



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

April 15, 2020

Adam D. Baker, Esquire
Rosenberg, Martin and Greenberg, LLP
25 South Charles Street, 21st Floor
Baltimore, Maryland 21201-3305

Dear Mr. Baker:

RE: Zoning Spirit and Intent, 6400 & 6402 Falls Road, Proposed Self-Storage Facility, Zoning Cases 1987-0349-A & 1976-0185-A, 3rd District

Your letter to Mr. Michael Mallinoff, Director, concerning your request for an opinion from this office pertaining to the above referenced property, the zoning case history thereon and the proposed redevelopment of same with a self-storage facility has been referred to this Office for reply. Specifically, you have requested a finding that the proposed redevelopment of the property with a self-storage facility (as illustrated in your submittal), utilizing the previously granted variance relief, is within the Spirit and Intent of the zoning case history on the property. Please be advised that after careful consideration of your request and review of the subject cases, it is the opinion of this office that your request is beyond the administrative authority of this office, and therefore a Special Hearing will be required for the Administrative Law Judge to review, and hopefully, approve your request. I would suggest you also file for the necessary variance relief along with the Special Hearing to amend the prior zoning cases.

THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPRETATION THEREOF.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Merrey", is written over the typed name.

Joseph C. Merrey
Planner II
Zoning Review
410-887-3391



**Rosenberg
Martin
Greenberg^{LLP}**

Adam D. Baker
25 South Charles Street, 21st Floor
Baltimore, Maryland 21201-3305
T: 410.649.1241
abaker@rosenbergmartin.com

April 3, 2020

VIA FIRST CLASS MAIL

Mr. Michael D. Mallinoff, Director,
Baltimore County Department of
Permits, Approvals and Inspections
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: **Request for Spirit and Intent Letter**
6400 & 6402 Falls Road
Baltimore County, Maryland
Tax Map 0069, Parcels 0099 & 0710
3rd Election District, 2nd Councilmanic District
DRC No. 2020-00035 **033120A**

Dear Mr. Mallinoff:

This firm represents NorthPoint Development ("NorthPoint"), which has entered into a contract with Maddiemack, LLC (the "Seller") to purchase the above-referenced property (the "Property") located on Falls Road in the Bare Hills/Lake Roland area of Baltimore County. As indicated in the recent Development Review Committee ("DRC") meeting on March 31, 2020, NorthPoint proposes to demolish the existing building on the Property and construct a four-story self-storage facility with a $\pm 24,950$ -SF building footprint, including $\pm 1,200$ -SF of accessory office space and 5 accessory parking spaces. The proposed use is permitted by right under the current ML zoning which encompasses the Property. I have attached a copy of the DRC application package for your reference.

The existing building on the Property is currently being utilized as a carpet retail store. In Case No. 1987-349-A (the "Prior Zoning Case"), the petitioner obtained the necessary zoning relief to construct the current building on the Property. I have enclosed the Order and the Site Plan from the Prior Zoning Case for your reference. The setbacks and location of the self-storage facility on the Property are very similar to those of the buildings permitted and constructed under the Prior Zoning Case. At this time, I am writing to seek written confirmation from you that the construction of the proposed self-storage facility on the Property is within the spirit and intent of the relief granted in the Prior Zoning Case.

As indicated in the Order in the Prior Zoning Case, the petitioner sought the following relief: (1) a variance to permit a front street setback of 36' and front yard setback of 52' in lieu of the required 75'; (2) a variance to permit a side yard setback of 36' in lieu of the required 50'; (3) a variance to permit a rear yard setback of 25' in lieu of the required 50'; (4) a variance to permit a rear yard setback of 25' in lieu of the required 30'; (5) a variance to permit a distance between buildings of 35' in lieu of the required 55'; and (6) an amendment to the Site Plan approved in Case No. 76-185-A¹. In addition to granting variances from Sections 255.2, 243.1, 243.2, 243.3, 255.1, 238.2, 238.2, and 102.2 and 233.3.C of the Baltimore County Zoning Regulations ("BCZR" or "Zoning

¹ In Case No. 1976-185-A, the then owner of the Property was granted a variance to Section 255.1 (238.2) of the BCZR to permit a rear yard setback of 18' in lieu of the required 30'. A copy of the Order and Site Plan from Case No. 1976-185-A are attached.

Regulations") to permit the proposed building on the Property, the Deputy Zoning Commissioner approved an amendment to the Site Plan previously approved in Case No. 76-185-A.

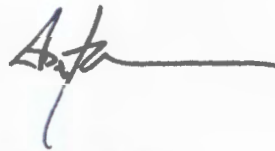
As indicated on the Site Plan and Order in the Prior Zoning Case, the development of the proposed building on the Property was subject to additional setback requirements. Specifically, BCZR Sections 255.2, 243.2, 243.2 and 243.3 imposed the stricter MR zone setback requirements for the ML-zoned Property because of its location across Falls Road from the Lake Roland park². As evidenced on the attached DRC Plan, the self-storage facility which is currently proposed by NorthPoint adheres to the setbacks previously approved under the Prior Zoning Case. In addition, as the proposed self-storage building is located more than 100' from the RC zone boundary across Falls Road and the BL zone boundary to the south, the proposed four-story (approximately 50') height complies with the height regulations of the ML zone as set forth in BCZR Section 254.1 (i.e. unlimited height).

Please confirm by countersigning this letter below that the proposed redevelopment is indeed, within the spirit and intent of the prior approved zoning relief granted for the Property and that the proposed redevelopment of the Property is permitted without any additional zoning relief being required. I have enclosed with this letter a check in the amount of \$200.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with this review.

If you need any additional information in order to complete your review, please feel free to give me a call.

I appreciate your attention to this matter.

Sincerely,



Adam D. Baker

AGREED AND ACCEPTED:

Michael Malinoff, Director
Baltimore County Department of
Permits, Approvals and Inspections

ADB
Enclosures

cc: NorthPoint Development (via electronic mail)
Kimley Horn (via electronic mail)

² At the time of the Prior Zoning Case, the park was named "Robert E. Lee Park". In 2015, then County Executive Kevin Kamenetz renamed the park "Lake Roland".



March 10, 2020

Development Review Committee
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Letter of Request for DRC
Beyond Self Storage – NorthPoint Development
6400 and 6402 Falls Road
Baltimore, MD 21209

NorthPoint Development is respectfully requesting a Development Review Committee (DRC) review and approval of a Limited Exemption under Section 32-4-106 (A-1-vi) for its self-storage facility located at 6400 and 6402 Falls Road, Baltimore, MD 21209. The site is currently an industrial/commercial use with two associated structures.

NorthPoint Development is purchasing the property at 6400 and 6402 Falls Road and is proposing to demolish the existing structures and build a self-storage facility in their place. The proposed building footprint will be approximately 24,950 square feet and have 1,200 sf of office space. The proposed use is permitted under the current ML zoning that encompasses the site.

Please contact me at 816.381.2901 or by email at jsweeney@northpointkc.com if you have any questions or concerns.

Thank you,

A handwritten signature in dark ink, appearing to read "Brett Sroka", written over a horizontal line.

Brett Sroka – Project Manager
NorthPoint Development
4825 NW 41st St, Suite 500
Riverside, MO 64150

BALTIMORE COUNTY
DEPARTMENT OF PERMITS APPROVALS AND INSPECTIONS
DEVELOPMENT REVIEW COMMITTEE (DRC) APPLICATION

DRC# _____ /Tracking# _____
County Use Only County Use Only

This application must be accompanied by the following:

1. One copy of the completed DRC checklist.
2. Three copies of this DRC application, completed in full.
3. Three copies of a letter of request (attach one to each DRC application).
4. Nine copies of the plan folded to 8 1/2 x 11 inches.
5. \$150 fee for limited exemption request; \$375 for waiver request (check made payable to Baltimore County, MD and are non-refundable; Applicant shall deliver check to County Finance Office cashier. Submit paid receipt w/package.

Filing Date: _____

Stamp in w/PAI date stamp here

Project Name: BEYOND SELF-STORAGE - LAKE ROLAND PAI File No.: _____

Project Address: 6400 & 6402 FALLS ROAD, BALTIMORE, MD Zip Code: 21209 ADC Map #: 4578E9

Councilmanic District: 2ND Election District: 3RD Project Acreage: 1.70 ACRES

Tax Account No(s): 0311048100 Zoning: ML-AS AND ML-IM

Engineer: ROBERT L. HAASE, KIMLEY-HORN N/A: _____ Engineer's Phone No.: 443-743-3470

Address: 1801 PORTER ST, SUITE 401, BALTIMORE, MD Zip 21230 Email: ROBERT.HAASE@KIMLEY-HORN.COM
(City)

Applicant: NORTHPOINT DEVELOPMENT Applicant's Phone No.: 816-381-2901

Address: 4825 NW 41st ST, SUITE 500, RIVERSIDE, MO Zip 64150 Email: BSROKA@NORTHPOINTKC.COM
(City)

Attorney: ROSENBERG MARTIN GREENBURG, LLP N/A: _____ Attorney's Phone No.: 410-727-6600

Address: 25 SOUTH CHARLES STREET, 21ST FLOOR, BALTIMORE, MD Zip 21201 Email: JWILLIAMS@ROSENBERGMARTIN.COM
(City)

Is this a tower? Yes X No If "Yes" check one of the following: Cellular Water Tower MonoPole
(CAC) (WTC) (CFC)

REQUESTED ACTION (TO BE COMPLETED BY THE APPLICANT)

(County Use only)

- (X) Limited Exemption under Section 32-4-106 (A-1-VI) () ()
() Plan Refinement
() Planned Shopping Center Designation under Section 101 of BCZR
() Waiver under Section 32-4-107 () () ()
() Requires a Zoning () Special Hearing; () Special Exception; () Variance
() Lot Line Adjustment (LLA)
() Other _____

Action: _____

This application must be accompanied by a written request. That request must be in the form of a letter, legibly printed or typed, and signed by the applicant. The letter must contain the name, address and telephone number of the applicant and must provide details of the request. A copy of the checklist must be completed and included along with this DRC application. Please note that a DRC application form and checklist is available in room 123 of the County Office Building and on the County web site www.baltimorecountymd.gov/Agencies/permits/pdm_devmanage/pdmfdmgt.html
Please see page 2 for the checklist of complete submittal requirements

c: Council, Planning, DEPS, Zoning

BALTIMORE COUNTY
DEPARTMENT OF PERMITS APPROVALS AND INSPECTIONS

Development Review Committee (DRC)
Application Form Checklist

All applications to the DRC must include the following:

- ☒ 1. Three copies of the DRC Application.
- ☒ 2. Three copies (one attached to each DRC Application) of a letter of request to the DRC containing the following:
- ☒ a. Name, address and phone number of the applicant
 - ☒ b. Explanation of the request to the DRC.
 - ☒ c. Signature of the applicant.
- ☒ 3. Nine copies of a plan*** showing the following:
- ☒ a. A plan title box noting "Plan to accompany DRC request."
 - ☒ b. North arrow.
 - ☒ c. Vicinity map.
 - ☒ d. Election district.
 - ☒ e. Councilmanic district.
 - ☒ f. Property tax account numbers.
 - ☒ g. Site property owner's name and address.
 - ☒ h. Scale of the drawing.
 - ☒ i. Boundaries of the property lines shown in heavy bold lines.
 - ☒ j. Lengths of property lines
 - ☒ k. Area of project site in square feet and acreage.
 - ☒ l. Proposed structures, heights and dimensions.
 - ☒ m. Setbacks.
 - ☒ NA n. Location of existing wells and septic systems.
 - ☒ o. Zoning information:
 - ☒ 1. Current zoning on the property.
 - ☒ 2. Case numbers of any zoning hearings.
 - ☒ 3. Dates of zoning orders.
 - ☒ 4. Indication of what was granted or denied by the zoning commissioner.
 - ☒ 5. Copies of zoning orders attached to the DRC Application.
- ***Note: For refinements and material changes to previously approved plans you must use copies of the last approved plan to show items 3a-o listed above. Please show all changes in red.
- ☒ 4. One copy of this checklist completed and signed by the applicant or the consultant.
- ☒ 5. Check for \$150 for limited exemption request or check for \$375 for waiver request , payable to Baltimore County, MD-non-refundable. **(Do not staple check to forms) Applicant shall deliver payment to County Finance Office cashier. Submit paid receipt with this package.**

I have reviewed the DRC application and plan using this checklist to insure that the application and plan are complete. I understand that an incomplete application or plan may cause the DRC to delay its action on this request.

Signed _____ Date _____

Print Name _____

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 12, 1987

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

Site too small to comply with existing Regulations from which variances are needed.

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:	Legal Owner(s):
(Type or Print Name)	Frederick H. Klaunberg, Jr.
Signature	Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	Address
E. Harrison Stone	Phone No. 31935
(Type or Print Name)	City and State
Signature	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
102 W. Pennsylvania Avenue	Name
Address	Address
Towson, MD 21204	Phone No.
City and State	
Attorney's Telephone No.: 823-1800	

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day

of January 1987, 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 24th day of February, 1987, at 9:45 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: February 4, 1987
Posted for: Variance
Petitioner: Frederick H. Klaunberg, Jr.
Location of property: SW corner of Falls Rd. and Old Pimlico Rd. (6400 Falls Rd.)
Location of Signs: SW corner of Falls and Old Pimlico Rd.
Remarks:
Posted by: *[Signature]* Date of return: February 6, 1987
Number of Signs: 1

E. Harrison Stone, Esquire
102 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Zoning Variance
SW/cor. Falls Road and
Old Pimlico Road
(6400 Falls Road)
9th Election District
Case No. 87-349-A
Frederick H. Klaunberg, Jr.

Dear Mr. Stone:

Enclosed please find a copy of the decision rendered on the above-referenced case. Your Petition for Zoning Variance has been Granted, subject to the restriction noted in the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:mjs

Enclosures

cc: Ms. Louise Schulz, Executive Director
Ruxton-Riderwood Improvement Association
P.O. Box 204, Riderwood, Maryland 21139

Mr. Ed Davens
6141 Carroll Road, Baltimore, Maryland 21209
People's Counsel

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
SW Corner Falls Rd. & Old Pimlico Rd. (6400 Falls Rd.) : OF BALTIMORE COUNTY
9th District :
FREDERICK H. KLAUNBERG, JR., : Case No. 87-349-A
Petitioner :
: : : : :
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 Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 29th day of January, 1987, a copy of the foregoing Entry of Appearance was mailed to E. Harrison Stone, Esquire, 102 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

[Signature]
Peter Max Zimmerman

A Protestant from the Ruxton-Riderwood Improvement Association testified that members are not opposed to the expansion of the company, but want to see that expansion occur without the granting of zoning variances. There is also concern regarding the proposed offices and the possibility that they may be rented. An individual who lives on the other side of the park protested that there would be an "unnecessary encroachment."

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 12th day of March, 1987 that the herein request for a variance to permit a front street setback of 36 feet and a front yard setback of 52 feet; a rear yard setback of 25 feet; a distance between buildings of 35 feet; and an amendment to the site plan previously approved in Case No. 76-185-A; be and is hereby GRANTED, in accordance with Petitioner's Exhibit 1, subject, however, to the following restriction:

The approved landscape plan shall include sufficient evergreens to insure that the facility shall be substantially screened from both Falls and Old Pimlico Roads within ten (10) years from the date of this Order.

ORDER RECEIVED FOR FILING
Date 3/18/87
By *[Signature]*

[Signature]
Deputy Zoning Commissioner
of Baltimore County

PETITION FOR ZONING VARIANCES

9th Election District
Case No. 87-349-A

LOCATION: Southwest Corner Falls Road and Old Pimlico Road
(6400 Falls Road)

DATE AND TIME: Tuesday, February 24, 1987, at 9:45 a.m.

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

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

Petition for Zoning Variances to permit a front street setback of 36 feet and a front yard setback of 52 feet both in lieu of the required 75 feet and a rear yard setback of 25 feet in lieu of the required 30 feet, a rear yard setback of 25 feet in lieu of the required 30 feet, a distance between buildings of 35 feet in lieu of the required 55 feet, and to amend the plan approved with the previous zoning Case No. 76-185-A.

Being the property of Frederick H. Klaunberg, Jr., 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

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
SW/cor. Falls Road and * DEPUTY ZONING COMMISSIONER
Old Pimlico Road * OF BALTIMORE COUNTY
(6400 Falls Road) *
9th Election District *
Frederick H. Klaunberg, Jr. * Case No. 87-349-A
Petitioner *

The Petitioner herein requests a zoning variance to permit a front street setback of 36 feet and a front yard setback of 52 feet, both in lieu of the required 75 feet; a rear yard setback of 25 feet in lieu of the required 30 feet; a rear yard setback of 25 feet in lieu of the required 30 feet; a distance between buildings of 35 feet in lieu of the required 55 feet; and to amend the site plan previously approved in Case No. 76-185-A, as more particularly described on the plan submitted, prepared by Spotts, Stevens and McCoy, Inc., and identified as Petitioner's Exhibit 1.

Testimony by the Petitioner indicated that the subject property is the site of an existing, almost 30 year old, metal fabricating business. He now proposes to expand the operation by constructing a one-story warehouse and office building. The available building envelope is too small to accommodate an economically feasible building and by its size, shape and location, is somewhat unsuitable for the intended uses. The park across Falls Road is residentially zoned and imposes additional setback constraints on the subject property. The site is at a higher elevation than Old Pimlico Road. Although zoning regulations would permit the construction of a building several stories high, the Petitioner decided that the proposed building would not only better meet his needs, but also be more aesthetic in appearance and compatible with the existing building. The proposed building will be less than 20 feet high at the eaves. Only 1300 sq.ft. of the 6500 sq.ft. building will be used as office space. There will be no parking between the new building and Falls Road. There will be landscaping along both roads.

ORDER RECEIVED FOR FILING
Date 3/18/87
By *[Signature]*

PROPERTY DESCRIPTION TO ACCOMPANY ZONING PETITION OF KLAUNBERG PROPERTY 6400 FALLS ROAD BALTIMORE COUNTY, MARYLAND

Beginning at the intersection of the Westerly side of Falls Road (MD RTE. NO. 25) and the Southerly side of Old Pimlico Road, thence binding on the Westerly side of said Fall Road.

1. South 31 deg. 12 min. 11 sec. East a distance of 70.37 feet to a point; thence leaving the Westerly side of said Falls Road.
2. South 62 deg. 10 min. 43 sec. West a distance of 200.10 feet to a point thence;
3. South 50 deg. 02 min. 24 sec. West a distance of 116.99 feet to a point; thence continuing in the same direction.
4. South 50 deg. 08 min. 43 sec. West a distance of 122.63 feet to a point; thence
5. North 24 deg. 36 min. 36 sec. West a distance of 254.20 feet to the Southerly side of Old Pimlico Road; thence binding on the Southerly side of said Old Pimlico Road the two following courses and distances.
6. North 73 deg. 31 min. 17 sec. East a distance of 380.26 feet; thence
7. South 63 deg. 54 min. 10 Sec. East a distance of 73.38 feet to the place of beginning.

Containing 1.687 acres of land more or less.

OFFICE COPY

Protestants 2/24/87

Dr. Edward Davens
6141 Carroll Road - 21209

SARAH FENNO LORD
6219 FALLS RD 21209 828-4355

JANE S.B. LAWRENCE
6137 BARROLL ROAD 21209 337-8017

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: February 17, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 87-349-A

This office is not opposed to the granting of the subject request; however, we are specifically concerned with the visual aspects of the proposed development. The intersection is a busy one now and traffic flows will increase in the future. This coupled with the topography of the site as it relates to the adjacent roads makes the site a particularly prominent feature. For these reasons the utmost consideration should be given to both the design of the building and to the landscaping plan.

Norman E. Gerber, AICP
Director

NEG:JGH:sib

ROYSTON, MUELLER, MCLEAN & REID

March 4, 1987
Ms. Jean M. H. Jung
Page 2

We would anticipate having to improve the Falls Road entrance and whatever is necessary in order to insure proper storm water management. We are hopeful, however, of being able to obtain a 22-43 waiver for any improvements to Old Pimlico Road.

Also, Mr. Simons has asked me to correct that portion of his testimony which declared there was a 30 foot slope to Old Pimlico Road. The actual slope is 10-15 feet from finished floor to finished paving on Old Pimlico.

Thank you for permitting us to render these additional submissions and correct our testimony.

Sincerely yours,
E. Harrison Stone

EHS:jz
Encs.
0360g

cc: Lake Roland Protective Association w/encl.
The Ruxton-Riderwood Improvement Assoc. w/encl.

ROYSTON, MUELLER, MCLEAN & REID

R. TAYLOR MCLEAN
RICHARD A. REID
E. HARRISON STONE
MELTON R. SMITH, JR.
C. S. KLINGELHOFER, III
THOMAS F. MC DONOUGH
LAWRENCE F. PASHUP
LAUREL P. EVANS
KEITH R. TRUFFE
ROBERT S. HANDELO
EDWARD J. GILLIS
C. LARRY HOLMISTEER, JR.
ELIZABETH P. S. STELLMANN

SUITE 600
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4575
TELEPHONE: (301) 823-1800
FAX: (301) 828-7859

OF COUNSEL
CARROLL W. ROYSTON
H. ANTHONY MUELLER
TONY L. ASKEW

March 4, 1987

RECEIVED
MAR 5 1987

ZONING OFFICE

Ms. Jean M. H. Jung
Deputy Zoning Commissioner
County Office Building
Towson, MD 21204

Re: Klaunberg Property
Case No. 87-349-A; Item No. 236

Dear Ms. Jung:

As a follow-up to the suggestions made at our hearing on February 24, 1987, I am enclosing the following:

1. A blueprint of the building we propose to construct on the subject site; and
2. A polaroid shot of a building quite similar to the one proposed.

Referring to the blueprint, what is contemplated is a buff colored "split ranch" style architectural block with buff colored mortar, compatible with the existing building on the property. The vertical siding will be dark bronze with solar tinted bronze windows. The building shown in the photograph is 60 feet deep, has brick rather than architectural block, but the same vertical siding. The eave height on this building is 14 feet as opposed to 19 feet on the proposed, while the roof slope is very similar (+/- 1/4" to the foot).

We strongly feel that what is being proposed for the property will greatly improve the overall appearance and attractiveness of the entire site.

Finally, with respect to the hearing, one point which was made needs clarification. In connection with the construction,

LAKE ROLAND PROTECTIVE ASSOCIATION
6141 Carroll Road
Baltimore, Maryland 21209

February 20, 1987

Mr. Arnold Jablon, Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case #87349-A
Item #236
Petitioner:
Mr. Frederick H. Klaunberg, Jr.
Address of Property:
6400 Falls Road - 21209

Dear Sir:

In response to the above the Lake Roland Protective Association requests the answers to two questions.

1. From the engineering and architectural points of view why is it essential to seek these variances to the Zoning Rules of Baltimore County? Were alternative designs for the desired enlargement sought? What were the alternative designs? Why are they unsatisfactory?

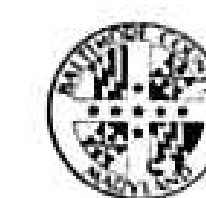
2. From the point of view of sound zoning principles and practice why will the requested variances not establish a precedent?

Having observed this area quite carefully for more than forty years, we are aware that the technique of chipping away and establishing exceptions is just as effective in destroying zoning principles as is frontal assault to change the zoning regulations.

A response to the two questions above will be deeply appreciated.

Sincerely yours,

Edward Davens
Edward Davens
President



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

STEPHEN E. COLLINS
DIRECTOR

January 30, 1987

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

Item No. 236 -ZAC-
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Meeting of December 23, 1986
Frederick H. Klaunberg, Jr.
SW/C Falls Road & Old Pimlico Road
M.L. - CNS
Variance to permit a front yard setback of 52 ft. in lieu of the required 75 ft., to permit a side yard setback of 36 ft. in lieu of the required 50 ft., to permit a rear yard setback of 25 ft. in lieu of the required 30 ft., and to permit a distance between buildings of 35 feet in lieu of the required 55 feet. 1.69 acres
9th Election District

Acres:
District:

Dear Mr. Jablon:

Please see the CRG comments for this site.

Very truly yours,

Gregory M. Jones
Engineer III

GW:bza

RECEIVED
FEB 3 1987
ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 17, 1987

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

000

Chairman

MEMBERS

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

E. Harrison Stone, Esquire
102 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 236 - Case No. 87-349-A
Petitioner: Frederick H. Klaunberg, Jr.
Petition for Zoning Variance

Dear Mr. Stone:

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
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Mr. Robert L. Campbell
698 Fairmount Avenue, Suite 105
Towson, Maryland 21204

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 236, Zoning Advisory Committee Meeting of 12-23-86

Property Owner: Frederick H. Klaunberg, Jr.

Location: Sharp Falls Rd + Old Pimlico Rd. District 9

Water Supply: meter Sewage Disposal: meter

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- (✓) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 236 Zoning Advisory Committee Meeting are as follows:

Property Owner:
Location:
District:

APPLICABLE ITEMS ARE CIRCLED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Age (A.D.A. #17-1 - 1980) and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
4. 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. Supervised seals are not acceptable.
5. All Use Groups except B-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. B-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 107, Section 106.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. 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.
7. The requested variance appears to conflict with Section(s) _____, of the Baltimore County Building Code.
8. 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 Mixed Use _____. See Section 317 of the Building Code.
9. The proposed project appears to be located in a Flood Plain, Flood/Divergence. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
10. Buildings shall comply to the height & area and required fire separations of Table 101 and Article 5. Provide curb cuts, ramps, bldg access, signs etc, etc as required by the State Handicapped Code.
11. 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 V. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burman, Chief
Building Plans Bureau

L/22/86

Mr. A. Jablon
Page 2
January 5, 1987

It is requested that all improvements pertaining to State Highway Administration access be resolved, prior to zoning approval.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es

cc: J. Ogle

attachment



Maryland Department of Transportation
State Highway Administration

JAN 9 1987

William K. Holmann
Secretary
Michael Kassoff
Assistant Secretary

January 5, 1987

RE: Baltimore County
Item #236
Property Owner: Frederick H. Klaunberg, Jr.
Location: SW/C Falls Road
(Maryland Route 25)
and Old Pimlico Road
Existing Zoning: M.L. -CNS
Proposed Zoning: Variance
to permit a front yard setback of 52' in lieu of the required 75', to permit a side yard set back of 36' in lieu of the required 50', to permit a rear yard setback of 25' in lieu of the required 50' to permit a rear yard setback of 25' in lieu of the required 30', and to permit a distance between buildings of 35' in lieu of the required 55'
Area: 1.69 Acres
District: 9th

Dear Mr. Jablon:

On review of the submittal requesting variance of setbacks, the State Highway Administration Bureau of Engineering Access Permits offers the following comments.

A commercial access to Falls Road, Maryland Route 25 must be by way of a standard 35' entrance, with State Highway Administration Type "A" concrete curb and gutter constructed along the Falls Road frontage and off-set 24' from the centerline of Maryland Route 25, with a 30' radius (50' radius shown) at Old Pimlico Road.

Field inspection revealed the existing unchannelized access to be 53' in width, to serve this site, and an additional site to the south. We strongly recommend you contact the adjoining owner and provide this office with a in-common access agreement prior to the issuance of any access permit.

continued

My telephone number is 301-333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Zoning Item #236 Zoning Advisory Committee Meeting of 12-23-86
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

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

WWQ 2 4/86

ROYSTON, MUELLER, MCLEAN & REID

SUITE 400
802 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4575
(301) 823-1800

December 9, 1986

R. TAYLOR MCLEAN
RICHARD A. REID
E. HARRISON STONE
MILTON L. SMITH, JR.
C.S. KUNDELHOFER III
THOMAS F. McDONOUGH
LAWRENCE F. HANSLIP
LAUREL P. EVANS
KEITH R. TRUFFER
ROBERT S. HANZDO
C. LARRY HOLMEISTER, JR.

OF COUNSEL
CARROLL W. ROYSTON
H. ANTHONY MUELLER
JOHN L. ASKEW

Arnold Jablon, Esq.
Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition for Variances (6460 Falls Road) Item 236

Dear Mr. Jablon:

We have filed, concurrent with this letter request, a Petition requesting certain zoning variances pertaining to the above-captioned property.

Because of various contractual and planning commitments, an early hearing date on our Petition is absolutely essential.

Accordingly, we urge your favorable consideration of this request.

Thank you.

Very truly yours,

E. Harrison Stone
E. Harrison Stone

EHS:jz
0245g

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: 1/29/87

FROM: ZONING OFFICE

PROJECT NAME: Klaunberg Property PLAN: 12/30/86

LOCATION: SW/Cor. Falls Road and Old Pimlico Road REV: 1/21/87 REV: _____

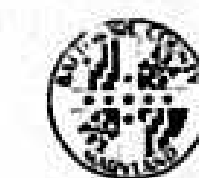
DISTRICT: 3 rd. Elect District

ALL OF THESE COMMENTS ARE MADE ON THE 1/21/87 REVISED PLAN

1. Please revise the zoning variance petition forms and include the corrected wording on the site plan
"Variance petitions have been filed in the zoning office under case # 87-349 A from the following sections of the B.C.Z.R.:
a) 255.2 (243.1, 243.3) and policy S-4 to permit a front street setback of 36 ft. and a front yard setback of 52 ft. both in lieu of the required 75 ft. and a rear yard setback of 25 ft. in lieu of the required 50 ft.
b) 255.1 (238.2) to permit a rear yard setback of 25 ft. in lieu of the required 30 ft.
c) 255.1 (238.1, 238.2, 102.2) to permit a distance between buildings of 35 ft. in lieu of the required 55 ft.
d) Also to amend the plan approved with the previous zoning case # 76-185 A."
2. Indicate the front of the existing and proposed building as shown on the plan filed with the zoning office. When the variance requests involve a lessened requirement depending on the building front orientation, as in request "c", a schematic front elevation of the existing building should be included on the plan or photographs submitted to the zoning office of that elevation for inclusion in the case file.
3. This revised C. R. G. plan addressing the above comments should be submitted (10 copies) to the zoning office along with amended petition forms (3 originals) under case reference 87-349 A (revised plans) as soon as possible.

new variance language per atty's OK 1/28/87

W. Carl Richards Jr.
W. CARL RICHARDS JR.
Zoning Coordinator



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

NORMAN E. GENDER
DIRECTOR

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

JANUARY 28, 1987

Re: Zoning Advisory Meeting of December 23, 1986
Item # 236
Property Owner: FREDERICK H. KLAUNBERG, JR.
Location: SW/C FALLS RD. & OLD PIMLICO RD.

Dear Mr. Jablon:

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

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

Additional comments:
For Landscape Requirements Contact
MARY HARRIS - 494-3335

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell



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

PAUL H. REINCKE
CHIEF

December 23, 1986

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

RE: Property Owner: Frederick H. Klaunberg, Jr.

Location: SW/C Falls Rd. & Old Pimlico Rd.

Item No.: 236 Zoning Agenda: Meeting of 12/23/86

Gentlemen:

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

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works, along Old Pimlico Road.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

Noted and Approved:

John F. O'Neill
Fire Prevention Bureau

/mb

ARNOLD JABLON
ZONING COMMISSIONER

February 17, 1987

E. Harrison Stone, Esquire
102 West Pennsylvania Avenue
Towson, Maryland 21204

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

RE: PETITION FOR ZONING VARIANCES
SW/cor. Falls Rd. and Old Pimlico Rd.
(6400 Falls Rd.)
9th Election District - 4th Councilmanic District
Frederick H. Klaunberg, Jr. - Petitioner
Case No. 87-349-A

Dear Mr. Stone:

This is to advise you that \$103.33 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.

Please make the check payable to Baltimore County, Maryland, and remit to Towson, Maryland

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

No. 33063

DATE 3/12/87 ACCOUNT 8-01-615-000

100% SIGN POST
FRI AMOUNT \$ 25.00

RECEIVED FROM Royston, Mueller, McLean & Reid,
102 W. Pennsylvania Ave., Towson, Md.
21204

RE: CASE #87-349-A

FOR B 8153*****25000 2132F

VALIDATION OR SIGNATURE OF CASHIER

E. Harrison Stone, Esquire
102 West Pennsylvania Avenue
Towson, Maryland 21204

January 19, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
SW/cor. Falls Rd. and Old Pimlico Rd.
(6400 Falls Rd.)
9th Election District
Frederick H. Klaunberg, Jr. - Petitioner
Case No. 87-349-A

TIME: 9:45 a.m.

DATE: Tuesday, February 24, 1987

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

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

No. 29852

DATE 12/2/86 ACCOUNT 01-615

AMOUNT \$ 100.00

RECEIVED FROM Royston, Mueller, McLean & Reid

FOR FILING FEE FOR VARIANCE 1184 236

2 B120*****100000 2102F

KLAUNBERG - PETITIONER

VALIDATION OR SIGNATURE OF CASHIER

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

Box 204
Riderwood, Md 21130

February 20, 1987

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County, Maryland
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Commissioner Jablon:

The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc. closely monitors the zoning petitions within its boundaries and adjacent to its borders. It is our belief that working for sound land use principles is an important part of the Association's responsibility to the community.

In reference to the specific request for multiple variances at 6400 Falls Road, I represent the Executive Committee of the Board of Governors in opposing the petition. We do so for the following reasons.

1. There does not appear to be a set of circumstances compelling enough to sanction the granting of these variances. Baltimore County zoning requirements on setbacks and building placements are established for sound reasons. Exceptions should only be granted under "extraordinary" circumstances, otherwise these regulations become increasingly ineffectual.

2. The Association, at the request of a significant segment of its membership, is focusing special attention on maintaining the current unique and historic character of the Falls Road corridor. This involves efforts to preserve current zoning (a workable balance of commercial and residential), as well as an effort to insure that local zoning requirements are observed.

Board of Governors
Robert W. Locke, President
James E. Dyx, Vice President
Frederick H. Klaunberg, Jr., Secretary
Maryland M. Schmitt, Treasurer
Virginia M. Schmitt, Secretary
James H. Hildner, Secretary
H. Lee Broughton III, Secretary
Nancy Cammack, Secretary
John E. Gordon, Secretary
Nancy Hazard III, Secretary
Judith Kremen, Secretary
Lawrence R. Lawrence, Secretary
Dorothy Nye, Secretary
Carl H. Thomas, Secretary
John R. Rogers, Secretary
James R. Rogers, Secretary
Wayne N. Schell, Secretary
Robert F. Scott, Jr., Secretary
Christopher R. West, Secretary
Edward K. Caruth, Secretary

Arnold Jablon
Zoning Commissioner
Page 2

As previously mentioned, zoning requirements on setbacks, etc., are designed for a reason, and except for compelling reasons, are kept in place for the harmonious functioning of the community as a whole. In this particular case, observing the required regulations would allow a somewhat smaller building (or an extension of the existing building) to be situated within a set of "buffer zones" appropriate to the site.

I feel that this alternative is the proper one. Reducing these requirements would be visually unfortunate and inappropriate to the lot.

In conclusion, I would encourage Mr. Klaunberg to consider modifications in his design which would allow it to conform to the existing law. We would also be most happy to meet with him at his convenience to discuss any of the above.

Sincerely,

Robert W. Locke

Robert W. Locke
President

cc: Mr. Frederick H. Klaunberg, Jr.

87-349-A

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
14th day of January, 1987.

ARNOLD JABLON
Zoning Commissioner

Petitioner: Frederick H. Klaunberg, Jr. Received by: James E. Dyx
Petitioner's Attorney: E. Harrison Stone, Esquire



PETITION FOR ZONING VARIANCES
8th Election District
Case No. 87-549-A

LOCATION: Southwest Corner Falls Road and Old Pimlico Road (8400 Falls Road)
DATE AND TIME: Tuesday, February 24, 1987, at 9:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Zoning Variances to permit a front street setback of 36 feet and a front yard setback of 52 feet both in lieu of the required 75 feet and a rear yard setback of 25 feet in lieu of the required 50 feet; a rear yard setback of 25' in lieu of the required 30'; a distance between buildings of 35 feet in lieu of the required 55 feet; and to amend the plan approved with the previous zoning Case No. 76-185-A.

Being the property of Frederick H. Klausberg, Jr., 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 JARLON
Zoning Commissioner
of Baltimore County

2003 Feb. 5.

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 5, 1987

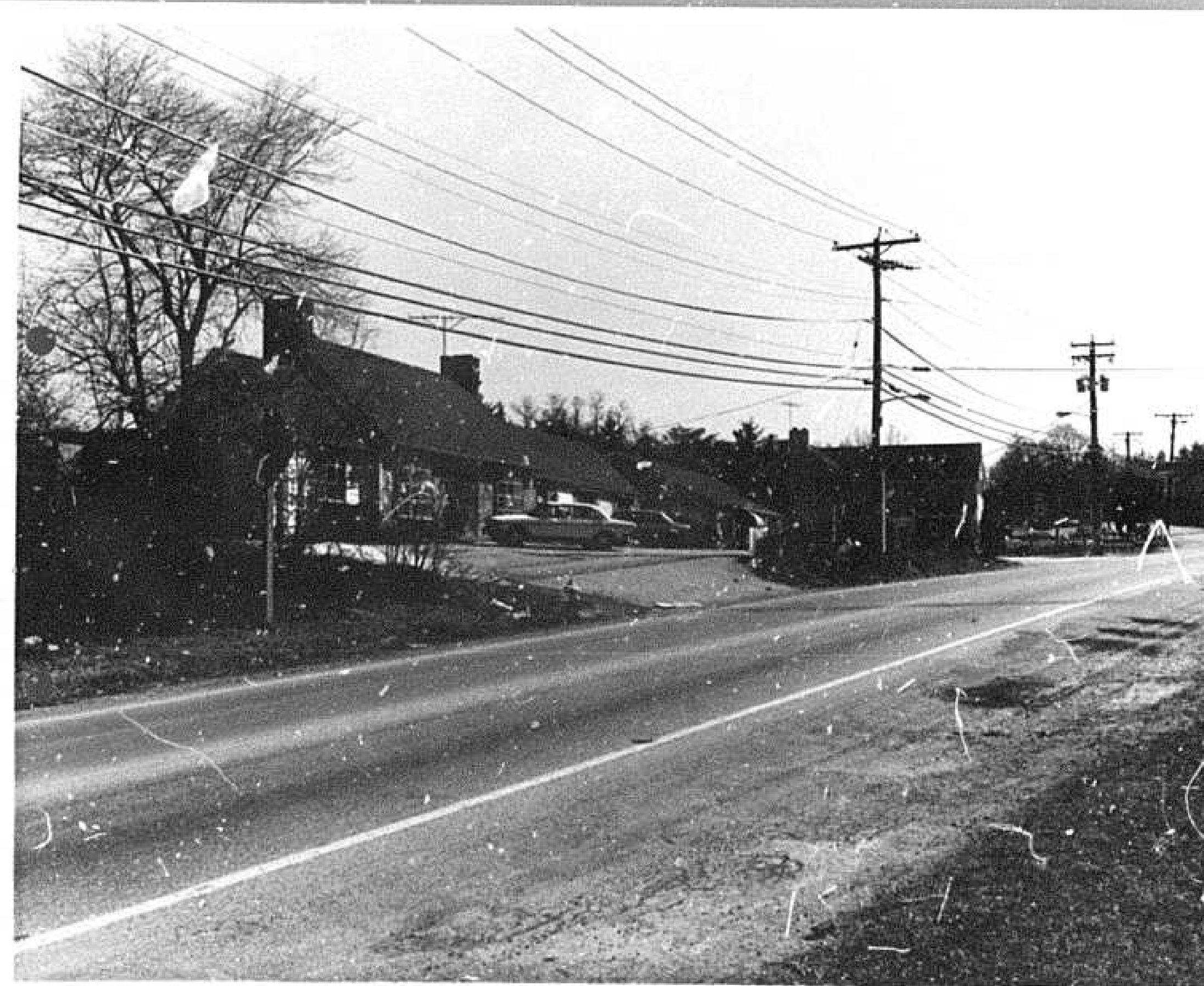
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 5, 1987.

THE JEFFERSONIAN,

Susan Stender Obrecht
Publisher

Cost of Advertising

38.61



CERTIFICATE OF PUBLICATION

TOWSON, MD., February 4, 1987

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., appearing on February 4, 1987.

TOWSON TIMES,

Susan Stender Obrecht
Publisher

49.72

PETITION FOR ZONING VARIANCES
8th Election District
Case No. 87-549-A

LOCATION: Southwest Corner Falls Road and Old Pimlico Road (8400 Falls Road)
DATE AND TIME: Tuesday, February 24, 1987, at 9:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

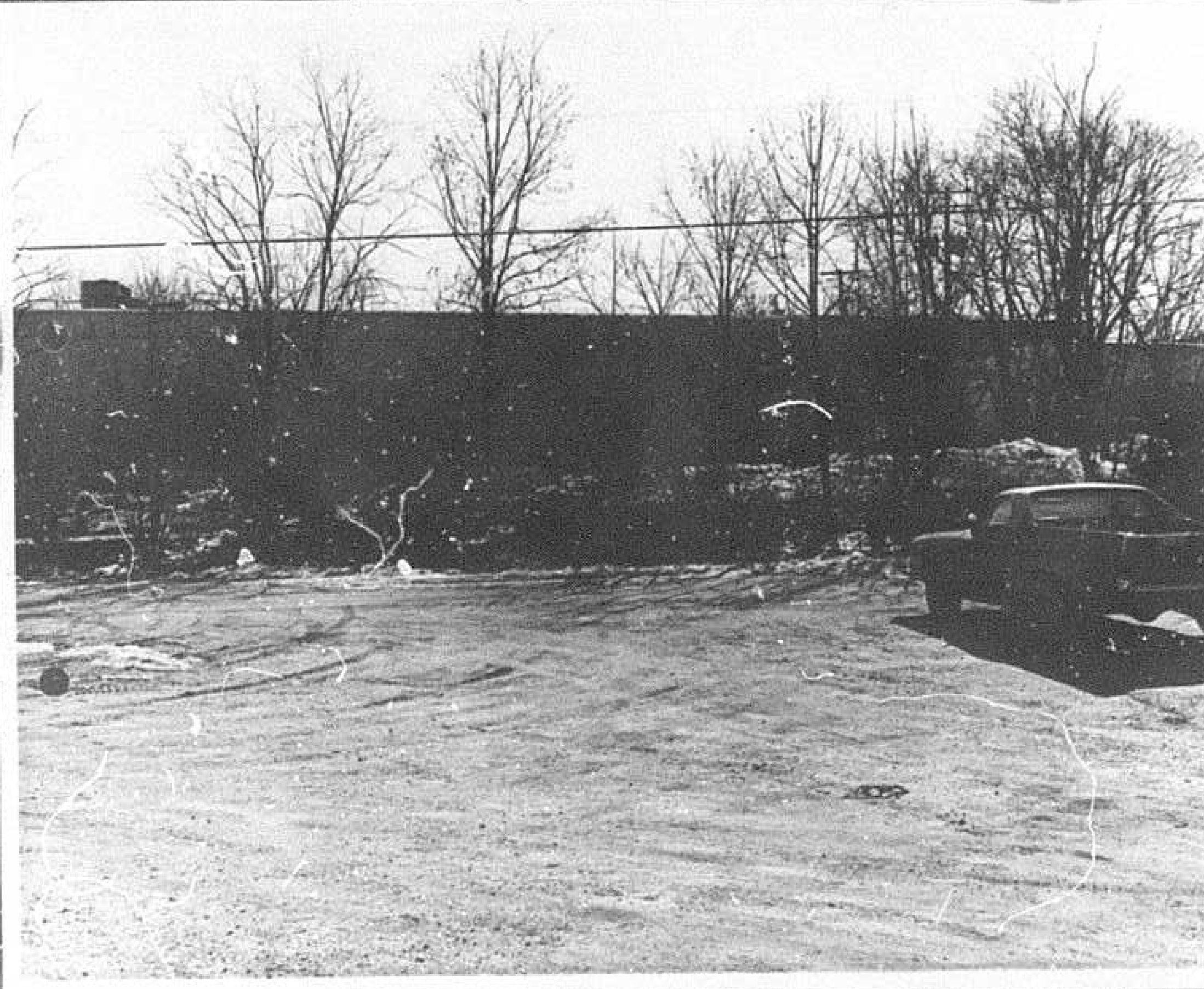
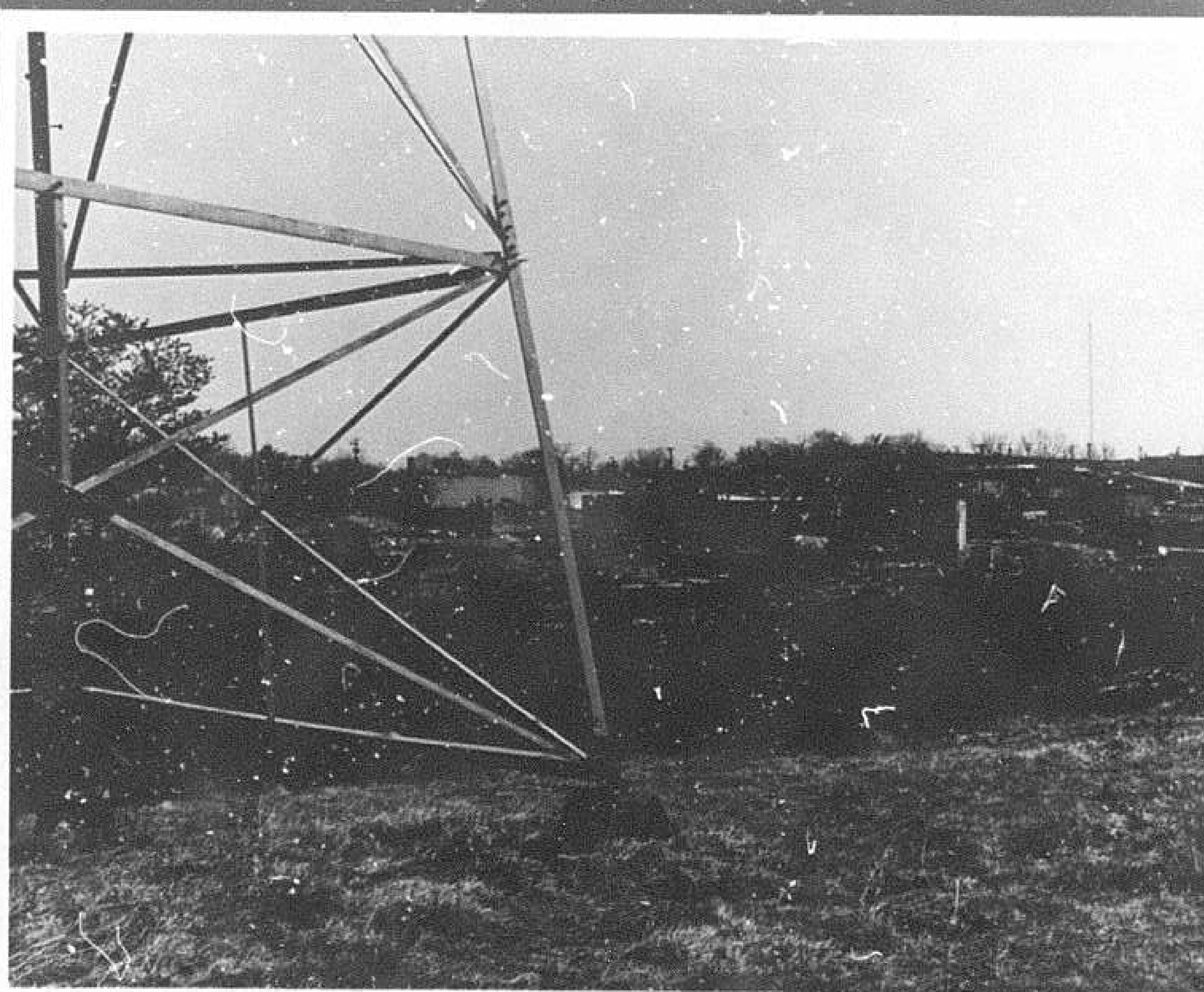
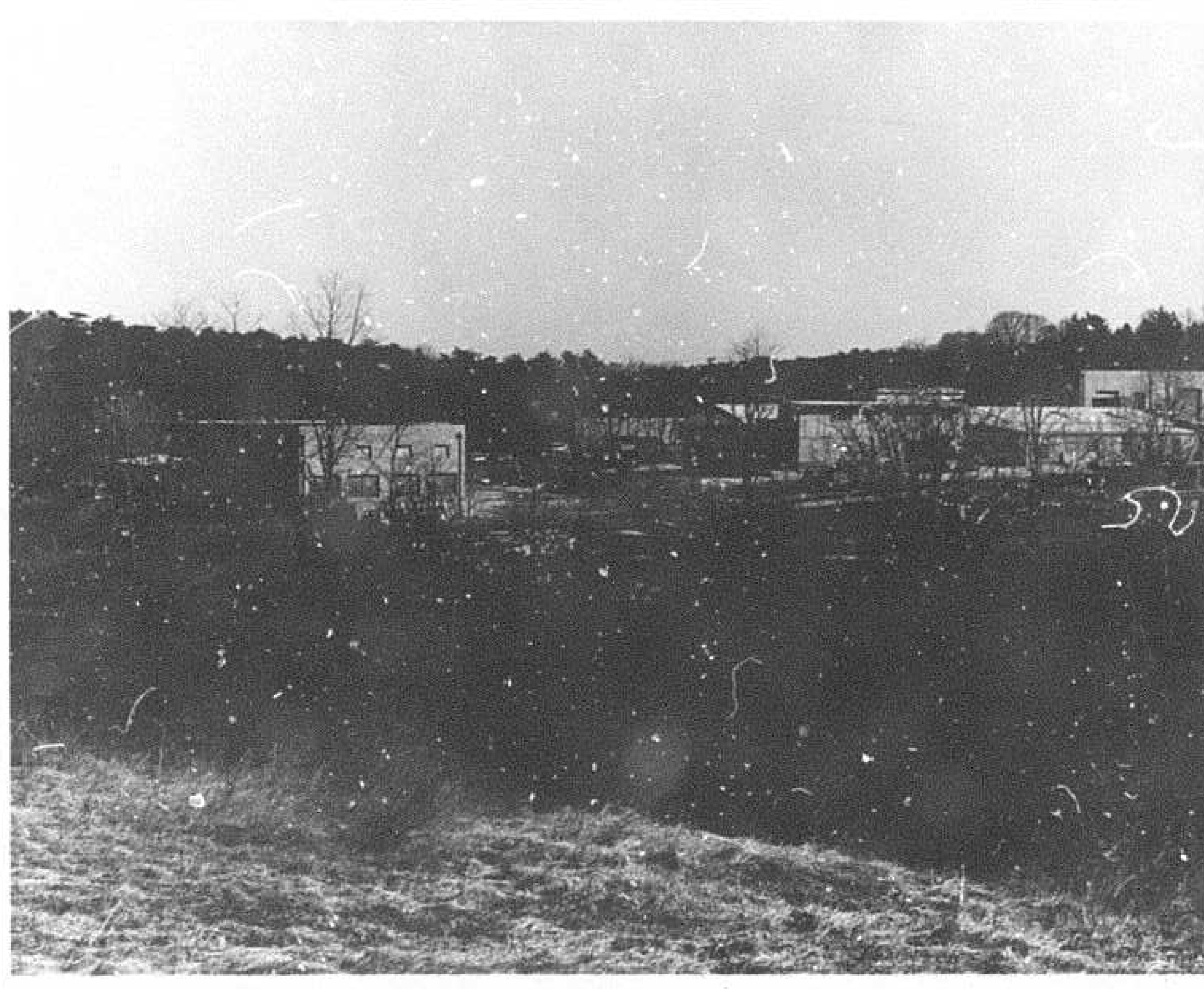
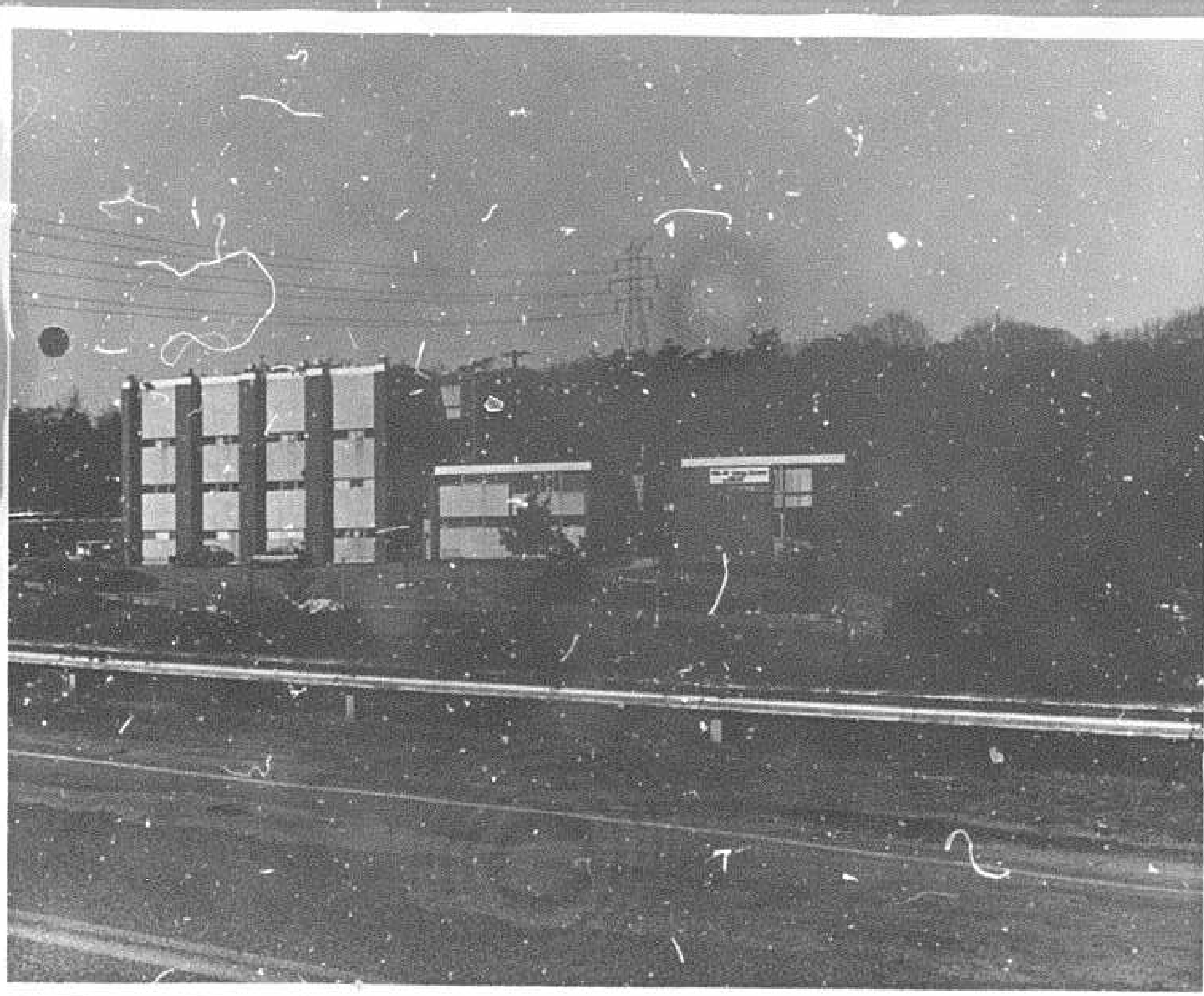
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Petition for Zoning Variances to permit a front street setback of 36 feet and a front yard setback of 52 feet both in lieu of the required 75 feet and a rear yard setback of 25 feet in lieu of the required 50 feet; a rear yard setback of 25' in lieu of the required 30'; a distance between buildings of 35 feet in lieu of the required 55 feet; and to amend the plan approved with the previous zoning Case No. 76-185-A.

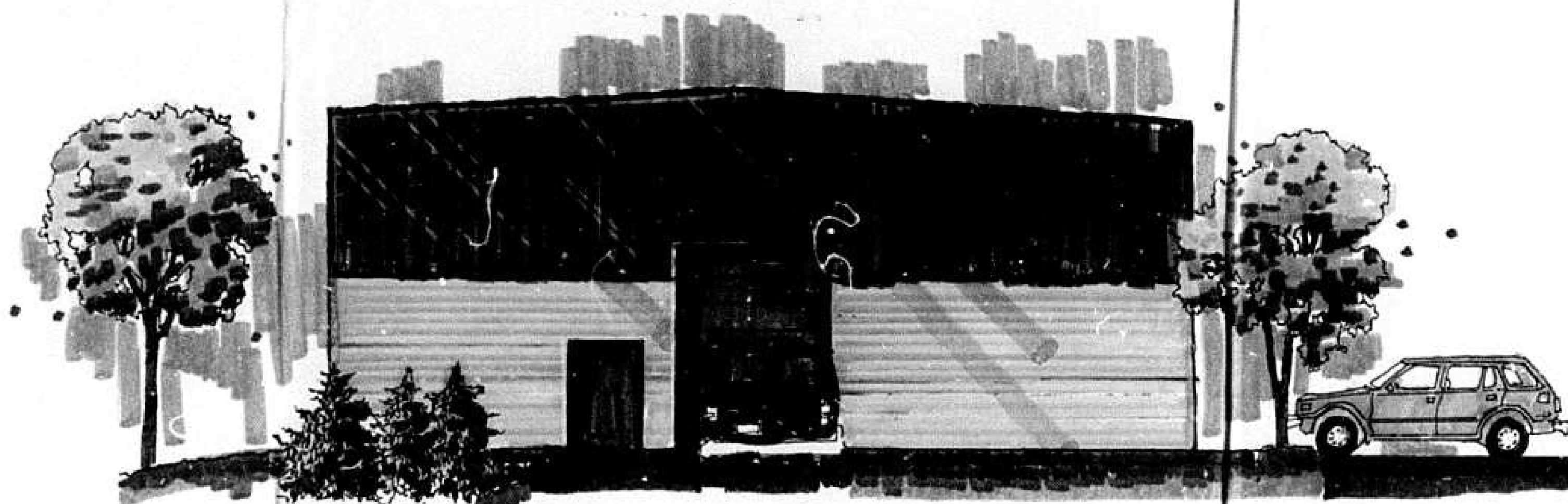
Being the property of Frederick H. Klausberg, Jr., as shown on plat plan filed with the Zoning Office.

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 JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY
EXC 15028 Feb. 4



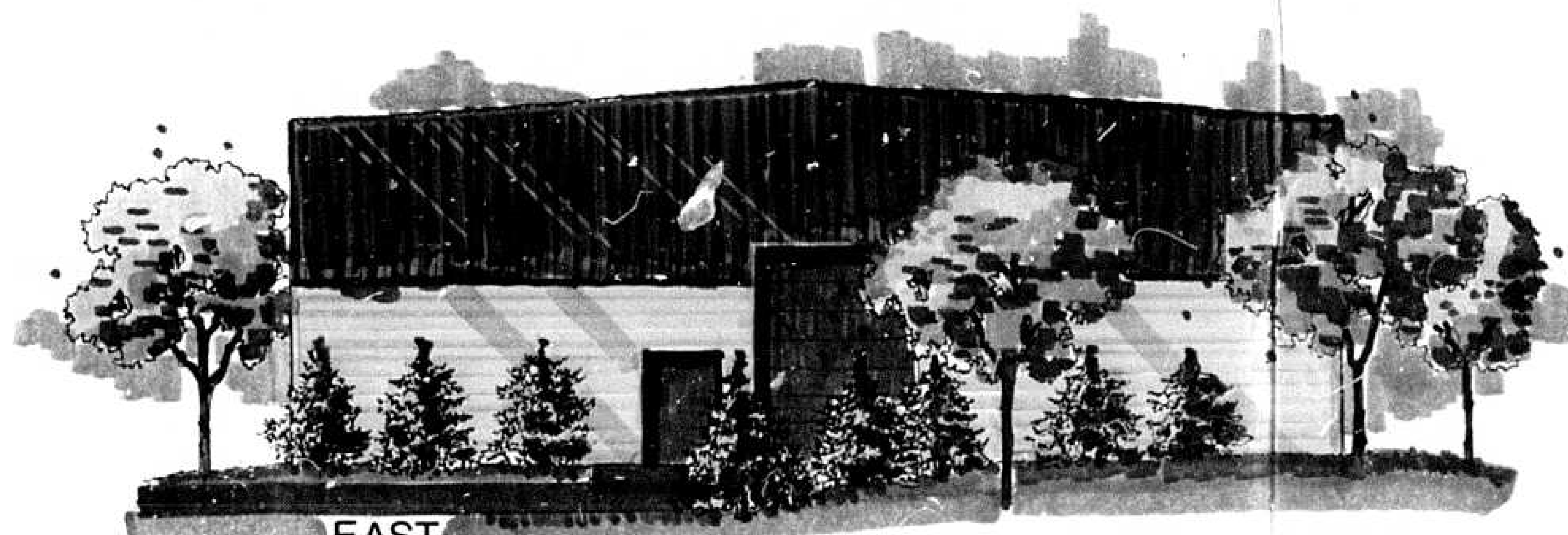
KLAUNBERG PROPERTY



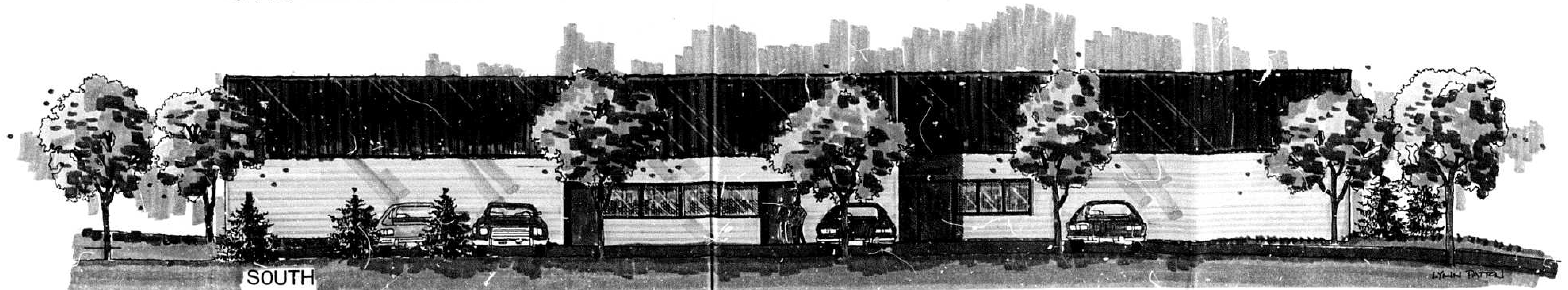
WEST



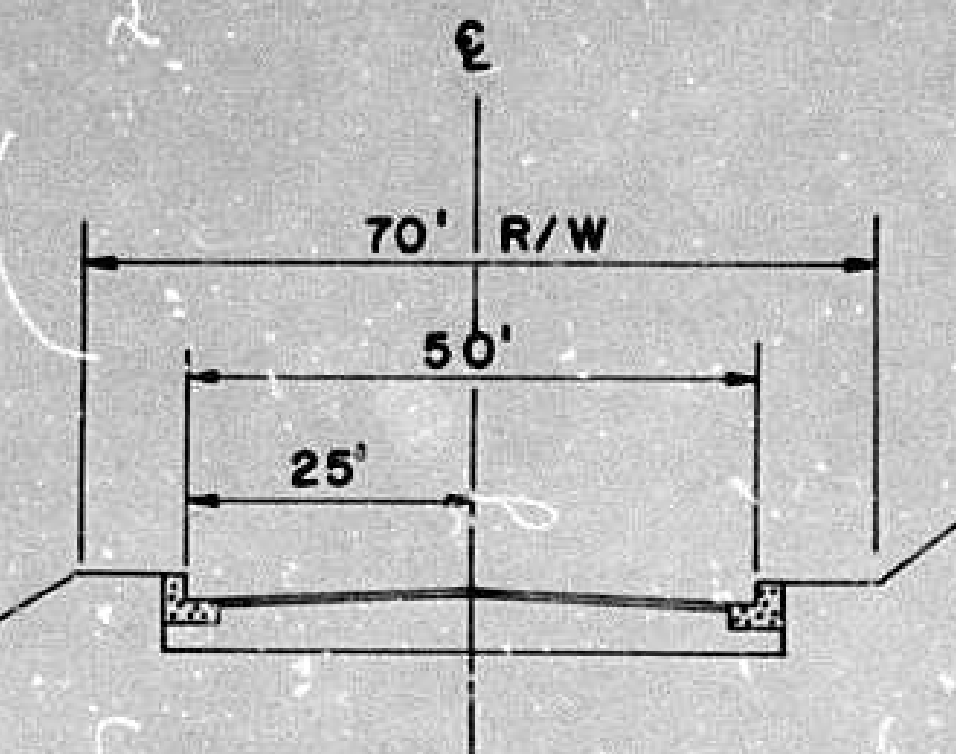
NORTH



EAST



SOUTH



OLD PIMLICO ROAD
FUTURE ROAD SECTION
N.T.S.

ZONE BOUNDARY

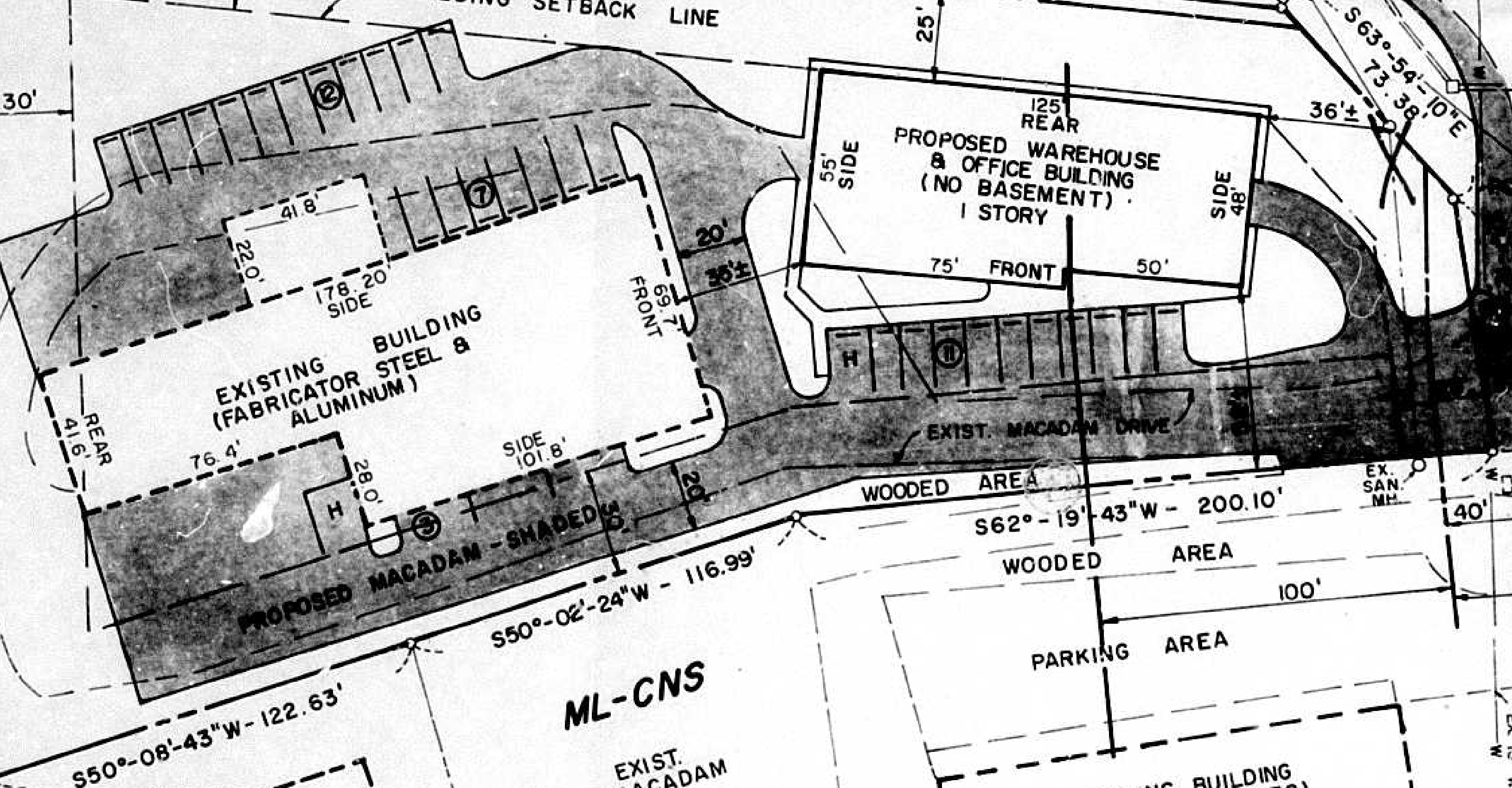
- GENERAL NOTES
1. Applicant:
Simons Builders
615 East Jappa Road
Towson, MD 21204 (301) 327-6950
 2. Deed Reference: 6261/589
 3. Property No. 63-11-04101 Councilmanic District: 2
 4. Election District: 3
Census Tract: 4026.02
 5. Watershed: 24 Subwatershed: 53
 6. SITE DATA:
Current Zoning: ML-CNS
Total Site Area: Net = 1.687 Ac. (-/-)
Gross = 2.107 Ac. (-/-)
Existing Use: Offices and Warehouse
Proposed Use: Offices and Warehouse
Existing Building Size:
Offices 1,200 S.F.
Warehouse 2,300 S.F.
TOTAL 3,500 S.F.
Proposed Building Size:
Offices 1,200 S.F.
Warehouse 2,300 S.F.
TOTAL 3,500 S.F.
- PARKING DATA
- Existing Building Required:
- | | | |
|--------------------|---|-------|
| Offices: | 1st floor 600 S.F. @ 1/200 S.F. | 1.2 |
| | 2nd floor 600 S.F. @ 1/500 S.F. | 1.2 |
| Warehouse: | 15 employees max/shift @ 1 space/2 emp. | 7.5 |
| Proposed Building: | | |
| Offices: | one floor 1,200 S.F. @ 1/200 S.F. | 4.25 |
| Warehouse: | 20 employees Max/Shift 1 space/2 emp. | 6.66 |
| | TOTAL REQUIRED | 19.21 |
| | TOTAL PROPOSED | 24.06 |
- * Total proposed includes 2 handicapped spaces
7. Existing Average Daily Trips 24
Proposed Average Daily Trips 82
TOTAL 106
 8. Open space is not required
 9. There are no critical areas, archeological sites, historic buildings, wetlands, flood plains, endangered species or hazardous materials on this site.
 10. Stormwater Management to be provided on site.
 11. All parking areas and driveways to be macadam paved.
 12. All parking spaces to be 8.5' x 18' handicap spaces to be 12' x 18'.
 13. All proposed paving shown on this plat is open section. No curb and gutter is proposed.

NOTE: LANDSCAPE PLAN TO BE SUBMITTED FOR APPROVAL

ML-CNS

JACOSONI REALTY
COMPANY
6535/48

AREA = 1.687 ACRES
BUILDING SETBACK LINE



ML-CNS

EXISTING BUILDING
(MANUFACTURES-)
COUNTER TOPS
HENRY JUNG
W.J.R. 37/8-509
ML-CNS

EXISTING BUILDING
(CONTRACTORS)

JACOB YOSEF MLIMAN
AND
LOIS MLIMAN
LIBER 7031-101
ML-CNS



ROBERT L. CAMPBELL
698 FAIRMOUNT AVENUE
SUITE 105
TOWSON, MARYLAND 21204

PUBLIC SERVICE CRG. NO. 86286
PLANNING NO.



VICINITY MAP
SCALE: 1" = 2000'

DR-1

ZONE BOUNDARY

236
87-349-A
OFFICE COPY

PLAT TO ACCOMPANY
ZONING PETITION
OF
KLAUNBERG PROPERTY
6400 FALLS RD.
BALTIMORE CO. MD.



J.K.	RLC				
MADE	CHECK	APPROVALS		DATE	
1" = 30'		8785-000			
SCALE		CRWING NUMBER		REV	