

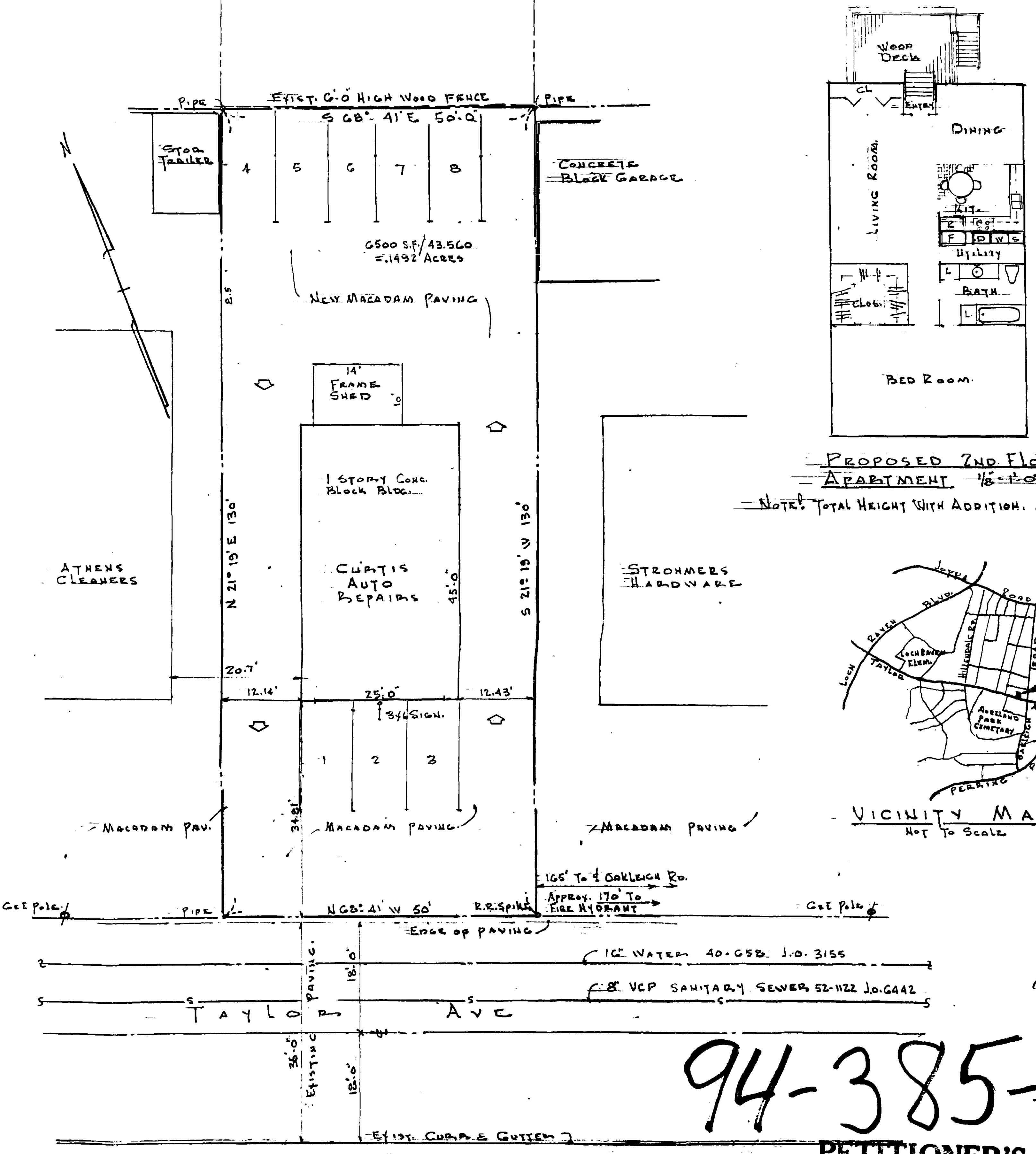
ZONING MAP
Scale 1" = 200'

PROPERTY ZONED BL-CNS
3 ELECTION DISTRICT, 4TH COUNCILMANIC DISTRICT
PROPERTY 6500 S.F. 1492 ACRES 7900 S.F. = 7400 GROSS S.F.
BLDG. FL. AREA 1265/7400 = 0.17 FLOOR AREA RATIO

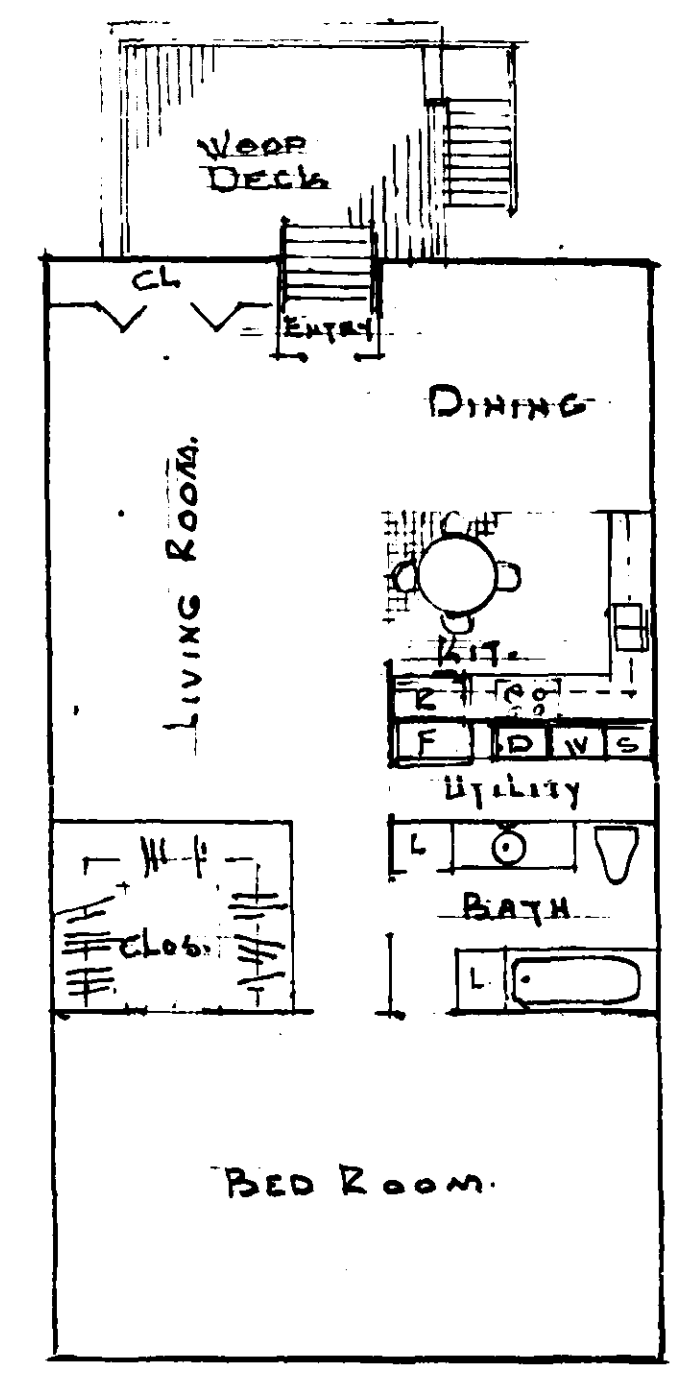
PARKING REQUIREMENTS
BLDG. FL. AREA 1265/33 SPACES PER 1000 = 4 SPACES
SPACES PROVIDED 8 SPACES

NO PREVIOUS ZONING HISTORY PER OWNER (IN 27 YEARS)

RESIDENTIAL
(SEE ZOO SCALE ZONING MAP)

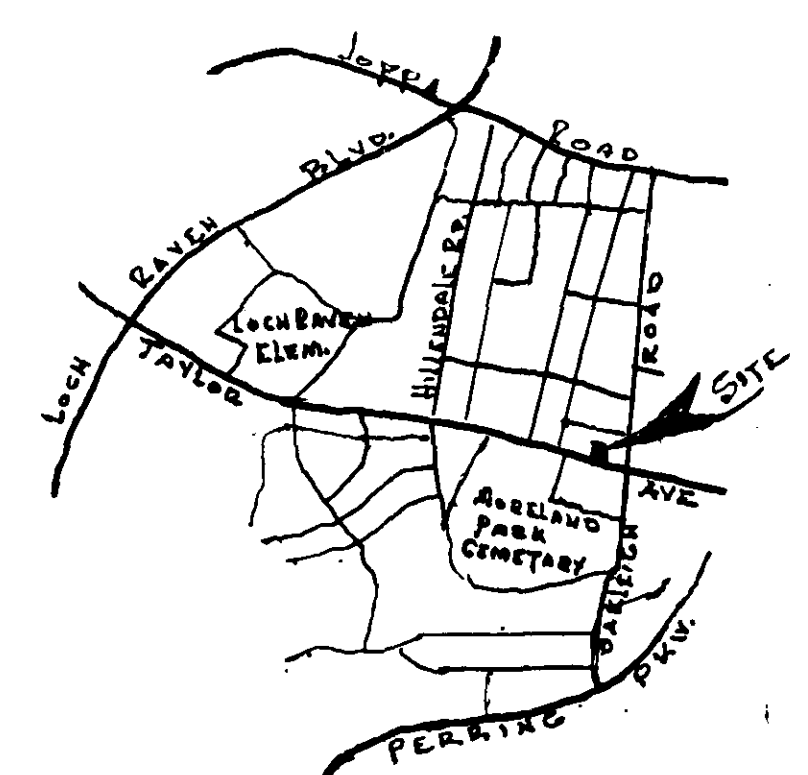


PLOT PLAN
Scale 1" = 10'



PROPOSED 2ND FLOOR APARTMENT

NOTE: TOTAL HEIGHT WITH ADDITION, APPROX. 24'-0"



VICINITY MAP
NOT TO SCALE

94-385-X

PETITIONER'S EXHIBIT 2

PROPOSED APARTMENT ADD. OVER	PROJ. No. 1293
1740 TAYLOR AVE - CURTIS AUTO	DATE: DEC. 29, 93
FOR MR. & MRS. HARRY T. CURTIS	SCALE: AS NOTED
1740 TAYLOR AVE BALTO. CO. MO. 21234	PREP. REV.
3RD ELECTION DIST. - 4TH COUNCILMANIC DIST.	DRAWING
	2 of 1

PETITION FOR SPECIAL EXCEPTION : BEFORE THE
N/S Taylor Avenue, 180'+/- NW of : ZONING COMMISSIONER
c/1 Oakleigh Road (1740 Taylor :
Avenue), 9th Election Dist., : OF BALTIMORE COUNTY
4th Councilmanic Dist. :
PETITIONER : CASE NO: 94-385-X
HARRY T. CURTIS : : : : :
: : : : :

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
Peter Max Zimmerman
People's Counsel for Baltimore County

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

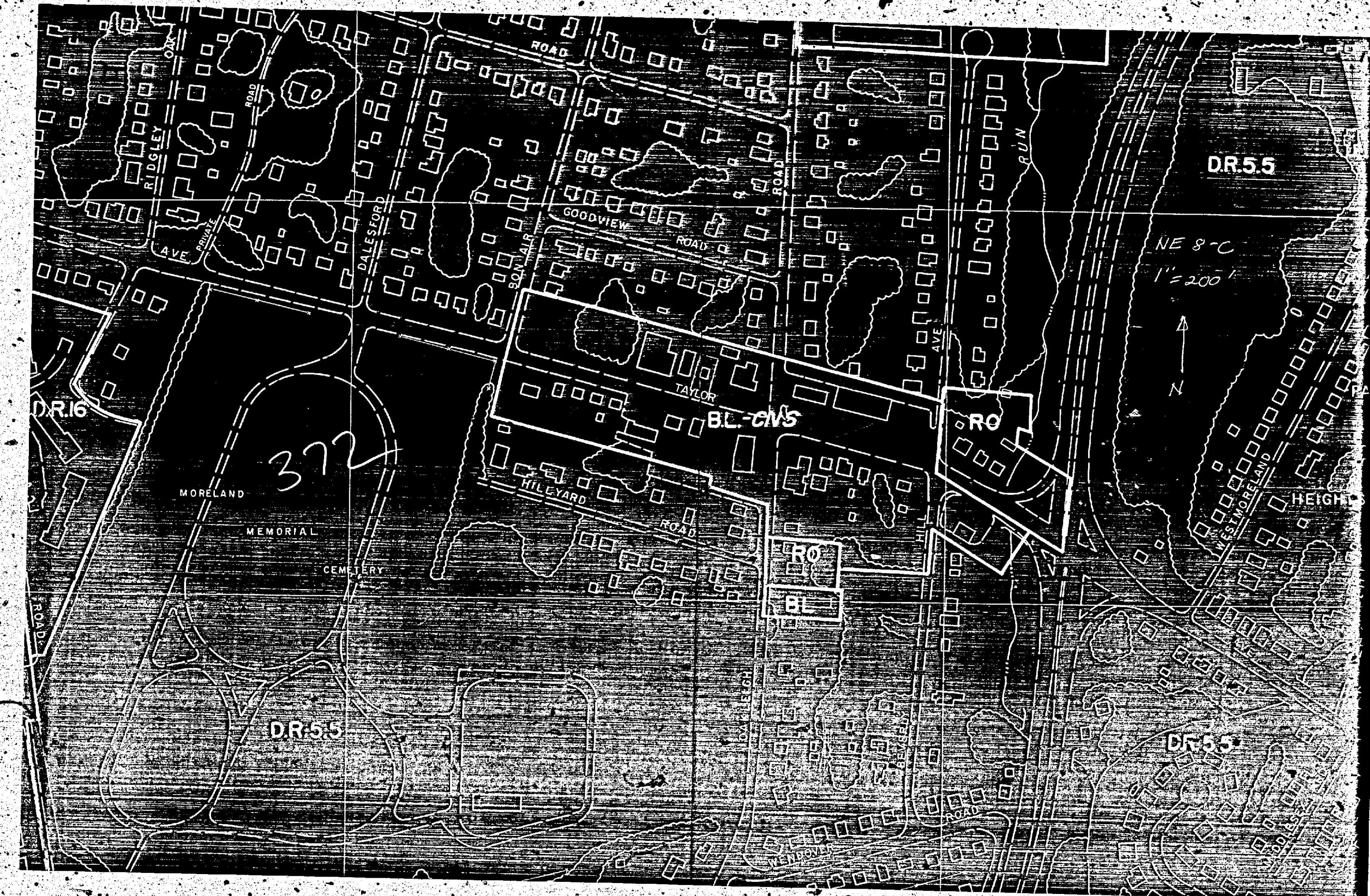
I HEREBY CERTIFY THAT on this 4th day of May, 1994, a copy of the foregoing Entry of Appearance was mailed to Samuel F. Kenney, Esq., 31 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

3-30-94

NOTE TO FILE:
Zoning Descriptions To Be
placed in file By Atty. Prior To
Hrg.

372



111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 372
 Petitioner: Harry T. Curtis
 Location: 1740 Taylor Avenue
 PLEASE FORWARD ADVERTISING BILL TO:
 NAME: Samuel F. Kenney, Esquire
 ADDRESS: 31 Allegheny Avenue
Towson, Maryland 21204
 PHONE NUMBER: (410) 823-5500

Atty: (Revised 04/09/93)

TO: PETITION PUBLISHING COMPANY
April 14, 1994 Issue - Jeffersonian

Please forward billing to:

Samuel F. Kenney
31 Allegheny Avenue
Towson, Maryland 21204
823-5500

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-385-X (Item 372)

1740 Taylor Avenue
N/S Taylor Avenue, 180' +/- NW of c/l Oakleigh Road
9th Election District - 4th Councilmanic

Petitioner(s): Harry T. Curtis

HEARING: TUESDAY, MAY 10, 1994 at 10:00 a.m., Rm. 118, Old Courthouse.

Special Exception for continued use as an automobile repair garage in the existing one-story building and to construct a second story above to use as personal living quarters.

LANGENE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

APRIL 8, 1994

NOTICE OF HEARING

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CASE NUMBER: 94-385-X (Item 372)

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Special Exception for continued use as an automobile repair garage in the existing one-story building and to construct a second story above to use as personal living quarters.

Arnold Jablon
Arnold Jablon
Director

cc: Harry T. Curtis
Samuel F. Kenney

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soy-based Ink on Recycled Paper

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

May 2, 1994

Samuel F. Kenney, Esquire
31 Allegheny Avenue
Towson, Maryland

RE: Case No. 94-385-A, Item No. 372
Petitioner: Harry T. Curtis
Petition for Special Exception

Dear Mr. Kenney:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 March 30, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Zoning Plans Advisory Committee Comments
Samuel F. Kenney, Esquire
Date: May 2, 1994
Page 2

2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.

3. Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,
W. Carl Richardson Jr.
W. Carl Richardson Jr.
Zoning Supervisor

WCR:cmn
Enclosures

O. James Lighthizer
Secretary
Hel Kassoff
Administrator

4-8-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No: 4372 (JCM)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact: Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
BOB SMALL, ACTING CHIEF
John Comestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2255 (Shorewide Toll Free)
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calver Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management DATE: April 11, 1994

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 356, 367, 369, 370, 372 and 375.

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 887-3480.

Prepared by: *Jeffrey Long*

Division Chief: *Pat Keller*

PK/JL:lw

ZAC356/PZONE/ZAC1

700 East Joppa Road Suite 901
Towson, MD 21286-5500 (410) 887-4500

DATE: 04/12/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION:

Item No.: Zoning Agenda:

Bentlemen:

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", 1991 edition prior to occupancy.

IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 365, 372, 373 and 376.

RECEIVED
APR 13 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

IN RE: PETITION FOR SPECIAL EXCEPTION
 N/S Taylor Avenue, 180' NW of
 the c/l of Oakleigh Road
 (1740 Taylor Avenue)
 9th Election District
 4th Councilmanic District
 Harry T. Curtis
 Petitioner

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 94-385-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 1740 Taylor Avenue, located in the Hillendale area of northeastern Baltimore County. The Petition was filed by the owner of the property, Harry T. Curtis. The Petitioner requests a special exception to permit the continued use of the subject property as an automobile repair garage in an existing one-story building and to permit a second floor addition to the existing building to provide living quarters for the Petitioner. The subject property and relief sought are more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Harry Curtis, property owner, and his attorney, Samuel F. Kenney, Esquire. There were no Protestants present.

Testimony revealed that the subject property consists of .1492 acres, more or less, zoned B.L.-C.N.S., and is improved with a one-story concrete block building with accessory paved parking areas. The property has been in use as an automobile repair garage since 1954. Mr. Curtis testified that he has operated his automotive repair business from the subject site since he began renting the property in 1967. The Petitioner purchased the property in 1977 and is now desirous of adding a second floor addition to the existing building to provide living quarters for

himself. Testimony revealed that Mr. Curtis currently resides in a houseboat on Hopkins Creek in the Middle River area of southeastern Baltimore County. Mr. Curtis wishes to provide small living quarters above his business for convenience purposes. The proposed living quarters will include a bedroom, bathroom, utility room, kitchen and dining room, and living room.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-C.N.S. 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. Schultz v. Pritts, 432 A.2d 1319 (1981).

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.

ORDER RECEIVED FOR FILING
 Date 5/19/94
 By [Signature]

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.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19th day of May, 1994 that the Petition for Special Exception to permit the continued use of the subject property as an automobile repair garage in an existing one-story building and to permit a second floor addition to the existing building to provide living quarters for the Petitioner, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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 has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

[Signature]
 TIMOTHY M. KOTROCCO
 Deputy Zoning Commissioner
 for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
 Date 5/19/94
 By [Signature]

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

Suite 113, Courthouse
 400 Washington Avenue
 Towson, MD 21204

May 19, 1994

(410) 887-4386

Samuel F. Kenney, Esquire
 31 Allegheny Avenue
 Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
 N/S Taylor Avenue, 180' NW of the c/l of Oakleigh Road
 (1740 Taylor Avenue)
 9th Election District - 4th Councilmanic District
 Harry T. Curtis - Petitioner
 Case No. 94-385-X

Dear Mr. Kenney:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

[Signature]
 TIMOTHY M. KOTROCCO
 Deputy Zoning Commissioner
 for Baltimore County

TMK:bjs

cc: Mr. Harry T. Curtis
 1740 Taylor Avenue, Baltimore, Md. 21234

People's Counsel
 file

Petition for Special Exception
 to the Zoning Commissioner of Baltimore County
 for the property located at 1740 Taylor Avenue
 Baltimore County, Maryland 21234
 which is presently zoned B.L.-C.N.S.

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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 Regulations of Baltimore County, to use the herein described property for:

Continued use as an automobile repair garage in the existing one-story building and to construct a second story above to use as personal living quarters.

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.

Contract Purchaser/Lessee
 Type or Print Name: _____
 Signature: _____
 Address: _____
 City: _____ State: _____ Zip Code: _____

Legal Owner(s)
 Harry T. Curtis
 Type or Print Name: _____
 Signature: [Signature]
 Type or Print Name: _____
 Address: _____
 City: _____ State: _____ Zip Code: _____

Attorney for Petitioner
 Samuel F. Kenney
 Type or Print Name: _____
 Signature: [Signature]
 31 Allegheny Ave. (410) 823-5500
 Towson, Maryland 21204

1740 Taylor Avenue (410) 661-7486
 Baltimore County, Maryland 21234
 Samuel F. Kenney, Esquire
 31 Allegheny Avenue
 Towson, MD 21204 (410) 823-5500

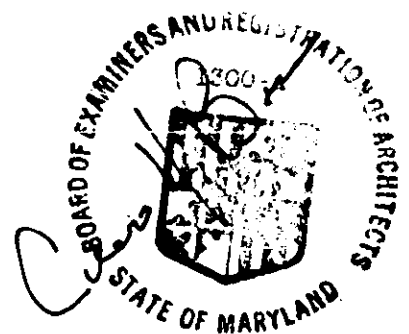
ESTIMATED LENGTH OF HEARING
 No. of days: _____ Start Two Months
 ALL OTHER: _____
 RECEIVED BY: JCM DATE: 5-30-94

372

1740 TAYLOR AVENUE - ZONING DESCRIPTION

BEING known as Lots Nos. Six (6) and Seven (7) as shown on Plat of Hillendale Park, which Plat is recorded among the Land Records of Baltimore County in Plat Book L.M.C.L. No. 9, folio 10.

The improvements thereon being known as 1740 Taylor Avenue. BEING the same lots of ground which by Deed dated January 24, 1989 and recorded among the Land Records of Baltimore County in Liber SM8113, folio 391 were granted and conveyed by Harry T. Curtis and Janet Lee Curtis to Harry T. Curtis.



CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

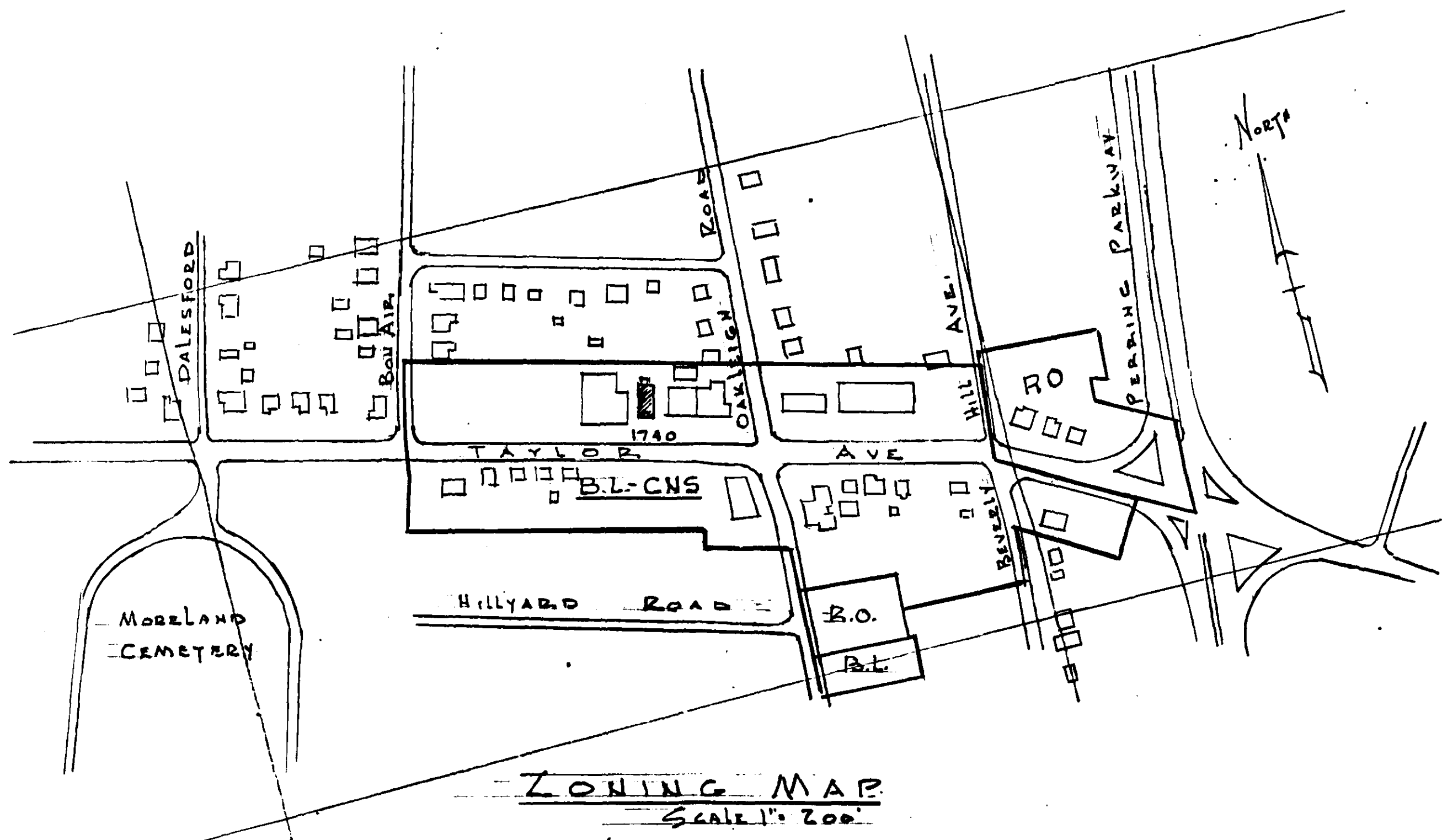
District: 9th Date of Posting: 4/27/94
 Posted for: Special Exception
 Petitioner: Harry T. Curtis
 Location of property: 1740 Taylor Ave., N/S
 Location of Signs: Signs and copy on property being zoned posted on site of Rd.
 Remarks: M. Bl. used
 Posted by: [Signature]
 Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 15, 1994
 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 April 14, 1994.

THE JEFFERSONIAN
 A. Henikson
 LEGAL AD. - TOWSON

ITEM 372 receipt
 Account: R-001-6190
 Number: JCM
 1-1819-94
 HARRY CURTIS 1740 Taylor Ave.
 SPEC. EX. (050) _____ 300.00
 POSTING (080) _____ 35.00
 TOTAL (000) _____ 335.00
 0140140002M1CHRC \$335.00
 62 EMD315P403-30-94
 Please Make Checks Payable To Baltimore County



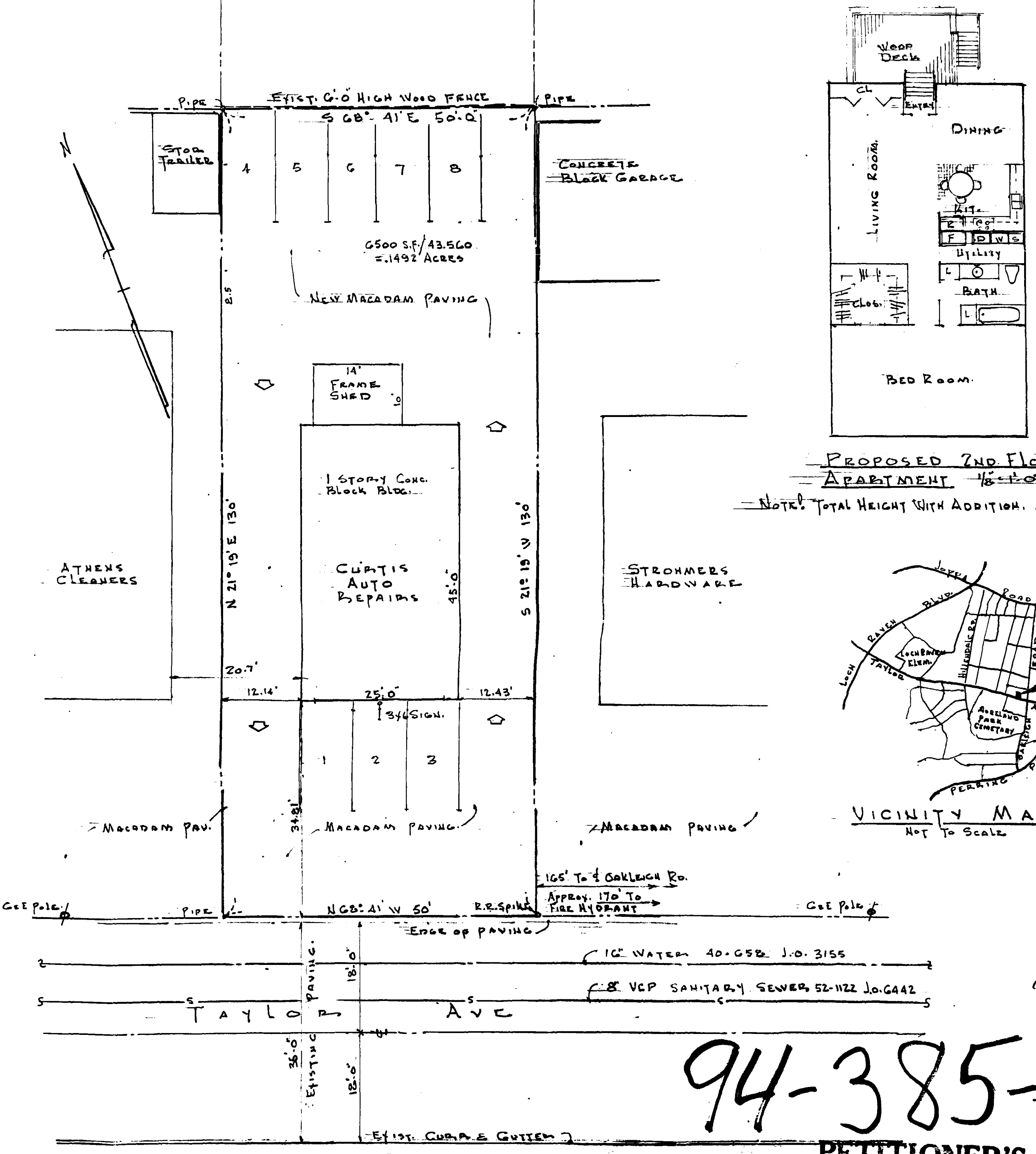
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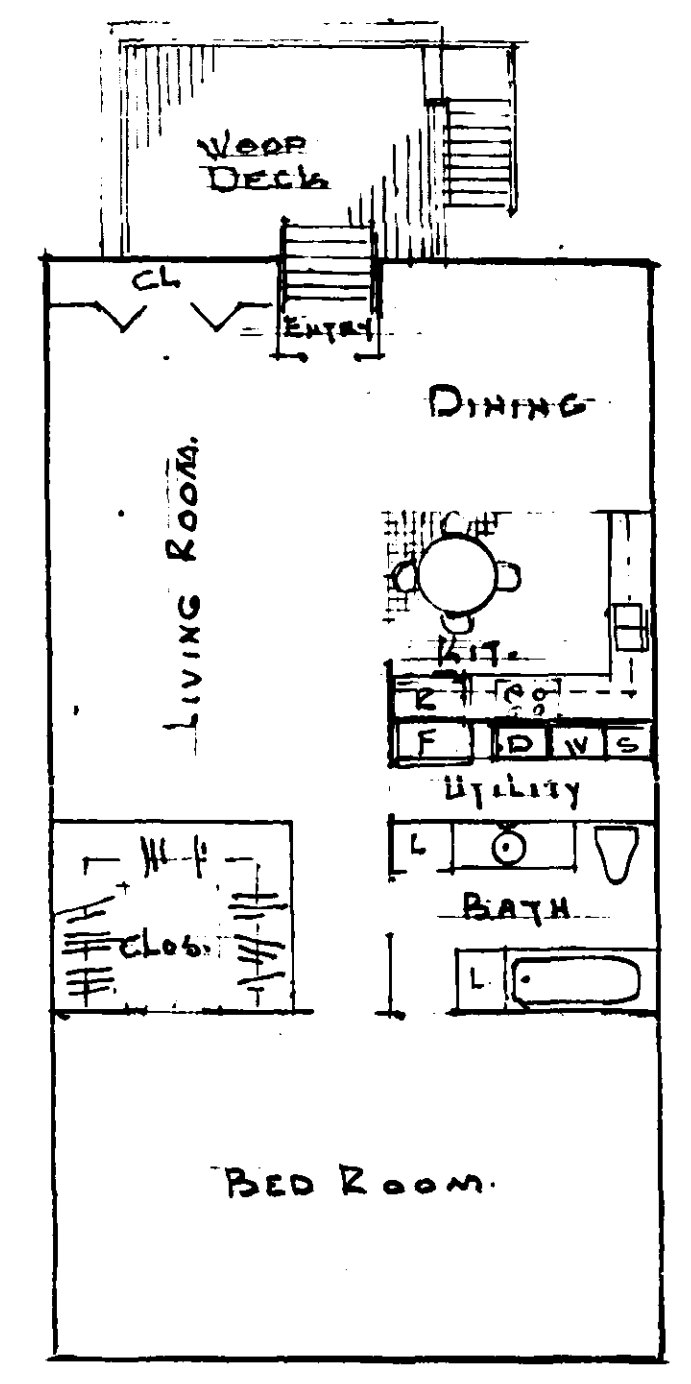
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SPACES PROVIDED 8 SPACES

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RESIDENTIAL
(SEE ZOO SCALE ZONING MAP)

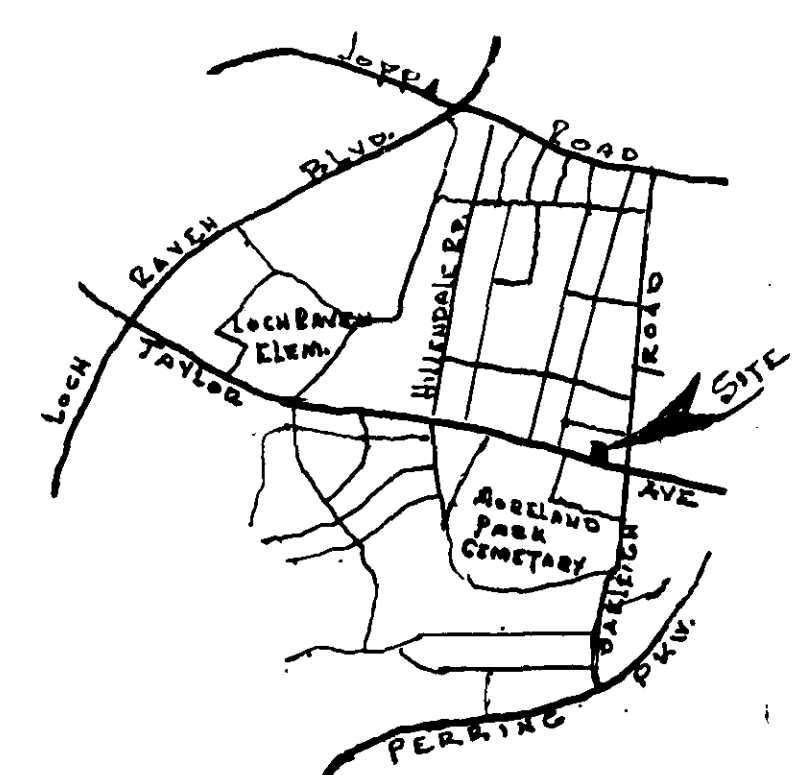


PLOT PLAN
Scale 1" = 10'



PROPOSED 2ND FLOOR APARTMENT

NOTE: TOTAL HEIGHT WITH ADDITION APPROX. 24'-0"



VICINITY MAP
NOT TO SCALE

94-385-X

PETITIONER'S EXHIBIT 2

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3RD ELECTION DIST. - 4TH COUNCILMANIC DIST.	DRAWING
	2 of 1

PETITION FOR SPECIAL EXCEPTION : BEFORE THE
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c/1 Oakleigh Road (1740 Taylor : OF BALTIMORE COUNTY
Avenue), 9th Election Dist., :
4th Councilmanic Dist. :
PETITIONER : CASE NO: 94-385-X
HARRY T. CURTIS : : : : :
: : : : :

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
Peter Max Zimmerman
People's Counsel for Baltimore County

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

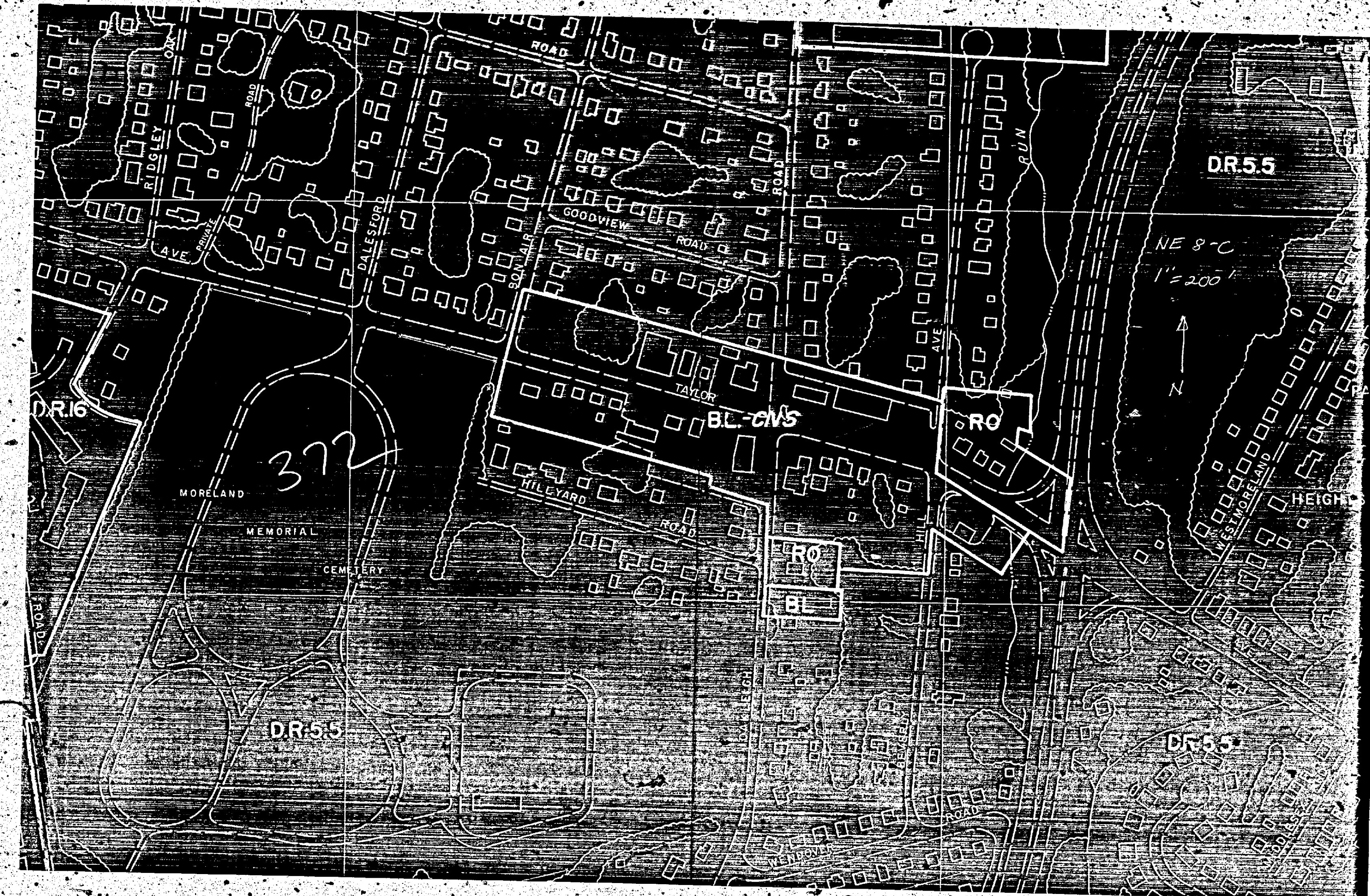
I HEREBY CERTIFY THAT on this 4th day of May, 1994, a copy of the foregoing Entry of Appearance was mailed to Samuel F. Kenney, Esq., 31 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

3-30-94

NOTE TO FILE:
ZONING DESCRIPTIONS TO BE
PLACED IN FILE BY ATTY. PRIOR TO
HEAR.

372



111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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Arnold Jablon
ARNOLD JABLON, DIRECTOR

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 Petitioner: Harry T. Curtis
 Location: 1740 Taylor Avenue
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 NAME: Samuel F. Kenney, Esquire
 ADDRESS: 31 Allegheny Avenue
Towson, Maryland 21204
 PHONE NUMBER: (410) 823-5500

Atty: (Revised 04/09/93)

TO: PETITION FILING COMPANY
April 14, 1994 Issue - Jeffersonian

Please forward billing to:

Samuel F. Kenney
31 Allegheny Avenue
Towson, Maryland 21204
823-5500

NOTICE OF HEARING

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or
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1740 Taylor Avenue
N/S Taylor Avenue, 180' +/- NW of c/l Oakleigh Road
9th Election District - 4th Councilmanic

Petitioner(s): Harry T. Curtis

HEARING: TUESDAY, MAY 10, 1994 at 10:00 a.m., Rm. 118, Old Courthouse.

Special Exception for continued use as an automobile repair garage in the existing one-story building and to construct a second story above to use as personal living quarters.

LANGENE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

APRIL 8, 1994

NOTICE OF HEARING

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Arnold Jablon
Arnold Jablon
Director

cc: Harry T. Curtis
Samuel F. Kenney

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soy-based Ink on Recycled Paper

111 West Chesapeake Avenue
Towson, MD 21204

May 2, 1994

(410) 887-3353

Samuel F. Kenney, Esquire
31 Allegheny Avenue
Towson, Maryland

RE: Case No. 94-385-A, Item No. 372
Petitioner: Harry T. Curtis
Petition for Special Exception

Dear Mr. Kenney:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 March 30, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Zoning Plans Advisory Committee Comments
Samuel F. Kenney, Esquire
Date: May 2, 1994
Page 2

2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.

3. Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,
W. Carl Richardson Jr.
W. Carl Richardson Jr.
Zoning Supervisor

WCR:cmn
Enclosures

O. James Lighthizer
Secretary
Hel Kassoff
Administrator

4-8-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No: 4372 (JCM)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact: Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
BOB SMALL, ACTING CHIEF
John Comestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2255 (Shorewide Toll Free)
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calver Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management DATE: April 11, 1994

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 356, 367, 369, 370, 372 and 375.

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 887-3480.

Prepared by: *Jeffrey Long*

Division Chief: *Pat Keller*

PK/JL:lw

ZAC356/EZONE/ZAC1

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/12/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION:

Item No.: Zoning Agenda:

Bentlemen:

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", 1991 edition prior to occupancy.

IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 365, 372, 373 and 376.

RECEIVED
APR 13 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

IN RE: PETITION FOR SPECIAL EXCEPTION
 N/S Taylor Avenue, 180' NW of
 the c/l of Oakleigh Road
 (1740 Taylor Avenue)
 9th Election District
 4th Councilmanic District
 Harry T. Curtis
 Petitioner

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 94-385-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 1740 Taylor Avenue, located in the Hillendale area of northeastern Baltimore County. The Petition was filed by the owner of the property, Harry T. Curtis. The Petitioner requests a special exception to permit the continued use of the subject property as an automobile repair garage in an existing one-story building and to permit a second floor addition to the existing building to provide living quarters for the Petitioner. The subject property and relief sought are more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Harry Curtis, property owner, and his attorney, Samuel F. Kenney, Esquire. There were no Protestants present.

Testimony revealed that the subject property consists of .1492 acres, more or less, zoned B.L.-C.N.S., and is improved with a one-story concrete block building with accessory paved parking areas. The property has been in use as an automobile repair garage since 1954. Mr. Curtis testified that he has operated his automotive repair business from the subject site since he began renting the property in 1967. The Petitioner purchased the property in 1977 and is now desirous of adding a second floor addition to the existing building to provide living quarters for

himself. Testimony revealed that Mr. Curtis currently resides in a houseboat on Hopkins Creek in the Middle River area of southeastern Baltimore County. Mr. Curtis wishes to provide small living quarters above his business for convenience purposes. The proposed living quarters will include a bedroom, bathroom, utility room, kitchen and dining room, and living room.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-C.N.S. 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. Schultz v. Pritts, 432 A.2d 1319 (1981).

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.

ORDER RECEIVED FOR FILING
 Date 5/19/94
 By [Signature]

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.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19th day of May, 1994 that the Petition for Special Exception to permit the continued use of the subject property as an automobile repair garage in an existing one-story building and to permit a second floor addition to the existing building to provide living quarters for the Petitioner, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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 has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

[Signature]
 TIMOTHY M. KOTROCO
 Deputy Zoning Commissioner
 for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
 Date 5/19/94
 By [Signature]

Suite 113, Courthouse
 400 Washington Avenue
 Towson, MD 21204

May 19, 1994

(410) 887-4386

Samuel F. Kenney, Esquire
 31 Allegheny Avenue
 Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
 N/S Taylor Avenue, 180' NW of the c/l of Oakleigh Road
 (1740 Taylor Avenue)
 9th Election District - 4th Councilmanic District
 Harry T. Curtis - Petitioner
 Case No. 94-385-X

Dear Mr. Kenney:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

[Signature]
 TIMOTHY M. KOTROCO
 Deputy Zoning Commissioner
 for Baltimore County

TMK:bjs

cc: Mr. Harry T. Curtis
 1740 Taylor Avenue, Baltimore, Md. 21234

People's Counsel
 file

Petition for Special Exception
 to the Zoning Commissioner of Baltimore County
 for the property located at 1740 Taylor Avenue
 Baltimore County, Maryland 21234
 which is presently zoned B.L.-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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 Regulations of Baltimore County, to use the herein described property for:

Continued use as an automobile repair garage in the existing one-story building and to construct a second story above to use as personal living quarters.

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.

Contract Purchaser/Lessee
 Type or Print Name: _____
 Signature: _____
 Address: _____
 City: _____ State: _____ Zip Code: _____

Legal Owner(s)
 Harry T. Curtis
 Type or Print Name: _____
 Signature: [Signature]
 Type or Print Name: _____
 Address: _____
 City: _____ State: _____ Zip Code: _____

Attorney for Petitioner
 Samuel F. Kenney
 Type or Print Name: _____
 Signature: [Signature]
 31 Allegheny Ave. (410) 823-5500
 Towson, Maryland 21204

1740 Taylor Avenue (410) 661-7486
 Baltimore County, Maryland 21234
 Samuel F. Kenney, Esquire
 31 Allegheny Avenue
 Towson, MD 21204 (410) 823-5500

ESTIMATED LENGTH OF HEARING
 No. of days: _____ Start Two Months
 All OTHER
 REVEALED BY: JCM DATE: 5-30-94

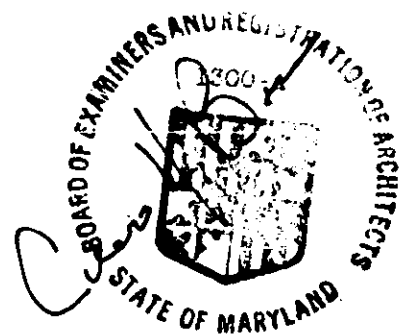
372

1740 TAYLOR AVENUE - ZONING DESCRIPTION

BEING known as Lots Nos. Six (6) and Seven (7) as shown on Plat of Hillendale Park, which Plat is recorded among the Land Records of Baltimore County in Plat Book L.M.C.L. No. 9, folio 10.

The improvements thereon being known as 1740 Taylor Avenue.

BEING the same lots of ground which by Deed dated January 24, 1989 and recorded among the Land Records of Baltimore County in Liber SM8113, folio 391 were granted and conveyed by Harry T. Curtis and Janet Lee Curtis to Harry T. Curtis.



CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 9th Date of Posting: 4/27/94
 Posted for: Special Exception
 Petitioner: Harry T. Curtis
 Location of property: 1740 Taylor Ave., N/S
 Location of Signs: Posting and sign on property being zoned postcard on side of Rd.
 Remarks: M. Bl. used
 Posted by: [Signature]
 Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 15, 1994
 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 April 14, 1994.

THE JEFFERSONIAN
 A. Henikson
 LEGAL AD. - TOWSON

ITEM 372 receipt
 Baltimore County Zoning Administration & Development Management
 111 West Chaucer Avenue
 Towson, Maryland 21204
 Account: R-001-6190
 Number: JCM
 1-1819-94
 HARRY CURTIS 1740 Taylor Ave.
 SPEC. EX. (050) _____ 300.00
 POSTING (080) _____ 35.00
 TOTAL (000) _____ 335.00
 0140140002M1CHRC \$335.00
 62 EMD315P403-30-94
 Please Make Checks Payable To Baltimore County