

- * BEFORE THE
- * DEPUTY ZONING COMMISSION
- * OF BALTIMORE COUNTY
- * Case No. 94-104-SPIDA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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It was also discovered by the Petitioner at the time of filing that because the antique shop, which has been in operation since the 1970s, is located in an R.C.2 zone, a special exception is necessary in order to legalize its operation. Furthermore, because of existing parking conditions on the site, the requested variances are needed in order to bring the property into compliance with the regulations. The Petitioners testified that the proposed additions will not result in any increase in seating capacity or require additional parking, but will merely update existing bathroom facilities and improve the lobby entrance.

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 S.C.R.A.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the pub-

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.C.Z. as follows: From Section 409.8.A.2 to permit grass parking surface in lieu of the required durable dustless surface; from Section 409.4.B to permit parking with direct access to a driveway in lieu of an aisle; from Section 409.8.A.1 to permit a grass buffer of 0 feet to 8 feet in lieu of the required landscaping; from Section 409.4.A to permit a driveway width of 16 feet in lieu of the required 20 feet; and, from Section 409.8.A.1 to permit a grass space width of 2 feet in lieu of the required landscaping buffer width of 10 feet adjacent to the

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[illegible]

PETITION FOR SPECIAL HEARING and
 SPECIAL EXEMPTION :
 17434 Foreston Rd., 3000' S of
 17434 Foreston Rd. :
 OF BALTIMORE COUNTY
 PETITIONER :
 DOROTHY B. WILHELM

BEFORE THE
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 CASE NO: 94-304-SPH

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
 People's Counsel for Baltimore County

Carol S. DeWille
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, Maryland 21204
 (410) 887-2188

I HEREBY CERTIFY THAT on this March 4, 1994, a copy
 of the foregoing Entry of Appearance was mailed to Robert B. Kernshaw,
 Esquire, 113 W. Monument Street, Baltimore, MD 21201.

Peter Max Zimmerman

BALTIMORE COUNTY, MARYLAND
 DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
 INTER-OFFICE CORRESPONDENCE

March 4, 1994

TO: Mr. Arnold Jablon, Director
 Zoning Administration and
 Development Management
 FROM: J. Lawrence Pilson
 Development Coordinator, DEPRM
 SUBJECT: Zoning Item #306 - Friendly Farm, Inc.
 17434 Foreston Road
 Zoning Advisory Committee Meeting of February 22, 1994

The Department of Environmental Protection and Resource Management offers
 the following comments on the above-referenced zoning item.

Environmental Impact Review

Forest Conservation Regulations were complied with on 12/93 when Limited
 Exemption Plan was approved.

Ground Water Management

The existing restaurant facility is served by wells and a septic system. A
 detailed review of capacities will be made at time of building permits for
 the proposed additions.

JLP:GCS:TE:sp
 FRIENDLY/DEPRM/XTSBR

Robert Kernshaw
 Dorothy Wilhelm
 Charles Coeclen

Charles Coeclen PE
 - 3 additions to restaurant - comply w/ ADP

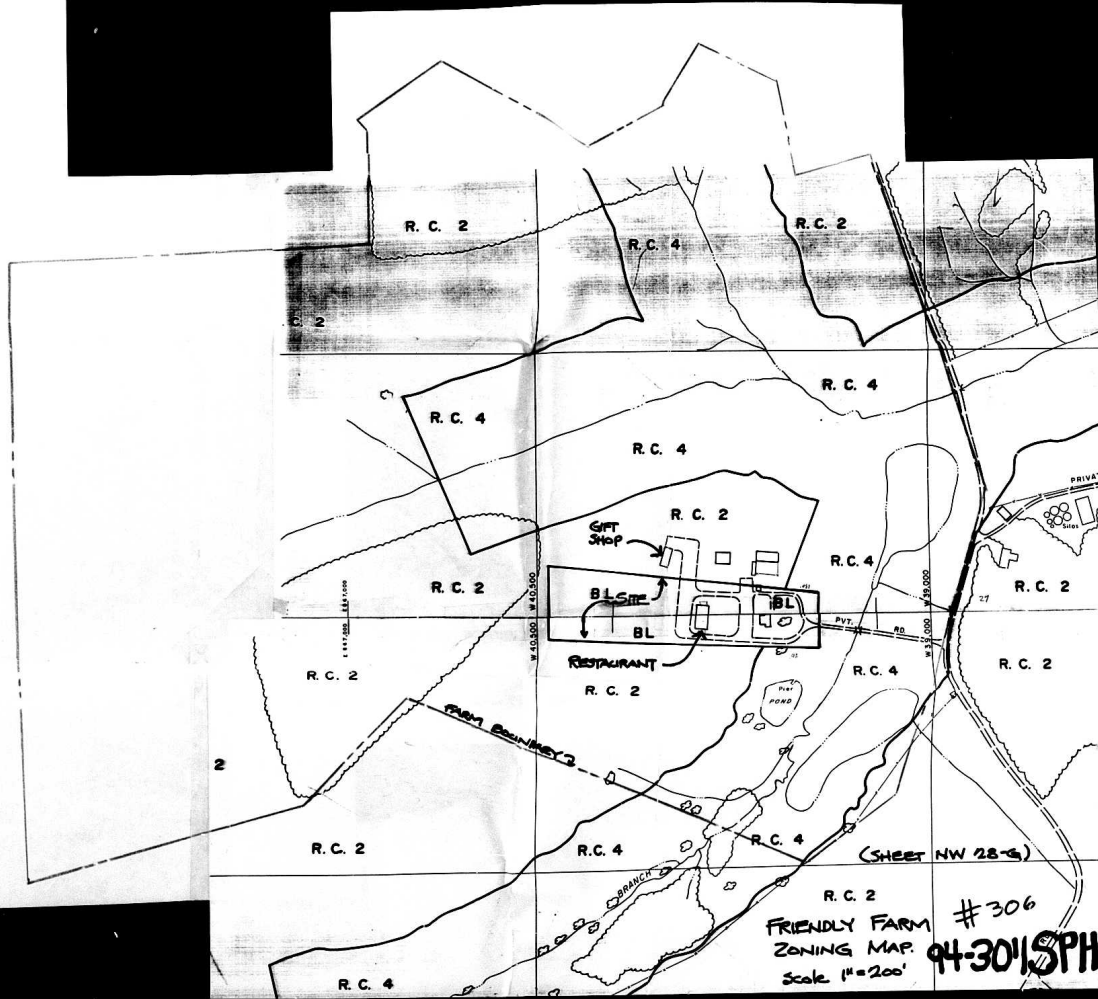
b/c BL - contains restaurant
 2 small additions - Total less than 5,000 sq ft

SPH - for 9 parking spaces -
 30 used for restaurant

Variance for parking
 2 of them were moved as SPH

Seeking Agency of Restaurant well not change

- Friendly Farm - Restaurant been there since 1959
 - Antique shop - built in 70's - thought it was in
 the BL zone - but actually in R.C. 2



BUILDING CONSTRUCTION NOTE:

PROPOSED BUILDING ADDITIONS SHALL BE DESIGNED AND CONSTRUCTED SO AS TO MEET THE APPLICABLE PROVISIONS OF THE FIRE PREVENTION CODE AND THE JFA WITH LIFE SAFETY CODE 1998 EDITION.

LANDSCAPING REQUIREMENTS

EXISTING FLOOR AREA:
RESTAURANT 2-STY. W 8573.65 SF EA. = 9,147.36 SF
PROPOSED ADDITIONS:
LOBBY AND RESTROOMS 30' x 60' = 1,800.00 SF
RESTROOMS 29' x 16.33' = 473.57 SF
MULTI PURPOSE ROOM 30' x 30.50' = 915.00 SF
TOTAL = 3,188.57 SF

PERCENT INCREASE = $3244.57/9147.36 = 35.4\%$ > 50% ALLOWABLE
LANDSCAPING NOT REQUIRED SEE PLAN FOR LANDSCAPING PROVIDED

NUMBER OF TREES (181 AREA)

191 PL. SPACES @ 1-TREE/12-SPACES = 16 TREES
NUMBER OF TREES REQUIRED = 16 TREES
NUMBER OF TREES IN AREA = 17 TREES

LESTER M. HARE
6084/687
8/0500000000

STORM WATER MANAGEMENT NOTE:

DISTURBED AREA = $1100.00 \text{ SF} \times 0.0400 = 44.00 \text{ SF}$
DISTURBED AREA = 5,000 SF THEREFORE DISTRICT IS EXEMPT FROM SWM
STORM WATER MANAGEMENT, EXEMPTION GRANTED NOV. 6, 2002.

DELINQUENT ACCOUNTS:

THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING:
THE APPLICANT A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT OR A PERSON WHO WILL RENDER CONTRACTUAL SERVICES OR RESULTS OF THE PROPOSED DEVELOPMENT.

HOURS OF OPERATION:

SUNDAY THRU SATURDAY 12:00 AM TO 8:00 PM

RTA NOTE:

PROPOSED DEVELOPMENT DOES NOT CREATE AN RTA.

GENERAL NOTES

1. ELATION DISTRICT..... 2TH
2. COUNCILMANIC DISTRICT..... 560
3. COUNCIL TRACT..... 600
4. WATERSHED..... 600/100' S
5. SUBDIVISION..... 600
6. SOIL TYPES AND LIMITATIONS (WITHIN LIMIT OF DEVELOPMENT)
Soil Types: B1, B2, B3, B4, B5, B6, B7, B8, B9, B10, B11, B12, B13, B14, B15, B16, B17, B18, B19, B20, B21, B22, B23, B24, B25, B26, B27, B28, B29, B30, B31, B32, B33, B34, B35, B36, B37, B38, B39, B40, B41, B42, B43, B44, B45, B46, B47, B48, B49, B50, B51, B52, B53, B54, B55, B56, B57, B58, B59, B60, B61, B62, B63, B64, B65, B66, B67, B68, B69, B70, B71, B72, B73, B74, B75, B76, B77, B78, B79, B80, B81, B82, B83, B84, B85, B86, B87, B88, B89, B90, B91, B92, B93, B94, B95, B96, B97, B98, B99, B100, B101, B102, B103, B104, B105, B106, B107, B108, B109, B110, B111, B112, B113, B114, B115, B116, B117, B118, B119, B120, B121, B122, B123, B124, B125, B126, B127, B128, B129, B130, B131, B132, B133, B134, B135, B136, B137, B138, B139, B140, B141, B142, B143, B144, B145, B146, B147, B148, B149, B150, B151, B152, B153, B154, B155, B156, B157, B158, B159, B160, B161, B162, B163, B164, B165, B166, B167, B168, B169, B170, B171, B172, B173, B174, B175, B176, B177, B178, B179, B180, B181, B182, 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