Rogers Harrison; Legal Owner(s): T. Rogers Harrison; Michael J. Harrison; William P. Harrison

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of February, 1986...

ORDER RECEIVED FOR FILING DATE February 19, 1986 BY [Signature]

PETITION FOR SPECIAL HEARING

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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a revision of the site plan, removing the restriction contained in the special exception granted under the RA zoning (assuming the RA zoning carries over) and allowing the Petitioners to add on to and improve the existing structure.

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

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: T. Rogers Harrison; Legal Owner(s): T. Rogers Harrison; Michael J. Harrison; William P. Harrison

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of February, 1986...

ORDER RECEIVED FOR FILING DATE February 19, 1986 BY [Signature]

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 modestly expanded and remodeled office building requiring a Class "B" special exception in an R-O zone, assuming that the RA zoning is found not to carry over.

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: T. Rogers Harrison; Legal Owner(s): T. Rogers Harrison; Michael J. Harrison; William P. Harrison

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of February, 1986...

ORDER RECEIVED FOR FILING DATE February 19, 1986 BY [Signature]

faces Joppa Road and is used for the Petitioners' law offices. One of the Petitioners is graduating from law school and will be joining the law firm founded by his father. More space will be needed, and the proposed addition will provide an additional conference room and two offices.

If unable to expand as proposed, the Petitioners would be forced to look elsewhere for offices. The site is uniquely shaped and is further restricted by slopes created by the expansion of Bosley Avenue and Joppa Road.

Mrs. Biddison personally monitored the site for one week and testified that she does not believe there will be a parking problem.

The Petitioners request relief from Section 203.3.B.2, pursuant to Section 502.1, and from Section 409.2.b.(5), pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

It is clear that the BCZR permits the use requested by the Petitioners in an R-O Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity.

ORDER RECEIVED FOR FILING DATE February 19, 1986 BY [Signature]

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions, as more fully described below.

The Petitioners had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest.

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the BCZR.

Section 203.2, BCZR, requires that the proposed office building "...shall be highly compatible with the present or prospective uses of nearby residential property..." Testimony presented by Mr. Leo and Mrs. Biddison during the hearing was convincing that there is substantial evidence to justify such a conclusion.

ORDER RECEIVED FOR FILING DATE February 19, 1986 BY [Signature]

Section 203.2, BCZR. See People's Counsel v. Webster, No. 361, Ct. of Sp. Appeals, January 8, 1986.

The Petitioners raised the argument that a special exception is not required inasmuch as the existing building is a nonconforming use; that is, the use was granted when the property was zoned R-A. The office use is, in fact, nonconforming; however, the Petitioners propose to expand by more than 25% of the ground floor area, i.e., 25% of 1,668 square feet.

Notwithstanding this requirement, the fact that the office use has been in existence since 1968 must be considered when determining the requests made herein. They do not change the essential character of the use nor do they change the contrast between it and the surrounding community.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

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

McLean v. Soley, 270 Md. 208 (1973).

ORDER RECEIVED FOR FILING DATE February 19, 1986 BY [Signature]

IN RE: PETITIONERS SPECIAL EXCEPTION, SPECIAL HEARING, AND VARIANCE W/S of Bosley Avenue, Approx. 110' N of Joppa Road (306 West Joppa Road) - 9th Election District T. Rogers Harrison, et al, Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception for a Class B office building in an R-O Zone, a variance to permit five parking spaces instead of the required 11 spaces, and to amend the site plan approved in Case No. 68-255-RXA and delete Restriction 1 contained therein, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by T. Rogers Harrison, appeared and testified. Paul Lee, a registered civil engineer, testified on behalf of the Petitioners. Joy Biddison, President of the West Towson Neighborhood Association (Association), and Mary Ginn, a member of its Board of Directors, appeared and testified in total support of the requests. There were no Protestants.

Testimony indicated that the subject property, located at the corner of Bosley Avenue and Joppa Road and containing one-quarter acre, is presently improved with a 1 1/2-story office building granted in Case No. 68-255-RXA. In that case, the property was reclassified from an R-6 Zone to an R-A Zone and a special exception for an office building and offices and variances were granted with a restriction that the property be limited to the existing building. In 1980, the property was reclassified to an R-O Zone.

The Petitioners now wish to add 900 square feet to the existing building by constructing a 15' x 30' two-story addition to its rear. The building

ORDER RECEIVED FOR FILING DATE February 19, 1986 BY [Signature]

It is clear from the testimony that if the variance 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 variance were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel.

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, variance, and relief prayed for should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of February, 1986, that the Petition for Special Exception for a Class B office building in an R-O Zone be and is hereby GRANTED; the Petition for Zoning Variance to permit five parking spaces instead of the required 11 spaces be and is hereby GRANTED; and the amendment to the site plan approved in Case No. 68-255-RXA and the deletion of Restriction 1 therein be approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for

ORDER RECEIVED FOR FILING DATE February 19, 1986 BY [Signature]



LAW OFFICES  
MURD, HARRISON & BURCH  
306 WEST JOPPA ROAD  
TOWSON, MARYLAND 21204  
AREA CODE 301 868-1335

February 5, 1986

Mrs. Joy Biddison  
West Towson Improvement Association  
704 Allegheny Avenue  
Towson, Maryland 21204

Re: 306 West Joppa Road

Dear Mrs. Biddison:

It was a pleasure meeting with you and your committee and as promised, I am enclosing a summation regarding our proposed improvements at the above location.

Essentially, we intend to construct a two-story, 900 square foot addition with fireplace to be attached to our existing structure. In order to present an appealing appearance, the roof peak of the largest portion of the existing building will be maintained. The new addition will house 2 additional offices and a conference room.

The following briefly but fairly characterizes the nature of the construction and improvements we would make to the existing structure and site.

EXTERIOR:

1. Exterior surface - would be covered over with a cream colored plastic siding. They have a new pattern that looks identical to "german lap siding" that can actually be cleaned. All shutters will be replaced with fielded/paneled wood shutters and the trim color would be a Wilkinsburg pewter blue.

2. Entrances - Both existing porches would be removed with smaller brick with Chippendale slat railing versions and new fielded paneled entrance doors installed.

Handmade brass coach lamps (Chester Berry & Company) would be installed on both. The brick is reclaimed but it is handmade and has a lovely rose hue to it.

A fireplace would be installed in addition and the exterior chimney facing would, of course, be the

Mrs. Joy Biddison  
Page 2

February 5, 1986

same brick outlined in paragraph 2 above.

3. Foundation - all existing shrubs (except hollies trimmed back) would be removed, foundation re-water-proofed and the porage face below siding covered in brick. However, planting area would be maintained and professionally landscaped.

4. Storm Windows - all replaced with new storms with colonial appearance.

5. Signage - both signs replaced with an attractive (and quite expensive) post and lap paneled sign with double broken arch. Copies of shop signage used in Williamsburg. Again, colors pewter/blue and cream.

6. Parking Lot - The lot will be properly edged and overpaved with 3 1/2" of new asphalt.

7. Additional Landscaping - I would be delighted to assist the community in some landscaping of the bank areas contiguous to Bosley Avenue; and if the zoning is not granted, still would be willing to participate in and contribute to this proposal as long as I own the existing structure.

8. Interior Existing - We have no plans other than to remodel existing bathroom facilities.

9. Interior Proposed Addition - all random width hardwood floors, chair railing with a great deal of attention paid to detail.

10. Parking - We, as a practical matter, are reducing actual space used by a minimum anyway and have never parked in the surrounding community. However, we do plan to pool our secretaries from one of the local parking garages or perhaps even from rented space along York Road.

Our expanded use will not impact parking generally at all.

If you have any questions, please don't hesitate to contact me and I would like to thank everyone for

Mrs. Joy Biddison  
Page 3

February 5, 1986

allowing me to express my intentions at our recent meeting.

With kind regards,

Very truly yours,

*Tom Harrison*  
T. Rogers Harrison

TRH:lfc

West Towson Neighborhood Association  
Joy Biddison, President  
704 Allegheny Avenue  
Towson, Md. 21204  
823-6166

February 10, 1986

To: Mr. Arnold Jablon  
Zoning Commissioner, Baltimore County

From: Mical E. Wilmoth,  
Secretary, West Towson Neighborhood Association

Re: Request for Amendment to Existing Special Exception by  
Mr. T. Rogers Harrison

At its Annual Board Meeting, held on April 22, 1985, the West Towson Neighborhood Association empowered members of its Board of Governors to act on its behalf with regard to zoning matters. Mrs. Joy Biddison, President of the WTNA Board of Governors is thus appearing before the Zoning Commissioner on behalf of this Association as empowered at the Annual Board Meeting noted above.

At its regularly scheduled Board of Governors Meeting held February 3, 1986, a motion was made and unanimously passed that the WTNA support Mr. T. Rogers Harrison's request for an amendment to the existing Special Exception granting business use of his property located at 306 W. Joppa Road. Further, this motion noted that Mr. Harrison is to document his willingness to work with the WTNA with regard to landscaping his property at such time as work is carried out in accordance with this amendment, should it be granted.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner

Date: January 27, 1986

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

SUBJECT: Zoning Petition No. 86-295-XSPHA

This office is opposed to the granting of the subject request. The proposed addition would appear to overcrowd the site. Further, any overflow parking needs would tend to overflow into the adjacent residential area.

*Norman E. Gerber*  
Norman E. Gerber, AICP  
Director

NEG:JGH:alm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 10, 1986

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

T. Rogers Harrison et al  
306 West Joppa Road  
Towson, Maryland 21204

cc:

RE: Item No. 170, Case No. 86-295-XSPHA  
Petitioners - T. Rogers Harrison, et al  
Special Exception, Special Hearing, and  
Variance Petition

Dear Mr. Harrison:

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

JED:nr

Enclosures

cc: Paul Lee Engineering, Inc.  
304 W. Pennsylvania Avenue  
Towson, Maryland 21204

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
494-3211

STEPHEN E. COLLINS  
DIRECTOR

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

JANUARY 14, 1986

Re: Zoning Advisory Meeting of November 19, 1985  
Item 170  
Property Owner: T. ROGERS HARRISON, et al  
Location: 306 WEST JOPPA ROAD AND  
BOSLEY AVENUE

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 site planning factors requiring comment.
- A County Review Group Meeting is required.
- If 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.
- 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 22-58 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 [unclear].
- Resubmitting: Use County with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 128-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [unclear].
- The property is located in a traffic area controlled by a "g" level intersection as defined by Bill 128-79, and its conditions change are reevaluated annually by the County Council. The basic services areas are [unclear].
- SINCE THIS PROPOSED ADDITION WILL CHANGE THE EXISTING STANDBY TO A CLASS "C" OFFICE BLDG. COMPATIBILITY WILL BE REQUIRED TO DETERMINE SECT. 7-2-104 COUNTY DEVELOPMENT REGULATIONS.**

cc: James Howell

Estelle A. Soper  
Chief, Current Planning and Development

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

STEPHEN E. COLLINS  
DIRECTOR

January 7, 1986

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

Item No. 170 -ZAC-  
Property Owner: T. ROGERS HARRISON, et al  
Location: NW corner Joppa Road and Bosley Avenue  
R.O.  
Existing Zoning: R.O.  
Proposed Zoning: Special Hearing to revise the site plan, (68-255-100A) removing the restriction contained in the special exception granted under the RA zoning (assuming the RE zoning carries over) and allowing the petitioners to add on to and improve the existing structure and Special Exception for a modestly expanded

Address:  
District: 26  
9th

Dear Mr. Jablon:

The requested variances to parking can be expected to add to the parking problems in the Towson Area.

MSF/blid

*Richard S. Flanagan*  
Richard S. Flanagan  
Traffic Engineering Associate II



PAUL H. REINCKE  
CHIEF

November 22, 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: T. Rogers Harrison, ET AL

Location: NW corner Joppa Road and Bosley Avenue

Item No.: 170 Zoning Agenda: Meeting of November 19, 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.

- ( ) 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: *[Signature]*  
Planning Group  
Special Inspection Division

Noted and Approved: *[Signature]*  
Fire Prevention Bureau

/mb

December 6, 1985

TED ZALESKI, JR.  
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 170 Zoning Advisory Committee Meeting are as follows:

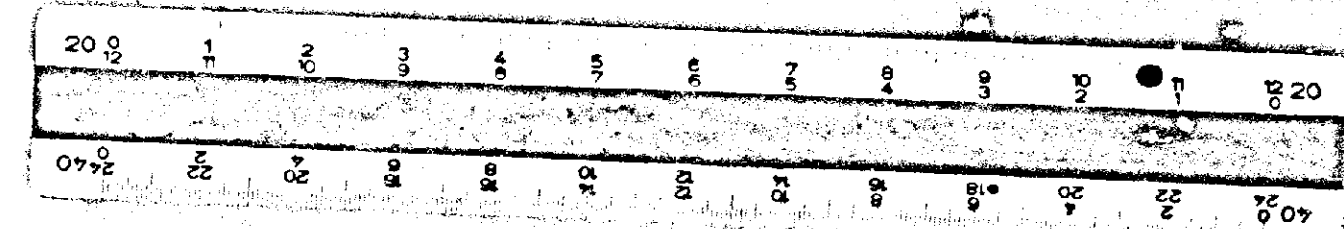
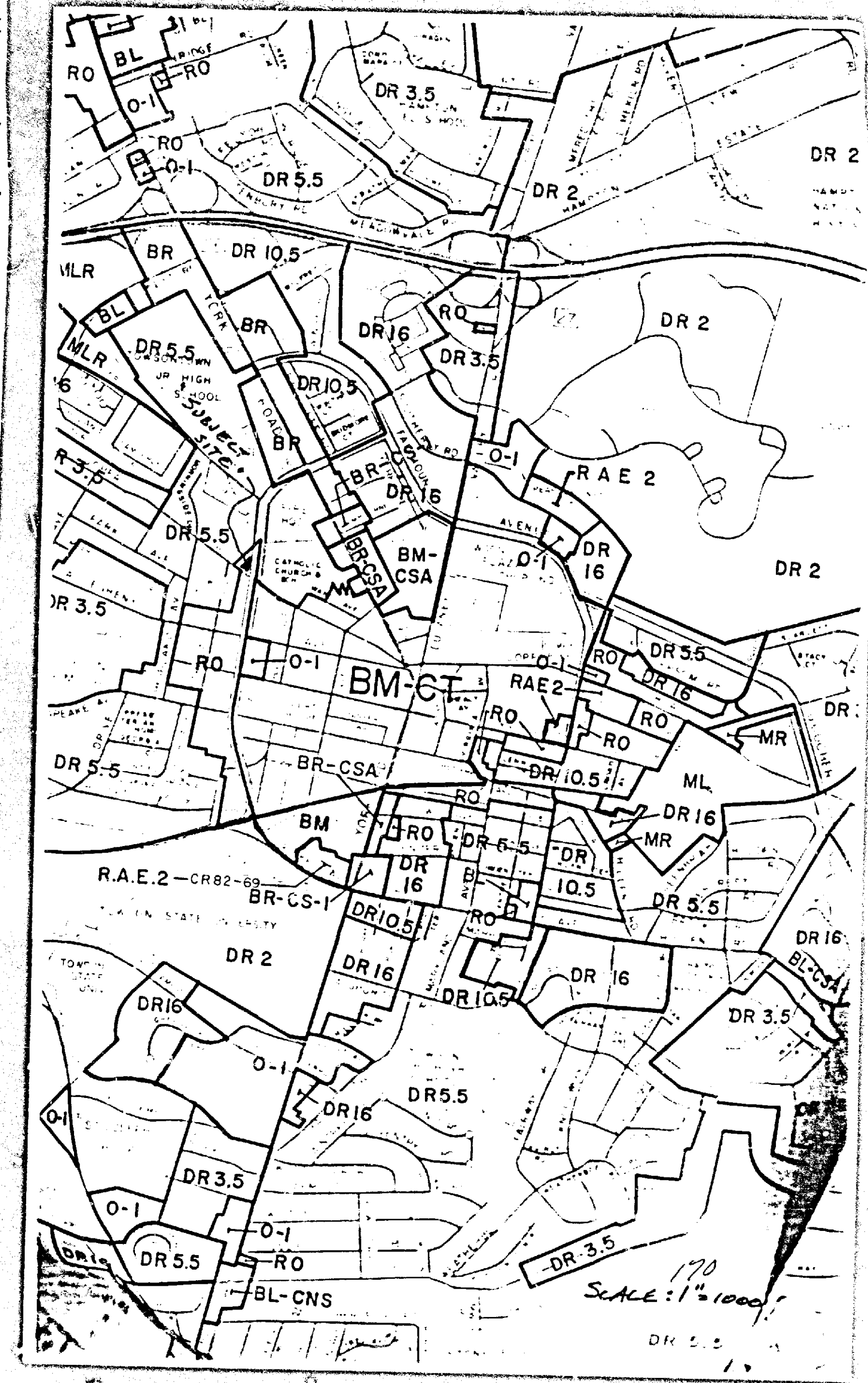
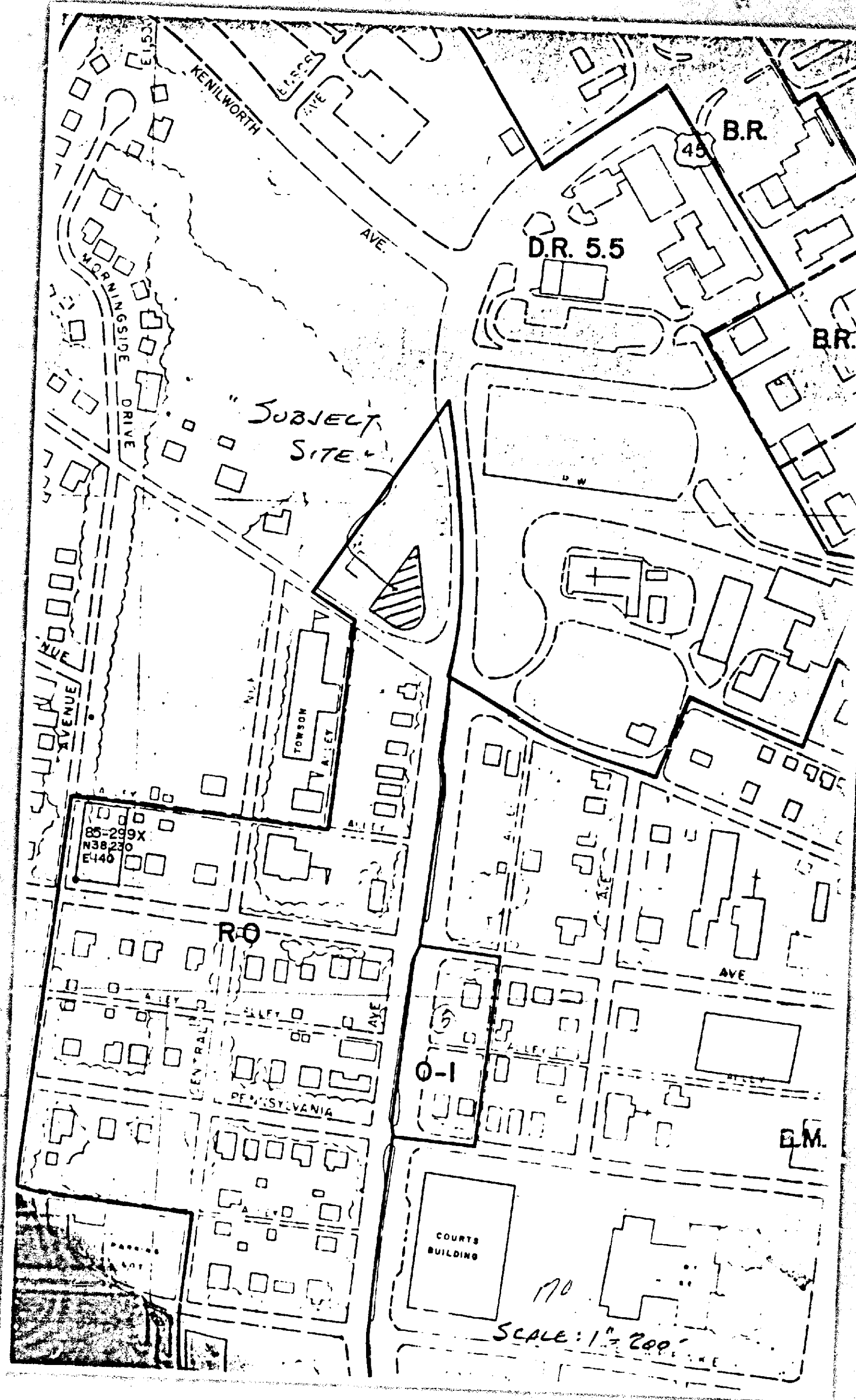
Property Owner: T. Rogers Harrison, et al  
Location: NW corner Joppa Road and Bosley Avenue  
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

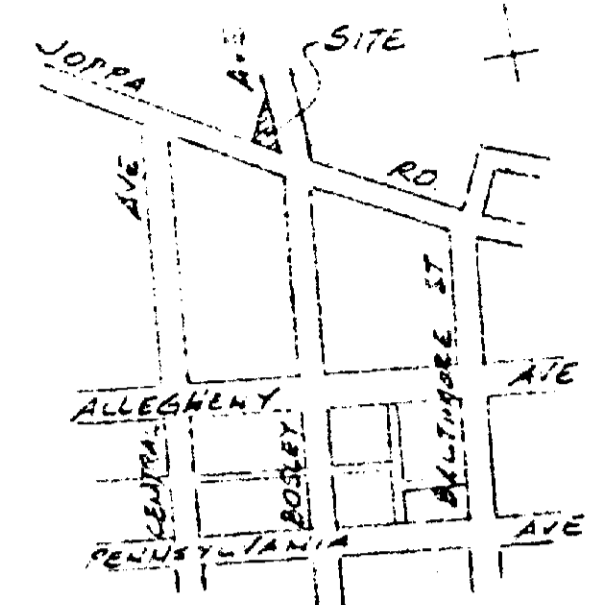
- ( X ) A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- ( ) B. A building and other miscellaneous permits shall be required before 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-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-1 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 101, Section 1007, Section 1106.2 and Table 1102. 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 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 101 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 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 Use \_\_\_\_\_ to Use \_\_\_\_\_ or to Fixed Use \_\_\_\_\_. 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 finished floor levels including basement.
- ( X ) J. Comments: Please be advised that when the area of a structure is increased Section 505.2 as well as the State Handicapped Code become applicable. Review building access and useability by A.N.S.I. # 117.1 - 1980 for the Handicapped. Please check permissible height and area versus construction type against Tables 101 and 501.
- ( ) 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.

*[Signature]*  
By: C. E. Burnham, Chief  
Building Plans Division

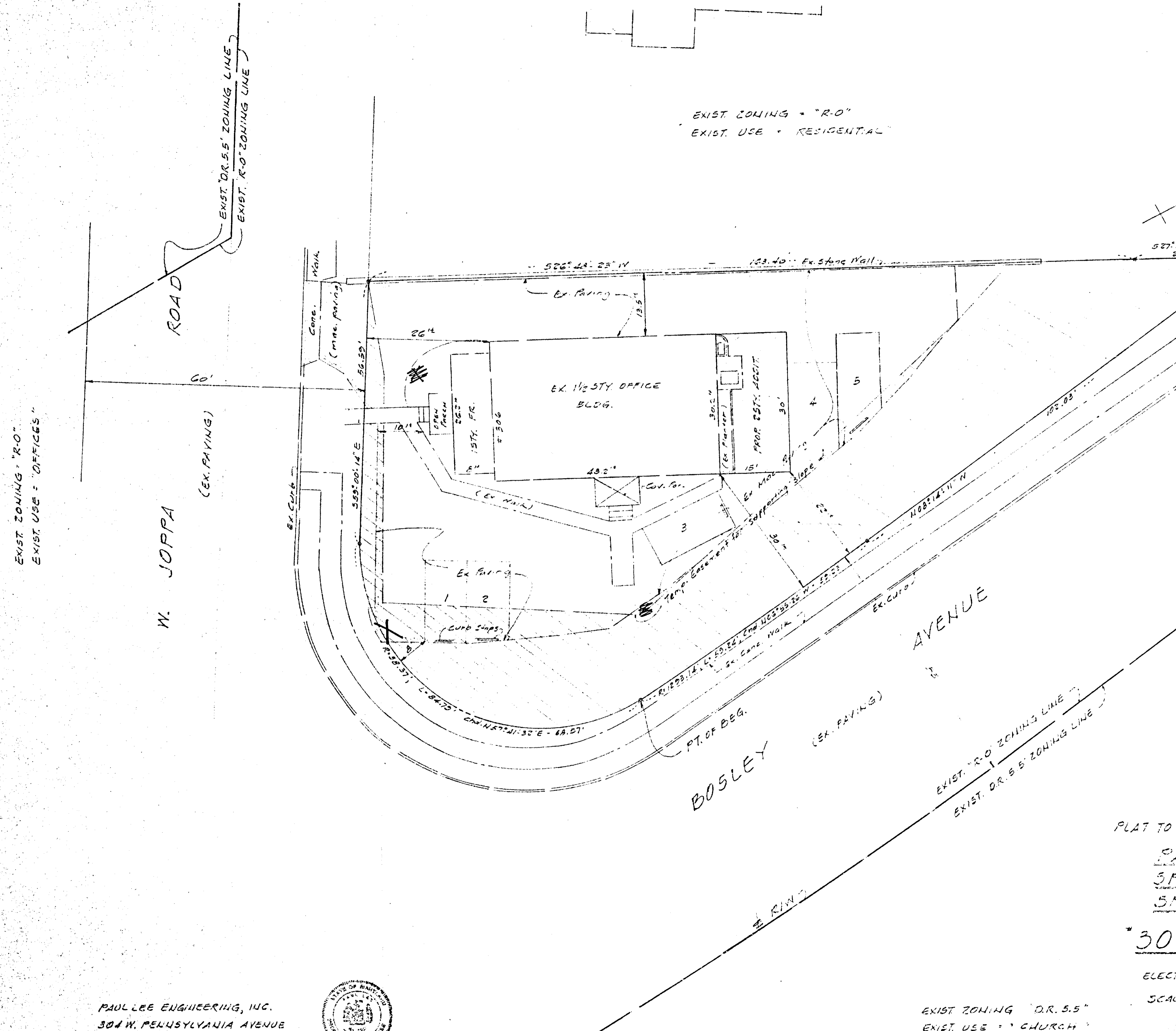
4/22/85



EXIST ZONING = "R-O"  
 EXIST. USE = RESIDENTIAL



LOCATION PLAN  
 SCALE: 1"=500'



GENERAL NOTES

1. AREA OF SITE = 0.26 AC (11,325 S.F.)
2. EXIST. ZONING OF SITE = "R-O" (RA W/S.A. CASE # 68255 RAA)
3. EXIST. USE OF SITE = OFFICES
4. PROP. ZONING OF SITE = "R-O" (RA W/S.A.) W/ SPECIAL EXCEPTION
5. PROP. ZONING OF SITE = "OFFICES"
6. OFF. STREET PARKING REQ'D.
 

EXIST. BLDG. 1ST FL. 1668.76 SF / 1300 = 5.56	
2ND FL. 334 SF / 500 = 1.87	
BASE 500 SF / 500 = 1.00	
<hr/>	
PROP. ADDIT. 1ST FL. 480 SF / 300 = 1.5	5.23 = 8.23
2ND FL. 450 SF / 500 = 0.9	
	<hr/>
	7.4 = 10.63 = 11.75
	5 R.S.
7. PARKING SPACES SHOWN = 5
8. PETITIONER IS REQUESTING A VARIANCE TO SECTION 400.2.6 (5) OF THE ZONING REGULATION TO PERMIT 5 PARKING SPACES INSTEAD OF THE REQUIRED 11 PARKING SPACES (A VARIANCE OF 5 SPACES)
9. PETITIONER TO PROVIDE YALET PARKING ON PROPERTY
10. PETITIONER REQUESTING A SPECIAL HEARING TO REVISE SITE PLAN & REMOVE BUILDING RESTRICTION IF RA ZONING CARRIES OVER
11. PETITIONER IS REQUESTING A CLASS B SPECIAL EXCEPTION IN AN "R-O" ZONE TO PERMIT AN ADDITION TO EXISTING OFFICE BLDG.
12. PROPERTY SERVED BY PUBLIC UTILITIES
13. OPEN SPACE REQ'D. 25% (11,325) = 2832 S.F.
14. OPEN SPACE SHOWN = 4402 S.F.
15. MAX. F.A.R. = 0.5 = 5662.5 SF
16. PROP. F.A.R. = 3902.26 / 11,325 = 0.34

PLAT TO ACCOMPANY PETITION FOR

PARKING VARIANCE,  
SPECIAL HEARING,  
SPECIAL EXCEPTION

PREPARED BY  
 EXHIBIT 1

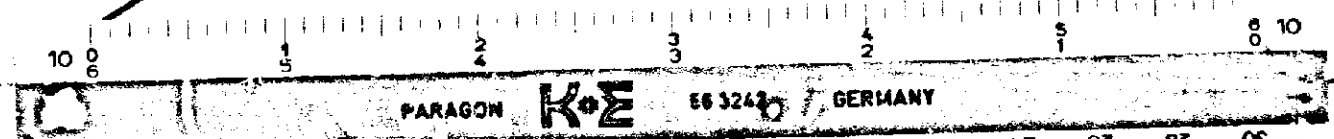
306 W. JOPPA ROAD

#170

ELECT. DIST 9 BALTIMORE COUNTY, MD  
 SCALE: 1"=10' OCT. 9, 1985

EXIST ZONING "D.R. 5.5"  
 EXIST. USE = CHURCH

PAUL LEE ENGINEERING, INC.  
 304 W. PENNSYLVANIA AVENUE  
 TOWSON, MARYLAND 21284



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 409.2.b.(1) to permit five (5) parking spaces in... of the required eleven (11) parking spaces... variance of six (6) spaces.

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

That absent the granting of the variance, the Petitioners cannot expand the existing office space and improve the office to allow continued use.

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, Attorney's Telephone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of January, 1986, 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 10th day of February, 1986, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

T. Rogers Harrison, 86-295-KSPHA, 306 West Joppa Rd., Towson, Md. 21284

PETITION FOR SPECIAL HEARING

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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a revision of the site plan, removing the restriction contained in the special exception granted under the RA zoning (assuming the RA zoning carries over) and allowing the Petitioners to add on to and improve the existing structure.

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

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.

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of January, 1986, 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 10th day of February, 1986, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

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 modestly expanded and remodeled office building requiring a Class "B" special exception in an R-O zone, assuming that the RA zoning is found not to carry over.

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.

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of January, 1986, 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 10th day of February, 1986, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

IN RE: PETITIONERS SPECIAL EXCEPTION, SPECIAL HEARING, AND VARIANCE W/S of Bosley Avenue, Approx. 110' N of Joppa Road (306 West Joppa Road) - 9th Election District T. Rogers Harrison, et al, Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception for a Class B office building in an R-O Zone, a variance to permit five parking spaces instead of the required 11 spaces, and to amend the site plan approved in Case No. 68-255-RXA and delete Restriction 1 contained therein, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by T. Rogers Harrison, appeared and testified. Paul Lee, a registered civil engineer, testified on behalf of the Petitioners. Joy Biddison, President of the West Towson Neighborhood Association (Association), and Mary Ginn, a member of its Board of Directors, appeared and testified in total support of the requests. There were no Protestants.

Testimony indicated that the subject property, located at the corner of Bosley Avenue and Joppa Road and containing one-quarter acre, is presently improved with a 1 1/2-story office building granted in Case No. 68-255-RXA. In that case, the property was reclassified from an R-6 Zone to an R-A Zone and a special exception for an office building and offices and variances were granted with a restriction that the property be limited to the existing building. In 1980, the property was reclassified to an R-O Zone.

The Petitioners now wish to add 900 square feet to the existing building by constructing a 15' x 30' two-story addition to its rear. The building

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

It is clear from the testimony that if the variance 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 variance were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance 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, variance, and relief prayed for should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of January, 1986, that the Petition for Special Exception for a Class B office building in an R-O Zone be and is hereby GRANTED; the Petition for Zoning Variance to permit five parking spaces instead of the required 11 spaces be and is hereby GRANTED; and the amendment to the site plan approved in Case No. 68-255-RXA and the deletion of Restriction 1 therein be approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

faces Joppa Road and is used for the Petitioners' law offices. One of the Petitioners is graduating from law school and will be joining the law firm founded by his father. More space will be needed, and the proposed addition will provide an additional conference room and two offices. The existing building has 3,002 square feet and the addition will add about another 30%. The Petitioners also propose certain aesthetic changes.

If unable to expand as proposed, the Petitioners would be forced to look elsewhere for offices. The site is uniquely shaped and is further restricted by slopes created by the expansion of Bosley Avenue and Joppa Road. Although it has 5,000 square feet of paving for parking, due to the required setbacks from the front property line and centerline of the street, technically, it cannot satisfy the required parking. The nature of the law practice, which is primarily insurance defense work, does not create much client traffic to the office. Mr. Harrison testified that there has never been a parking problem and he does not expect one to develop even with the addition.

Mrs. Biddison personally monitored the site for one week and testified that she does not believe there will be a parking problem. The Association believes the building will be compatible and that parking will not be a problem. See Petitioners' Exhibit 2.

The Petitioners request relief from Section 203.3.B.2, pursuant to Section 502.1, and from Section 409.2.b.(5), pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

It is clear that the BCZR permits the use requested by the Petitioners in an R-O Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated in Section 502.1 are satisfied by the Petitioners.

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions, as more fully described below.

The Petitioners had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioners' Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the BCZR.

Section 203.2, BCZR, requires that the proposed office building "...shall be highly compatible with the present or prospective uses of nearby residential property..." Testimony presented by Mr. Lee and Mrs. Biddison during the hearing was convincing that there is substantial evidence to justify such a conclusion. In addition, Section 502.2.g, BCZR, requires that the proposed use not be inconsistent with the purposes of the property's zoning classification nor be inconsistent with the spirit and intent of the BCZR. A finding that the condition required by Section 502.1.g has been met necessarily implies a finding that the proposed use is a compatible one as required by

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

Section 203.2, BCZR. See People's Counsel v. Webster, No. 361, Ct. of Sp. Appeals, January 8, 1986.

The Petitioners raised the argument that a special exception is not required inasmuch as the existing building is a nonconforming use; that is, the use was granted when the property was zoned R-A. The office use is, in fact, nonconforming; however, the Petitioners propose to expand by more than 25% of the ground floor area, i.e., 25% of 1,668 square feet. Since the Petitioners propose to expand more than Section 104.4, BCZR, permits, a special exception is required.

Notwithstanding this requirement, the fact that the office use has been in existence since 1968 must be considered when determining the requests made herein. They do not change the essential character of the use nor do they change the contrast between it and the surrounding community.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

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

See People's Counsel v. B.J. or Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

ORDER RECEIVED FOR FILING DATE January 19, 1986 BY [Signature]

whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Petitioners' Exhibit 3, the letter dated February 5, 1986 from T. Rogers Harrison, Esquire, to Mrs. Biddison, shall be adopted in its entirety and made a part of this Order.

*[Signature]*  
Zoning Commissioner of  
Baltimore County

AJ/srl

cc: T. Rogers Harrison, Esquire

Mrs. Joy Biddison

People's Counsel

RECEIVED FOR FILING

DATE January 12, 1986

BY *[Signature]*

- 6 -

Paul Lee, P.E.

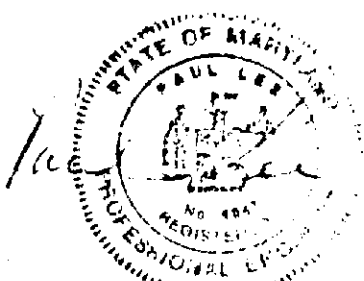
Paul Lee Engineering Inc.  
304 W. Pennsylvania Ave.  
Towson, Maryland 21284  
301 821-5941

DESCRIPTION

# 306 W. JOPPA ROAD

9th ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point, said point being located on the west side of Bosley Avenue 110 feet north of Joppa Road, thence binding on the west side of Bosley Avenue for two courses and distances, by a curve to the left (1) R = 3293.14 feet, L = 59.24 feet, Chord N 06°55'26" W - 59.23 feet, (2) N 08°14'11" W - 102.03 feet, thence leaving said west side of Bosley Avenue (3) S 27°08'51" W - 24.11 feet, (4) S 26°48'23" W - 163.40 feet to the north side of Joppa Road, thence binding on the north side of Joppa Road, (5) S 59°00'14" E - 56.59 feet, and thence by a curve to the left (6) R = 38.37 feet, L = 84.79 Feet, Chord N 57°41'32" E - 68.57 Feet to the point of beginning.



Copies - Lawyers - Site Plans

PETITION FOR SPECIAL EXCEPTION  
PETITION FOR SPECIAL HEARING  
PETITION FOR ZONING VARIANCE

9th Election District

LOCATION: West side of Bosley Avenue, approximately 110 feet North of Joppa Road (306 West Joppa Road)

DATE AND TIME: Monday, February 10, 1986, at 10:00 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 to use the herein described property for a modestly expanded and restocked office building requiring a Class "M" special exception in an R0 zone, assuming that the R0 zoning is found not to carry over.

Petition for Special Hearing from Section 500.7 to permit a revision of the site plan (68-255 R0A) removing the restriction contained in the special exception granted under the R0 zoning.

Petition for Zoning Variance from Section 409.2.1(3): to permit five parking spaces instead of the required eleven parking spaces.

T. Rogers Harrison, Michael J. Harrison  
Being the property of and William P. Harrison, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY  
PETITION FOR VARIANCE :  
W/S of Bosley Ave., 100'±  
of Joppa Rd. (306 W. Joppa Rd.) :  
9th District :  
T. ROGERS HARRISON, et al., : Case No. 86-295-XSPHA  
Petitioners :  
: : : : :  
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.

*[Signature]*  
Phyllis Cole Fritchman  
People's Counsel for Baltimore County

*[Signature]*  
Peter Max Zirmeman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to T. Rogers Harrison, Esquire, 306 W. Joppa Rd., Towson, MD 21204, Attorney for Petitioners.

*[Signature]*  
Peter Max Zirmeman  
Peter Max Zirmeman

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

January 28, 1986

Mr. T. Rogers Harrison  
Mr. Michael J. Harrison  
Mr. William P. Harrison  
306 West Joppa Road  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION, SPECIAL HEARING AND ZONING VARIANCE  
W/S Bosley Avenue, approximately 110' N of Joppa Rd.  
(306 West Joppa Rd.)  
T. Rogers Harrison, et al - Petitioners  
9th Election District  
Case No. 86-295-XSPHA

Dear Messrs. Harrison:

This is to advise you that \$82.00 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 No. 013413  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 2-5-86 ACCOUNT: R-01-615-000

AMOUNT \$ 82.00

RECEIVED Mudd, Harrison & Burch

FOR: Advertising and Posting 86-295-XSPHA

8 8016 \*\*\*\*\*02048 50007

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 23, 1986

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 January 23, 1986.

THE JEFFERSONIAN,

*[Signature]*  
Publisher

Cost of Advertising

33.60

86-295-XSPHA

PETITION FOR SPECIAL EXCEPTION  
PETITION FOR SPECIAL HEARING  
PETITION FOR ZONING VARIANCE

LOCATION: West side of Bosley Avenue, approximately 110 feet North of Joppa Road (306 West Joppa Road)

DATE AND TIME: Monday, February 10, 1986, at 10:00 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 to use the herein described property for a modestly expanded and restocked office building requiring a Class "M" special exception in an R0 zone, assuming that the R0 zoning is found not to carry over.

Petition for Special Hearing from Section 500.7 to permit a revision of the site plan (68-255 R0A) removing the restriction contained in the special exception granted under the R0 zoning.

Petition for Zoning Variance from Section 409.2.1(3): to permit five parking spaces instead of the required eleven parking spaces.

Being the property of T. Rogers Harrison, Michael J. Harrison and William P. Harrison, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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  
Jan. 23.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland 86-295-XSPHA

District: 9th Date of Posting: January 24, 1986

Posted for: T. Rogers Harrison - Special Hearing & Petition

Petitioner: T. Rogers Harrison et al

Location of property: W/S of Bosley Ave. 100' N of Joppa Road (306 W. Joppa Road)

Location of Signs: 306 W. Joppa Road

Remarks: Signs placed on front of subject property

Posted by: *[Signature]* Date of return: January 24, 1986

Number of Signs: 3

PETITION FOR SPECIAL EXCEPTION  
PETITION FOR SPECIAL HEARING  
PETITION FOR ZONING VARIANCE

LOCATION: West side of Bosley Avenue, approximately 110 feet North of Joppa Road (306 West Joppa Road)

DATE AND TIME: Monday, February 10, 1986, at 10:00 a.m.

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

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In the event that this Petition(s) 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  
Jan. 23.

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 22, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on January 22, 1986.

TOWSON TIMES,

*[Signature]*  
Publisher

Cost of Advertising

34.00

86-295-XSPHA

Case No. 86-295-XSPHA

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 25th day of January, 1986.

*[Signature]*  
ARNOLD JABLON  
Zoning Commissioner

Petitioner: T. Rogers Harrison, et al Received by: *[Signature]*  
Petitioner's Attorney: Chairman, Zoning Plans & Advisory Committee

Mr. T. Rogers Harrison  
Mr. Michael J. Harrison  
Mr. William P. Harrison  
306 West Joppa Road  
Towson, Maryland 21204

January 10, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION, SPECIAL HEARING AND ZONING VARIANCE  
W/S Bosley Avenue, approximately 110 feet North of Joppa Road  
(306 West Joppa Road)  
T. Rogers Harrison, Michael J. Harrison, and William P. Harrison, Petitioners  
Case No. 86-295-XSPHA

TIME: 10:00 a.m.

DATE: Monday, February 10, 1986

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

BALTIMORE COUNTY, MARYLAND No. 012352  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 1/29/86 ACCOUNT: R-01-615-000

AMOUNT \$ 250.00

RECEIVED Mudd, Harrison & Burch

FOR: *[Signature]*

VALIDATION OR SIGNATURE OF CASHIER

LAW OFFICES  
MURD, HARRISON & BURCH  
306 WEST JOPPA ROAD  
TOWSON, MARYLAND 21204  
AREA CODE 301 968-1335

February 5, 1986

Mrs. Joy Biddison  
West Towson Improvement Association  
704 Allegheny Avenue  
Towson, Maryland 21204

Re: 306 West Joppa Road

Dear Mrs. Biddison:

It was a pleasure meeting with you and your committee and as promised, I am enclosing a summation regarding our proposed improvements at the above location.

Essentially, we intend to construct a two-story, 900 square foot addition with fireplace to be attached to our existing structure. In order to present an appealing appearance, the roof peak of the largest portion of the existing building will be maintained. The new addition will house 2 additional offices and a conference room.

The following briefly but fairly characterizes the nature of the construction and improvements we would make to the existing structure and site.

EXTERIOR:

1. Exterior surface - would be covered over with a cream colored plastic siding. They have a new pattern that looks identical to "german lap siding" that can actually be cleaned. All shutters will be replaced with fielded/paneled wood shutters and the trim color would be a Wilkinsburg pewter blue.

2. Entrances - Both existing porches would be removed with smaller brick with Chippendale slat railing versions and new fielded paneled entrance doors installed.

Handmade brass coach lamps (Chester Berry & Company) would be installed on both. The brick is reclaimed but it is handmade and has a lovely rose hue to it.

A fireplace would be installed in addition and the exterior chimney facing would, of course, be the

Mrs. Joy Biddison  
Page 2

February 5, 1986

same brick outlined in paragraph 2 above.

3. Foundation - all existing shrubs (except hollies trimmed back) would be removed, foundation re-water-proofed and the porage face below siding covered in brick. However, planting area would be maintained and professionally landscaped.

4. Storm Windows - all replaced with new storms with colonial appearance.

5. Signage - both signs replaced with an attractive (and quite expensive) post and lap paneled sign with double broken arch. Copies of shop signage used in Williamsburg. Again, colors pewter/blue and cream.

6. Parking Lot - The lot will be properly edged and overpaved with 3 1/2" of new asphalt.

7. Additional Landscaping - I would be delighted to assist the community in some landscaping of the bank areas contiguous to Bosley Avenue; and if the zoning is not granted, still would be willing to participate in and contribute to this proposal as long as I own the existing structure.

8. Interior Existing - We have no plans other than to remodel existing bathroom facilities.

9. Interior Proposed Addition - all random width hardwood floors, chair railing with a great deal of attention paid to detail.

10. Parking - We, as a practical matter, are reducing actual space used by a minimum anyway and have never parked in the surrounding community. However, we do plan to pool our secretaries from one of the local parking garages or perhaps even from rented space along York Road.

Our expanded use will not impact parking generally at all.

If you have any questions, please don't hesitate to contact me and I would like to thank everyone for

Mrs. Joy Biddison  
Page 3

February 5, 1986

allowing me to express my intentions at our recent meeting.

With kind regards,

Very truly yours,

*Tom Harrison*  
T. Rogers Harrison

TRH:lfc

West Towson Neighborhood Association  
Joy Biddison, President  
704 Allegheny Avenue  
Towson, Md. 21204  
823-6166

February 10, 1986

To: Mr. Arnold Jablon  
Zoning Commissioner, Baltimore County

From: Mical E. Wilmoth,  
Secretary, West Towson Neighborhood Association

Re: Request for Amendment to Existing Special Exception by  
Mr. T. Rogers Harrison

At its Annual Board Meeting, held on April 22, 1985, the West Towson Neighborhood Association empowered members of its Board of Governors to act on its behalf with regard to zoning matters. Mrs. Joy Biddison, President of the WTNA Board of Governors is thus appearing before the Zoning Commissioner on behalf of this Association as empowered at the Annual Board Meeting noted above.

At its regularly scheduled Board of Governors Meeting held February 3, 1986, a motion was made and unanimously passed that the WTNA support Mr. T. Rogers Harrison's request for an amendment to the existing Special Exception granting business use of his property located at 306 W. Joppa Road. Further, this motion noted that Mr. Harrison is to document his willingness to work with the WTNA with regard to landscaping his property at such time as work is carried out in accordance with this amendment, should it be granted.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner

Date: January 27, 1986

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

SUBJECT: Zoning Petition No. 86-295-XSPHA

This office is opposed to the granting of the subject request. The proposed addition would appear to overcrowd the site. Further, any overflow parking needs would tend to overflow into the adjacent residential area.

*Norman E. Gerber*  
Norman E. Gerber, AICP  
Director

NEG:JGH:alm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 10, 1986

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

T. Rogers Harrison et al  
306 West Joppa Road  
Towson, Maryland 21204

RE: Item No. 170, Case No. 86-295-XSPHA  
Petitioners - T. Rogers Harrison, et al  
Special Exception, Special Hearing, and  
Variance Petition

Dear Mr. Harrison:

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

JED:nr

Enclosures

cc: Paul Lee Engineering, Inc.  
304 W. Pennsylvania Avenue  
Towson, Maryland 21204

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
494-3211

NORMAN E. GERBER  
DIRECTOR

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

JANUARY 14, 1986

Re: Zoning Advisory Meeting of November 19, 1985  
Item 170  
Property Owner: T. ROGERS HARRISON, et al  
Location: 306 WEST JOPPA ROAD AND  
BOSLEY AVENUE

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 site 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.
  - 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 22-58 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 [unclear].
  - Resubmitting: Use County with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 128-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [unclear].
  - The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 128-79, and its conditions change are evaluated annually by the County Council. The basic service areas are [unclear].
- SINCE THIS PROPOSED ADDITION WILL CHANGE THE EXISTING STANDBY TO A CLASS 2 OFFICE BLDG. COMPATIBILITY WILL BE REQUIRED TO DETERMINE SECT. 7-2-104 COUNTY DEVELOPMENT REGULATIONS.**

cc: James Howell

Esther A. Soper  
Chief, Current Planning and Development

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

STEPHEN E. COLLINS  
DIRECTOR

January 7, 1986

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

Item No. 170 -ZAC- Meeting of November 16, 1985  
Property Owner: T. Rogers Harrison, et al  
Location: NW corner Joppa Road and Bosley Avenue  
R.O.  
Existing Zoning: R.O.  
Proposed Zoning: Special Hearing to revise the site plan, (68-255-10A) removing the restriction contained in the special exception granted under the RA zoning (assuming the RE zoning carries over) and allowing the petitioners to add on to and improve the existing structure and Special Exception for a modestly expanded

Address: District: 26  
9th

Dear Mr. Jablon:

The requested variances to parking can be expected to add to the parking problems in the Towson Area.

MSF/blb

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

PAUL H. REINCKE  
CHIEF

November 22, 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: T. Rogers Harrison, ET AL

Location: NW corner Joppa Road and Bosley Avenue

Item No.: 170 Zoning Agenda: Meeting of November 19, 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.

- ( ) 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: *[Signature]*  
Planning Group  
Special Inspection Division

Noted and Approved: *[Signature]*  
Fire Prevention Bureau

/mb

December 6, 1985

TED ZALESKI, JR.  
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 170 Zoning Advisory Committee Meeting are as follows:

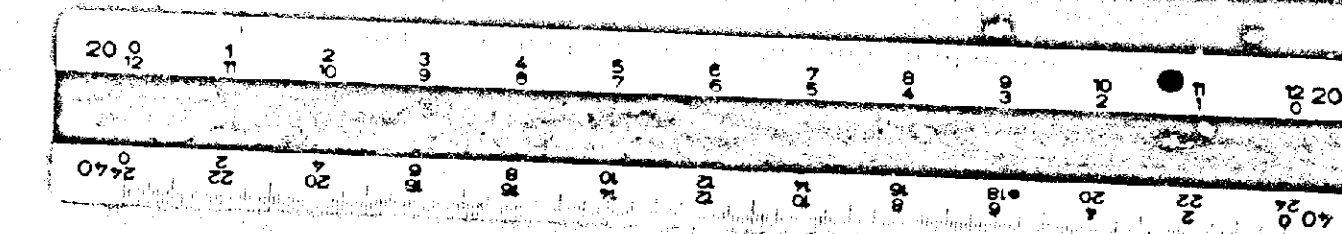
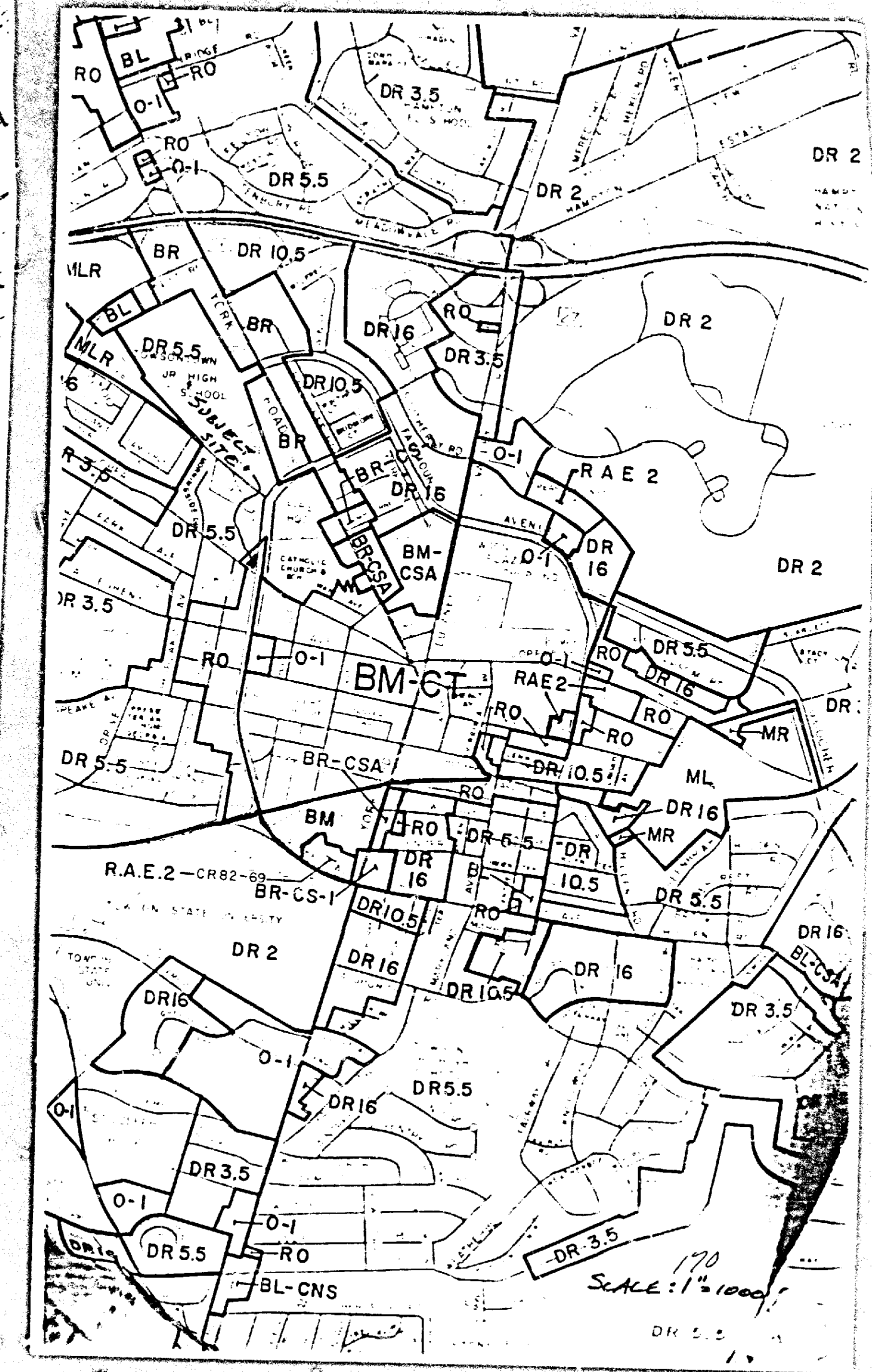
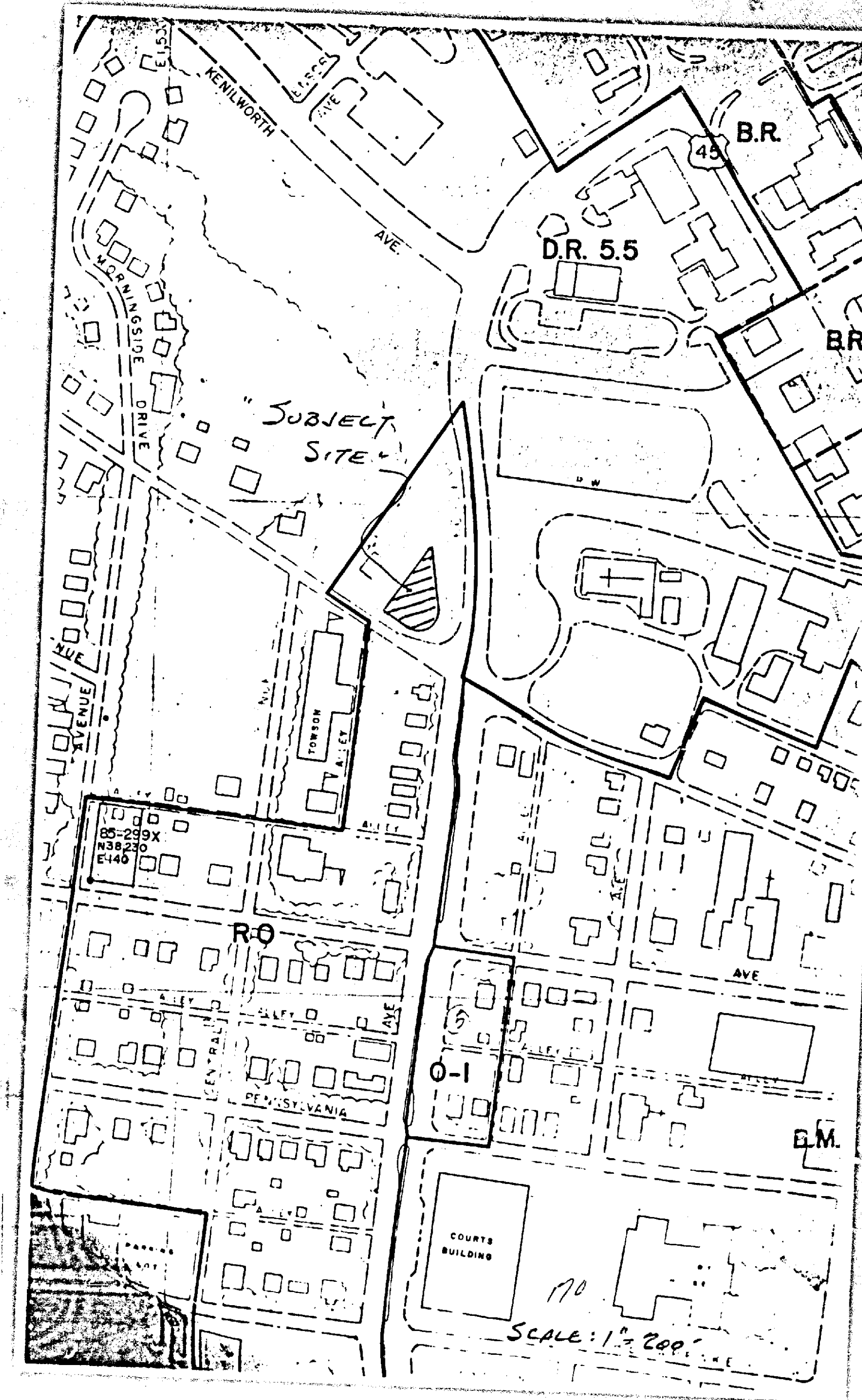
Property Owner: T. Rogers Harrison, et al  
Location: NW corner Joppa Road and Bosley Avenue  
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

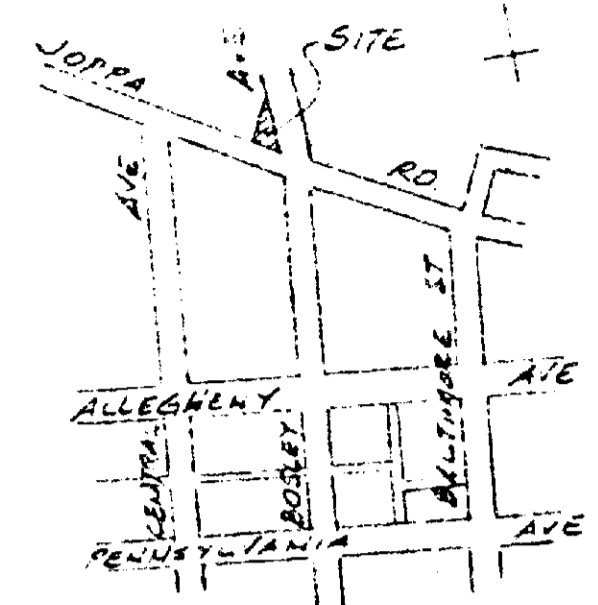
- ( X ) A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- ( ) B. A building and other miscellaneous permits shall be required before 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-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-1 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 101, Section 1007, Section 1106.2 and Table 1102. 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 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 101 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 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 Use \_\_\_\_\_ to Use \_\_\_\_\_ or to Fixed Use \_\_\_\_\_. 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 finished floor levels including basement.
- ( X ) J. Comments: Please be advised that when the area of a structure is increased Section 505.2 as well as the State Handicapped Code become applicable. Review building access and useability by A.N.S.I. # 117.1 - 1980 for the Handicapped. Please check permissible height and area versus construction type against Tables 101 and 501.
- ( ) 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.

*[Signature]*  
By: C. E. Burnham, Chief  
Building Plans Division

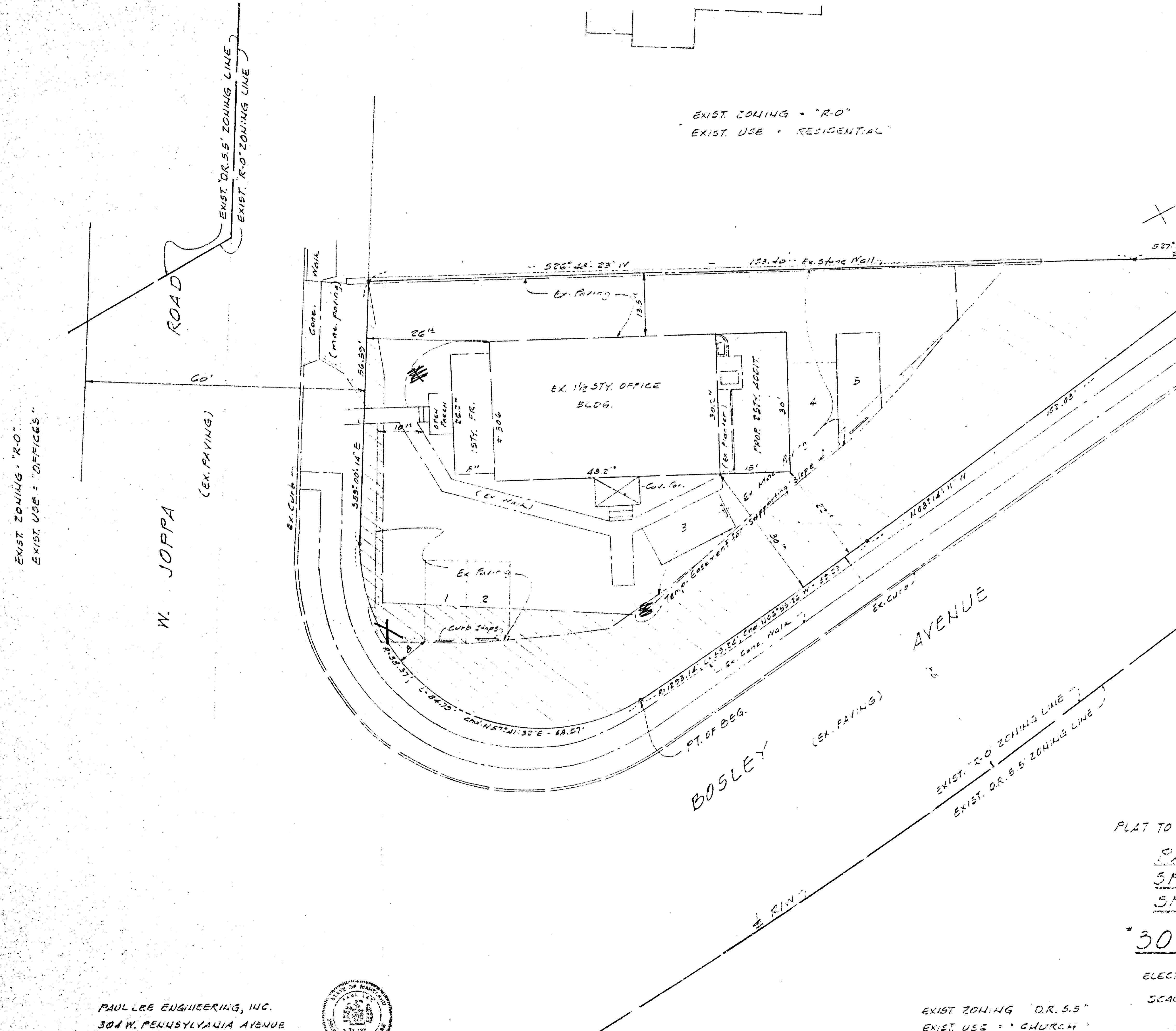
1/22/85



EXIST ZONING = "R-O"  
 EXIST. USE = RESIDENTIAL



LOCATION PLAN  
 SCALE: 1"=500'



GENERAL NOTES

1. AREA OF SITE = 0.26 AC (11,325 S.F.)
2. EXIST. ZONING OF SITE = "R-O" (RA W/S.A. CASE # 68255 RAA)
3. EXIST. USE OF SITE = OFFICES
4. PROP. ZONING OF SITE = "R-O" (RA W/S.A.) W/ SPECIAL EXCEPTION
5. PROP. ZONING OF SITE = "OFFICES"
6. OFF. STREET PARKING REQ'D.
 

EXIST. BLDG. 1ST FL. 1668.76 SF / 1300 = 5.56	
2ND FL. 334 SF / 500 = 1.87	
BASE 500 SF / 500 = 1.00	
<hr/>	
PROP. ADDIT. 1ST FL. 480 SF / 300 = 1.5	3.23 = 8.23
2ND FL. 450 SF / 500 = 0.9	
	<hr/>
	7.4 = 10.63 = 11.75
	5 R.S.
7. PARKING SPACES SHOWN = 5
8. PETITIONER IS REQUESTING A VARIANCE TO SECTION 400.2.6 (5) OF THE ZONING REGULATION TO PERMIT 5 PARKING SPACES INSTEAD OF THE REQUIRED 11 PARKING SPACES (A VARIANCE OF 5 SPACES)
9. PETITIONER TO PROVIDE YALET PARKING ON PROPERTY
10. PETITIONER REQUESTING A SPECIAL HEARING TO REVISE SITE PLAN & REMOVE BUILDING RESTRICTION IF RA ZONING CARRIES OVER
11. PETITIONER IS REQUESTING A CLASS B SPECIAL EXCEPTION IN AN "R-O" ZONE TO PERMIT AN ADDITION TO EXISTING OFFICE BLDG.
12. PROPERTY SERVED BY PUBLIC UTILITIES
13. OPEN SPACE REQ'D. 25% (11,325) = 2832 S.F.
14. OPEN SPACE SHOWN = 4402 S.F.
15. MAX. F.A.R. = 0.5 = 5662.5 SF
16. PROP. F.A.R. = 3902.26 / 11,325 = 0.34

PLAT TO ACCOMPANY PETITION FOR

PARKING VARIANCE,  
SPECIAL HEARING,  
SPECIAL EXCEPTION

PETITIONER'S  
 EXHIBIT 1

306 W. JOPPA ROAD

#170

ELECT. DIST 9 BALTIMORE COUNTY, MD  
 SCALE: 1"=10' OCT. 9, 1985

EXIST ZONING "D.R. 5.5"  
 EXIST. USE = CHURCH

PAUL LEE ENGINEERING, INC.  
 304 W. PENNSYLVANIA AVENUE  
 TOWSON, MARYLAND 21284

