

517

88-150-A

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

The undersigned, legal owner(s) of the property situated 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 100-2-2(b), (1)(2-2) to permit a side yard setback of 14 ft. in lieu of the required 20 ft.

1. Need the extension to achieve best possible utilization of existing space.
2. With variance we will not be able to make project cost effective.
3. Because of our church's growth curve our congregation must have a facility the size of the one proposed.
4. Denial of the variance would pose a particular and real hardship to us, because we have explored different orientations of the proposed building.
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 do solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser: _____ Legal Owner(s): _____
(Type or Print Name) (Type or Print Name)
Signature _____ Signature _____
Address _____ Address _____
City and State _____ City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Michele M. Leibold, Esq. 2927 Cub Hill Road, Baltimore, Maryland 21234
345 Rosebank Avenue, Baltimore, Maryland 21212
Attorney's Telephone No. 431-1555

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of December, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of October, 1987, at 11:00 o'clock.

J. Robert Haines
Zoning Commissioner of Baltimore County.

IN RE: PETITION FOR ZONING VARIANCE
345 Rosebank Avenue
Baltimore, Maryland 21212
9th Election District
6th Councilmanic District
Cub Hill Bible Presbyterian Church - Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-150-A

The Petitioner herein requests a variance to permit a side yard setback of 14 feet in lieu of the required 20 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by its representative, the Rev. John A. Dekker, appeared and was represented by Counsel. Also appearing on behalf of the Petitioner was Albert E. Broughton, Architect, Richard E. Walton and Susan M. Walton, both Liaisons between the contractor and the church.

Testimony indicated that the subject property is split zoned D.R. 3.5 and D.R. 16, consists of approximately 3.07 acres, and is located at the intersection of Cub Hill Road and Harford Road. The property is currently improved with an existing two-story masonry building. The Petitioner proposes the construction of a two-story addition which will be connected to the existing building. Messrs. Broughton and Walton testified that the proposed location of the addition is necessary because of the layout of the land and the desire to build the addition in a manner which will be complimentary to the existing building. Testimony indicated that the addition is necessary to provide additional facilities to accommodate the membership. There are currently 100 members of the congregation. Rev. Dekker indicated that the addition would not increase the traffic or cause a congestion of roads. The use of the addition would mostly be at different times from use of the main building.

In response to the comments made by the State Highway Administration, the Petitioner indicated it does not plan access to or from the proposed addition.

tion or existing buildings from Harford Road, nor does it feel it is or will be necessary. Currently, access is to and from Cub Hill Road.

After due consideration of the testimony and evidence presented, it appears that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioner. In the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the public health, safety and general welfare.

Pursuant to the advertising, posting of the property, and public hearing on this Petition held, and for the reasons stated above, the Petition for Zoning Variance should be granted.

Therefore, it is ORDERED by the Deputy Zoning Commissioner of Baltimore County this 21st day of December, 1987, that a side yard setback of 14 feet in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

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

12. The Petitioner will not provide vehicular access to or from the existing building and the proposed addition from Harford Road. All vehicular traffic will be from Cub Hill Road.

ANN M. NASIRAWICZ
Deputy Zoning Commissioner
of Baltimore County

593

AC
AZIMUTH CONSULTANTS

ZONING DESCRIPTION

Beginning at the Southwest corner of the intersection of Harford Road and Cub Hill Road and running thence binding on the South side of Cub Hill Road 1) North 38 degrees 58 minutes 33 seconds West 432.04 feet, thence leaving said road 2) South 36 degrees 27 minutes 34 seconds West 274.70 feet, 3) South 47 degrees 24 minutes 31 seconds East 151.77 feet, 4) South 36 degrees 34 minutes 17 seconds West 137.62 feet, 5) South 51 degrees 48 minutes 38 seconds East 299.33 feet to the West side of Harford Road, thence binding on said road, 6) North 30 degrees 57 minutes 32 seconds East 199.68 feet, thence leaving said road 7) North 51 degrees 48 minutes 38 seconds West 134.88 feet, 8) North 30 degrees 57 minutes 32 seconds East 50.00 feet, 9) South 51 degrees 48 minutes 36 seconds East 134.88 feet to the West side of Harford Road, thence binding on said road, 10) North 30 degrees 57 minutes 32 seconds East 80.77 feet to the point of beginning.

Containing 3.073 acres of land, more or less.

Also known as 2927 Cub Hill Road.

120 Cockeysville Road / Suite 105 / Hunt Valley, Maryland 21031 / (301) 785-2300

PETITION FOR ZONING VARIANCE
9th Election District - 6th Councilmanic District
Case No. 88-150-A

LOCATION: Southwest Corner Cub Hill Road and Harford Road
(2927 Cub Hill Road)

DATE AND TIME: Thursday, October 29, 1987, at 11:00 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 Zoning Variance to permit a side yard setback of 14 feet in lieu of the required 20 feet

Being the property of Cub Hill Bible Presbyterian Church, 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.

J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner
Date: September 29, 1987
FROM: Norman E. Gerber, AICP
Director of Planning and Zoning
Zoning Petitions No. 88-140-A, 88-141-A, 88-142-A, 88-143-A, 88-147-A, 88-148-A, 88-150-A, 88-151-A, 88-152-A, 88-153-A, 88-154-A, 88-155-A, 88-156-A, 88-157-A, 88-158-A, 88-159-A, 88-160-A, 88-161-A

There are no comprehensive planning factors requiring comment on the above numbered petitions.

Norman E. Gerber, AICP
Director

NEC:KAR:ide

cc: Mr. Shirley M. Hens, Legal Assistant, People's Counsel
File

RECEIVED
OCT 29 1987
ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 16, 1987

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

Michele M. Leibold, Esquire
345 Rosebank Avenue
Baltimore, Maryland 21212

Dear Ms. Leibold:

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.

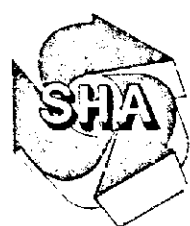
Very truly yours,

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

JED:kkb

Enclosures

cc: Azimuth Consultants
120 Cockeysville Road, Suite 105
Hunt Valley, Maryland 21031



**Maryland Department of Transportation
State Highway Administration**

RICHARD H. TRAINOR
Secretary
HAL KASSOFF
Administrator

July 9, 1987

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: James Dyer

Re: Baltimore County
Item #543
Property Owner: Cub
Hill Bible Presbyterian
Church
Location: SW/C Harford Rd.
(Maryland Route 147)
and Cub Hill Roads
Existing Zoning: D.R.
3.5 and D.R. 16
Proposed Zoning: Variance
to permit a side yard
set back of 14 feet
in lieu of the required
20 feet
Area: 3.0783 acres
District: 9th

RECEIVED
JUL 13 1987
ZONING OFFICE

Dear Mr. Jablon:

On review of the submittal of May 12, 1987 (revised), the State Highway Administration Bureau of Engineering Access Permits will require the site plan to be revised for commercial access to Harford Road, Maryland Route 147.

The revised site plan must show the following:

1. All access to Harford Road, Maryland Route 147 be by way of a 25' channelized entrance with 10' radii.
2. Construct a 100' deceleration lane (offset 24' from the centerline of Harford Road) with a 75' taper.
3. Construct a 10' acceleration lane and 90' taper to the southwest.
4. Construct a by-pass lane on southeast side of Harford Road, to meet the existing paving conditions to the south west.
5. Extend the drainage outfall on the northwest side of Harford Road, along the frontage improvement to accommodate storm drain run-off.

It is requested the site plan be revised prior to a

My telephone number is 301-333-1350

con't
Teletypewriter for Impaired Hearing or Speech
303-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717



**Maryland Department of Transportation
State Highway Administration**

Richard H. Trainor
Secretary
Hal Kassoff
Administrator
NOV 19 1987
ZONING OFFICE

November 16, 1987

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. James Dyer

Re: Baltimore County
ITEM: #543
Property Owner: Cub Hill
Presbyterian Church
Location: SW/Corner Harford Road
(Maryland 147) and Cub Hill Road
Existing Zoning: D.R. - 3.5
and D.R. 16
Proposed Zoning: Variance to permit
a side yard setback of 14 feet in
lieu of the required 20 feet.
Area: 3.0783 acres
District: 9th

Dear Mr. Haines:

After speaking to Ms. Donna Bristow of Cub Hill Presbyterian Church, she informed us that they no longer seek access onto Harford Road (Maryland Route 147).

The site plan must be revised to show the existing entrance to Harford Road to be closed with a permanent barrier (fence, wall, etc.).

It is requested this revision be made prior to a hearing dated being set.

If you have any questions, please contact Larry Brocato of this office.

Very truly yours,

Creston J. Mills, Jr.
Acting Chief
Bureau of Engineering
Access Permits

LB:maw

cc: Ms. D. Bristow
Mr. J. Ogle

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
303-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717



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

J. ROBERT HAINES
ZONING COMMISSIONER

Michele M. Leopold Esquire
345 Rosebank Avenue
Baltimore, Maryland 21212

Re: PETITION FOR ZONING VARIANCE
SW/cor. Cub Hill Rd. and Harford Rd. (2927 Cub Hill Rd.)
9th Election District - 6th Councilmanic District
Cub Hill Bible Presbyterian Church - Petitioner
Case No. 88-150-A

Dear Mr. Leopold:

This is to advise you that \$69.57 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 Zoning Office, Room 111, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:maw

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

July 29, 1987

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

Dear Mr. Jablon:

The Bureau of Traffic Engineering has no comments for items number 541, 542, 543, 544, 547, 548, 549, 550, and 552.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

Michele M. Leopold, Esquire
345 Rosebank Avenue
Baltimore, Maryland 21212

September 24, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
SW/cor. Cub Hill Rd. and Harford Rd. (2927 Cub Hill Rd.)
9th Election District - 6th Councilmanic District
Cub Hill Bible Presbyterian Church - Petitioner
Case No. 88-150-A

TIME: 11:00 a.m.

DATE: Thursday, October 29, 1987

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

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
of Baltimore County

JRH:maw

cc: Reverend John Dekker, D.D.
Cub Hill Bible Presbyterian Church
2927 Cub Hill Road
Baltimore, Maryland 21234

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reinke
Chief

July 14, 1987

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



Re: Property Owner: Cub Hill Bible Presbyterian Church
Location: SW/C Harford and Cub Hill Roads
Item No.: 543

Zoning Agenda: Meeting of 7/7/87

Gentlemen:

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

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

- () 2. A second means of vehicle access is required for the site.

- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Access shall be within 30' of east side of building.

- (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 comment at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

**CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland**

District: 9th Date of Posting: 10/28/87
Posted for: James Dyer
Petitioner: Cub Hill Bible Presbyterian Church
Location of property: SW/cor. Cub Hill Rd. and Harford Rd.
2927 Cub Hill Rd.
Location of Sign: SW/cor. Cub Hill Rd. and Harford Rd.
2927 Cub Hill Rd.
Remarks: None
Posted by: Michael S. Flanigan Date of return: 11/11/87
Number of Signs: 1

**Petition For
Zoning Variance**

9th Election District
6th Councilmanic District
Case No. 88-150-A
LOCATION: Southwest Corner
Harford Road and Cub Hill Road (2927
Cub Hill Road)
DATE AND TIME: Thursday, Oc-
tober 29, 1987, at 11:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W. Ches-
apeake Avenue, Towson, Maryland
The Zoning Commissioner of Bal-
timore County, by authority of the Zon-
ing Act and Regulations of Baltimore
County, will hold a public hearing
on the following Petition for Zoning Variance to per-
mit a side yard setback of 14 feet in
lieu of the required 20 feet.
Being the property of Cub Hill Bible
Presbyterian Church, as shown on
plan filed with the Zoning Office.
In the event that this Petitioner is
granted a zoning variance, a building permit may be is-
sued within the thirty (30) day appeal
period. The Zoning Commissioner
will, however, entertain any request
for a stay of the issuance of said per-
mit 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.
J. Robert Haines
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md., Oct 29 1987

This is to Certify, That the annexed

Copy of Notice

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of one successive

weeks before the 11th day of

Oct, 1987

John F. O'Neill Publisher

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
21st day of September, 1987

J. Robert Haines
ROBERT HAINES
ZONING COMMISSIONER

Petitioner: *William Freesterman*
Petitioner's Attorney: *Church*
Received by: *Chairman, Zoning Plans Advisory Committee*
Michelle M. Leopold Esquire

CERTIFICATE OF PUBLICATION

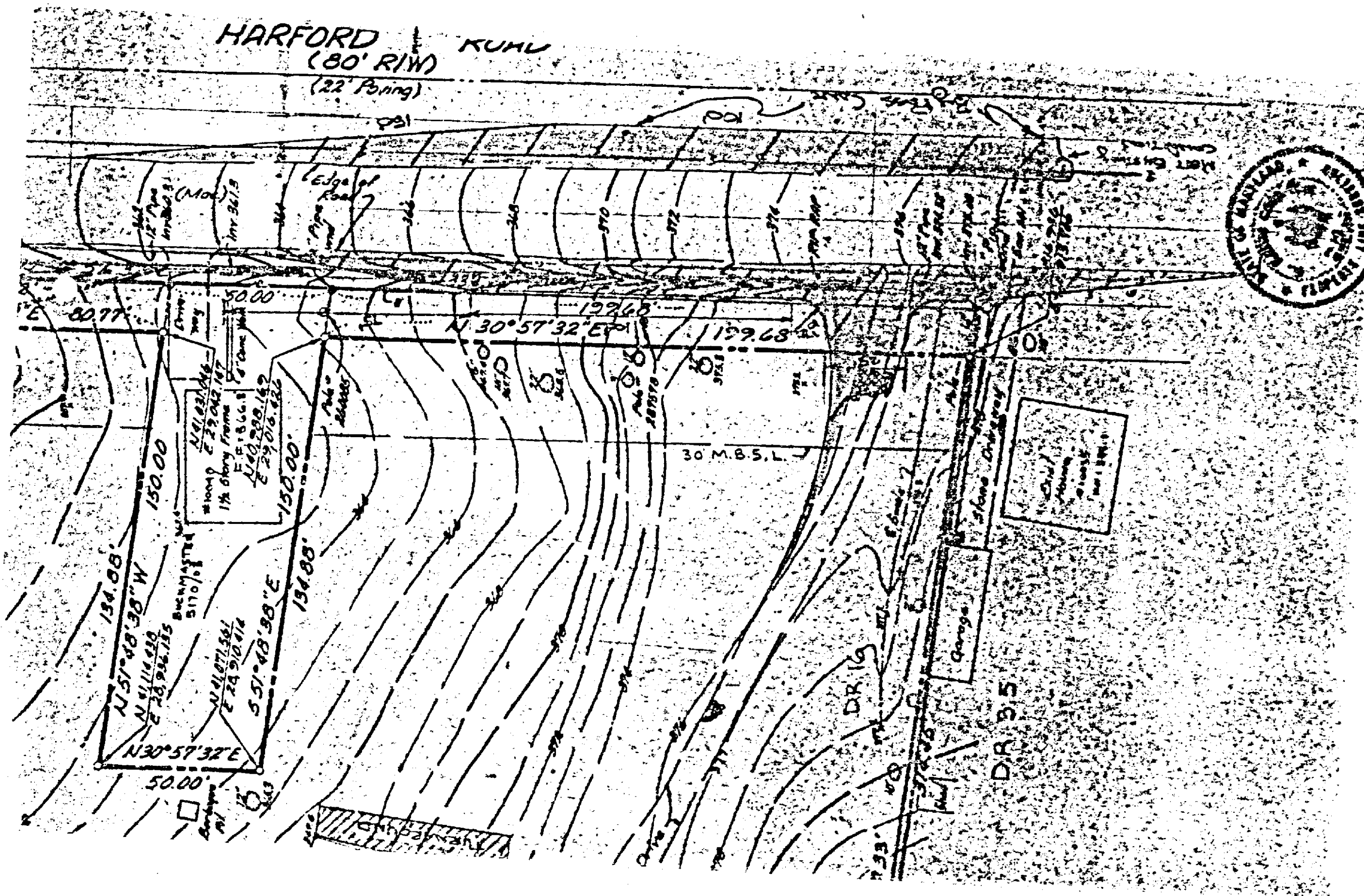
TOWSON, MD., *Oct. 8*, 1987

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 *Oct 8*, 1987

THE JEFFERSONIAN,

Susan Stuedemann
Publisher

PETITION FOR ZONING VARIANCE
9th Election District
4th Councilmanic District
Case No. 88-150-A
LOCATION: Southwest Corner Harford Road and Cub Hill Road (2nd Cub Hill)
DATE AND TIME: Thursday, October 29, 1987 at 11:00 a.m.
PUBLIC HEARING: Room 108, 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 Variance to permit a side yard setback of 14 feet in lieu of the req. and 20 feet being the property of Cub Hill Bible Presbyterian Church, as shown on plat plan filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order Of
J. ROBERT HAINES
Zoning Commissioner
of Baltimore County
10-21-87



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

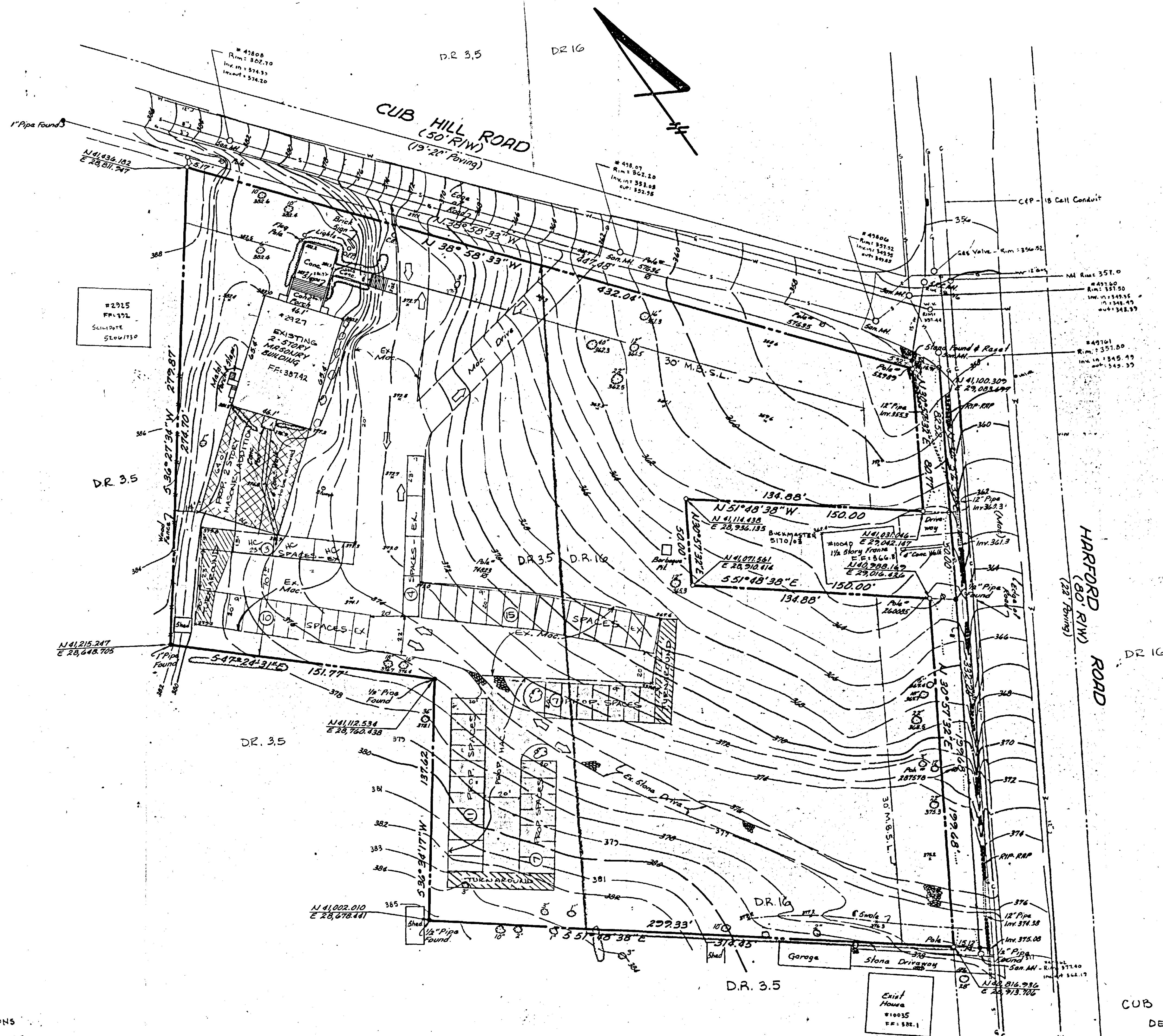
No. 37972

DATE: *10/21/87* ACCOUNT: *21-115-000*
RECEIVED FROM: *CHURCH*
AMOUNT: \$ *10.00*
RECEIVED FROM: *CHURCH*
FOR: *ADVANCE IN PAYMENT OF CASH RECEIPT*
VALIDATION OR SIGNATURE OF CASHIER

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

No. 37662

DATE: *10/21/87* ACCOUNT: *21-115-000*
RECEIVED FROM: *CHURCH*
AMOUNT: \$ *10.00*
RECEIVED FROM: *CHURCH*
FOR: *ADVANCE IN PAYMENT OF CASH RECEIPT*
VALIDATION OR SIGNATURE OF CASHIER



VICINITY MAP

SCALE: 1" = 2000'

NOTES

1. PARKING REQUIRED - 1 SPACE / 6 SEATS
 $342 \text{ SEATS} = 342 / 6 = 57 \text{ SPACES}$
 EXISTING PARKING SPACES = 41 (INC. 3 HANDICAP SP.)
 PROPOSED PARKING = 16 SPACES
 TOTAL EX. & PROP. PARKING = 57 SPACES
2. ALL UTILITIES EXIST IN CUB HILL ROAD
3. EXISTING USE - CHURCH
 PROPOSED USE - CHURCH
4. 8" WIDE X 6" HIGH CURB WILL BE PROVIDED AROUND PARKING LOT.
5. 5' HIGH EVERGREENS WILL BE PLANTED AROUND PARKING AREA FOR SCREENING PURPOSES.
6. VARIANCE TO SIDE SETBACK REQUIREMENTS NEEDED FOR PROPOSED ADDITION.

PLAT for
ZONING VARIANCE

CUB HILL BIBLE PRESBYTERIAN CHURCH
 DEED REFERENCES: 4563 / 190, 5267 / 331
 4783 / 512, 6874 / 674

TOTAL ACREAGE = 3.0783

31ST ELECTION DIST. - BALTIMORE COUNTY, MD.
 SCALE: 1" = 30'
 DATE: 5/2/86
 REVISED: 5/12/87 (for Zoning Variance)

AZIMUTH CONSULTANTS
 and Land Surveyors

120 COCKEYSVILLE RD. SUITE 105
 HUNT VALLEY, MD. 21091 785-2300



R. Keith Compton

NOTE:
 BEARINGS, COORDINATES & ELEVATIONS
 SHOWN ON THIS PLAT ARE REFERRED
 TO BALTIMORE COUNTY TRAVERSE
 STATIONS #'S 11509 & 4607

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 600.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve business parking in an R-C-4 zone and to confirm the non-conforming status of the parking provided.

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

I, or we, agree to pay expenses of the 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:
The Milton Inn Investors Limited Partnership
(Type or Print Name)
Signature: *Charles E. Flick*
Address: 2328 West Joppa Road, Suite 200
Lutherville, Maryland 21093
City and State

Legal Owner(s):
Eleanor E. Allori
(Type or Print Name)
Signature: *Eleanor E. Allori*
(Type or Print Name)
Address: 214 Deerfox Lane
Timonium, Maryland 21093
City and State

Attorney for Petitioner:
R. Bruce Alderman
(Type or Print Name)
Signature: *R. Bruce Alderman*
Address: 29 West Susquehanna Avenue
Towson, Maryland 21204
City and State

Attorney's Telephone No.: 828-0606

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
The Milton Inn Investors Limited Partnership
c/o Mackenzie Properties, Inc.
2328 West Joppa Road, Suite 200
Lutherville, Maryland 21093
Phone No. 821-8585

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of September, 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 108, County Office Building in Towson, Baltimore County, on the 29th day of October, 1987, at 2:00 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING: 1/2 HR. (over)
AVAILABLE FOR HEARING: MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER: NEXT TWO MONTHS
REVIEWED BY: *man* DATE: 6/17/87

MICROFILMED

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 1401.485, To allow 27% of the RC-4 zoned land to be covered by impermeable surfaces in lieu of the allowed 10% and 4% of the natural vegetation to be removed in lieu of the allowed 25%.

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

The original building which was later converted to the Milton Inn was constructed sometime in the mid-1700's. Originally a dwelling later served as a tavern with stables and a blacksmith shop. The Milton Academy and ultimately the Milton Inn which began operation in 1946. The property is presently zoned BL along the York Road frontage with an RC-4 classification to the rear. The Inn apparently functioned with approximately 24 parking spaces for many years. A portion of the parking is within the BL zone and a portion in the RC-4 zone as shown on the zoning plat. Mackenzie Properties, Inc. intend to rehabilitate the restaurant, which in (see attached) 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:
The Milton Inn Investors Limited Partnership
(Type or Print Name)
Signature: *Charles E. Flick*
Address: 2328 West Joppa Road, Suite 200
Lutherville, Maryland 21093
City and State

Legal Owner(s):
Eleanor E. Allori
(Type or Print Name)
Signature: *Eleanor E. Allori*
(Type or Print Name)
Address: 214 Deerfox Lane
Timonium, Maryland 21093
City and State

Attorney for Petitioner:
R. Bruce Alderman
(Type or Print Name)
Signature: *R. Bruce Alderman*
Address: 29 West Susquehanna Avenue
Towson, Maryland 21204
City and State

Attorney's Telephone No.: 828-1050

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
The Milton Inn Investors Limited Partnership
c/o Mackenzie Properties, Inc.
2328 West Joppa Road, Suite 200
Lutherville, Maryland 21093
Phone No. 821-8585

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of September, 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 108, County Office Building in Towson, Baltimore County, on the 29th day of October, 1987, at 2:00 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING: 1/2 HR. (over)
AVAILABLE FOR HEARING: MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER: NEXT TWO MONTHS
REVIEWED BY: *man* DATE: 6/17/87

MICROFILMED

ROUTING SHEET

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

FMZ: *Re PM 2/2/87*
PCF: *Re PC 7/6/86*
Please indicate "yes" or "no" to whether we should appeal.

June 21, 1988

Robert J. Amiller, Esquire
Suite 200, 2328 W. Joppa Road
Lutherville, MD 21093

RE: Case No. 88-151-SPHA
Eleanor E. Allori

Dear Mr. Amiller:

Enclosed is a copy of the Amended Order issued this date by the County Board of Appeals regarding the subject case.

Sincerely,

John C. Weidenhammer
John C. Weidenhammer
Administrative Secretary

Encl.

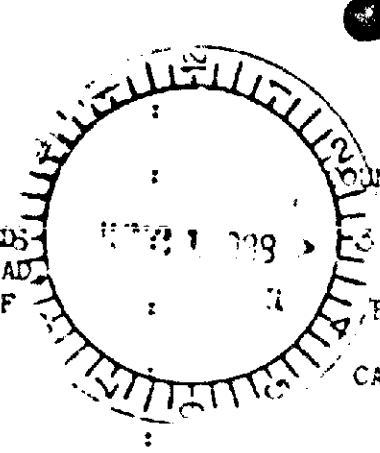
cc: Mr. Clark MacKenzie, President
Mackenzie Properties, Inc.
Charles E. Flick, F.E.
G. W. Stephens & Assoc., Inc.
Phyllis C. Friedman, Esquire
P. David Fields
James G. Hoswell
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk-Zoning
Arnold Jablon, County Attorney

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itself is a major undertaking, to create a first class facility. To ensure the success of this endeavor it is obvious that additional parking is necessary to bring it more in conformance with the current parking regulations of Baltimore County. As can be seen on the zoning plat the only reasonable expansion of the parking is to the east into the RC-4 zoned portion of the property. The remaining vacant BL land to the north of the present structure has steep topography along this northern BL portion fronting on York Road is very poor. Our engineers have laid out the parking within the RC-4 zone so as to provide 103 parking spaces while keeping the disturbance of the land in the RC zone to a minimum while still providing a functional layout for the flow of traffic. They have, in addition, provided a pull-off lane immediately adjacent to the restaurant to allow for the picking up of customers on the way out. As a result of this construction, a Variance will be required to Section 1401.485 to allow 27% impermeable surface coverage in lieu of the allowed 10% and 4% of the natural vegetation removal in lieu of the allowed 25%. We believe it is obvious that to operate the restaurant, the present parking available creates an obvious hardship and practical difficulty with the only solution being the expansion of the parking within the RC-4 zone. Naturally, additional testimony will be provided during the zoning hearing to further justify this request.

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IN THE MATTER OF
THE APPLICATION OF
ELEANORA E. ALLORI
FOR SPECIAL HEARING AND
VARIANCE ON PROPERTY LOCATED
ON THE EAST SIDE OF YORK ROAD
460' NORTH OF CENTER LINE OF
QUAKER BOTTOM ROAD
8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT



BEFORE
OF
BALTIMORE COUNTY
CASE NO. 88-151-SPHA

AMENDED ORDER

The Board has received a request dated May 23, 1988 from the Petitioner herein to make certain changes in its Opinion and Order dated May 12, 1988. The changes involve clarification of the percentages of impermeable area and the restrictions on the use of that portion of the property zoned BL. Upon due consideration of the proposed changes, the Board finds that these changes are insignificant and clerical in nature and therefore will amend its Opinion and Order.

IT IS THEREFORE ORDERED that the Board's Opinion and Order dated May 12, 1988 be amended as follows:

"1. Paragraph 2, page 2 is hereby deleted in its entirety and in lieu thereof the following is inserted:

"Mr. Charles Flick, President of G.W. Stephens & Associates, Inc., a registered professional engineer, testified as to the revised site plan submitted to the Board. He testified that the new proposal would provide proper access to the site and that the State highway had approved this access. He further testified that the proposed access would be no further or future development of any kind on the adjoining BL zoned parcel zoned B.L., and therefore this area could be included in

MICROFILMED

IN THE MATTER OF
THE APPLICATION OF
ELEANORA E. ALLORI
FOR SPECIAL HEARING AND
VARIANCE ON PROPERTY LOCATED
ON THE EAST SIDE OF YORK ROAD
460' NORTH OF CENTER LINE OF
QUAKER BOTTOM ROAD
8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT

MINUTE OF DECISION

The Board in its meeting held on May 23, 1988, considered the request of the Petitioner herein to make certain changes in its Opinion and Order dated May 12, 1988. The changes involve clarification of the percentages of impermeable area and the restrictions on the use of that portion of the property zoned BL. The Board, upon due consideration of the proposed changes, finds that these changes are insignificant and clerical in nature and therefore will amend its Opinion and Order. Any appeal from this decision must be filed with the Board within ten days of the date of this decision.

Any appeal from this decision must be filed with the Board within ten days of the date of this decision.

John C. Weidenhammer
John C. Weidenhammer
Administrative Secretary

DATE: 6/17/87

MICROFILMED

Case No. 88-151-SPHA
Eleanor E. Allori

the calculation of the percentages of impermeable area and the restrictions on the use of that portion of the property zoned BL. This calculation was based on the original proposal and the Board's decision. The Board, upon due consideration of the proposed changes, finds that these changes are insignificant and clerical in nature and therefore will amend its Opinion and Order. Any appeal from this decision must be filed with the Board within ten days of the date of this decision.

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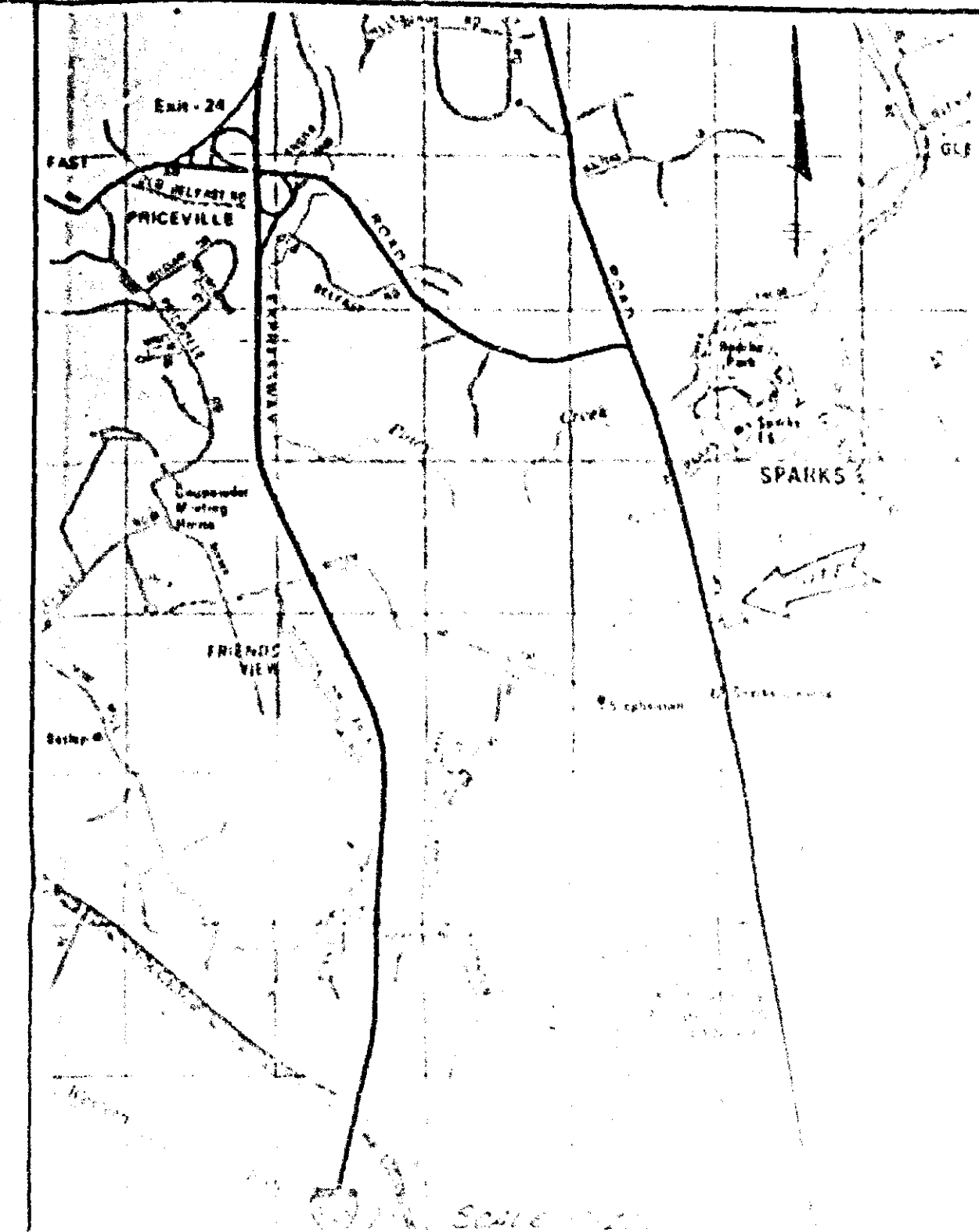
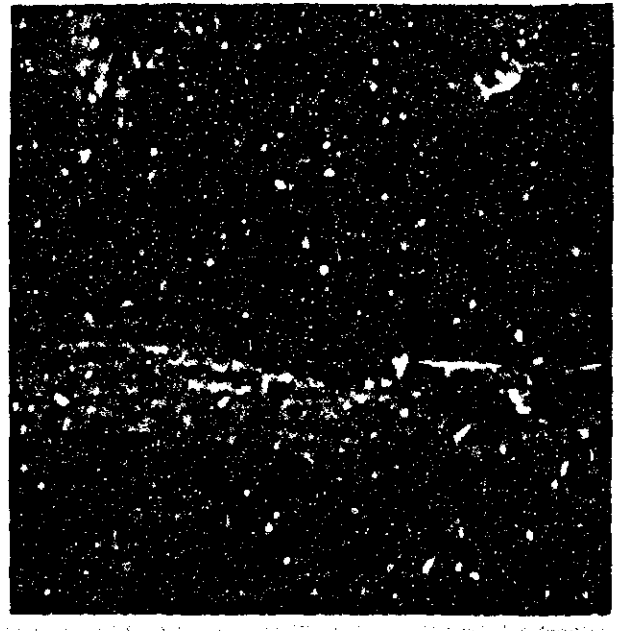
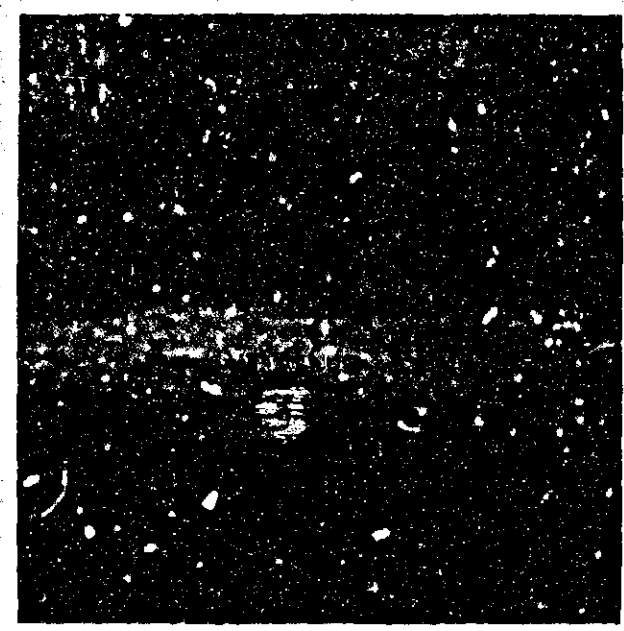
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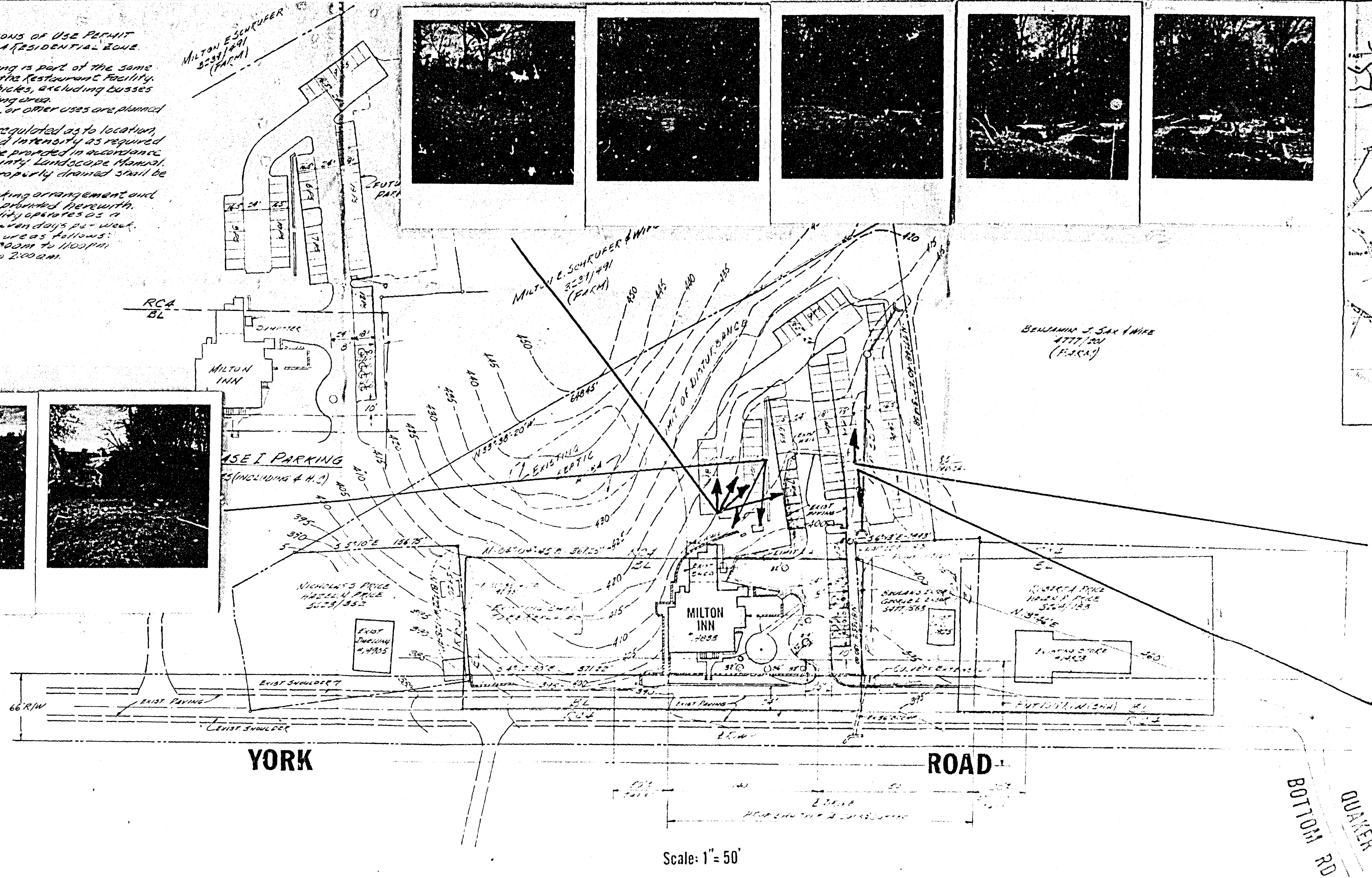
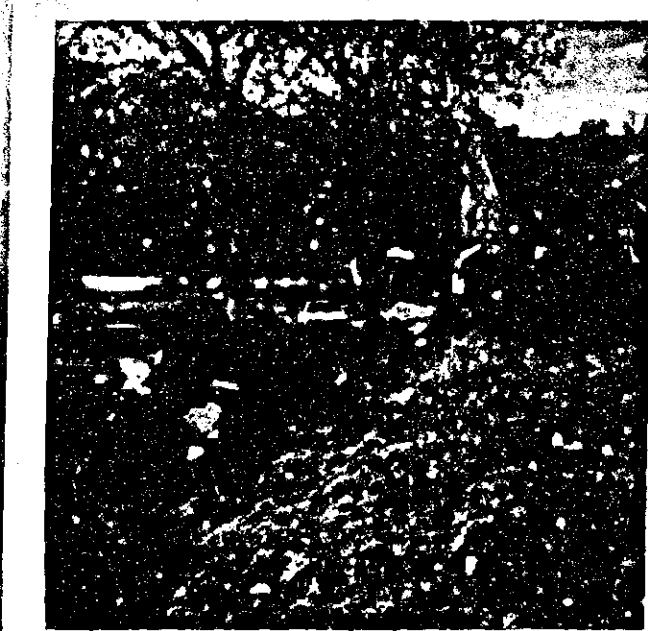
SECTION 402A - CONDITIONS OF USE PERMIT FOR PARKING IN A RESIDENTIAL ZONE

- Land used for parking is part of the same tract occupied by the restaurant facility.
- Only passenger vehicles, including buses shall use the parking area.
- No loading services, or other uses are planned.
- Lighting shall be regulated as to location, direction, glare and intensity as required.
- Screening shall be provided in accordance with Baltimore County Landscape Manual.
- A paved surface, properly drained shall be provided.
- A plan showing parking arrangement and vehicular access is provided herewith.
- The Milton Inn Facility operates as a Restaurant-Bar 5-7 days per week. Operational hours are as follows:
Restaurant - 11:00am to 11:00pm
Bar - 11:00am to 2:00am.

MILTON E. SCHROEDER
35-91/491
(FARM)



LOCATION MAP



Scale: 1" = 50'

REVISED 11/20/87 - LINTON & B...
REVISED 1/25/87 - SHAHIL...
REVISED 3/11/87 - ADDED SECTION 402A...
NOTES, PHASE I PARKING LIMITS...
REVISED TITLE.

CHARLES E. PICK, P.E. 3040

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.



CIVIL ENGINEERS & LAND SURVEYORS
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-6120

SITE DATA

AREA OF TRACT - 3.284 ACRES
EXISTING ZONING - BL - 0.42 ACRES
RC 4-2.09 ACRES
EXISTING USE - RESTAURANT
ADDITIONAL PARKING AREAS TO BE
LANDSCAPED PER LANDSCAPE MANUAL

PARKING DATA

EXISTING PARKING - 25 SPACES
NEW PARKING - 10 SPACES
TOTAL PARKING - 35 SPACES
EXISTING USE - RESTAURANT
ADDITIONAL PARKING AREAS TO BE
LANDSCAPED PER LANDSCAPE MANUAL

VARIANCES

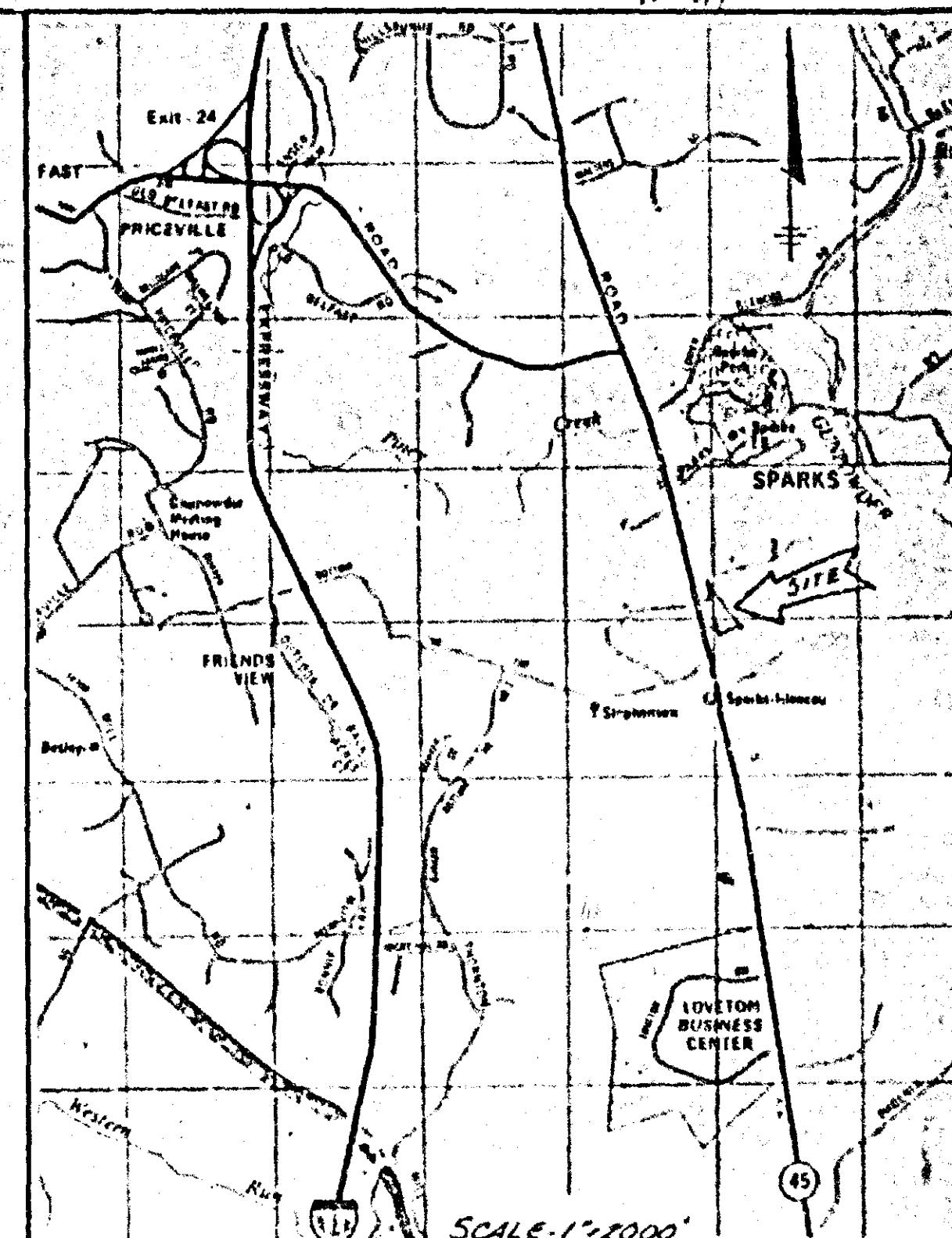
TO ALLOW THE TRACT TO BE DEVELOPED OUTSIDE OF 2 LOT 14.20 RC 4 ZONE OF 27' WIDENESS...
THE REQUIRED 10% MAXIMUM WIDTH...
SECTION 402A.2.B.5
TO ALLOW THE TRACT TO BE DEVELOPED OUTSIDE OF 2 LOT 14.20 RC 4 ZONE OF 27' WIDENESS...
THE REQUIRED 10% MAXIMUM WIDTH...
SECTION 402A.2.B.5
TO ALLOW THE TRACT TO BE DEVELOPED OUTSIDE OF 2 LOT 14.20 RC 4 ZONE OF 27' WIDENESS...
THE REQUIRED 10% MAXIMUM WIDTH...
SECTION 402A.2.B.5

Exhibits
Exhibit A-15

MILTON
500 Feet North of Quaker Bottom Rd.
Baltimore County, Md.
Plat to Accompany Petition for
Hearing to Allow Parking in a Residential
Zone, Confirm Nonconformity
of Parking Provided and Verify

Item No. 535

- A. Land used for Parking is part of the same tract occupied by the Restaurant facility.
- B. Only passenger vehicles, excluding buses, shall use the parking area.
- C. No Loading Services, or other uses are planned.
- D. Lighting shall be regulated as to location, direction, glare and intensity as required.
- E. Screening shall be provided in accordance with Baltimore County Landscape Manual.
- F. A paved surface, properly drained shall be provided.
- G. A plan showing parking arrangement and vehicular access is provided herewith.
- H. The drive in facility operates as a Restaurant & Bar seven days per week. Operational hours are as follows:
 Restaurant - 11:00am to 11:00pm.
 Bar - 11:00am to 2:00am.



GENERAL NOTES

1. NO HISTORIC SOILS EXIST ON THIS SITE.
2. PRIVATE WELL/SEPTIC SYSTEMS EXIST.
3. EXISTING VEGETATION IN PROPOSED PARKING AREA MOSTLY WEEDS WITH SCATTERED TREES.
4. NO SHADING SOILS.
5. LIGHTING SHALL BE SITED SO AS NOT TO REFLECT INTO ADJACENT RESIDENTIAL AREAS OR INTERFERE WITH TRAFFIC.
6. ENTRANCE PERMIT FOR ENTRANCE MODIFICATION TO BE APPLIED FOR STATE HIGHWAY ADMINISTRATION.
7. DURING SITE THERE ARE:
 - A. NO CULTURAL AREAS
 - B. NO ARCHEOLOGICAL SITES
 - C. NO ENDANGERED SPECIES
 - D. NO HAZARDOUS MATERIALS
8. FARMINGTON INN IS NOT ON THE NATIONAL HISTORIC REGISTER NOR IS IT ON THE LANDMARKS PRESERVATION LIST. IT IS HOWEVER LISTED AMONG THE HARTLAND HISTORICAL TRUST INVENTORY. 2A-08
9. STORM WATER MANAGEMENT WAIVER TO BE APPLIED FOR. IF NOT GRANTED, FORD IN PLACEMENT MAY BE UTILIZED.
10. WAST. RESERVE E. 2ND
S. 4TH DECKHOUSE
FARMINGTON, MN 55013
11. CONTRACT FOR CUBES. THE YLFM IN INVENTORY OF THE FARMINGTON HISTORICAL SOCIETY, INC. 1001 2ND STREET, N.E. 55013-1001, 5013 2ND ST. N.E. 55013-1001



GWS

Item No. 535

PARKING DATA

[illegible]

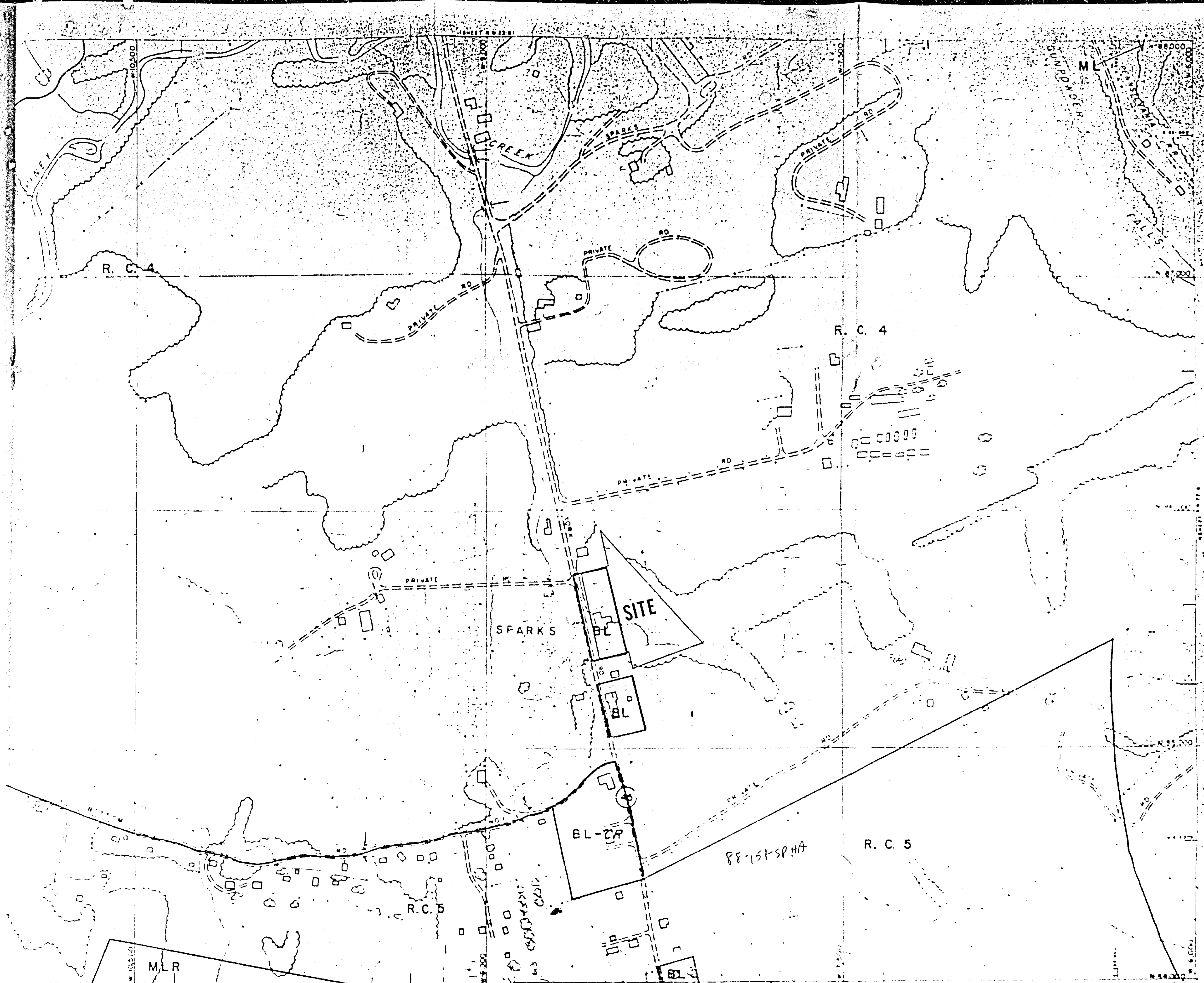
TO ALLOW SPACE WITHIN AVAILABLE SURFACE
OF LOT IN 24' TO 2' ZONE OF 27' BARRIER
THE REQUIRED 10' MINIMUM FROM 24' TO
SECTION 403.455

TO ALLOW REMOVAL OF NATURAL VEGETATION FROM
A LOT IN SURVEY ZONE OF 415 IN LIEU OF THE
REQUIRED 25% MAXIMUM AS SET FORTH IN SECTION
1.03.035

Δ MILITARY INTELLIGENCE DIVISION
PACIFIC AREA COMBAT OF TROOPS AND
PHASE I DETAIL WORKS

Baltimore County, Md. Elect. Dist. 8

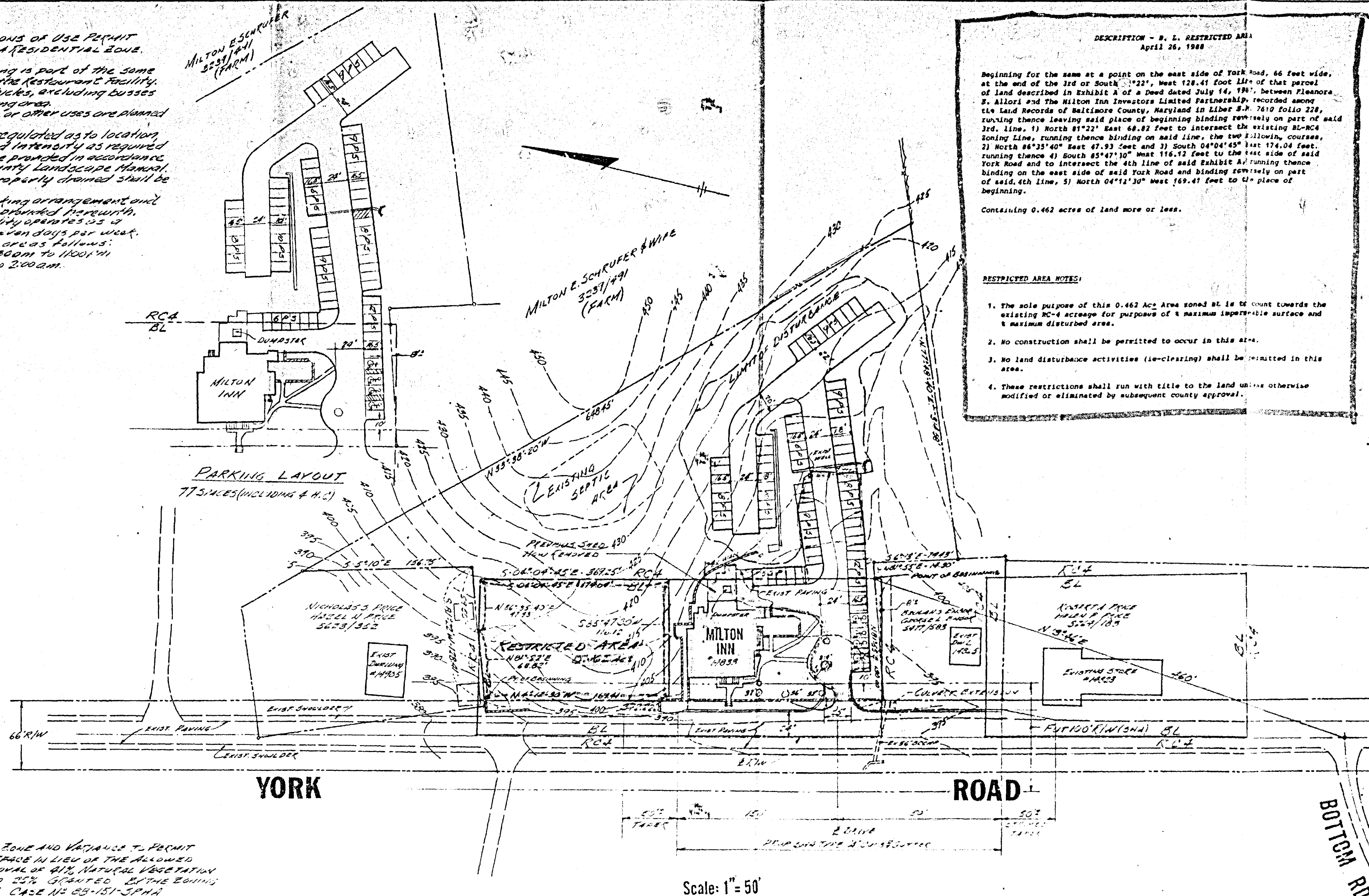
Plat to Accompany Petition for Special Hearing to Allow Parking in a Residential Zone, Confirm Nonconforming Status of Parking Provided and Variances



1954 COMPREHENSIVE ZONING MAP
 ADOPTED BY THE
 BALTIMORE COUNTY COUNCIL
 NOV. 12, 1954
 BILL NO. 136-54
 136-54, 137-54, 138-54, 139-54
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SECTION 409A - CONDITIONS OF USE PERMIT FOR PARKING IN A RESIDENTIAL ZONE.

- Land used for parking is part of the same tract occupied by the Restaurant facility.
- Only passenger vehicles, excluding buses shall use the parking area.
- No loading services, or other uses are planned.
- Lighting shall be regulated as to location, direction, glare and intensity as required.
- Screening shall be provided in accordance with Baltimore County Landscape Manual.
- A paved surface, properly drained shall be provided.
- A plan showing parking arrangement and vehicular access is provided herewith.
- The Milton Inn facility operates as a Restaurant - Bar seven days per week. Operational hours are as follows:
Restaurant - 11:00am to 11:00pm
Bar - 11:00am to 2:00am.



NOTE:
PERMIT TO PARK IN R-4 ZONE AND VARIANCE TO PERMIT 25% IMPERMEABLE SURFACE IN LIEU OF THE ALLOWED 10% MAXIMUM AND REMOVAL OF 41% NATURAL VEGETATION IN LIEU OF THE ALLOWED 25% GRANTED BY THE ZONING COMMISSIONER 11/20/87 CASE NO. 88-151-SPHA

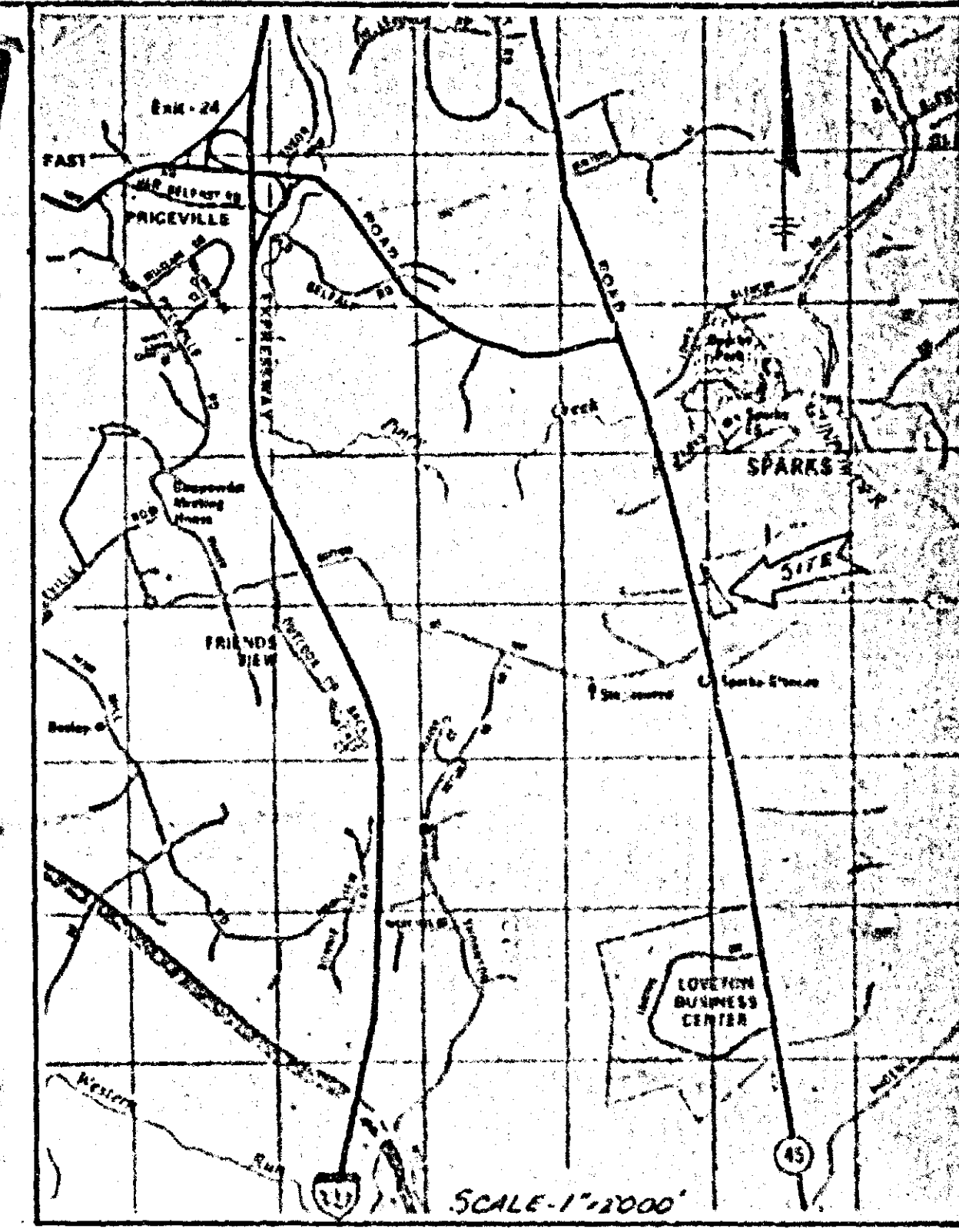
DESCRIPTION - R. L. RESTRICTED AREA
April 26, 1988

Beginning for the same at a point on the east side of York Road, 66 feet wide, at the end of the 3rd or South 122° West 128.41 foot line of that parcel of land described in Exhibit A of a Deed dated July 14, 1987, between Eleanor F. Allori and The Milton Inn Investors Limited Partnership, recorded among the Land Records of Baltimore County, Maryland in Liber S.H. 2610 folio 228, running thence leaving said place of beginning binding reversely on part of said 3rd line, 1) North 81°22' East 68.82 feet to intersect the existing BL-RC4 zoning line, running thence binding on said line, the two following courses, 2) North 86°35'40" East 47.93 feet and 3) South 04°04'45" East 174.04 feet, running thence 4) South 85°47'10" West 116.12 feet to the east side of said York Road and to intersect the 4th line of said Exhibit A, running thence binding on the east side of said York Road and binding reversely on part of said 4th line, 5) North 04°12'30" West 169.41 feet to the place of beginning.

Containing 0.462 acres of land more or less.

RESTRICTED AREA NOTES:

- The sole purpose of this 0.462 Acre Area zoned BL is to count towards the existing RC-4 acreage for purposes of a maximum impermeable surface and a maximum disturbed area.
- No construction shall be permitted to occur in this area.
- No land disturbance activities (ie-clearing) shall be permitted in this area.
- These restrictions shall run with title to the land unless otherwise modified or eliminated by subsequent county approval.



LOCATION MAP

GENERAL NOTES

- NO HYDRO-SOILS EXIST ON THIS SITE.
- PRIVATE WELL / SEPTIC SYSTEMS EXIST.
- EXISTING VEGETATION IN PROPOSED PARKING AREA MOSTLY WEEDS WITH SCATTERED TREES.
- NO STORMWATER.
- LIGHTING SHALL BE INSTALLED SO AS NOT TO REFLECT INTO ADJACENT RESIDENTIAL AREAS OR INTERFERE WITH TRAFFIC.
- ENTRANCE PERMIT FOR ENTRANCE MODIFICATION TO BE APPLIED FOR - STATE HIGHWAY ADMINISTRATION.
- ON THIS SITE THERE ARE (FOUR) HISTORIC AREAS:
A. NO CTICAL AREAS
B. NO ARCHAEOLOGICAL SITES
C. NO ENDANGERED SPECIES
D. NO HISTORIC MATERIALS
- THE MILTON INN IS NOT ON THE NATIONAL HISTORIC REGISTER MAP IS IT ON THE LANDMARKS PRESERVATION LIST, IT IS HOWEVER LISTED AMONG THE MARYLAND HISTORICAL TRUST INVENTORY. 2A-36
- STORMWATER MANAGEMENT VARIANCE GRANTED 11/8/87
- CASE (110/129) THE MILTON INN INVESTORS LIMITED PARTNERSHIP 90% MAXIMUM PERCENTAGE 100% CREEK WENT 20% (100% SITE 100% LUTHERVILLE, MD. 20718 351-8585
- the natural area adjacent to the stream shall be stabilized and enhanced by suitable vegetative plantings.
- Effective erosion and sediment control measures shall be incorporated into the grading plan prepared for those improvements shown hereon.

VARIANCES

TO ALLOW NEW COVERAGE WITH IMPERMEABLE SURFACES OF A LOT IN AN R-4 ZONE OR 12.5% IN LIEU OF THE REQUIRED 10% MAXIMUM AS SPECIFIED IN SECTION 409A-05.

TO ALLOW ADDITIONAL REMOVAL OF NATURAL VEGETATION FROM A LOT IN AN R-4 ZONE OR 25% IN LIEU OF THE REQUIRED 10% MAXIMUM AS SPECIFIED IN SECTION 409A-05.

A. MAP BE CONSIDERED AS SHOWN
B. INCLUDES 650 S.F. OF PAVED AREA FOR PARKING

SITE DATA

AREA OF TRACT - 3.284 ACRES
EXISTING ZONING - BL - 0.444 ACRES
RC-4 - 2.290 ACRES

PARKING DATA

EXISTING PARKING - 38 SPACES (INCL 2 HL)
PROPOSED PARKING - 77 SPACES (INCL 4 HL)
REQUIRED PARKING - 108 SPACES (30% PERCENT CODE)
EXISTING TRUCKING - 10 SPACES (INCL 2 HL)
PROPOSED TRUCKING - 10 SPACES (INCL 2 HL)
TOTAL TRUCKING - 20 SPACES

EXISTING USE - RESTAURANT
ADDITIONAL PARKING AREAS TO BE LANDSCAPED PER LANDSCAPE MANUAL.



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

MILTON INN
500 Feet North of Quaker Bottom Road
Baltimore County, Md. Elect. Dist. 8
Plat to Accompany Petition for Special Hearing to Allow Parking in a Residential Zone, Confirm Nonconforming Status of Parking Provided and Variances
Item No. 535