

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - NE/CORNER Hammonds Ferry Rd. and Third St. (2719 Hammonds Ferry Road) 13th Election District 1st Councilmanic District

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 91-211-XA

Frederick G. W. Raabe, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception to use the subject property for a funeral establishment in the B.L. zone, pursuant to Sections 230.13 and 502 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variances from the B.C.Z.R. as follows: from Section 303.2 to permit a front yard setback of 2 feet in lieu of the minimum required 11.5 feet; from Section 232.2.b to permit a street side yard setback of 1 foot in lieu of the minimum required 10 feet; from Section 409.8.A.4 to permit parking setbacks from a road right-of-way of 1 foot and 4 feet in lieu of the minimum required 10 feet for each; from Section 409.4.B.1 to permit 9 attended parking spaces (35%) with no direct access to an aisle; and from Section 409.6.A.2 to permit 26 parking spaces in lieu of the required 35, all as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Frederick G. W. Raabe, appeared, testified, and were represented by Julius W. Lichter, Esquire. Also appearing on behalf of the Petitioners were Joseph Ambrose, Sr., Secretary/Treasurer for Ambrose Funeral Homes, Contract Purchasers; Frank S. Lee, Paul Lee, Contract Purchasers, Engineer, and Richard N. Kerr, Esquire. Appearing on behalf of the County were Michael A. and Thelma L. Tanzella.

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Testimony indicated that the subject property, known as 2719 Hammonds Ferry Road, consists of 0.40 acres more or less zoned B.L. and is improved with a two-story frame dwelling. Petitioners have entered into a contract of sale with the Ambrose family who are desirous of remodeling the existing dwelling and constructing a one story addition thereto for a funeral establishment. Joseph Ambrose testified that Ambrose Funeral Homes is a family-run business and that they currently operate a facility on Sulphur Spring Road. Mr. Ambrose indicated that at that facility they conduct an average of 150 funerals per year, 110 of which are held at a church nearby due to space limitations. Mr. Ambrose testified the proposed facility will be a satellite operation only for the Sulphur Spring Road site and will not have any embalming facilities. Testimony indicated the proposed improvements will provide for three viewing rooms, one flower delivery room, and a small chapel or clergy room on the first floor, office space on the second floor, and that the basement will be used for nothing more than storage of heating and air conditioning systems. Mr. Ambrose indicated that viewing hours will be limited to from 3:00 PM to 5:00 PM and from 7:00 PM to 9:00 PM, seven days a week and that valet parking will be provided. Mr. Ambrose testified the relief requested is necessary in order to operate a funeral home on the subject site and meet zoning regulations and OSHA requirements. Testimony presented indicated that the use proposed meets the requirements of Section 502.1 of the B.C.Z.R. and will not result in any detriment to the health, safety or general welfare of the surrounding community.

Michael Tanzella testified that he resides near the subject site and is generally opposed to the relief requested. Mr. Tanzella indicated

a funeral establishment near his property would be an unpleasant reminder of death.

It is clear that the B.C.Z.R. permits the use proposed in a B.L. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone.

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

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

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

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his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

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

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

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception and variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of September, 1991 that the Petition for Special Exception to use the subject property for a funeral establishment in the B.L. zone, pursuant to Sections 230.13 and 502 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit variances from the B.C.Z.R. as follows: from Section 303.2 to permit a front yard setback of 2 feet in lieu of the minimum required 11.5 feet; from Section 232.2.b to permit a street side yard setback of 1 foot

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Date By

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the Herein described property for a funeral establishment in the B.L. zone pursuant to B.C.Z.R. Sections 230.13 and 502.

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Alice & Joseph Ambrose, Jr. (Type or Print Name) <i>Alice & Joseph Ambrose, Jr.</i> Barbara & Joseph Ambrose, Sr. (Type or Print Name) <i>Barbara & Joseph Ambrose, Sr.</i> Address 1328 Sulphur Spring Rd. Baltimore, MD 21227 City and State	Legal Owner(s): Frederick G. W. Raabe (Type or Print Name) <i>Frederick G. W. Raabe</i> Signature Kathryn L. Raabe (Type or Print Name) <i>Kathryn L. Raabe</i> Signature	MAP 525C G-1 E.B. 13 DATE 2-5-91 2000 67 1993 G
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Attorney for Petitioner: Julius W. Lichter, Esquire (Type or Print Name) <i>Julius W. Lichter</i> Signature Levin & Gann, P.A. 305 W. Chesapeake Ave. - Ste. 113 Address TOWSON, MD 21204 City and State	4512 Leeds Avenue Address Phone No. Baltimore, MD 21229 City and State Name Julius W. Lichter, Esquire Levin & Gann, P.A. 305 W. Chesapeake Ave. - Ste. 113 Address TOWSON, MD 21204 Phone No. 321-0600
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Attorney's Telephone No. (301) 321-0600

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, 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 _____ day of _____, 19____, at _____ o'clock _____M.

Zoning Commissioner of Baltimore County.

the event that the Petitioner does not appeal this Decision, then by virtue of no appeal being taken, the Petitioner hereby consents and agrees to be bound by the restrictions stated above.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

the minimum required 10 feet for each; from Section 409.4.A.1 to permit 9 attended parking spaces (35%) with no direct access to an aisle; and from Section 409.6.A.2 to permit 26 parking spaces in lieu of the required 35, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order is reversed. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the issuance of any permits, Petitioners shall submit a landscape plan for approval by the Deputy Director of Planning and the Baltimore County Landscape Planner. A copy of the approved plan shall be submitted to the Zoning Commissioner's Office for final approval and inclusion in the case file prior to the issuance of any permits.
- 3) There shall be no embalming facilities or cremations performed at the subject site.
- 4) There shall be no funeral motor cars, including hearses, limousines or other funeral related type vehicles, stored at the subject facility.
- 5) The second floor of the subject building is limited to use as office space for the funeral establishment only.
- 6) During all viewing times at the funeral home there shall be two parking attendants on duty to assist with valet parking.
- 7) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.
- 8) The Petitioner has thirty (30) days from the date of this Order to take an appeal of this Decision. in

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Date By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

Julius W. Lichter, Esquire
Levin & Gann
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE NE/CORNER Hammonds Ferry Road and Third Street (2719 Hammonds Ferry Road) 13th Election District - 1st Councilmanic District Frederick G. W. Raabe, et ux - Petitioners Case No. 91-211-XA

Dear Mr. Lichter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Michael Tanzella
4 Fourth Avenue, Lansdowne, Md. 21227

People's Counsel
File

91-211-XA #174 revised 6/27/91
PETITION FOR ZONING VARIANCE
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 303.2 BCZR to permit a front yard setback of 2' in lieu of the required 11.5' from 232.718 BCZR to permit a side yard setback (on a street) of 1' & 4' in lieu of the required 10'; from 409.8.A.4 BCZR to permit a 1' & 4' parking setback from a road 17' in lieu of the required 10'; from 409.4.B.1 BCZR to permit a 2' side yard setback in lieu of the required 5'; from 409.6.A.2 BCZR to permit 26 parking spaces in lieu of the required 35; and from the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

the irregular shape of the lot and for additional reasons as will be presented at the public hearing.

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: Alice & Joseph Ambrose, Jr.
 Signature: Alice Ambrose
 Address: 1328 Sulphur Spring Rd. Baltimore, MD 21227
 City and State

Legal Owner(s): Frederick G.M. Raabe
 (Type or Print Name)
 Signature: Frederick G.M. Raabe
Kathryn L. Raabe
 (Type or Print Name)
 Signature: Kathryn L. Raabe

Attorney for Petitioner: Julius W. Lichter, Esquire
 (Type or Print Name)
 Address: 4512 Leoda Avenue Baltimore, MD 21229
 City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Julius W. Lichter, Esquire
 Name: Levin & Gann, P.A.
 Address: 305 W. Chesapeake Ave., Ste. 113 Towson, Maryland 21204
 City and State

Attorney's Telephone No. (301) 321-0600
 City and State

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, 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 _____ day of _____, 19____, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

Paul Lee P.E.
 Paul Lee Engineering Inc.
 304 W. Pennsylvania Ave.
 Towson, Maryland 21286
 301-821-5361

DESCRIPTION
 82719 HAMMONDS FERRY ROAD
 THIRTEENTH ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

Beginning for the same at the intersection of the north side of Third Avenue and the east side of Hammonds Ferry Road, said point also being located northerly 25 feet from the center of Third Avenue, thence binding on the east side of Hammonds Ferry Road (1) N 12°57'00" E 78.13 feet, thence leaving said east side of Hammonds Ferry Road (2) N 86°40'00" E 134.40 feet, thence (3) S 03°20'00" E 75.00 feet to the north side of Third Avenue, thence binding on the north side of Third Avenue (4) S 86°40'00" W 156.00 feet to the point of beginning. Containing 10,901.25 square feet of land, more or less.

91-211-XA #174 Revised 6/27/91
 J. O. #91002 6/3/91
 Engineers - Surveyors - Site Planners

CERTIFICATE OF PUBLICATION
 TOWSON, MD. 8/8 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 1 successive weeks, the first publication appearing on 8/8 1991.

THE JEFFERSONIAN,
 S. Zebe Orlem
 Publisher

\$75.74

NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the proposed zoning petition for the property located at 82719 Hammonds Ferry Road, 13th Election District, Baltimore County, Maryland, on August 20, 1991 at 9:30 a.m.
 Legal Owner(s): Frederick G.M. Raabe, et al.
 Contract Purchaser(s): Joseph T. Ambrose, Sr., et al.
 Hearing Date: Thursday, Sept. 20, 1991 at 9:30 a.m.
 Special Exception: for a limited establishment. Variance to permit a front yard setback of 2' in lieu of the required 11.5' to permit a side yard setback (on a street) of 1' & 4' in lieu of the required 10'; to permit a 1' & 4' parking setback from a road 17' in lieu of the required 10'; to permit 26 parking spaces (35%) with no direct access to an alley, to permit 26 parking spaces in lieu of the required 35.

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 91-211-XA
 District: 13th
 Date of Posting: 8-29-91
 Posted for: Special Exception & Variance
 Petitioner: Joseph T. Ambrose, Sr., et al.
 Location of property: 82719 Hammonds Ferry Road, 13th Election District
 Location of Signs: Front of 82719 Hammonds Ferry Road

Remarks: See Certificate of Posting
 Posted by: J. Lichter
 Signature
 Number of Signs: 2

receipt
 Baltimore County Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21286
 Account: R-001-6150
 Number
 91-211-XA #174
 M91C1214
 PUBLIC HEARING FEES CITY PRICE
 POSTING SIGNS / 1 X \$75.00
 TOTAL: \$75.00
 LAST NAME OF OWNER: RAABE
 04404ND004NICRRC \$75.00
 Please Make Checks Payable To: Baltimore County #02138PD6-27-91
 Cashier, Validation

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 91-211-XA
 District: 13th
 Date of Posting: 1-5-91
 Posted for: Special Exception & Variance
 Petitioner: Frederick G.M. Raabe, Legal owner, Paul Lee Engineering Inc.
 Location of property: E/S of Hammonds Ferry Road, 25' North of the E/S of 3rd Ave., 2118 Hammonds Ferry Road
 Location of Signs: East side of Hammonds Ferry Road
 Remarks: J. Lichter
 Posted by: J. Lichter
 Signature
 Number of Signs: 2
 Date of return: Jan 11 - 91

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 91-211-XA
 District: 13th
 Date of Posting: March 25, 1991
 Posted for: Special Exception, Variance
 Petitioner: Joseph T. Ambrose, Sr., et al.
 Location of property: E/S Hammonds Ferry Road, 25' N. of 3rd Avenue
 Location of Signs: In front of 2719 Hammonds Ferry Road
 Remarks: J. Lichter
 Posted by: J. Lichter
 Signature
 Number of Signs: 2
 Date of return: March 23, 1991

receipt
 Baltimore County Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21286
 Account: R-001-6150
 Number
 91-211
 M91C1086
 PUBLIC HEARING FEES CITY PRICE
 POSTING SIGNS / 1 X \$75.00
 TOTAL: \$75.00
 LAST NAME OF OWNER: RAABE

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 91-211-XA
 District: 13th
 Date of Posting: 8-29-91
 Posted for: Special Exception & Variance
 Petitioner: Joseph T. Ambrose, Sr., et al.
 Location of property: 82719 Hammonds Ferry Road, 13th Election District
 Location of Signs: Front of 82719 Hammonds Ferry Road
 Remarks: See Certificate of Posting
 Posted by: J. Lichter
 Signature
 Number of Signs: 2

CERTIFICATE OF PUBLICATION
 TOWSON, MD. 1-8 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 1 successive weeks, the first publication appearing on 12-27, 1990.

THE JEFFERSONIAN,
 S. Zebe Orlem
 Publisher

\$68.03

NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the proposed zoning petition for the property located at 82719 Hammonds Ferry Road, 13th Election District, Baltimore County, Maryland, on August 20, 1991 at 9:30 a.m.
 Legal Owner(s): Frederick G.M. Raabe, et al.
 Contract Purchaser(s): Joseph T. Ambrose, Sr., et al.
 Hearing Date: Thursday, Sept. 20, 1991 at 9:30 a.m.
 Special Exception: for a limited establishment. Variance to permit 14 parking spaces in lieu of 26 and adjust employee and business connection parking and to permit a 2' & 4' side yard setback and a 2' & 4' side yard setback in lieu of the required 10'; to permit 26 parking spaces (35%) with no direct access to an alley, to permit 26 parking spaces in lieu of the required 35.

CERTIFICATE OF PUBLICATION
 TOWSON, MD. 1-8 1991
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-27, 1990.

THE JEFFERSONIAN,
 S. Zebe Orlem
 Publisher

\$68.03

NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the proposed zoning petition for the property located at 82719 Hammonds Ferry Road, 13th Election District, Baltimore County, Maryland, on August 20, 1991 at 9:30 a.m.
 Legal Owner(s): Frederick G.M. Raabe, et al.
 Contract Purchaser(s): Joseph T. Ambrose, Sr., et al.
 Hearing Date: Thursday, Sept. 20, 1991 at 9:30 a.m.
 Special Exception: for a limited establishment. Variance to permit 14 parking spaces in lieu of 26 and adjust employee and business connection parking and to permit a 2' & 4' side yard setback and a 2' & 4' side yard setback in lieu of the required 10'; to permit 26 parking spaces (35%) with no direct access to an alley, to permit 26 parking spaces in lieu of the required 35.

CERTIFICATE OF PUBLICATION
 TOWSON, MD. 8/8 1991
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/8 1991.

THE JEFFERSONIAN,
 S. Zebe Orlem
 Publisher

\$75.74

receipt
 Baltimore County Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21286
 Account: R-001-6150
 Number
 91-211
 M91C1086
 PUBLIC HEARING FEES CITY PRICE
 POSTING SIGNS / 1 X \$75.00
 TOTAL: \$75.00
 LAST NAME OF OWNER: RAABE

CERTIFICATE OF PUBLICATION
 TOWSON, MD. 8/8 1991
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/8 1991.

THE JEFFERSONIAN,
 S. Zebe Orlem
 Publisher

\$75.74

NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the proposed zoning petition for the property located at 82719 Hammonds Ferry Road, 13th Election District, Baltimore County, Maryland, on August 20, 1991 at 9:30 a.m.
 Legal Owner(s): Frederick G.M. Raabe, et al.
 Contract Purchaser(s): Joseph T. Ambrose, Sr., et al.
 Hearing Date: Thursday, Sept. 20, 1991 at 9:30 a.m.
 Special Exception: for a limited establishment. Variance to permit 14 parking spaces in lieu of 26 and adjust employee and business connection parking and to permit a 2' & 4' side yard setback and a 2' & 4' side yard setback in lieu of the required 10'; to permit 26 parking spaces (35%) with no direct access to an alley, to permit 26 parking spaces in lieu of the required 35.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

DATE: 1/22/91

Joseph T. Ambrose, Sr., et al
1328 Sulphur Spring Road
Baltimore, Maryland 21227

RE:
Case Number: 91-211-XA
E/S Hammonds Ferry Road, 25' N c/l of 3rd Avenue
2719 Hammonds Ferry Road
13th Election District - 1st Councilmanic
Legal Owner(s): Frederick G. W. Raabe, et ux
Contract Purchaser(s): Joseph T. Ambrose, Sr., et al
HEARING: THURSDAY, JANUARY 31, 1991 at 10:30 a.m.

Dear Petitioner(s):

Please be advised that \$118.03 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines
Zoning Commissioner
Baltimore County, Maryland

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

DATE: 3-1-91

Joseph T. Ambrose, Sr., et al
1328 Sulphur Spring Road
Baltimore, Maryland 21227

RE:
Case Number: 91-211-XA
E/S Hammonds Ferry Road, 25' N c/l of 3rd Avenue
2719 Hammonds Ferry Road
13th Election District - 1st Councilmanic
Legal Owner(s): Frederick G. W. Raabe, et ux
Contract Purchaser(s): Joseph T. Ambrose, Sr., et al
HEARING: WEDNESDAY, APRIL 24, 1991 at 2:30 p.m.

Dear Petitioner(s):

Please be advised that \$ 50.00 is due for reposting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Richard N. Kerr, Esq.
Julius W. Litcher, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

DATE: 3/20/91

Joseph T. Ambrose, Sr., et al
1328 Sulphur Spring Road
Baltimore, Maryland 21227

RE:
Case Number: 91-211-XA
E/S Hammonds Ferry Road, 25' N c/l of 3rd Avenue
2719 Hammonds Ferry Road
13th Election District - 1st Councilmanic
Legal Owner(s): Frederick G. W. Raabe, et ux
Contract Purchaser(s): Joseph T. Ambrose, Sr., et al
HEARING: FRIDAY, SEPTEMBER 20, 1991 at 9:00 a.m.

Dear Petitioner(s):

Please be advised that \$125.74 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

COPY

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

December 11, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-211-XA
E/S Hammonds Ferry Road, 25' N c/l of 3rd Avenue
2719 Hammonds Ferry Road
13th Election District - 1st Councilmanic
Legal Owner(s): Frederick G. W. Raabe, et ux
Contract Purchaser(s): Joseph T. Ambrose, Sr., et al
HEARING: THURSDAY, JANUARY 31, 1991 at 10:30 a.m.

Special Exception for a funeral establishment. Variance to permit 14 parking spaces in lieu of 25 and added employee and business connection parking; and to permit a zero ft. front yard setback and a 2 ft. side yard setback in lieu of the 27 ft. front average setback and 10 ft. side street setback.

J. Robert Haines
Zoning Commissioner
Baltimore County

cc: Frederick G. W. Raabe
Joseph T. Ambrose, Sr., et al
Richard N. Kerr, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

March 1, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-211-XA
E/S Hammonds Ferry Road, 25' N c/l of 3rd Avenue
2719 Hammonds Ferry Road
13th Election District - 1st Councilmanic
Legal Owner(s): Frederick G. W. Raabe, et ux
Contract Purchaser(s): Joseph T. Ambrose, Sr., et al
HEARING: WEDNESDAY, APRIL 24, 1991 at 1:30 p.m.

Special Exception for a funeral establishment. Variance to permit 14 parking spaces in lieu of 25 and added employee and business connection parking; and to permit a zero ft. front yard setback and a 2 ft. side yard setback in lieu of the 27 ft. front average setback and 10 ft. side street setback.

J. Robert Haines
Zoning Commissioner
Baltimore County

cc: Frederick G. W. Raabe
Joseph T. Ambrose, Sr., et al
Richard N. Kerr, Esq.
Michael A. Tencella
Julius W. Litcher, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

July 15, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-211-XA
E/S Hammonds Ferry Road, 25' N c/l of 3rd Avenue
2719 Hammonds Ferry Road
13th Election District - 1st Councilmanic
Legal Owner(s): Frederick G. W. Raabe, et ux
Contract Purchaser(s): Joseph T. Ambrose, Sr., et al
HEARING: FRIDAY, SEPTEMBER 20, 1991 at 9:00 a.m.

Special Exception for a funeral establishment.

Variance to permit a front yard setback of 2 ft. in lieu of the required 11.5 ft.; to permit a side yard setback (on a street) of 1 ft. in lieu of the required 10 ft.; to permit a 1 ft. and 4 ft. parking setback from a road r/w in lieu of the required 30 ft.; to permit 9 attended parking spaces (35%) with no direct access to an alley; to permit 26 parking spaces in lieu of the required 35.

J. Robert Haines
Zoning Commissioner
Baltimore County

cc: Frederick G. W. Raabe, et ux
Joseph T. Ambrose, Sr., et al
Jeffrey W. Hardesty
Michael A. Tencella
Julius W. Litcher, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

January 25, 1991

Richard N. Kerr, Esquire
4600 Wilkens Avenue, Suite 105
Baltimore, MD 21229

RE: Item No. 174, Case No. 91-211-XA
Petitioner: Frederick G. W. Raabe, et ux
Petition for Special Exception and
Zoning Variance

Dear Mr. Kerr:

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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Frederick G. W. Raabe
Mr. & Mrs. Joseph F. Ambrose, Sr.

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 16th day of January, 1990.

J. Robert Haines
Zoning Commissioner

Received By:
James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Joseph Ambrose, et ux
Petitioner's Attorney:

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21284-5000
(301) 887-4500
Paul H. Reincke
Chief

NOVEMBER 21, 1990



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

RE: Property Owner: FREDERICK G.W. RAABE
Location: #2719 HAMMONDS FERRY ROAD
Item No.: 174 Zoning Agenda: NOVEMBER 20, 1990

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. CHAPTER 26 AND 27

REVIEWER: *Paul H. Reincke* Noted and Approved *Paul H. Reincke*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

received
11/21/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
NOVEMBER 15, 1990

received
11/21/90

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES
SUBJECT: ZONING ITEM #: 174
PROPERTY OWNER: Frederick G.W. Raabe, et ux
CONTRACT Purchaser: Joseph T. Ambrose, Jr., et ux & Joseph Ambrose Sr.
LOCATION: E/S Hammonds Ferry Rd, 25' R.
Centerline of Third Avenue (#2719 Hammonds Ferry Rd)
ELECTION DISTRICT: 13A
COUNCILMANTIC DISTRICT: 1st

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- (X) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
 - (X) PARKING LOCATION (X) RAMPES (degree slope)
 - (X) NUMBER PARKING SPACES (X) CURB CUTS
 - (X) BUILDING ACCESS (X) SIGNAGE
 - () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
 - (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
 - (X) A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
 - () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
 - (X) OTHER - IF THE EXISTING BUSINESS IS OTHER THAN OFFICES a change of occupancy as noted above shall be required. Floor design in Assembly Rooms shall be 100 percent wet line. PERMITS MAY BE APPLIED FOR # ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.
- THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.
- APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: November 16, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting for November 20, 1990

The Developers Engineering Division has reviewed the subject zoning item and we have no comments for Items 165, 166, 171, 173, 174, 179, 183, 185, 180, 191, 182, 187 and 189.

Item 184 is subject to the previous County Review Group comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: December 7, 1990
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Frederick G. W. Raabe, Item No. 174

The Petitioner requests a Variance to permit 14 parking spaces in lieu of 25; added employee and business parking; to permit a 2 ft. side yard setback in lieu of the 27 ft. front average setback and 10 ft. side street setback; and a Special Exception for a funeral establishment.

In reference to the Applicant's request, staff offers the following comments:

- The proposed use of this property will require a CRG review. Section 409.6.A.1 addresses the general use specific requirements for calculating parking needs. Under the heading "Funeral Home/Mortuary," the regulations require 10 parking spaces per 1,000 sq. ft. of floor space available for public use, plus 1 per 2 employees, plus 1 per each vehicle used in connection with the business.

The Petitioner's plat accounts for the parking required relative to square feet; however, no allowance has been made for employee or business vehicle parking. Obviously, if the employee and business parking element was factored into the overall requirement, the amount of parking spaces currently indicated would be further reduced.

In addition to the parking difficulties, staff is concerned about the ability of the site to handle the stacking of vehicles prior to a funeral procession.

Based upon the analysis conducted, staff recommends the Petitioner's request be denied.

received
12/7/90

Frederick G. W. Raabe, Item no. 174
Page
December 7, 1990

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

EK/JL/cmm
ITEM174/2AC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 6, 1991
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting for July 9, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 504, 506, 507, 508, 511, 512 and 513.

For Items 469, 509 and 514, the previous County Review Group Meeting Comments are still applicable. For Item 174, a County Review Group Meeting is required. In addition, the following highway comments are provided:

Hammonds Ferry Road is an existing road, which shall ultimately be improved as a 40-foot street cross-section on a 50-foot right-of-way.

The Developer's responsibilities along the existing frontage of this site shall be as follows:

- a. The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the site, or as may be required to establish line and grade.
- b. The submission of full cross-section as deemed necessary for design and/or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1"=5' horizontal to 1"=5' vertical scale.
- c. The preparation of the right-of-way plat for, and the dedication of any widening and close-casements at no cost to the County.
- d. The preparation of the right-of-way plat for any offsite road rights-of-way required to make the necessary improvements. Baltimore County will attempt to acquire the right-of-way at the Developer's expense.

Zoning Advisory Committee Meeting for
July 9, 1991
Page 2

- e. The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.
- f. The relocation of any utilities or poles as required by the road improvements.
- g. The construction of combination curb and gutter in its ultimate location and a maximum of 28.5 feet of paving adjacent thereto along the frontage of the property. The paving thickness shall conform with Baltimore County Standards.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide. Depressed curb is to be used with no curb returns to the property line.

For Item 300, a County Review Group Meeting is required. In addition, the following highway comments are provided:

Sudbrook Lane is an existing road, which shall ultimately be improved as a 40-foot street cross-section on a 60-foot right-of-way.

The Developer's responsibilities along the existing frontage of this site shall be as follows:

- a. The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the site, or as may be required to establish line and grade.
- b. The submission of full cross-section as deemed necessary for design and/or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1"=5' horizontal to 1"=5' vertical scale.
- c. The preparation of the right-of-way plat for, and the dedication of any widening and close-casements at no cost to the County.

Zoning Advisory Committee Meeting for
July 9, 1991
Page 3

- d. The preparation of the right-of-way plats for any offsite road rights-of-way required to make the necessary improvements. Baltimore County will attempt to acquire the right-of-way at the Developer's expense.

e. The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.

f. The relocation of any utilities or poles as required by the road improvements.

g. The construction of combination curb and gutter in its ultimate location and a maximum of 28.5 feet of paving adjacent thereto along the frontage of the property. The paving thickness shall conform with Baltimore County Standards.

The entrance locations are subject to approval by the Bureau of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide. Depressed curb is to be used with no curb returns to the property line.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

Baltimore County Government
Department of Public Works
Bureau of Traffic Engineering

401 Bosley Avenue Suite 405
Towson, MD 21204

887-3554
Fax 887-5784

December 10, 1990

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

Item #174
Property Owner:
Contract Purchaser:
Location:
Existing Zoning:
Proposed Zoning:
Area:
District:

ZAC November 20, 1990
Frederick G. W. Raabe, et ux
Joseph T. Ambrose, Jr. et ux
& Joseph F. Ambrose, Sr. et ux
E/S Hammonds Ferry Road
25 ft N. of the C/L of Third
Ave.
B.L.
Special Exception for a
funeral establishment.
Variance to permit 14 parking
spaces in lieu of 25 and
added employee and business
connection parking; and to
permit a zero ft. front yard
setback and 10 ft. side street
setback.
0.25 acre
13th Election District
1st Councilmanic District

Dear Mr. Haines:

We have the site plan for this site, and have the following comments.

- 1) The requested special for a funeral establishment appears to over use the site.

12/12/90

Page 2
Mr. J. Robert Haines
December 10, 1990

- 2) The requested variance to parking can be expected to cause parking problems in the area.

Should the special exception and parking variance be granted, the office requests that the following restrictions be placed on the site.

- 1) Employees should be prohibited from parking in the residential area around the site.
- 2) The public streets should not be used for anything but normal driving activities; the streets should not be used for loading activities, or making of funeral processions.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

received

Baltimore County Government
Fire Department

700 East Eppm Road, Suite 101
Towson, MD 21286

JULY 26, 1991

(301) 887-4500

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

RE: REVISED PETITIONS AND DESCRIPTIONS AND PLANS WERE RECEIVED FOR ITEM #174 (CASE #91-211-XA) ON 6/27/91.

Item No.: #174 Zoning Agenda: JULY 9, 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.

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.

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.

REVIEWER: *Att. David Kelly 7-26-91* Noted and Approved *William W. Brady, D.K.H.*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

Rae & [unclear]

Frederick G. W. Raabe, Item No. 174
Amended Comment
Page Two
August 8, 1991

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM174.REV/ZAC1

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 19, 1991

Julius W. Lichter, Esq.
Levin & Gann
305 W. Chesapeake Avenue
Towson, Maryland 21204

Case Number(s): 91-211-XA
2719 Hammonds Ferry Road
Petitioner(s): Joseph Ambrose, et al
Legal Owner(s): Frederick G. W. Raabe

Dear Mr. Lichter:

This to acknowledge receipt of your April 16th correspondence requesting postponement of the above captioned matter. Accordingly, the case has been pulled from that day's docket.

Please be advised of the following:

- (1) The matter will be placed on the inactive docket and will not be reset until we receive formal notification from you indicating your readiness to proceed.
- (2) Reopening fees of \$50.00 relative to the April 24, 1991 date are currently due. Please have a check forwarded via return mail, and (3) Confirming my conversation with your office, please have your client immediately remove the signs from the property and return same to this office.

Thank you for your anticipated cooperation. If you have any questions, please feel free to contact me.

Very truly yours,

G. G. Stephens
G. G. Stephens
(301) 887-3391

cc: Joseph Ambrose, et al
Richard Kerr, Esq.
Michael Tanzella

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Gwendolyn Stephens
Docket Clerk

DATE: February 6, 1991

FROM: Ann M. Nastarowicz
Deputy Zoning Commissioner

SUBJECT: Petitions for Special Exception and Zoning Variance
E/S Hammonds Ferry Road, 25' N of the c/l of 3rd Avenue
(2719 Hammonds Ferry Road)
13th Election District - 1st Councilmanic District
Frederick G. W. Raabe, et ux - Petitioners
Case No. 91-211-XA

As you know, the subject matter was scheduled for hearing on January 31, 1991 and was continued at the request of Petitioners. Please contact Julius W. Lichter, Esquire, who should be added as attorney for Petitioners, to arrange a mutually convenient date and time. Please have the property reposted and notify all parties accordingly. Further, please send notification of the continued hearing date and time to Michael A. Tanzella, 4 Fourth Avenue, Lansdowne, Maryland, 21227, telephone number 247-3875, who appeared as a Protestant at the original hearing. The property need not be readvertised.

Thank you for your attention in this matter.

AMN:bjs

cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: August 8, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Frederick G. W. Raabe, Item No. 174
AMENDED COMMENT

In reference to the applicant's revised petition, staff offers the following comments:

The revised petition addresses the concerns that this office had regarding the insufficient number of parking spaces which had been indicated on the plat accompanying the original request. Staff was also uncertain that the site could handle the stacking of vehicles prior to the forming of a funeral procession. According to the petitioner's attorneys, Mr. Lichter and Ms. Turner, attendants will be on duty to facilitate the stacking of vehicles which will be conducted entirely on site.

The Office of Planning and Zoning is satisfied that our concerns expressed in our previous comments of December 7, 1990, have been addressed; therefore, we recommend that the petitioner's request be granted subject to the following:

- Since this location is intended to be a satellite facility for the other Ambrose funeral establishment and due to obvious site constraints, no procession of more than 25 vehicles shall be permitted at any one time.
- The applicant shall file a landscape plan with the Baltimore County landscape planner to be approved by the deputy director of the Office of Planning and Zoning. A copy of the approved plan shall be submitted to the Zoning Office to be maintained in the official file. Any landscaping located within the right-of-way shall be maintained by the property owner of the funeral establishment.

ZONING ENFORCEMENT Baltimore County
Zoning Office
Towson, Maryland 21204

ZONING VIOLATION ASSIGNMENT RECORD

CASE NO. C-91-1208 ZONING:

LOCATION: CORNER OF HAMMONDS FERRY & THIRD AVENUE

NEAREST INTERSECTION:

ALLEGED VIOLATIONS: IMPROPER USE

(X) RFA () LETTER () IN-PERSON () PICK-UP FROM:

ASSIGNED TO: (X) K. CONNOR () G. FREUND () D. THOMPSON
() F. DIMEGLIO () C. MCGRAW () L. WASTLEWSKI
() T. FITTS () D. PROPALIS ()

ELECTION DISTRICT: 13th TAX ACCOUNT #

COMMENTS: 1/14/91
NO VIOLATION sign showing special hearing

91-211-XA ACKNOWLEDGEMENT NOTICE

HEARING SET FOR THUES. JAN 31, 91 @ 10:00

DEAR MR. TANZELLA: DATE: 11/30/90

PLEASE BE ADVISED THAT YOUR COMPLAINT, INVOLVING THE ABOVE REFERENCED PROPERTY, HAS BEEN RECEIVED BY THIS OFFICE. AN INSPECTOR HAS BEEN ASSIGNED TO THE CASE AND WILL VISIT THE LOCATION AS SOON AS POSSIBLE. YOU WILL ADDITIONALLY BE ADVISED OF ALL FURTHER DEVELOPMENTS. INVESTIGATION. SHOULD THIS MATTER BE SCHEDULED FOR A DISTRICT HEARING, YOU WILL BE NOTIFIED OF THE DATE.

TELEPHONE: 887-3351

Algebra

LAW OFFICES
LEVIN & GANN
 A PROFESSIONAL ASSOCIATION
 305 W. CHESAPEAKE AVENUE
 TOWSON, MARYLAND 21284
 301-530-0650
 TELECOPIER 301-996-2801
 April 16, 1991

RE: AMBROSE: 2719 Hammonds Ferry Road
 Case # 91-211-XA
 Item # 174

Dear Commissioner Haines:
 The above referenced matter is set for hearing on Wednesday, April 24, 1991 at 1:30 pm. Since the January 31st hearing, at which a continuance was granted, the Petitioner has been working with the engineer to alter the design of the building and the parking layout in an attempt to meet the parking concerns raised by the office of planning and zoning. Since the revised plat, which will soon be submitted, will alter the specific variance relief requested, we must ask that the April 24th hearing be continued in order to allow sufficient time for agency review of the amended petition.

Please call me if you have any questions and to advise me of the new hearing date.

Sincerely,
Julius W. Lichter
 Julius W. Lichter

JWL/dgh
 cc: Mr. Joseph Ambrose
 Mr. Richard Kerr, Esquire

RECEIVED
 APR 17 1991
 ZONING

PLEASE PRINT CLEARLY
 PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Joseph F. Ambrose Sr.	1328 Sulphur Spring Rd.
Joseph W. Raabe	4512 Leeds Avenue
Paul Kerr	304 W. Penna Ave
Richard N. Kerr	4600 W. Hammonds Ave
FREDERICK G.W. RAABE	4512 LEEDS AVENUE 21229

PLEASE PRINT CLEARLY
 PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Joseph F. Ambrose Sr.	1328 Sulphur Spring Rd. 21227
Joseph W. Raabe	4512 LEEDS AVENUE 21229
Paul Kerr	304 W. Penna Ave 21229
Richard N. Kerr	4600 W. Hammonds Ave 21229
FREDERICK G.W. RAABE	4512 LEEDS AVENUE 21229

PLEASE PRINT CLEARLY
 PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Joseph F. Ambrose Sr.	1328 Sulphur Spring Rd.
Joseph W. Raabe	4512 Leeds Avenue
Paul Kerr	304 W. Penna Ave
Richard N. Kerr	4600 W. Hammonds Ave
FREDERICK G.W. RAABE	4512 LEEDS AVENUE 21229

PLEASE PRINT CLEARLY
 PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Joseph F. Ambrose Sr.	1328 Sulphur Spring Rd. 21227
Joseph W. Raabe	4512 LEEDS AVENUE 21229
Paul Kerr	304 W. Penna Ave 21229
Richard N. Kerr	4600 W. Hammonds Ave 21229
FREDERICK G.W. RAABE	4512 LEEDS AVENUE 21229

PLEASE PRINT CLEARLY
 PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
MICHAEL A. TANZELLA	4 FOURTH AVE LANSDOWNE MD 21227
THELMA L. TANZELLA	4 FOURTH AVE LANSDOWNE MD 21227

PLEASE PRINT CLEARLY
 PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
MICHAEL A. TANZELLA	4 FOURTH AVE LANSDOWNE, MD, 21227 247-3875

Lansdowne Florist & Gifts
 2714 Hammonds Ferry Road
 Lansdowne, Maryland 21227
 242-1175

January 26, 1991

To whom it may concern:
 It is my understanding that the Ambrose family has proposed to open a funeral home. The location of the business being 2719 Hammonds Ferry Road, which is directly across from my store (Lansdowne Florist & Gifts). The proposal is a welcomed one to our business. We feel it will also be a great asset to the community, attracting business to local shops and performing services which are not available in the Lansdowne area. Being aware that the Ambrose Funeral Home of Lansdowne may at times need additional parking we have offered our 15 spaces for any overflow after store hours and up to 10 spaces during store hours, which are 9:00 a.m. to 4:30 p.m. We are looking forward to the opening of the Ambrose Funeral Home of Lansdowne, as it can only benefit everyone.

Sincerely,
Dawn Newell
 Dawn Newell
 Owner
 Lansdowne Florist & Gifts

Lansdowne Improvement Association
 (Chartered 1968)

WORKING TOGETHER
 COMMUNITY PRIDE

112 HAZEL AVE.
 LANSDOWNE, MD. 21227

January 29, 1991

Director
 Office of Planning and Zoning
 County Office Building
 Towson, Maryland 21284

Re: Ambrose Funeral Home

Dear Sir:
 This will serve to confirm the fact that the Lansdowne Improvement Association unanimously approves of the location of the funeral home in Lansdowne. It fills a need that has existed for many years, and the Community if looking forward to the opening.

Mr. Ambrose has spoken to the Association, explaining all of the details, and has put this in writing.

Should you need any other information, please do not hesitate to contact me at the above address, or by phone (242-7848) at home or at my office (333-4400).

Very truly yours,
Alverta L. Dockins
 Alverta L. Dockins
 President

ALD

January 29, 1991
 Mrs. Kathy S. Beck
 105 Third Avenue
 Lansdowne, MD 21227

To Whom It May Concern:

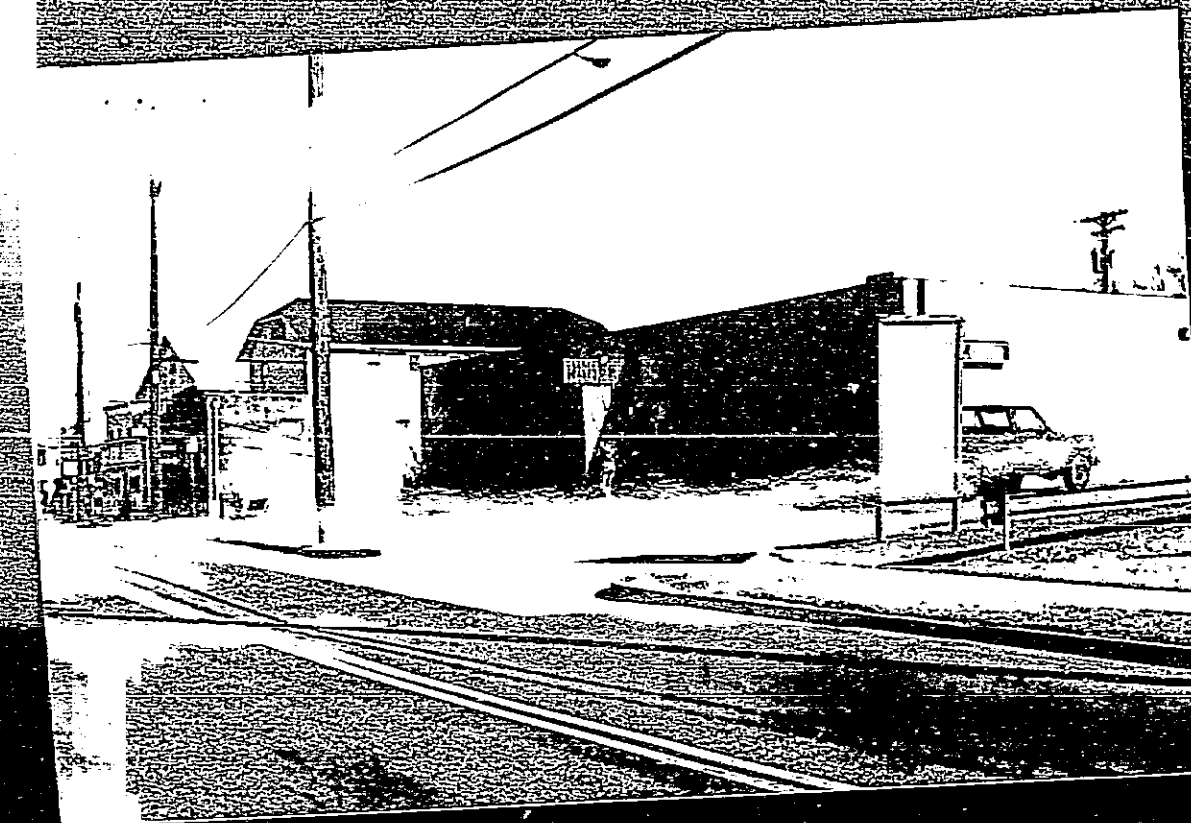
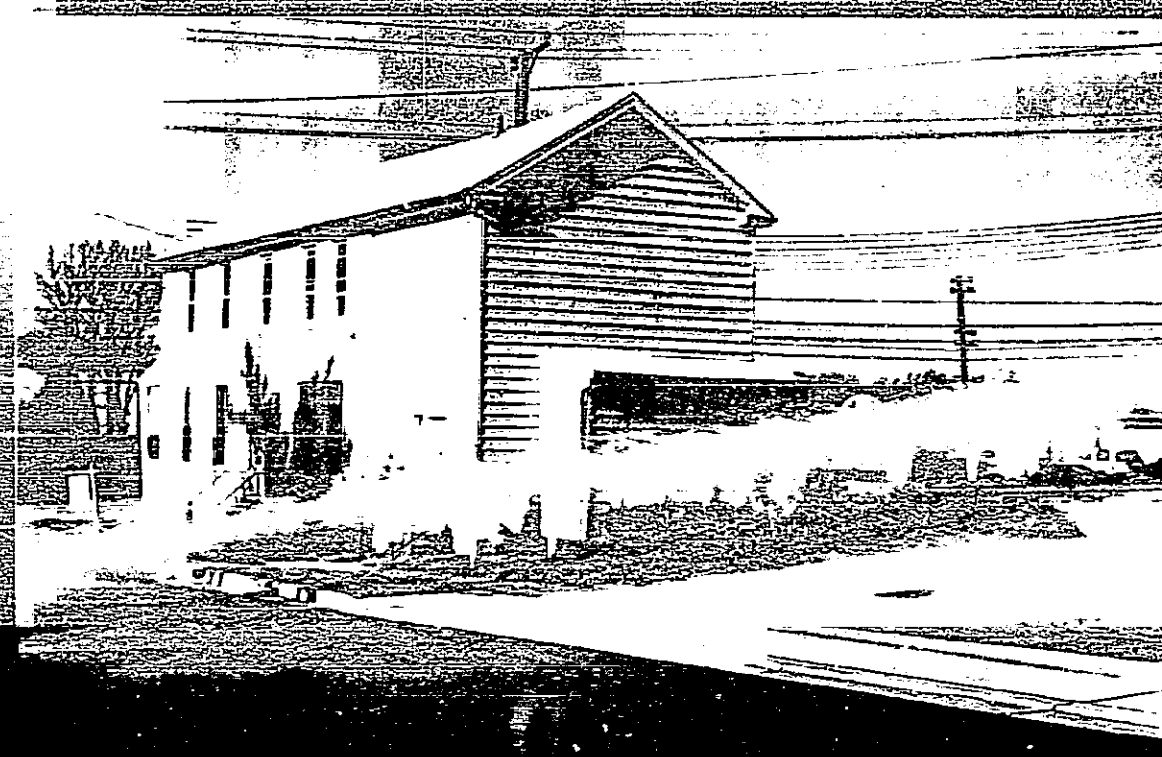
I am writing to express my support for Mr. Fred Raabe in his action to establish a funeral home at the corner of Hammonds Ferry Rd. and Third Ave. in Lansdowne. I can foresee no way in which this business can interfere with my residence or my residential parking.

Sincerely,
Mrs. Kathy S. Beck

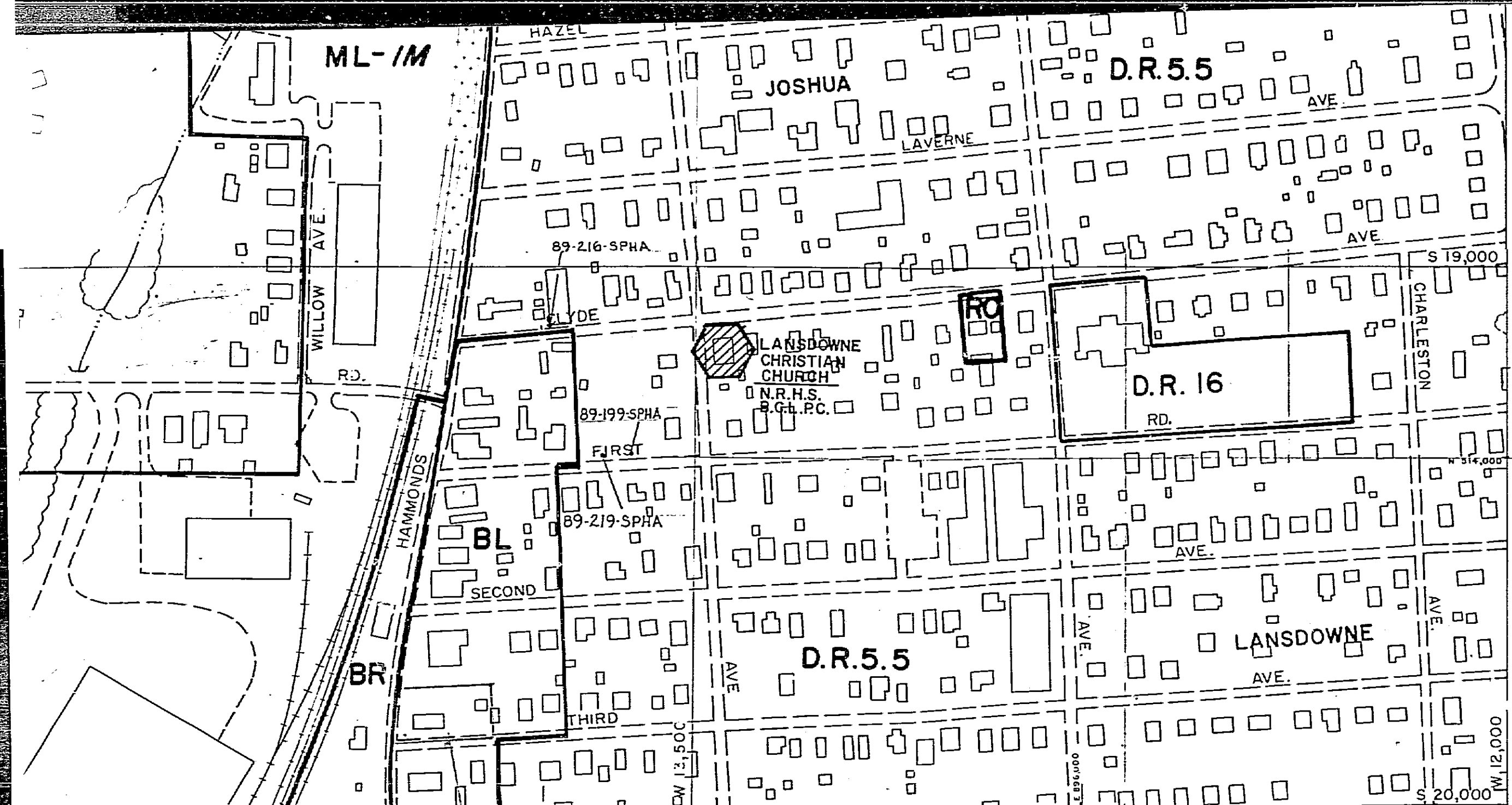
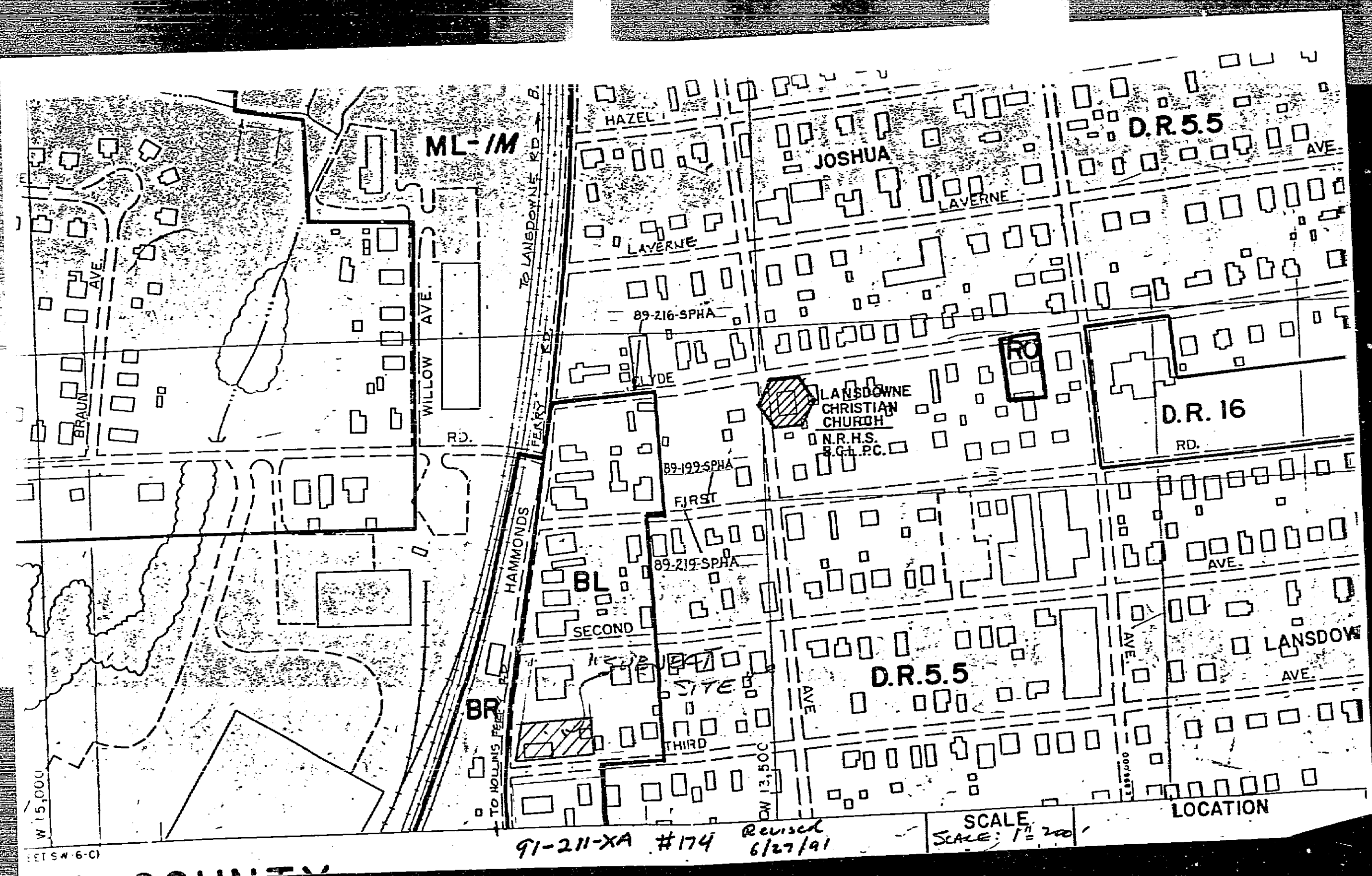
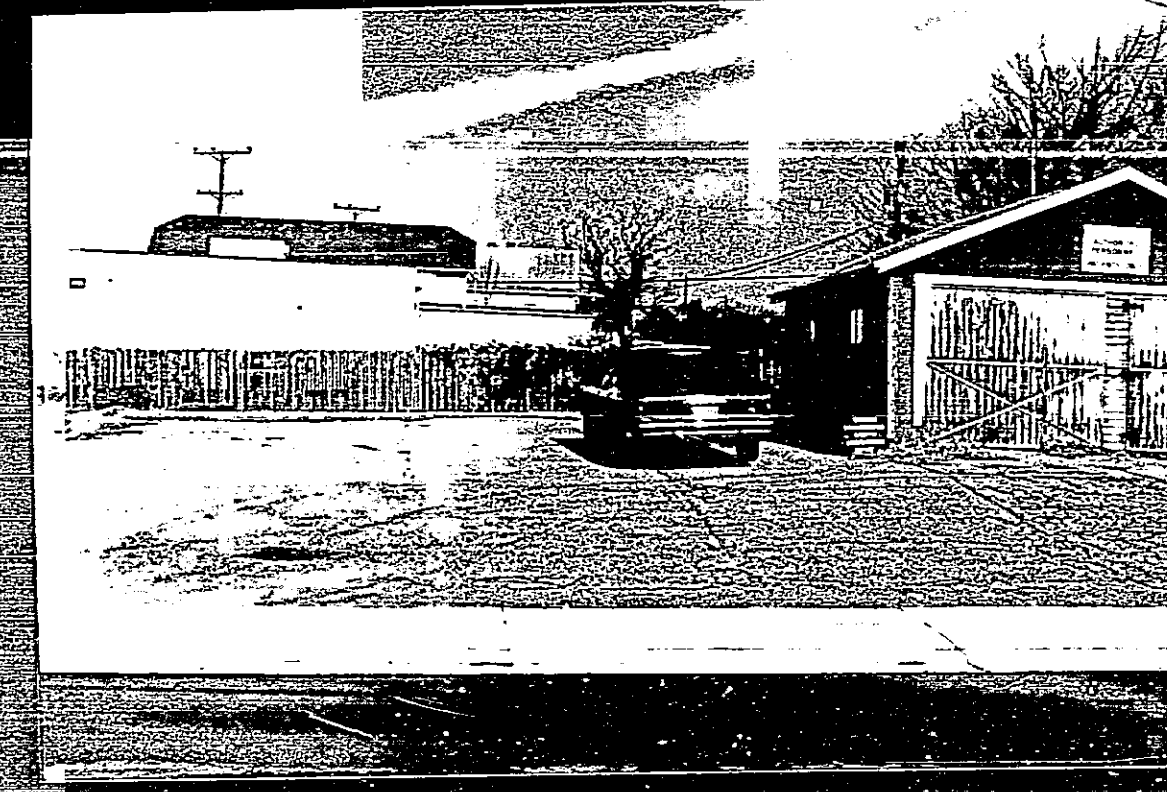
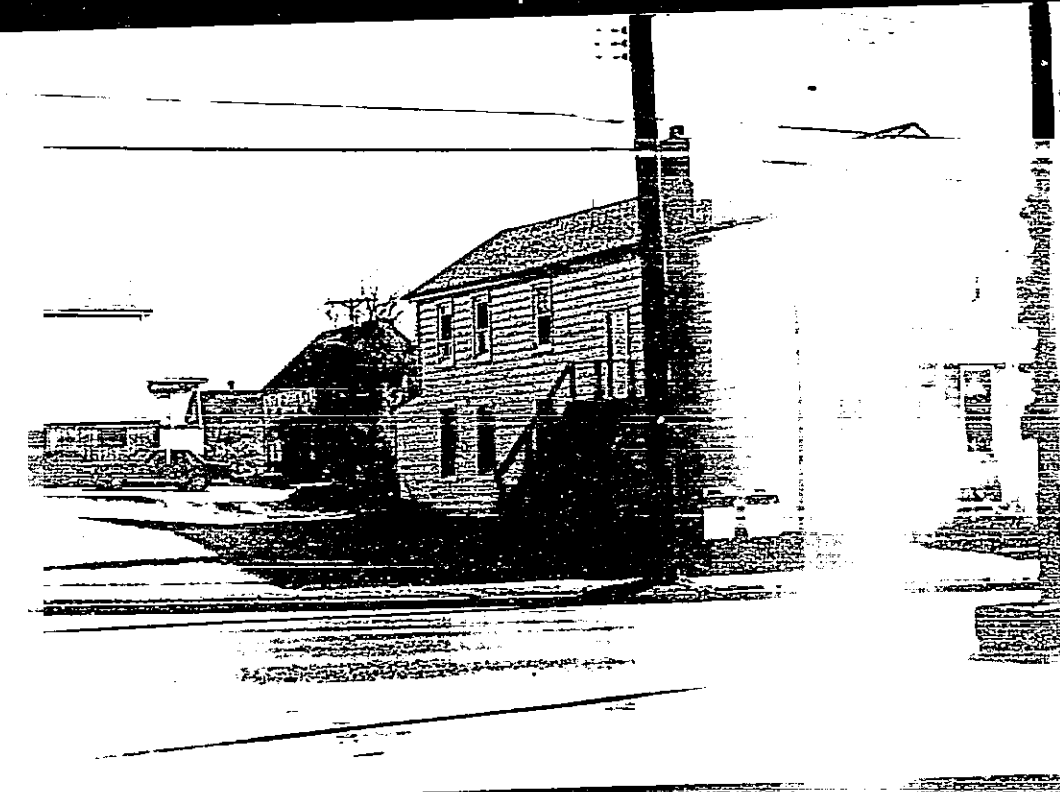
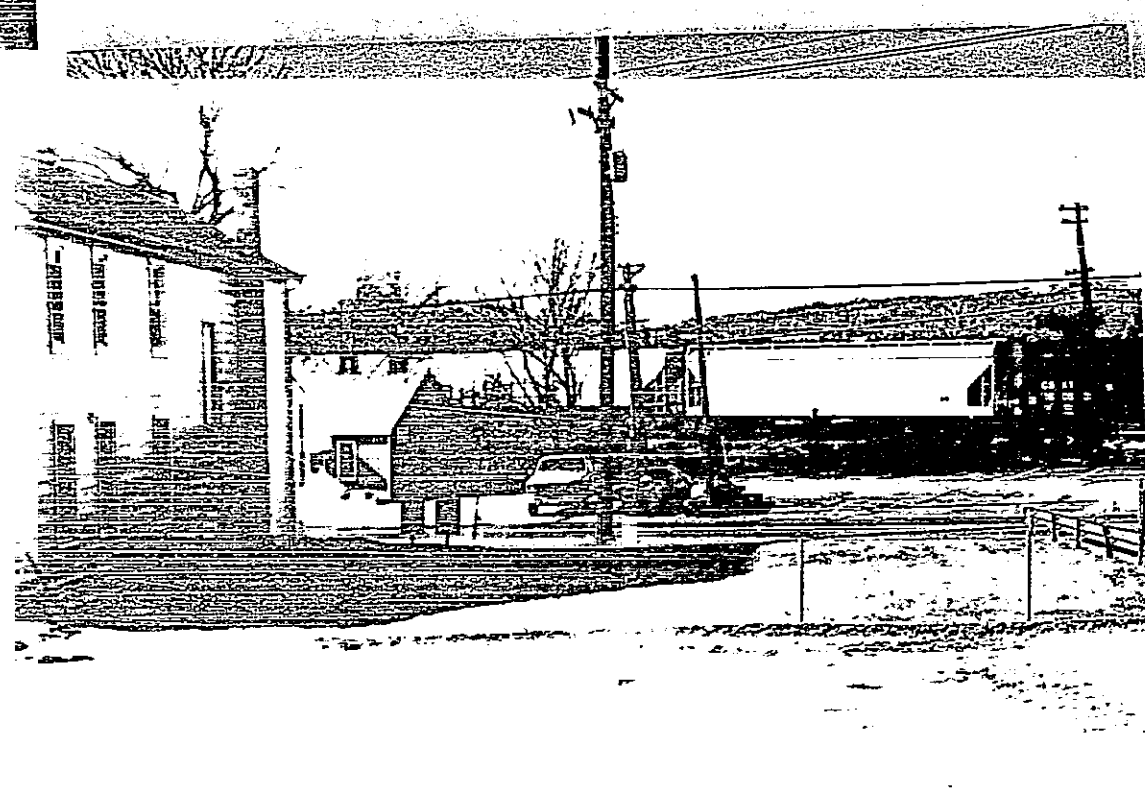
PETITIONER'S EXHIBIT 3A-D

PETITIONER(S) EXHIBIT ()

PETITIONER'S EXHIBIT 2 A-2K
Pictures of property



Petitioner's Exhibit
2A-2K
91-211-XA

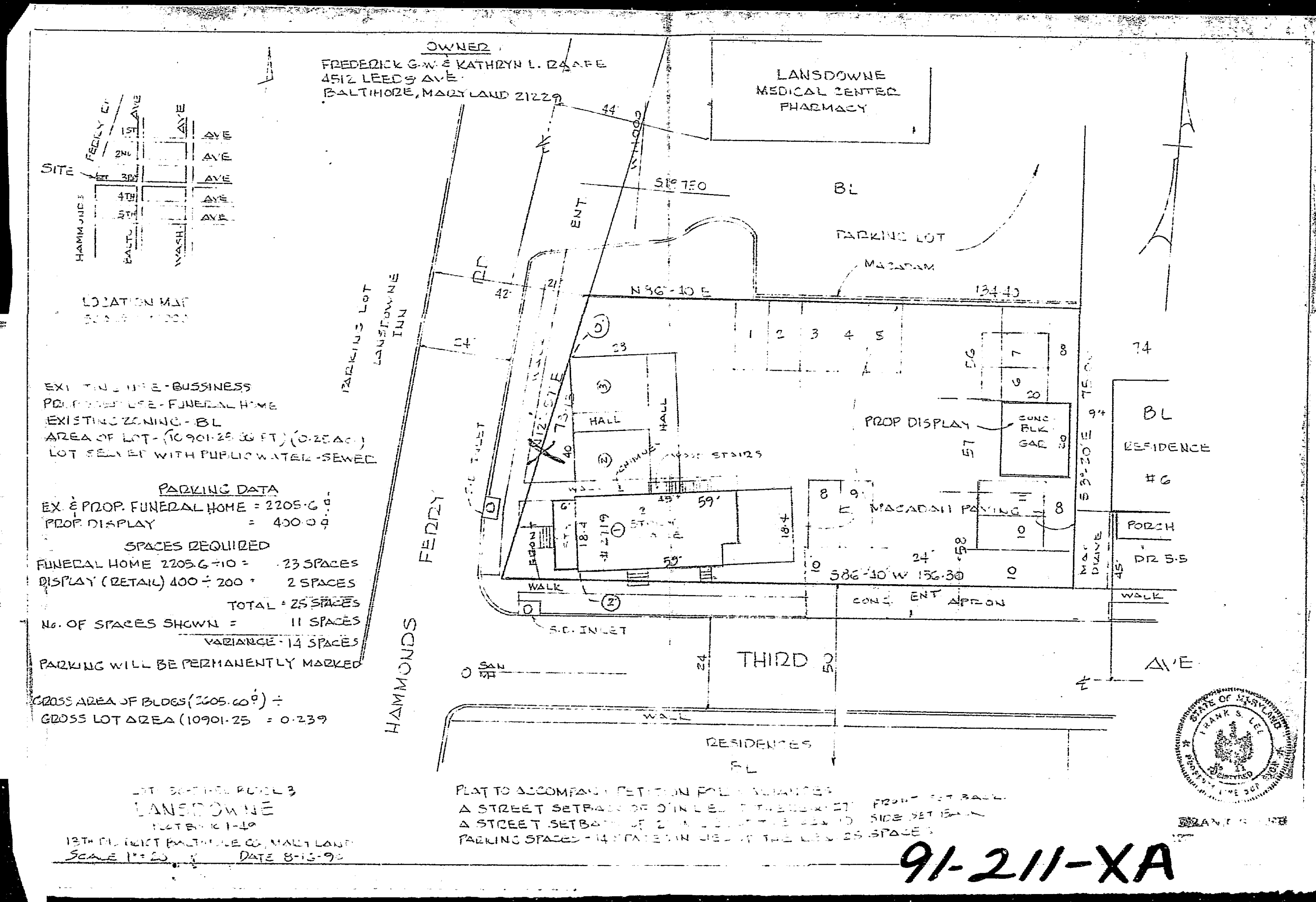
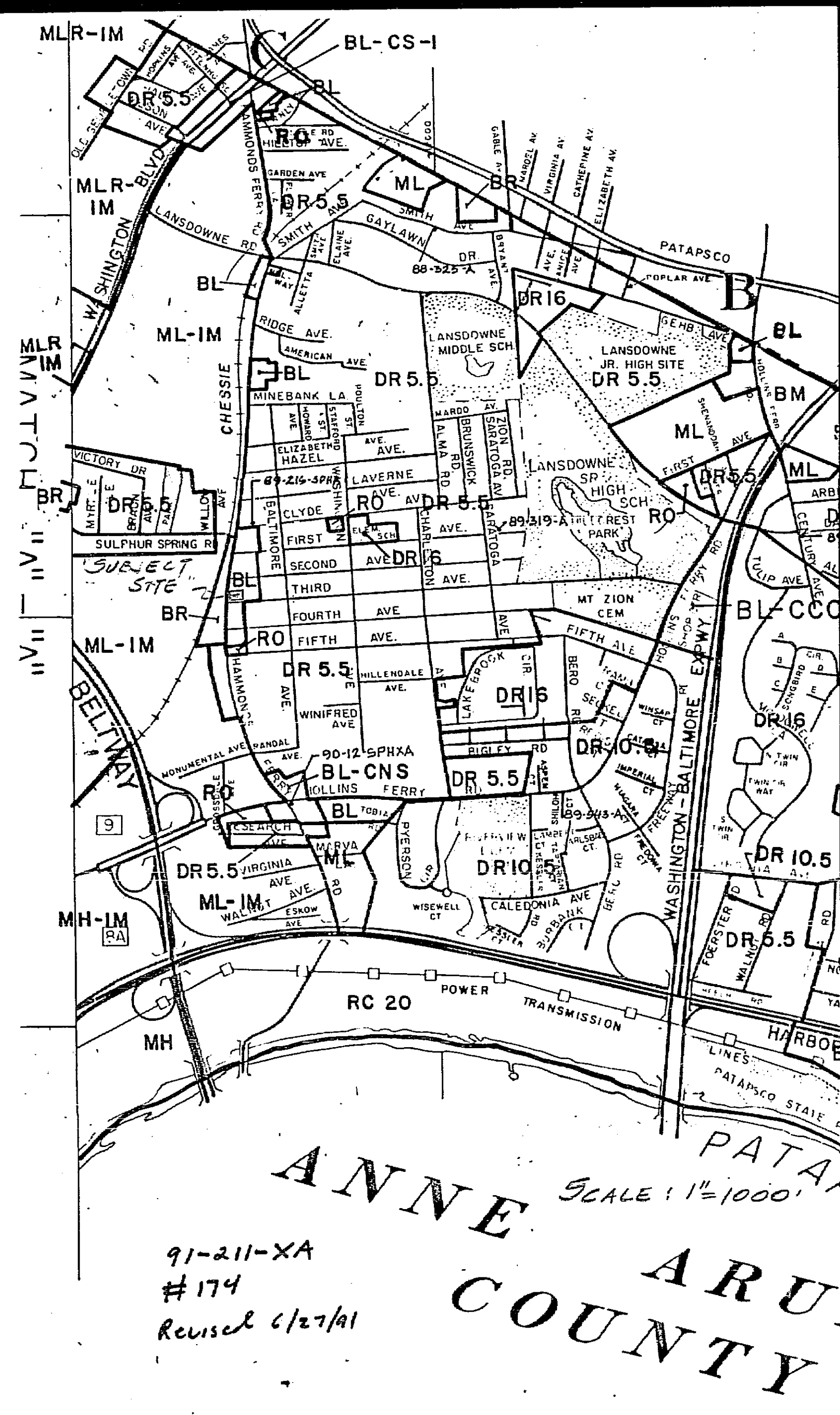


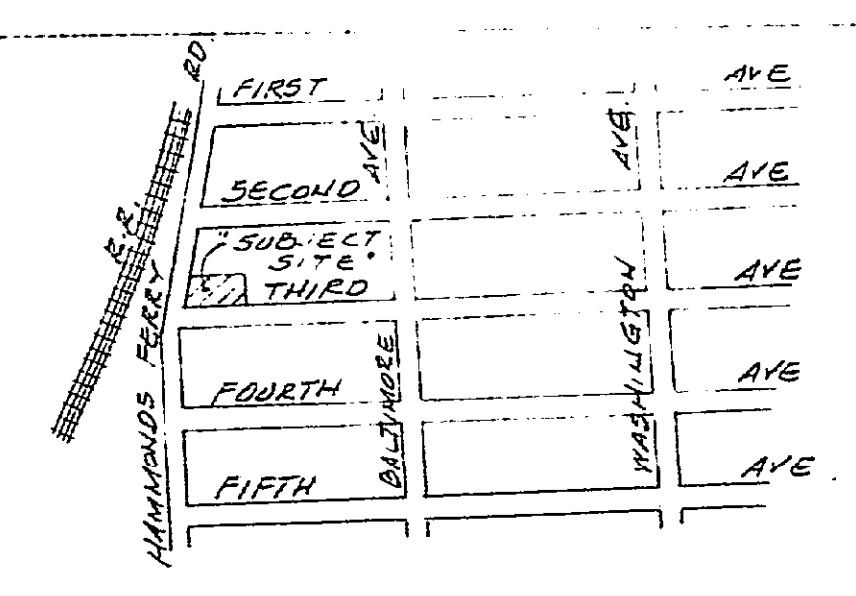
COUNTY AND ZONING MAP

DRAWING NUMBER

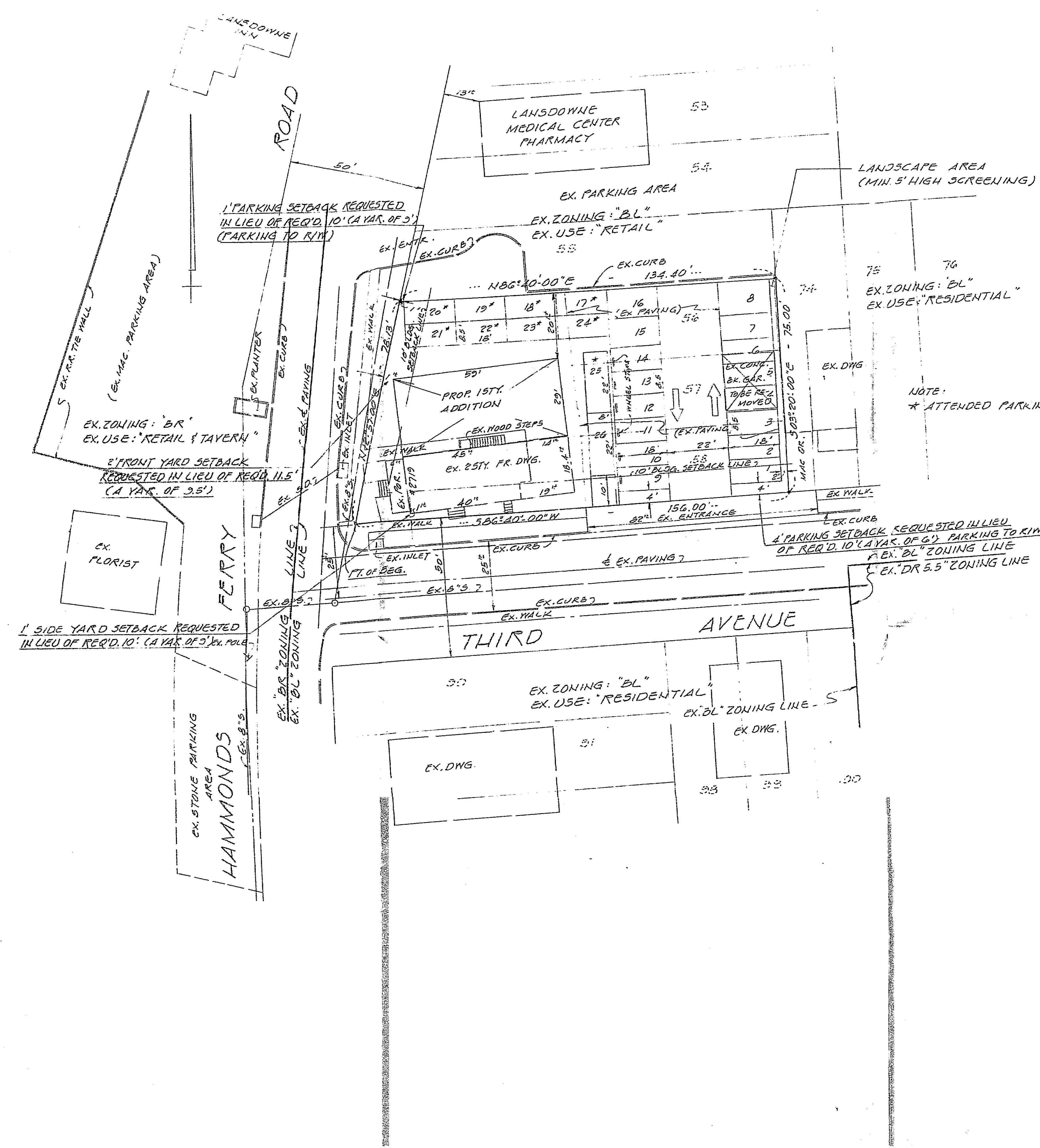
DRAWING NUMBER
SW 5-C

#174





LOCATION PLAN
SCALE: 1"=500'



- GENERAL NOTES**
1. AREA OF SITE - 10,901.25 SF (0.25AC.), GROSS - 17,460.5 SF (0.40AC.)
 2. EXIST. ZONING OF SITE = "BL"
 3. EXIST. USE OF SITE = "RESIDENTIAL"
 4. PROP. ZONING OF SITE = "BL" w/ SPECIAL EXCEPTION
 5. PROP. USE OF SITE = "AMBROSE FUNERAL HOME"
 6. REQUIRED OFF-STREET PARKING -
 - A. EX. 2STY BLDG. TOTAL AREA = 966.88 SF/FL. = 1933.67 SF.
 - (AREA - PUBLIC USE = 1ST FL. 886.73 SF + 2ND FL. = 690.48 SF = 1577.2 SF)
 - B. PROP. 1STY. ADDITION = 59' x 29' (1711.5 SF) + 18' x 6' (PORCH) = 110.4 SF = 1821.4 SF
 - C. TOTAL AREA - PUBLIC USE = 3,398.6 SF @ 10 RS./1000 SF. = 34 RS.
 - NO. EMPLOYEES = 20. 1/2 EMPL. = 1 RS.
 - (NO VEHICLES WILL ORIGINATE FROM THIS SITE.) = 35 RS. REQ'D
 - D. TOTAL NO. PARKING SPACES SHOWN (INCL. 3 ATTENDED RS.) = 26 RS.
 7. PETITIONER IS REQUESTING A VARIANCE TO SECTION 303.2 OF THE BCZR TO PERMIT A FRONT YARD SETBACK OF 2' IN LIEU OF THE REQUIRED 11.5' (AVERAGE OF ADJACENT BUILDING 13'4" = 11.5' - A VAR. OF 9.5')
 8. PETITIONER IS REQUESTING A VARIANCE TO SECTION 232.2.b OF THE BCZR TO PERMIT A SIDE YARD SETBACK (ON A STREET) OF 1' IN LIEU OF THE REQUIRED 10' (A VARIANCE OF 9')
 9. PETITIONER IS REQUESTING A VARIANCE TO SECTION 409.8A.4 OF THE BCZR TO PERMIT A 1'4" PARKING SETBACK FROM A ROAD R/W IN LIEU OF THE REQUIRED 10' (A VAR. OF 9'6")
 10. PETITIONER IS REQUESTING A VARIANCE TO SECTION 409.4.B.1 OF THE BCZR TO PERMIT 3 ATTENDED PARKING SPACES (33%, WITH NO DIRECT ACCESS TO AN AISLE.
 11. PETITIONER IS REQUESTING A VARIANCE TO SECTION 409.6A.2 OF THE BCZR TO PERMIT 26 RS. (3 ATTENDED) IN LIEU OF THE REQUIRED 35 RS. (A VAR OF 9.5).
 12. PETITIONER IS REQUESTING A SPECIAL EXCEPTION TO PERMIT A FUNERAL ESTABLISHMENT IN A BC ZONE.
 13. P.A.R. PERMITTED = 0.25 x 3 = 0.75, PROPOSED = 3755.07/10,901.25 = 0.34
 14. ANY SIGN(S) SHALL CONFORM WITH SECTION A13 OF THE BCZR AND ALL ZONING POLICIES.
 15. PUBLIC UTILITIES AVAILABLE TO SITE.
 16. AN ATTENDANT WILL BE ON HAND TO DIRECT ALL PARKING.

PLAT TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION
AND
VARIANCES
2719 HAMMONDS FERRY ROAD

13TH ELECT. DIST BALTIMORE COUNTY, MD.
SCALE 1"=20' MAY 31, 1991

**PETITIONER'S
EXHIBIT 1**

REVISED PLANS
91-211-XA
174
6/27/91

PAUL LEE ENGINEERING, INC.
39411 PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21284

