

IN THE MATTER OF THE
THE APPLICATION OF
CLARA BLAMBERG
FOR A ZONING RECLASSIFICATION
FROM D.R. 5.5 TO B.L.
AND VARIANCE ON PROPERTY
LOCATED ON THE EAST SIDE OF
HAMMONDS FERRY ROAD, 245'
SOUTH OF CENTERLINE OF RIDGE
ROAD (2309 HAMMONDS FERRY
ROAD)
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD
* OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. CR-91-107-A
* Item #1, CYCLE IV
* 1990-1991
* (Documented Site Plan)

* * * *

OPINION

This case comes before this Board on a Petition to reclassify a portion of the subject site from D.R.5.5 to B.L. The Petitioner has submitted a documented site plan showing a one-story retail building, open space, and existing landscaping.

In addition to the requested reclassification, the Petitioner is requesting four variances:

- 1) a variance of front yard setback of 45' to 40' (a variance of 4' average);
- 2) a variance to permit a minimum parking aisle of 14' in lieu of the required 22' (a variance of 8');
- 3) a variance to 10 parking spaces in lieu of the required 26 parking spaces (a variance of 16 parking spaces);
- 4) a variance to not require a loading area as required.

The Petitioner was represented by S. Eric DiNenna, Esquire who presented testimony to the Board through his witnesses, Norman Gerber, former Director of Planning for Baltimore County; Paul Lee, a Professional Engineer; and Mr. Blamberg, operator of Clyde's Sport Store - the name of the retail operation on the site.

Clara Blamberg, Case No. CR-91-107-A

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Mr. Gerber testified that the reason for the retail operation being split into two zones was because the aerial maps used for zoning did not pick up that the rear portion of the retail operation existed. His reasoning was that the rear of the building blended into site landscape in the rear and was much higher than the front of the site. This blending was the result of lack of contrast of the black and white photograph. Only a portion of the site was rezoned to B.L. in 1988 by the County Council when in fact they should have rezoned the entire site.

In addition, Mr. Gerber testified that the requested variances should be granted because they have been in existence for a long time and any strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship to the owners.

Mr. Paul Lee testified as to the size and height of the rear portion of the site and surrounding land uses. He testified that it was his opinion that the requested variances if denied would result in a practical difficulty and unreasonable hardship.

Mr. Lee described the site as being adjacent to a catering establishment and that vacant wetland and Conrail tracks are located across Hammonds Ferry Road.

Mr. Blamberg testified that if he is not granted the requested reclassification, with variances, he would not be able to continue Clyde's Sport Store at this site. He also testified that in his opinion Clyde's did not need a loading area because it would be used only twice a year when large trucks come to the site. At

Clara Blamberg, Case No. CR-91-107-A

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other times, supplies would be delivered to the site in small trucks.

Also present at the hearing was Phyllis Cole Friedman, People's Counsel for Baltimore County. Ms. Friedman found no objections to the site plan presented and was in agreement with the testimony given.

After considering all of the testimony, exhibits, Memoranda, and argument, the Board finds that said site was in fact zoned in error, and the site as defined and requested on the Petition and accompanying documented site plan should be zoned B.L.

The Board further finds that if the four requested variances as defined and requested on the Petition and accompanying documented site plan are not granted, the Petitioner will suffer practical difficulty and unreasonable hardship. In granting the requested variances, the spirit of the zoning regulations will be observed and the public safety and welfare will be secure.

Therefore, the Board will grant the requested reclassification and variances as defined and requested on the Petition and accompanying documented site plan and will so order.

ORDER

IT IS THEREFORE this 23rd day of April, 1991 by the County Board of Appeals of Baltimore County ORDERED that the Petition for Reclassification of the .223 acres from D.R. 5.5 to B.L. as shown on the documented site plan, be and the same is hereby GRANTED; and

Clara Blamberg, Case No. CR-91-107-A

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IT IS FURTHER ORDERED that the requested variances as follow:

- 1) a variance of front yard setback of 45' to 40' (a variance of 4' average);
 - 2) a variance to permit a minimum parking aisle of 14' in lieu of the required 22' (a variance of 8');
 - 3) a variance to 10 parking spaces in lieu of the required 26 parking spaces (a variance of 16 parking spaces);
 - 4) a variance to not require a loading area as required;
- be and the same are hereby GRANTED subject to the following restriction:

- 1) The Petitioner shall submit a landscape plan to the Deputy Director of the Office of Planning and Zoning.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

John G. Disney
John G. Disney

Arnold G. Foreman
Arnold G. Foreman



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

April 23, 1991

S. Eric DiNenna, Esquire
DiNenna, Mann & Breschi
P.O. Box 10508
Towson, Maryland 21285-0508

Re: Case No. CR-91-107-A (Clara Blamberg)

Dear Mr. DiNenna:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Linda Lee M. Kuszmaul
Linda Lee M. Kuszmaul
Legal Secretary

Enclosure

cc: Ms. Clara Blamberg
Mr. James Earl Kraft
People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Chief Deputy County Attorney

CR-91-107-A

IN THE MATTER OF
BLAMBERG PETITION
FOR RECLASSIFICATION
AND VARIANCES

* BEFORE THE
* COUNTY BOARD OF APPEALS

* * * * *

MEMORANDUM IN SUPPORT OF RECLASSIFICATION AND REQUEST FOR VARIANCES

Now comes Clara I. Blamberg, by S. Eric DiNenna and DiNenna, Mann & Breschi, in support of the reclassification petition filed herein as well as the variance requests, says:

1. That the total subject property contains .527 acres of land (22,900 square feet) and is classified in the B. L. zoning classification and .223 acres of the .527 acres is zoned D. R. 5;
2. That the property is located on Hammonds Ferry Road between Ridge Avenue and Mine Bank Lane in the first councilmanic district of Baltimore County;
3. That the subject property is improved with the operation of Clyde's Sport Store that has existed on the subject property for many, many years;
4. That the subject zoning line splitting the D. R. 5.5 zoning classification and the B. L. zoning classification goes through the subject building, the improvement thereon;
5. That the County Council, in its adoption of the 1988 zoning map as well as prior zoning maps committed error in not classifying the subject property B. L. for the proper operation of the existing use;
6. That the property is located directly across Hammonds Ferry Road from the existing railroad spur and M. L. zone - I. M. District and to the south, the Town and Country Catering

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establishment classified B. L.;

7. That the requested variances are for an existing setback afforded two feet in lieu of the required 45 feet for a variance of four feet;

8. To maintain the requirement of 45 feet would necessitate the removal of the front part of the building which would be a practical hardship and unreasonable difficulty upon the petitioner and property owner;

9. Other variances to request a parking aisle of 14 feet in lieu of the required 22 feet, a variance of eight feet, as well as a variance to permit 10 parking spaces in lieu of the required 26 parking spaces;

10. The building is existing and the parking spaces that exist now are intact and are capable of handling the business of Clyde's Sport Shop and to require additional parking would be a practical hardship and unreasonable difficulty.

For the foregoing reasons your Petitioner respectfully prays that the County Board of Appeals grant the reclassification of that portion of the property zoned D. R. 5.5 zoned to a B. L. zone and grant the variances as petitioned for.

S. ERIC DINENNA
DINENNA, MANN & BRESCHI
409 Washington Avenue, Suite 600
Towson, Maryland 21204
(301) 296-6620
Attorneys for Petitioner

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RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF
FROM D. R. 5.5 TO B. L. ZONE : APPEALS OF BALTIMORE COUNTY
AND ZONING VARIANCES :
R/S Hammonds Ferry Rd., 245'
C/L of Ridge Rd. (2309
Ferry Rd.), 13th Election
Dist.; 1st Councilmanic Dist. :

CLARA I. BLAMBERG, Petitioner : Case No. CR-91-107-A
: (Item 1, Cycle IV)

ENTRY OF APPEARANCE

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

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
(301) 887-2188

I HEREBY CERTIFY that on this 18th day of October, 1990, a copy of the foregoing Entry of Appearance was mailed to S. Eric DiNenna, Esquire, Suite 800, 409 Washington Ave., Towson, MD 21204, Attorney for Petitioner.

71-3-14 91 130 06
RECEIVED
COUNTY BOARD OF APPEALS

Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an D.R. 5.5 zone to an B.L. zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

- Sec. 303.2 to permit a front yard setback of 42' in lieu of the required 46' (average);
- 409.4c to permit minimum parking aisle of 14' in lieu of required 22';
- 409.6A2 to permit 10 spaces in lieu of required 26 spaces;
- Sec. 409.11 to not provide off-street loading and unloading or space as required.

MAP SW 55
 S.D. 13A
 S.D. 11-7-71
 AREA OK
 EP G

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, 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.

Contract Purchaser: _____ Legal Owner(s): _____

(Type or Print Name) _____ (Type or Print Name) _____

Signature _____ Signature _____

Address _____ (Type or Print Name) _____

City and State _____ Signature _____

Attorney for Petitioner: _____

(Type or Print Name)

Address _____ Phone No. _____

City and State _____

Signature

409 Washington Ave., Suite 600, _____
Address

City and State _____

Towson, Maryland, 21204 _____
City and State _____

Signature

City and State _____

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City and State _____

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City and State _____

Signature

Paul Lee P.E.

Paul Lee Engineering Inc.

304 W. Pennsylvania Ave.

Towson, Maryland 21204

301-821-5341

DESCRIPTION (1 of 2)

RECLASSIFICATION & VARIANCES

2309 Hammonds Ferry Road

Parcel A

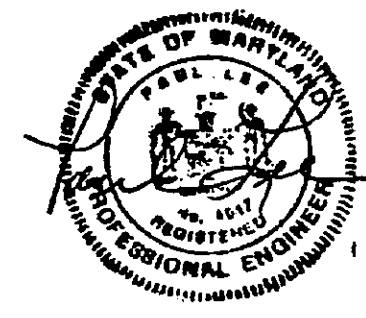
0.223 Acre ±

Thirteenth Election District

Baltimore County, Maryland

Beginning for the same at a point located on the east side of Hammonds Ferry Road, said point also being located southerly 245 feet ± from the center of Ridge Road; thence leaving said east side of Hammonds Ferry Road (1) S 79°44'30" E 21.00 feet, (2) S 38°23'08" E 50.91 feet, (3) S 79°44'30" E 98.00 feet, and (4) S 10°15'30" W 55.00 feet ± to intersect the existing DR 5.5, "BL" zoning line as shown on Zoning Map SW5-C; thence binding on said zoning line in a northwesterly direction (5) Northwesterly 145.00 feet to the east side of Hammonds Ferry Road; thence binding on the east side of Hammonds Ferry Road (6) N 05°15'30" E 51.00 feet, and (7) N 00°14'30" W 43.00 feet to the point of beginning.

Containing 0.223 acre of land, more or less and referred to as Parcel "A".



Engineers - Surveyors - Site Planners J.O. 90013 8/27/90

Paul Lee P.E.

Paul Lee Engineering Inc.

304 W. Pennsylvania Ave.

Towson, Maryland 21204

301-821-5341

DESCRIPTION (2 of 2)

BUILDING SETBACK & VARIANCES

2309 Hammonds Ferry Road

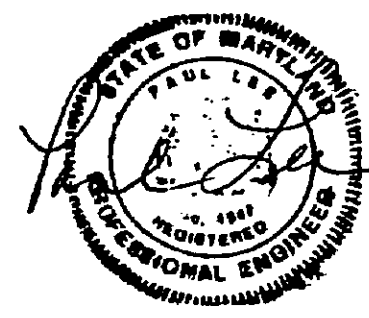
0.527 Acre ±

Thirteenth Election District

Baltimore County, Maryland

Beginning for the same at a point located on the east side of Hammonds Ferry Road, said point also being located southerly 245 feet ± from the center of Ridge Road; thence running on the east side of Hammonds Ferry Road (1) S 00°14'30" E - 43.00 feet and (2) S 05°15'30" W - 67.98 feet, thence leaving said east side of Hammonds Ferry Road (3) S 79°44'30" E - 207.28 feet, thence (4) N 04°30'30" E - 110.56 feet and (5) N 79°44'30" W - 210.00 feet to the point of beginning.

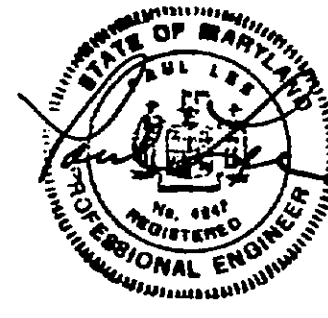
Containing 0.527 acre of land more or less.



Engineers - Surveyors - Site Planners J.O. 90013 8/27/90

From the Office of
PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

ENVIRONMENTAL IMPACT STATEMENT
CLYDE'S SPORT STORE
HAMMONDS FERRY ROAD
BALTIMORE COUNTY, MARYLAND



CERTIFICATE OF PUBLICATION

TOWSON, MD., 2-12-1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 4 successive weeks, the first publication appearing on 2-7-1991

THE JEFFERSONIAN.

S. Zeke Olson
Publisher

\$ 110.69

CERTIFICATE OF PUBLICATION

2-12-1991

THIS IS TO CERTIFY, that the annexed advertisement was published in the ARBUTUS TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2-7-1991

ARBUTUS TIMES

S. Zeke Olson
Publisher

\$ 110.69

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number

receipt
No 3488

Date	QTY	PRICE
9/24/90		HP100120
PUBLIC HEARING FEES		
020 - ZONING VARIANCE (OTHER)	1 X	\$175.00
060 - RECLASSIFICATION	1 X	\$175.00
		TOTAL: \$350.00
LAST NAME OF OWNER: BLAMBERG		

Cashier Validation:

Please make checks payable to: Baltimore County

PAID PER HAND
WRITTEN RECEIPT
DATED 8/31/90

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number

receipt
#7

8/31/90
RECLASS PETITION
OWNER: CLARA BLAMBERG
2309 HAMMONDS FERRY RD.
DR 5.5 TO BL
\$175.00
WITH VARIANCES 175.00
TOTAL 350.00

04404806SMICHR

Please Make Checks Payable To: Baltimore County 04404806SMICHR

\$350.00

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

CR-91-107-A
District 13
Posted for: Reclassification Variance
Petitioner: Clara Blumberg
Location of property: E. S. Hammonds Ferry Road, 245' S of 1/4 Ridge Road
2309 Hammonds Ferry Road
Location of Sign: E. S. Hammonds Ferry Road in front of subject property
Remarks: S. J. Gasta
Posted by: S. J. Gasta
Date of return: February 15, 1991
Number of Signs: 1

NOTICE OF HEARING

PETITION FOR ZONING RECLASSIFICATION

Case Number: CR-91-107-A

2309 Hammonds Ferry Road, 245' S of 1/4 Ridge Road

2309 Hammonds Ferry Road

12th Election District

1st Hearing: Tuesday, March 5, 1991 at 10:00 a.m.

2nd Hearing: Tuesday, March 12, 1991 at 10:00 a.m.

3rd Hearing: Tuesday, March 19, 1991 at 10:00 a.m.

4th Hearing: Tuesday, March 26, 1991 at 10:00 a.m.

5th Hearing: Tuesday, April 2, 1991 at 10:00 a.m.

6th Hearing: Tuesday, April 9, 1991 at 10:00 a.m.

7th Hearing: Tuesday, April 16, 1991 at 10:00 a.m.

8th Hearing: Tuesday, April 23, 1991 at 10:00 a.m.

9th Hearing: Tuesday, April 30, 1991 at 10:00 a.m.

10th Hearing: Tuesday, May 7, 1991 at 10:00 a.m.

11th Hearing: Tuesday, May 14, 1991 at 10:00 a.m.

12th Hearing: Tuesday, May 21, 1991 at 10:00 a.m.

13th Hearing: Tuesday, May 28, 1991 at 10:00 a.m.

14th Hearing: Tuesday, June 4, 1991 at 10:00 a.m.

15th Hearing: Tuesday, June 11, 1991 at 10:00 a.m.

16th Hearing: Tuesday, June 18, 1991 at 10:00 a.m.

17th Hearing: Tuesday, June 25, 1991 at 10:00 a.m.

18th Hearing: Tuesday, July 2, 1991 at 10:00 a.m.

19th Hearing: Tuesday, July 9, 1991 at 10:00 a.m.

20th Hearing: Tuesday, July 16, 1991 at 10:00 a.m.

21st Hearing: Tuesday, July 23, 1991 at 10:00 a.m.

22nd Hearing: Tuesday, July 30, 1991 at 10:00 a.m.

23rd Hearing: Tuesday, August 6, 1991 at 10:00 a.m.

24th Hearing: Tuesday, August 13, 1991 at 10:00 a.m.

25th Hearing: Tuesday, August 20, 1991 at 10:00 a.m.

26th Hearing: Tuesday, August 27, 1991 at 10:00 a.m.

27th Hearing: Tuesday, September 3, 1991 at 10:00 a.m.

28th Hearing: Tuesday, September 10, 1991 at 10:00 a.m.

29th Hearing: Tuesday, September 17, 1991 at 10:00 a.m.

30th Hearing: Tuesday, September 24, 1991 at 10:00 a.m.

31st Hearing: Tuesday, October 1, 1991 at 10:00 a.m.

32nd Hearing: Tuesday, October 8, 1991 at 10:00 a.m.

33rd Hearing: Tuesday, October 15, 1991 at 10:00 a.m.

34th Hearing: Tuesday, October 22, 1991 at 10:00 a.m.

35th Hearing: Tuesday, October 29, 1991 at 10:00 a.m.

36th Hearing: Tuesday, November 5, 1991 at 10:00 a.m.

37th Hearing: Tuesday, November 12, 1991 at 10:00 a.m.

38th Hearing: Tuesday, November 19, 1991 at 10:00 a.m.

39th Hearing: Tuesday, November 26, 1991 at 10:00 a.m.

40th Hearing: Tuesday, December 3, 1991 at 10:00 a.m.

41st Hearing: Tuesday, December 10, 1991 at 10:00 a.m.

42nd Hearing: Tuesday, December 17, 1991 at 10:00 a.m.

43rd Hearing: Tuesday, December 24, 1991 at 10:00 a.m.

44th Hearing: Tuesday, December 31, 1991 at 10:00 a.m.

45th Hearing: Tuesday, January 7, 1992 at 10:00 a.m.

46th Hearing: Tuesday, January 14, 1992 at 10:00 a.m.

47th Hearing: Tuesday, January 21, 1992 at 10:00 a.m.

48th Hearing: Tuesday, January 28, 1992 at 10:00 a.m.

49th Hearing: Tuesday, February 4, 1992 at 10:00 a.m.

50th Hearing: Tuesday, February 11, 1992 at 10:00 a.m.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(801) 887-3353
J. Robert Haines
Zoning Commissioner

DATE 2/19/91

Clara I. Blumberg
2307 Hammonds Ferry Road
Baltimore, Maryland 21207

Re: Petitions for Zoning Re-classification and Variance
CASE NUMBER: CR-91-107-A
S/8 Hammonds Ferry Road, 245' S of c/l of Ridge Road
2309 Hammonds Ferry Road
13th Election District - 1st Councilmanic
Petitioner(s): Clara I. Blumberg
Hearing Scheduled: TUESDAY, MARCH 5, 1991 at 10:00 a.m.

Dear Petitioner(s):

This is to advise you that \$ 463.40 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 RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING
OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and mail it to Ms. G. Stephens,
Zoning Office, Room 113, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204,
before the hearing.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

cc: S. Eric DiNenna, Esq.

October 17, 1990

NOTICE OF HEARING

Re: Petitions for Zoning Re-classification and Variance
CASE NUMBER: CR-91-107-A
S/8 Hammonds Ferry Road, 245' S of c/l of Ridge Road
2309 Hammonds Ferry Road
13th Election District - 1st Councilmanic
Petitioner(s): Clara I. Blumberg
Hearing Scheduled: TUESDAY, MARCH 5, 1991 at 10:00 a.m.

PROPERTY DESCRIPTION

Beginning for the same at a point located on the east side of Hammonds Ferry Road, said point also being
located southerly 245 ft. +/- from the center of Ridge Road; thence leaving said east side of Hammonds
Ferry Road
(1) S 79 degrees 44'30" E 21.00 feet,
(2) S 38 degrees 23'08" E 50.91 feet,
(3) S 79 degrees 44'30" E 98.00 feet, and
(4) S 10 degrees 15'30" W 55.00 feet +/-
to intersect the existing B.R. 5.5, "B" zoning line as shown on Zoning Map 265-C; thence binding on said
zoning line in a southeasterly direction
(5) southeasterly 145.00 feet to the east side of Hammonds Ferry Road; thence binding on the east side of
Hammonds Ferry Road
(6) W 05 degrees 15'30" E 51.00 feet, and
(7) W 00 degrees 14'30" W 43.00 feet to the point of beginning.
Containing 0.223 acres of land, more or less and referred to as Parcel "A".

RECLASSIFICATION: From D.R. 5.5, zoning to B. L. zoning.

VARIANCE: To permit a front yard setback of 42 ft. in lieu of the required 46 ft. (average); to permit
station parking aisle of 14 ft. in lieu of the required 22 ft.; to permit 10 spaces in lieu of the
required 26 spaces; and to not provide off-street loading and unloading area or space as required.

TIME: 10:00 a.m.

DATE: TUESDAY, MARCH 5, 1991

LOCATION: County Office Building, Room 301
111 W. Chesapeake Avenue
Towson, Maryland 21204

WILLIAM T. HACKETT, CHAIRMAN
County Board of Appeals

cc: Clara Blumberg
S. Eric DiNenna, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

February 28, 1991

887-3353

S. Eric DiNenna, Esquire
409 Washington Avenue, Suite 600
Towson, MD 21204

RE:

Item No. 1
Case No. CR91-107-A
Petitioner: Clara I. Blumberg
Reclassification Petition

Dear Mr. DiNenna:

This reclassification petition has been timely filed with the
Board of Appeals for a public hearing within the October-April
reclassification cycle (Cycle IV). It has been reviewed by the zoning
office as to form and content and has also been reviewed by the Zoning
Plans Advisory Committee. The review and enclosed comments from the
Committee are intended to provide you and the Board of Appeals with an
insight as to possible conflicts or problems that could arise from the
requested reclassification or uses and improvements that may be
specified as part of the request. They are not intended to indicate
the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions,
briefs, and/or the site plans be amended so as to reflect better
compliance with the zoning regulations and/or commenting agencies'
standards and policies, you are requested to review these comments,
make your own judgment as to their accuracy and submit the necessary
amendments to this office on or before March 1, 1991. In the event
that any requested amendments are not received prior to this date, the
petition will be advertised as originally submitted.

In view of the fact that the submitted site plan does not
indicate a proposed use at this time, the comments from this
Committee are general in nature. If the request is granted
and an additional hearing is required at a later date, more
detailed comments will be submitted at that time.

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If you have any questions concerning the enclosed comments,
please feel free to contact the Zoning Office at 887-3391 or
the commenting agency.

Very truly yours,

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

JED:jw

Enclosures

cc: Ms. Clara I. Blumberg
2307 Hammonds Ferry Road
Baltimore, MD 21207
cc:

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
31st day of August, 1990.

Received By:

James E. Haines
J. ROBERT HAINES
ZONING COMMISSIONER
Chairman,
Zoning Plans Advisory Committee

Petitioner: Clara I. Blumberg
Petitioner's Attorney:

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(801) 887-3354

November 21, 1990



Dennis F. Rasmussen
County Executive

Mr. William Hackett
Chairman, Board of Appeals
County Office Building
Towson, MD 21204

Zoning Classification Cycle IV
Property Owner:
Case No./Hearing Date:
Location:
Existing Zoning:
Election District:
Councilmanic District:
Acres:
Proposed Zoning:

October, 1990 - April, 1991
Clara Blumberg
CR-91-107-A; March 5, 1991
2309 Hammonds Ferry Road
D.R. 5.5.
13th
1st
0.223
B.L., Variances to permit a front
yard setback of 42', a parking aisle
of 14', to permit 10 parking in lieu
of 26 spaces and not to provide an
off street loading area

Dear Mr. Hackett:

The requested zoning change from D.R. 5.5. to B.L. can be expected
to generate approximately 110 additional trips.

This Bureau objects to the requested reduction of the standard 22'
aisle, the proposed parking variance, and the elimination of the
loading area.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/lab

RECEIVED
NOV 28 1990
ZONING OFFICE

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(801) 887-4500

Paul H. Reincke
Chief

OCTOBER 12, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: CLARA BLAMBERG

Location: #2309 HAMMONDS FERRY ROAD

Item No.: CR-91-107-A Zoning Agenda: OCTOBER, 1990 - APRIL, 1991

Gentlemen:

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

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", 1988
edition prior to occupancy. SECTION 25

REVIEWER: *Paul H. Reincke* Noted and Approved *Captain W.F. Brad Jr.*
Planning Group Fire Prevention Bureau

JK/KEK

DINENNA AND BRESCHI
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.
GEORGE A. BRESCHI, P.A.
FRANCIS X. BORGERDING, JR. I
[ALSO MEMBER OF DISTRICT OF
COLUMBIA BAR]

SUITE 600
MERCANTILE-TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(301) 296-6820
TELEFAX (301) 296-6884

March 7, 1991

J. Robert Haines
Zoning Commissioner
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. CR91-107-A
Item No. 1
Reclassification Petition
My Client: Clara I. Blumberg

Dear Mr. Commissioner:

I am in receipt of the comments from the Zoning Plans Advisory
Committee concerning the above captioned matter on March 6, 1991. These
comments are dated February 28, 1991 and pursuant to the copy of the
envelope were postmarked on March 5, 1991.

Please be advised that this matter was tried before the County
Board of Appeals on March 5, 1991 and it is my opinion these comments
should have been in my possession at least 10 days prior to the hearing
on the matter in order that they be reviewed and that they have a
proper presentation to the County Board of Appeals relative to my
client's Petition.

In all fairness, I am forwarding a copy of these comments to the
County Board of Appeals in as much as none of the correspondence
contained in the comments carbon copy the County Board of Appeals.

I am also indicating to the County Board of Appeals by a copy of
this letter that they can not, by law, take into consideration any of
the comments made, but must make the decision based on the evidence
presented to it.

I would certainly hope that in the future these comments can be
forthcoming to counsel of record and the Petitioner and/or his or her
engineer well in advance of the hearing.

If you have any questions please contact me.

Very truly yours,

S. Eric Dinenna
S. ERIC DINENNA

SED:djm
cc: County Board of Appeals
Clara I. Blumberg

9 MAR 11 AM 11 25
STAMPED
RECEIVED

THE GREATER LANDSDOWNE ASSOCIATION, INC. CITIZENS FOR THE ENVIRONMENT
 Theresa Lowry President
 2517 Hammonds Ferry Road
 Baltimore, Maryland 21227
 DEC 21 1990

Eric Di Nenna, P.A.
 Suite 600
 M-T Building
 409 Washington Ave
 Towson, Md. 21204
 December 19, 1990
 Reper: Clyde Sport Shop
 Hammonds Ferry Road

Dear Sir:

Our community group has carefully discussed the zoning request of Clyde Sport Shop and we sincerely support this request. As per our conversation, we as community people find zoning within this entire area, for the existing business, to be a long standing problem, that more then justly deserves correction. While most communities, long standing or just coming into being a community, do not wish to see business within their residential areas, this community welcomes one and all. Please advise us as to when the in-house hearing may occur on this matter.

Respectfully yours
 Theresa Lowry.

ME/TL
 Petitioner
 Ex #3

THE JEFFERSONIAN
 BALTIMORE COUNTY, MARYLAND
PUBLIC NOTICE

RECLASSIFICATION AND REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE OCTOBER, 1990 - APRIL, 1990 ZONING RECLASSIFICATION CYCLE IV

LOCATIONS OF PROPERTIES UNDER PETITION

LISTINGS OF PETITIONS: Numbers in the listings are keyed to the map above.

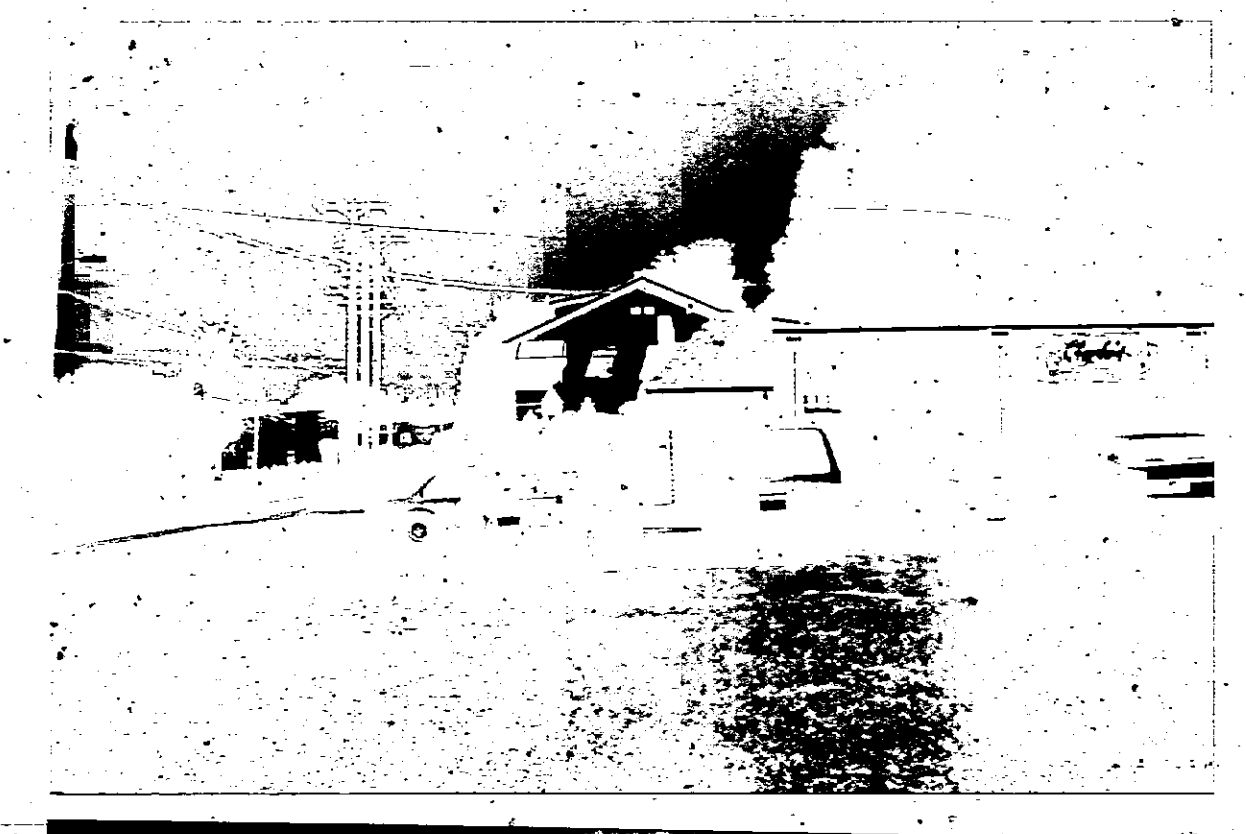
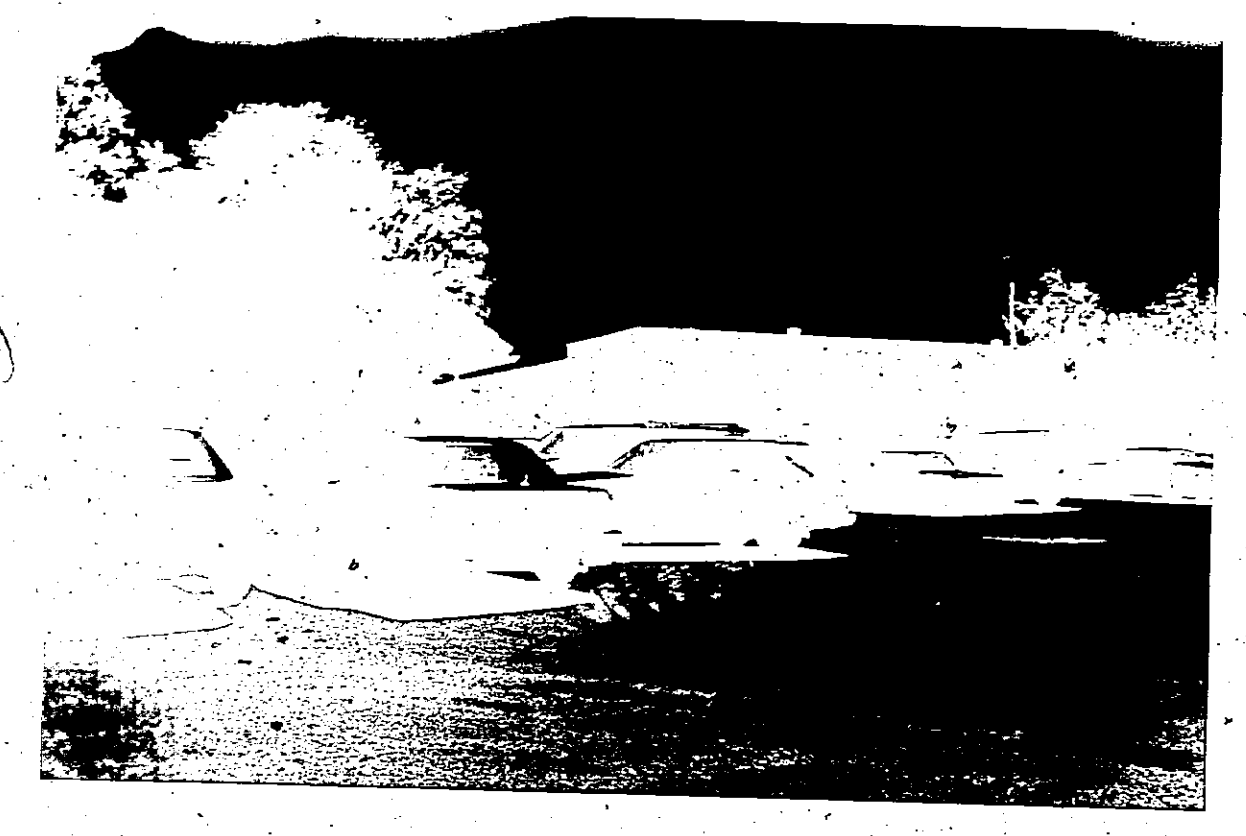
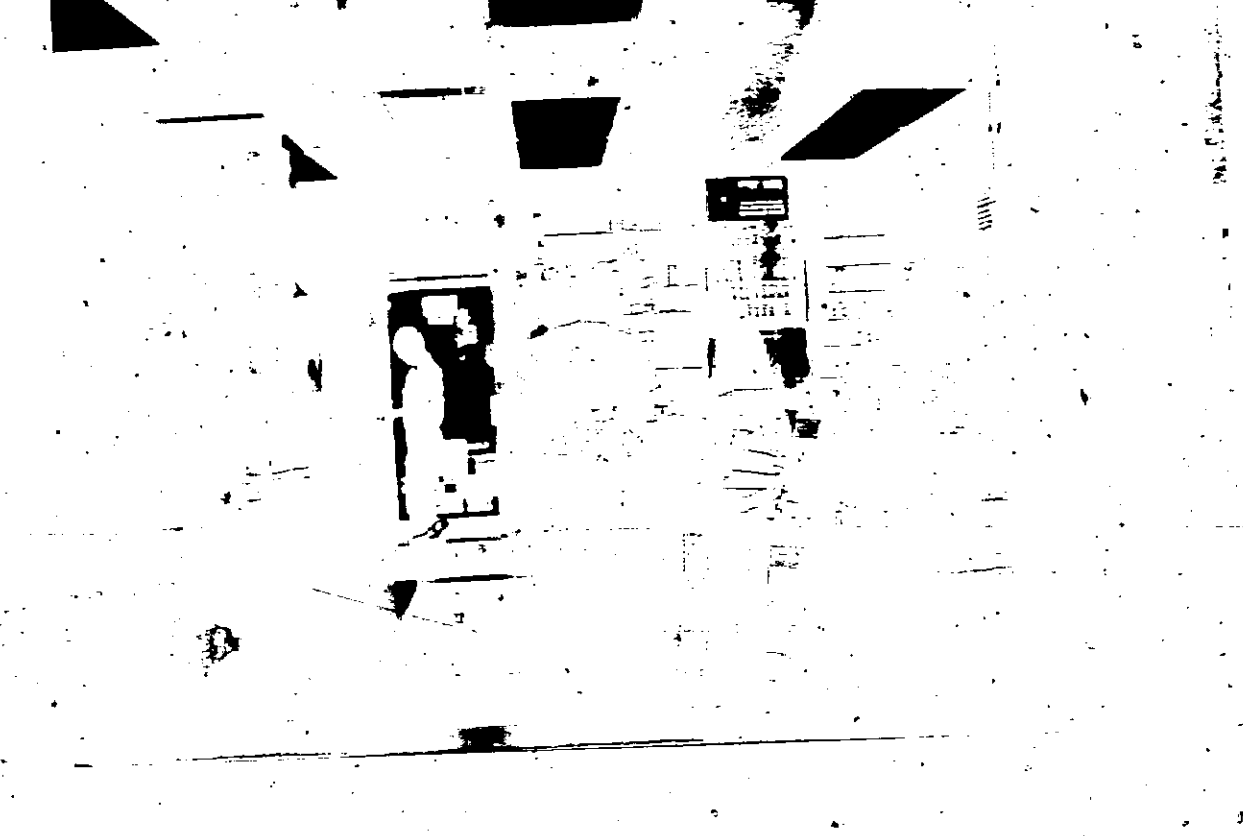
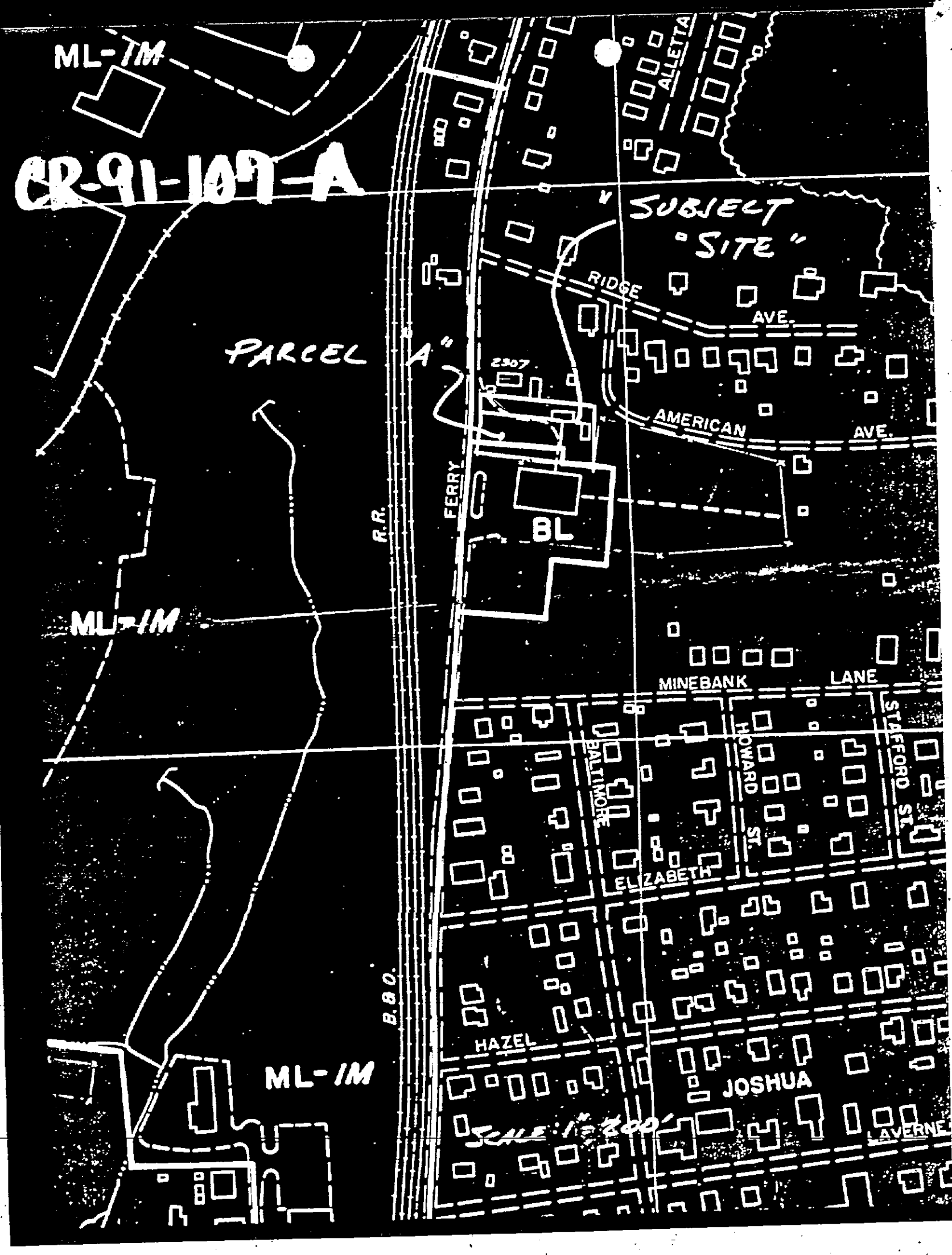
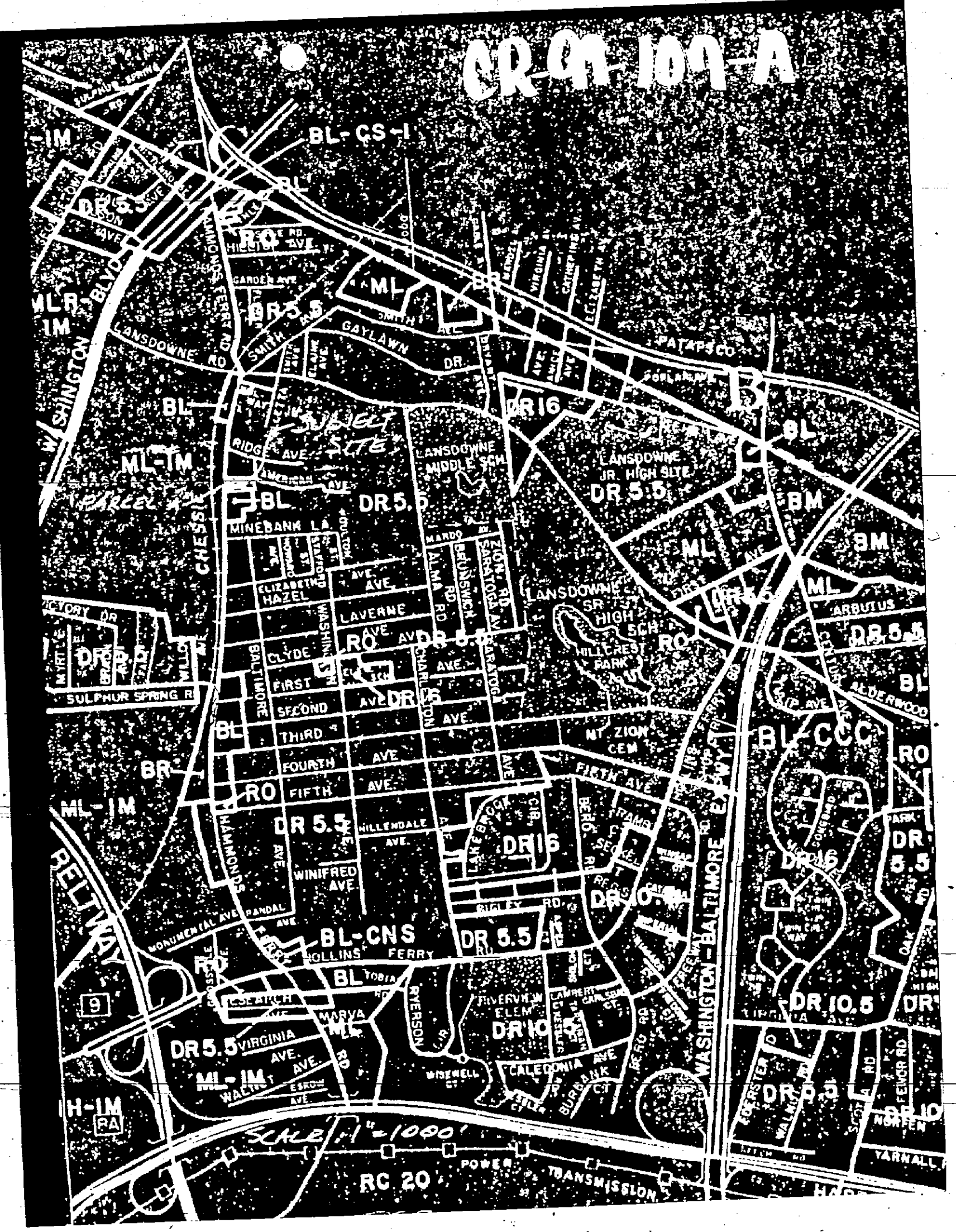
BY ORDER OF
 WILLIAM SACKETT,
 CHAIRMAN, COUNTY BOARD OF APPEALS AND
 P. DAVID FLECK,
 DIRECTOR OF PLANNING AND ZONING

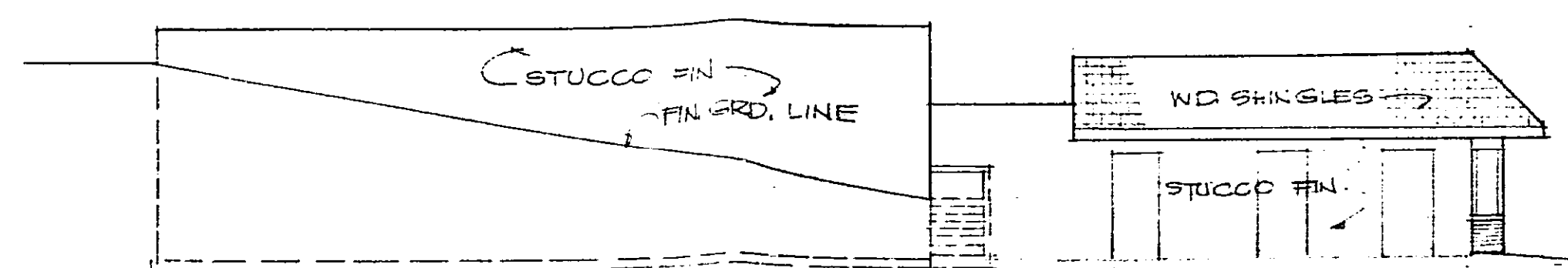
Petitioner
 Ex: #2

EXISTING ZONING CLASSIFICATIONS

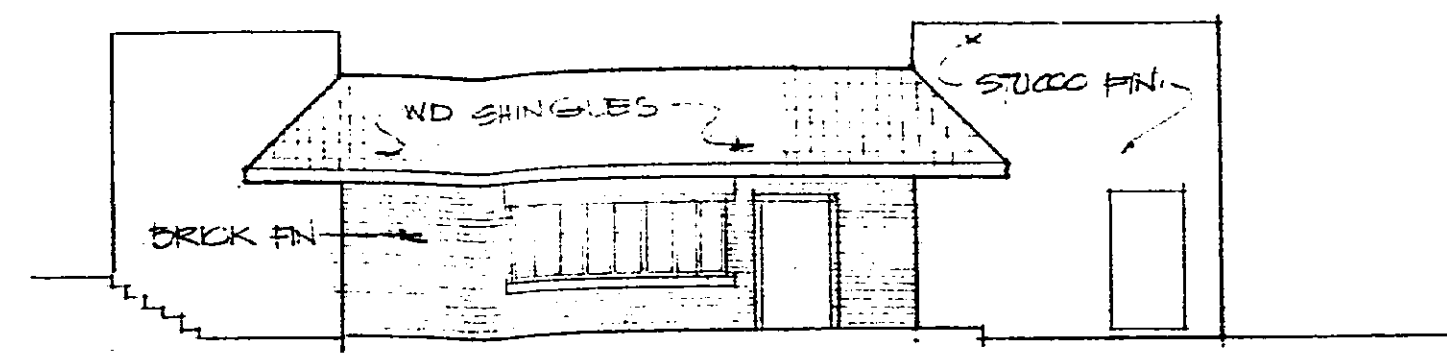
EXISTING ZONING CLASSIFICATIONS

R.C.2 - RESIDENTIAL CONSERVATION - GENERAL, OF PLANNING AND DEVELOPMENT
 R.C.3 - RESIDENTIAL CONSERVATION - HISTORIC PROTECTION
 R.C.4 - RESIDENTIAL CONSERVATION - RURAL, RESIDENTIAL
 R.C.5 - RESIDENTIAL CONSERVATION - URBAN, RESIDENTIAL
 R.C.6 - RESIDENTIAL CONSERVATION - OFFICE, AREA AGRICULTURAL
 R.C.7 - RESIDENTIAL CONSERVATION - OFFICE, AREA AGRICULTURAL
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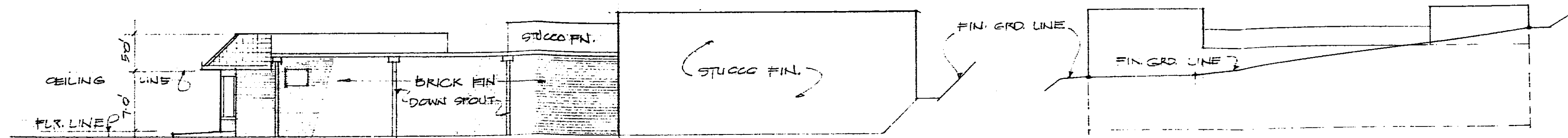




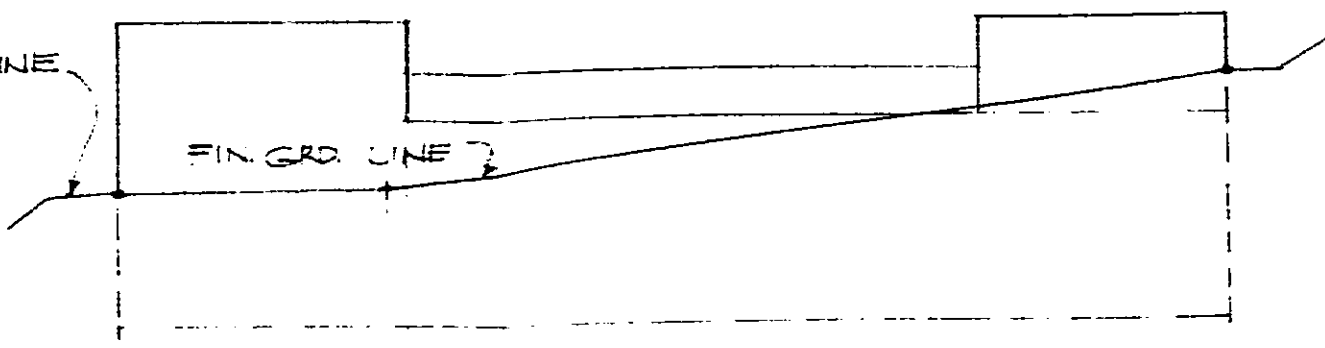
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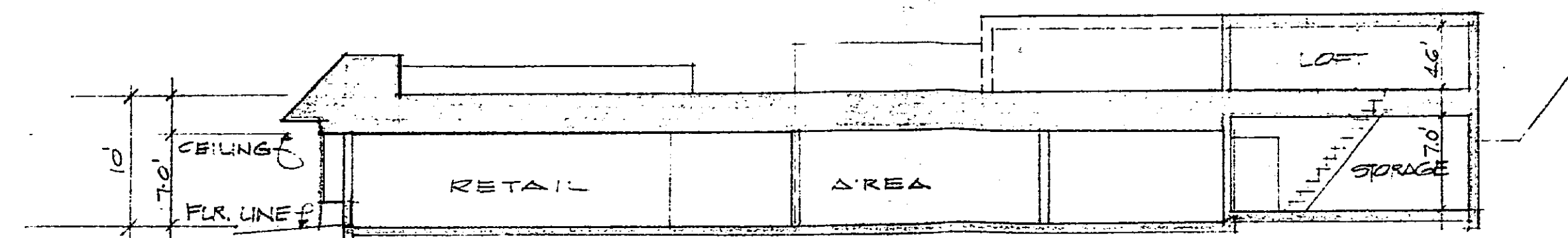
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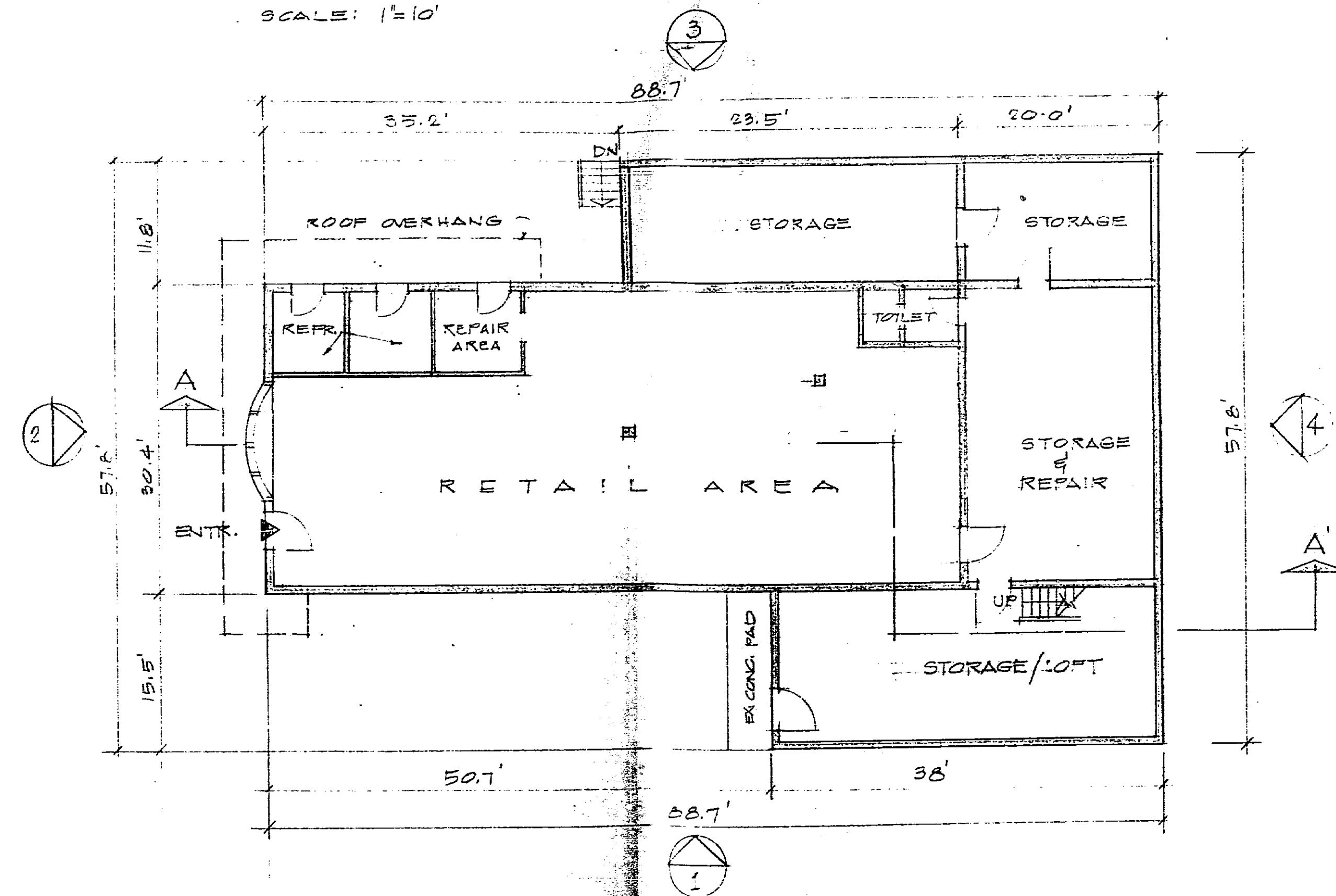
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SCALE: 1"=10'



ELEV. No. 4
SCALE: 1"=10'



SECTION A-A
SCALE: 1"=10'



FLR. PLAN
SCALE: 1"=10'

SHEET 2 OF 2

PLAT TO ACCOMPANY PETITION FOR
RECLASSIFICATION & VARIANCES

PARCEL A & VARIANCES TO REMAINDER SITE

2309 HAMMONDS FERRY ROAD

CLYDE'S SPORT STORE

1ST ELECT. DIST.
2ND COUNCILMANIC DIST.
SCALE: 1"=10'

BALTIMORE COUNTY, MD.

AUGUST 22, 1990
REV. AUGUST 31, 1990

OWNER

CLARA I. BLAMBERG
2307 HAMMONDS FERRY ROAD
BALTIMORE, MARYLAND 21227

ENGINEER

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

