

IN RE: PETITIONS FOR SPECIAL HEARING
SW/Corner Old Court Road and
Falls Road
(2201 Old Court Road)
3rd Election District
2nd Councilmanic District

Stephen Seymour
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-31-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as two Petitions for Special Hearing for that property known as 2201 Old Court Road, located in the vicinity of the interchange of I-83, Falls and Old Court Roads in Brooklandville. The Petitions were filed by the owner of the property, Stephen Seymour. The first special hearing request seeks approval, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Section 517.2 of the Building Code (BC), and Sections 26-276, 26-670, and 26-172(2) and (3) of the Baltimore County Code (BCC), to construct a pedestrian bridge over the existing mill race at the Rockland Grist Mill located on the subject property. The second special hearing requests an amendment to the previously approved site plan in Case No. 78-93-XSPH to permit the proposed improvements as set forth above. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Stephen D. Seymour, legal owner of the property, Mace T. Miyasaki and L.J. Link, Jr., and Howard L. Alderman, Jr., Esquire, attorney for the Petitioner. Appearing in opposition to the Petitioner's request were Anne H. Coyle, who appeared on behalf of the Ruxton-Riderwood-Lake Roland Area Improve-

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Date

By

MICROFILMED

ment Association, and Thomas M. Bruggman, a nearby property owner. In addition, numerous residents from the surrounding community appeared as interested parties, including Sarah Lord, Mani Pulimood, Herbert A. Davis, and John Bernstein, Executive Director of the Valleys Planning Council.

Testimony and evidence offered revealed that the subject property consists of approximately 2 acres, more or less, of which 0.7 acres are zoned D.R. 16 and 1.3 acres are zoned D.R.1. The property is improved with a 2.5 story office building and accessory parking area which are more clearly depicted on Petitioner's Exhibit 1. As noted above, the property was the subject of prior Case No. 78-93-XSPH in which the Petitioner was granted approval to renovate the subject building and convert it to office use and to allow parking for said use to be located in a residential zone. The Petitioner now comes before me seeking approval to amend the previously approved site plan to remove an existing barn and in its place, construct a 5,500 sq.ft. addition to the existing building. However, the building and parking area are separated by the former "mill race" where water once flowed through to power the turn wheel. Therefore, due to the topography of the land and the location of the building thereon, the Petitioner proposes to construct a pedestrian footbridge which would connect the proposed addition with the parking area. This footbridge is proposed to be located in the 100-year flood plain on the site.

As noted on the site plan, the subject building is located in the D.R. 16 zoned portion of the site, while the parking lot is located on D.R. 1 zoned land. Pursuant to Sections 1B01 et seq of the B.C.Z.R., an office building is not permitted in a D.R. 16 zone, either as of right or by special exception. The Petitioner attempts to circumvent this problem by arguing his case meets the requirements of Section 502.5A of the

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Date

By

B.C.Z.R. and therefore can be permitted by virtue of this special hearing request.

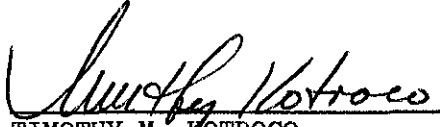
However, I do not interpret Section 502.5A in the same manner as the Petitioner. In the opinion of this Deputy Zoning Commissioner, the Petitioner cannot utilize Section 502.5A in an effort to expand the square footage of the special exception use on this property. I do not believe that Section 502.5A was established to permit an expansion of this nature in this particular case.

Furthermore, it is clear that the prior decision which granted the special exception use was for the building that existed at that time and indicated that the building would remain substantially the same from that day forward. There was no proposal at that time to permit expansion of the building at any time in the future. Nor, was there any area established for "future expansion." Therefore, given the language found in the Order issued on December 12, 1977, as well as my interpretation of Section 502.5A, I am not persuaded to grant the relief requested within the Petitions for Special Hearing, as in the opinion of this Deputy Zoning Commissioner, it is not proper to proceed in that fashion.

It is not necessary to review the testimony offered at the hearing on this matter by either the Petitioner and his witnesses or the Protestants, given the fact that a decision is not being rendered on the merits of this case. The decision to deny the two special hearing requests is based on procedural and interpretational grounds in that Section 502.5A of the B.C.Z.R. does not permit the Petitioner to expand the square footage of his special exception use.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of November, 1995 that the Petitions for

Special Hearing seeking approval, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Section 517.2 of the Building Code (BC), and Sections 26-276, 26-670, and 26-172(2) and (3) of the Baltimore County Code (BCC), and an amendment to the previously approved site plan in Case No. 78-93-XSPH to construct a pedestrian bridge over the existing mill race at the Rockland Grist Mill, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.


TIMOTHY M. ROTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 

By 

MICROFILMED

IN THE MATTER OF
THE APPLICATION OF
STEPHEN SEYMOUR FOR SPECIAL
HEARING RELIEF ON PROPERTY
LOCATED ON THE SOUTHWEST
CORNER OLD COURT ROAD AND
FALLS ROAD (2201 OLD COURT RD)*

3rd ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

*

*

*

*

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY

* CASE NO. 96-31-SPH

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*

ORDER OF DISMISSAL

This matter comes to this Board on appeal from a decision of the Deputy Zoning Commissioner dated November 7, 1995 in which Petitioner's request for special hearing relief was denied.

WHEREAS, the Board is in receipt of a Notice of Dismissal of appeal filed by Howard L. Alderman, Jr., Esquire, on behalf of Stephen Seymour, Appellant /Petitioner, filed May 20, 1996 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Appellant requests that the appeal filed in this matter be dismissed as of May 20, 1996;

IT IS HEREBY ORDERED this 7th day of June, 1996 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Robert O. Schuetz

A. Diane Levens

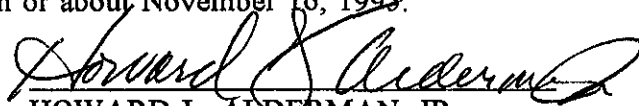
Harvey E. Buckhimer

MICROFILMED

IN RE: PETITIONS FOR SPECIAL HEARING *	BEFORE THE
SW/Corner Old Court Road and	
Falls Road *	COUNTY BOARD OF APPEALS
(2201 Old Court Road)	
3rd Election District *	FOR BALTIMORE COUNTY
2nd Councilmanic District *	
	Case No.: CBA 96-31-SPH
Stephen Seymour	
Appellant *	

NOTICE OF DISMISSAL

Stephen Seymour, Appellant, by and through his undersigned legal counsel, hereby dismisses the appeal of the decision of the Deputy Zoning Commissioner for Baltimore County in the above-captioned case, said decision having been rendered on November 7, 1995, and said appeal having been noted to this Board on or about November 16, 1995.



HOWARD L. ALDERMAN, JR.

Levin & Gann, P.A.

305 West Chesapeake Avenue

Suite 113

Towson, Maryland 21204

(410) 321-0600

Attorneys for Appellant

95 MAY 29 3 19 32

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of May, 1996, a copy of the foregoing NOTICE OF DISMISSAL was hand-delivered to Peter Max Zimmerman, People's Counsel, Courthouse, 400 Washington Avenue, Towson, Maryland 21204.



MICROFILMED



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

June 7, 1996

Howard L. Alderman, Jr., Esquire
LEVIN & GANN, P.A.
Suite 113
305 W. Chesapeake Avenue
Towson, MD 21204

RE: Case No. 96-31-SPH
Stephen Seymour -Appellant

Dear Mr. Alderman:

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

Very truly yours,

Charlotte E. Radcliffe for
Kathleen C. Bianco
Administrative Assistant

Enclosure

cc: Stephen D. Seymour
Anne H. Coyle
Thomas M. Bruggman
Sarah Lord
Mani Pulimood
Herbert A. Davis
John Bernstein, Executive Director
Valleys Planning Council
Laurie Long /Ruxton-Riderwood
Improvement Association
People's Counsel for Baltimore County
Lawrence E. Schmidt
Pat Keller /Planning Director
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney



IN RE: PETITIONS FOR SPEICAL HEARING * BEFORE THE
SW/Corner Old Court Road and *
Falls Road * DEPUTY ZONING COMMISSIONER
(2201 Old Court Road) *
3rd Election District * OF BALTIMORE COUNTY
2nd Councilmanic District *
Case No.: 96-31-SPH
Stephen Seymour *
Petitioner *

NOTICE OF APPEAL

Stephen Seymour, Petitioner, by and through his undersigned legal counsel, pursuant to Baltimore County Code §26-132 and Baltimore County Zoning Regulations §500.10, hreby notes an appeal of the decision of the Deputy Zoning Commissioner for Baltimore County in the above-captioned case, said decision having been rendered on November 7, 1995.



HOWARD L. ALDERMAN, JR.

Levin & Gann, P.A.

305 West Chesapeake Avenue

Suite 113

Towson, Maryland 21204

(410) 321-0600

Attorneys for Appellant

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

November 7, 1995

(410) 887-4386

Howard L. Alderman, Jr., Esquire
Levin & Gann
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING
SW/Corner Old Court Road and Falls Road
(2201 Old Court Road)
3rd Election District - 2nd Councilmanic District
Stephen Seymour - Petitioner
Case No. 96-31-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing have been denied 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,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Stephen D. Seymour
2201 Old Court Road, Brooklandville, Md. 21022

- ✓ Mr. Thomas M. Bruggman, 2202 Old Court Road, Brooklandville, Md. 21022
- ✓ Ms. Anne Coyle, 10136 Falls Road, Brooklandville, Md. 21022
- Mr. John Bernstein, VPC, P.O. Box 5402, Towson, Md. 21286-5402
- ✓ Mr. Herbert A. Davis, 2201 Old Court Road, Brooklandville, Md. 21022
- ✓ Ms. Sarah Lord, 6134 Barroll Road, Baltimore, Md. 21209
- ✓ Mr. Mani Pulimood, 10027 Falls Road, Lutherville, Md. 21093

People's Counsel; Case File

MICROFILMED

#39

(FLOOD PLAIN)



Petition for Special Hearing

76-31-SPH

to the Zoning Commissioner of Baltimore County

for the property located at 2201 Old Court Road. , 21208

which is presently zoned DR16 & DR-1.

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve A SPECIAL HEARING PER SECTION 500.6 BCZR, SECT

permission to construct a pedestrian bridge over the existing mill race at the Rockland Grist Mill in Brooklandville, Maryland; the proposed bridge is to be a wood structure, in the character of the historic mill, and is necessary for the proposed addition to have access to the existing parking lot on the property. The mill race has been fed only by rainwater and has been inactive since the early 1900's, and the bridge will be designed in accordance with regulations governing structures within a 100 year flood plain area of the site.

517, 2, BUILDING CODE; AND SECTIONS 26-276, 26-670, 26-172(a)(3), BCC TO CONSTRUCT A PEDESTRIAN FOOT BRIDGE.

DO NOT
ADVERTISE

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

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

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

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

Stephen Seymour STEPHEN SEYMOUR
(Type or Print Name)

Signature

[Signature]
Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner:

2201 Old Court Road. (SEE BELOW)
Address Phone No.

Brooklandville Md. 21208.
City State Zipcode

Name, Address and phone number of representative to be contacted.

L. J. Link Jr. Inc.
Name

2201 Old Court Rd. 21208. 337.9428.
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING

Date 11/2/85

By [Signature]

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-31-SFH

District: 3rd Date of Posting: 8/18/93
Posted for: Special Hearing
Petitioner: Stephen ~~Seymour~~ Seymour
Location of property: 2201 Old Court Rd
Location of Signs: Facing McCully Rd property being zoned
Remarks: _____ Date of return: 8/15/93
Posted by: McKee Signature
Number of Signs: 1

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CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Aug 11, 1995

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 Aug 11, 1995.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

A. H. Harrison

NOTICE OF HEARINGS

The Planning Commission of Baltimore County, Maryland, 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, on Tuesday, August 15, 1995, at 7:00 p.m. or earlier, at the Commission, 400 West Chesapeake Avenue, Towson, Maryland.

Case # 85-34-SPH

2201 Old Court Road

SWC, Falls and Old Court

Roads

3rd Election District

2nd Councilmatic

Legal Owner(s):

Stephen Seymour

Hearing: Tuesday,

September 5, 1995 at

11:00 a.m. in Rm. 118, Old

Courthouse.

Special Hearing to construct a pedestrian foot bridge and to approve amendments to the previously approved plan in zoning case #78-93-XSPH.

LAWRENCE 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.
8/123 Aug. 10.

MICROFILMED

CERTIFICATE OF POSTING 96-31-SPT
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3rd Date of Posting 11/27/95
Posted for: Appeal
Petitioner: Stephen Segman
Location of property: 2401 Old Court Rd

Location of Signs: Facing roadway on property being appealed for zoning

Remarks: _____
Posted by: McKee Date of return: 12/1/95
Number of Signs: 1 1 1
Signature



RECORDED

39

Gwen 2SPH^s

1 TO AMEND

1 TO BUILD IN FED. PLN.

2 FEES 1 SIGN.

DONT ADVERTISE THE DETAILED
PRESENTATIONS "JUST THE FACTS MAM"

THANKS

JL.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION

No. # 39

MISCELLANEOUS CASH RECEIPT 96-31-SPH

004036
BY JLL

DATE 7/27/95

ACCOUNT R0016150

AMOUNT \$ 535.00

RECEIVED
FROM:

L. J. LINK

FOR:

2 NEW RES SPH^s \$ 500.00 (250 FA)

1 SIGN. 35.00

MICROFILMED

2000-06-27 14:00
BA 1010240AND 7-27-95

\$535.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER
YELLOW - CUSTOMER

MICROFILMED

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

DATE 11/17/95 ACCOUNT R001-7120

AMOUNT \$ 210.00

RECEIVED FROM: LOVIN and GANN PA

FOR: Appeal Deputy Zoning Commissioner's
MICROFILMED 2201 AD COURT RD.
Order 1300-20876-51-SFH

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Baltimore County Government
Office of Zoning Administration
and Development Management



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/neighboring 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 accessed 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, DIRECTOR

For newspaper advertising:

Item No.: 39.

Petitioner: SEYMOUR.

Location: 2201. Old. Court Road. Brooklandville 21208.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: L. J. Link, Jr., Inc.

ADDRESS: 2201 Old. Court Road
Brooklandville Md. 21208.

PHONE NUMBER: 410. 337. 9528.

AJ:ggs

MICROFILMED

(Revised 04/09/93)



Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Department of Permits and Licenses



111 West Chesapeake Avenue
Towson, MD 21204

887-3610

August 9, 1995

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: 96-31-SPH (Item 39)
2201 Old Court Road
SWC Falls and Old Court Roads
3rd Election District - 2nd Councilmanic
Legal Owner(s): Stephen Seymour
HEARING: TUESDAY, SEPTEMBER 5, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to construct a pedestrian foot bridge and to approve amendments to the previously approved plan in zoning case #78-93-XSPH.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director
Department of Permits and Development Management

- 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.

MICROFILMED

RE: 96-31-SPH /Seymour case

T/C from H. Alderman - dismissal of this appeal is very possible.

If and when this notification is received by this office, call Tom Bruggman (home 296-1144) and leave message re status of this case; if it in fact has been withdrawn and dismissed.

5/16/96

k



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 29, 1995

Mr. Stephen Seymour
2201 Old Court Road
Brooklandville, Maryland 21208

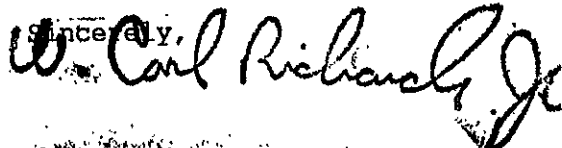
RE: Item No.: 39
Case No.: 96-31-SPH
Petitioner: S. Seymour

Dear Mr. Seymour:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 27, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



Case No. 96-31-SPH

Stephen Seymour - Petitioner

SW/c Old Court Road and Falls Road
(2201 Old Court Road)

3rd Election District

Appealed: 11/16/95

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

TO: Mr. Arnold Jablon, Director August 10, 1995
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson JLP
Development Coordinator, DEPRM

SUBJECT: Zoning Item #39 - Rockland Grist Mill
2201 Old Court Road
Zoning Advisory Committee Meeting of August 7, 1995

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

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

A variance from these Regulations is required for the proposed addition.

JLP:VK:sp

ROCKLAND/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: August 16, 1995

FROM: Pat Keller, Director, OPZ *A*

SUBJECT: 2201 Old Court Road

INFORMATION:

Item Number: 39

Petitioner: Stephen Seymour

Property Size: _____

Zoning: DR-1 and DR-16

Requested Action: Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, staff recommends that plans be forwarded to the Landmarks Preservation Commission for review and comment prior to the issuance of any building permits.

Prepared by: Jeffrey M. Long

Division Chief: Carol L. Keim

PK/JL

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BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Aug. 14, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for August 14, 1995
Item 039

The Development Plans Review Division has reviewed the subject zoning item. The rear of the building may not be constructed within 20 feet of the limits of the flood plain as established for a 100-year flood level with a one foot freeboard. See Standard Plate 19D in the Baltimore County Design Manual, dated 1982 and adopted 1983.

Also, in conformance with Federal Flood Insurance requirements, the first floor or basement floor must be the at least one foot over the flood plain elevation in all construction.

RWB:sw

MICROFILMED

Baltimore County Government
Fire Department



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

(410) 887-4500

DATE: 08/08/95

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

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF AUGUST 07, 1995.

Item No.: SEE BELOW

Zoning Agenda:

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 28, 30, 31, 32, 33, 34, 35, 36,
37, 38, 39, 41 AND 42.

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

cc: File

MICROFILMED

RECEIVED

AUG 11 1995

ZADM



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

8-7-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 039 (JLL)

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: July 27, 1995

TO: Hearing Officer

FROM: John L. Lewis
Planner II, PDM

SUBJECT: Item #39
2201 Old Court Road

Two types of special hearings - one to amend and one for flood plain construction.

There have been changes from the approved zoning plan over time and now an addition is being proposed. Per Section 502.5.A, the old rules still apply.

The applicant will address the differences at the hearing.

JLL:scj

MICROFILMED

RE: PETITION FOR SPECIAL HEARING
2201 Old Court Road, SWC Falls and Old
Court Roads, 3rd Election District,
2nd Councilmanic

Stephen Seymour
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-31-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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to L. J. Link, Jr., Inc., 2201 Old Court Road, Baltimore, MD 21208, representative for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

RECEIVED

AUG 14 1995

MICROFILMED

DEPT. OF PERMITS & LICENSES
OF BALTIMORE COUNTY



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

November 17, 1995

Mr. Thomas M. Bruggman
2202 Old Court Road
Brooklandville, MD 21022

Ms. Anne Coyle
10136 Falls Road
Brooklandville, MD 21022

Mr. John Bernstein
VPC
P.O. Box 5402
Towson, MD 21286-5402

Mr. Herbert A. Davis
2201 Old Court Road
Brooklandville, MD 21022

Mr. Sarah Lord
6134 Barroll Road
Baltimore, MD 21209

Mr. Mani Pulimood
10027 Falls Road
Lutherville, MD 21093

Ms. Laurie Long
Ruxton-Riderwood Improvement Association
P.O. Box 204
Riderwood, MD 21139

Re: Petitions for Special Hearing
SW/Corner Old Court Road and Falls Road
2201 Old Court Road
3rd Election District
2nd Councilmanic District
Stephen Seymour-Petitioner
Petitions for Special Hearing
Case No. 96-31-SPH

Ladies and Gentlemen:

Please be advised that an appeal of the above-referenced case was filed in this office on November 16, 1995 by Howard L. Alderman, Jr. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals, "Board".

If you have any questions concerning this matter, please do not hesitate to contact the Board at 887-3180.

Sincerely,

ARNOLD JABLON
Director
Department of Permits and
Development Management

AJ:nmn

c: People's Counsel

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Printed with Soybean Ink
on Recycled Paper

Dismissed
June of 1996
Not closed
Yet.

APPEAL

Petitions for Special Hearing
SW/Corner Old Court Road and
Falls Road
2201 Old Court Road
3rd Election District - 2nd Councilmanic District
Stephen Seymour - Petitioner
Case No. 96-31-SPH

Petitions for Special Hearing

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Citizen(s) Sign-In Sheet

Petitioner's Exhibits: 1 - Site Plan to Accompany Petition for Special Hearing
2 - Site Plan to Accompany Petition for Special Hearing (Highlighted Building, Parking, Property, Landscaping Areas, and Six Attached Photographs)
3 - Highlighted Site Plan of the Rockland Grist Mill
4 - Plat to Accompany Petition for Special Hearing including Neighborhood Map and Parking in a Residential Zone

One Large Print Containing Eight Microfilm Copies from a Previous Petition for Zoning Re-Classification and/or Special Exemption and a Petition for Special Hearing (Not Marked as Exhibits)

Letter to Timothy Kotroco, Deputy Zoning Commissioner from Laurie S. Long on behalf of the Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc. dated October 31, 1995

Letter to Timothy Kotroco, Deputy Zoning Commissioner from Stuart Vogel received on November 9, 1995

Deputy Zoning Commissioner's Order dated November 7, 1995 (Denied)

Notice of Appeal received on November 16, 1995 from Howard L. Alderman, Jr., Esquire on behalf of Stephen Seymour, Petitioner

cc: Howard L. Alderman, Jr., Levin and Gann, 305 W. Chesapeake Avenue, Towson, MD 21204
Anne Coyle, 10136 Falls Road, Brooklandville, MD 21022
Thomas M. Bruggman, 2202 Old Court Road, Brooklandville, MD 21022
Sarah Lord, 6134 Barroll Road, Baltimore, MD 21209
Mani Pulimood, 10027 Falls Road, Lutherville, MD 21093
Herbert A. Davis, 2201 Old Court Road, Brooklandville, MD
Mr. John Bernstein, VPC, P.O. Box 5402, Towson, MD 21286-5402
Ms. Laurie Long, Ruxton-Riderwood Improvement Association, P.O. Box 204, Riderwood, MD 21139
Stephen D. Seymour, 2201 Old Court Road, Baltimore, MD 21208
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy M. Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM

MICROFILM

2/09/96 -Notice of Assignment for hearing scheduled for Thursday,
May 23, 1996 at 10:00 a.m. sent to following:

Howard L. Alderman, Jr., Esquire
Stephen D. Seymour
Anne H. Coyle
Thomas M. Bruggman
Sarah Lord
Mani Pulimood
Herbert A. Davis
John Bernstein, Exec. Director
Valleys Planning Council
Laurie Long /Ruxton-Riderwood
Improvement Association
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
W. Carl Richards, Jr. /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

5/20/96 -Notice of Dismissal of appeal filed by H. Alderman on behalf of
Stephen Seymour, Appellant /Petitioner. Order to be issued by
Board dismissing this appeal.

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 10, 1997
Permits & Development Management

FROM: Charlotte E. Radcliffe
County Board of Appeals

SUBJECT: Closed Files: Case Nos.
95-366-A /Carroll Coleman, et ux (12th; 7th)
96-24-A /Thomas Kreiner, Jr., et ux (15th; 5th)
96-31-SPH /Stephen Seymour (3rd; 2nd)
96-40-A /Joseph C. Nowakowski (15th; 7th)
96-63-A /Joseph E. Neet, et ux (13th; 1st)
96-118-SPHXA /Rocky Gorge at Grey Rock, L.P. and
Rocky Gorge Communities, Inc., G.P. (3rd; 2nd)
96-120-SPHA /Richmond American Homes and
Ruby Holzapfel, et al (2nd; 2nd)
CBA-95-178 /Steinberg Property (DRC #07315M)
CBA-96-113 /Samuel Owings House (Permit #B240689)

As no further appeals have been taken regarding the subject cases, we are hereby closing the files and returning same to you herewith.

Attachments (Case File Nos. 95-366-A; 96-24-A; 96-31-SPH; 96-40-A;
96-63-A; 96-118-SPHXA; 96-120-SPHA; CBA-95-178; CBA-96-113)

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BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.

November 16, 1995

HAND DELIVERED

Mr. Arnold Jablon, Director
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Appeal of Decision of Deputy Zoning Commissioner
Stephen Seymour, Petitioner
2201 Old Court Road
Case No.: 96-31-SPH

Dear Mr. Jablon:

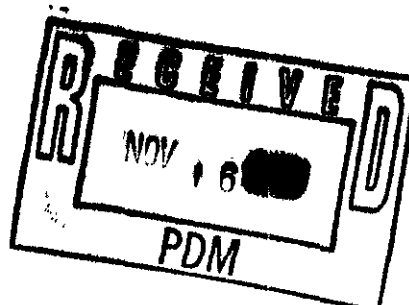
Enclosed please find a Notice of Appeal on behalf of Stephen Seymour, Petitioner, in the above-referenced case. Also enclosed please find this firm's check in the amount of Two Hundred Ten Dollars (\$210.00) representing the filing fee of One Hundred Seventy Five Dollars (\$175.00) and the Thirty Five Dollar (\$35.00) cost of the sign.

I would appreciate it if you would have prepared promptly all necessary papers and documents and transfer them to the County Board of Appeals for Baltimore County for immediate docketing and hearing. Should you need any additional information with respect to this appeal, as always, please do not hesitate to contact me.

Very truly yours,


Howard L. Alderman, Jr.

HLA/lah
Enclosure
cc: Mr. Stephen Seymour

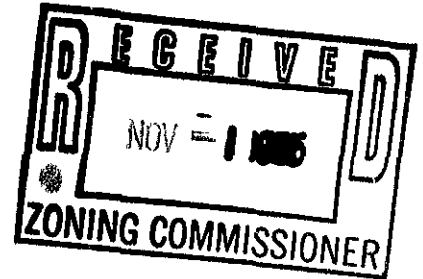


MICROFILMED

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

P O Box 204
Riderwood, MD 21139
Tel (410) 337-0792

FACSIMILE COVER SHEET



DATE: November 1, 1995 TIME:

TO: Mr. Timothy Kotroco

OF: Deputy Zoning Commissioner

NUMBER OF PAGES INCLUDING THIS COVER SHEET 4

FROM: The Ruxton-Riderwood-Lake Roland Area Improvement Association

MESSAGE: Regarding Rockland Grist Mill Case # 96-31-SP11

MICROFILMED

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

P. O. Box 204
Riderwood, MD 21139
Tel & FAX (410) 337 0792

Mr. Timothy Kotroco
Deputy Zoning Commissioner
Old Court House
400 Washington Avenue
Towson, MD 21204

October 31, 1995

RE Rockland Grist Mill (case # 96-31-SP11)

Mr. Kotroco:

On September 5, 1995, petitioner, Steven Seymour, represented by Howard Alderman, applied for a 5,500 sq. foot addition to the Rockland Mill, a historic structure built c. 1810. The building, which is partially in a 100 year flood plain, currently has 12,857 square feet of office space.

The original office use (in a DR-16 zone) was permitted by special exception (Case # 78-93-SP11) in 1978. The original site plan associated with the special exception does not show the addition that is proposed now, nor does it propose any area for future expansion. Indeed, the Zoning Commissioner's order conditioned the approval as follows:

"The exterior of the building [shall] remain substantially the same as it is at present."

It is therefore clear that no further additions were contemplated by the special exception granted in 1978. Several other points lead to the same conclusion. On the special exception plat to be found in the case file, the mill building is the only shaded area. The petition further notes under the heading "Expected Improvements": "The mill building, only with a footprint of 40' x 52'." And in a letter of March 9, 1978 to M.P. Arzola, Eric Di Nenna, Zoning Commissioner notes that a special exception has been granted "to convert the existing building to office use."

Office use is not currently permitted by special exception in any DR zone and has not been so permitted since 1980. The petitioner suggests that Section 502.5A of the Baltimore County Zoning Regulations (attached) grandfather the new proposal now under consideration. We contend that this reading of the section is unfounded. The section in question merely protects "...the validity of any order granting a special exception for an office building," and creates "...any such special exception may be used in accordance with applicable provisions of the zoning regulations provided that construction is started prior to the expiration date of such special exception." The clear intent of this section of the regulations is to grandfather an existing, but unused permission, acquired by special exception. Such an exception corresponds to general usage and practice provisions such as this one, as a matter of law protect existing uses or rights, they do not confer new rights to build or permit expansion unless explicitly so noted.

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Clearly in this case, it is the permission granted by the special exception in 1978 was limited, both by the language of the decision and by the site plan, to the existing building. No footprint for proposed future development was included in the petition or the site plan and no "unused permission" remains from the 1978 special exception. Thus, Section 502.5A does not apply, and the current proposal cannot be grandfathered by section 502.5A. As shown above, the clear intent of this section is to protect rights expressly permitted by earlier special exceptions.

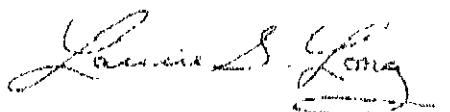
Even if the original special exception had granted permission for future expansion, it would no longer be valid. Under Section 502.3 of the Baltimore County Zoning Regulations, "A special exception which has not been used within a period of two years from the date of the final order granting same...shall thereafter be void."

It is important to note several additional points. The area that is zoned DR-16 is approximately 0.7 acre. On this size lot, the existing structure would come very close to the permitted FAR (floor area ratio) in the RO zone, and fall inside the permitted FAR in OR zones (allowed ratio of 0.5). With the proposed addition however, it currently could not be built in the RO, OR-1, or OR-2 zones.

There are other serious flaws in the current special exception proceeding. No testimony was offered as to the historic importance of the mill building, the contiguous historic district, or the neighboring county landmark structures, which are universally acknowledged to be among the most significant in the county and state. Representatives of the Landmark Commission have frequently appeared before the Zoning Commissioner in similar cases. Further, no discussion took place as to the exact location of the 100 year flood plain, which has never been adequately mapped; the plat presented appears to have used an old and outdated FEMA study from the early 1970s.

For all these reasons, we respectfully request that the proposed special exception petition be denied.

Very truly yours,



Laurie S. Long
Executive Director

cc: Henry Homes, III
Anne Coyle
Nancy Horst
Thomas Bruggman
Howard Alderman
John Bernstein

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may impose new or amended conditions as may be appropriate
[Bills No. 142, 1979; No. 124, 1993.]

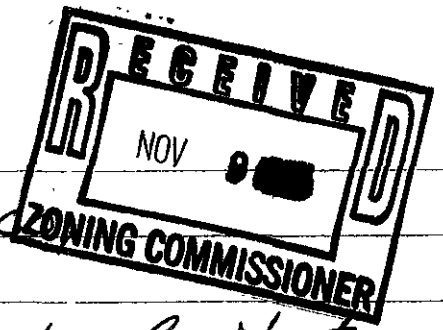
2. Any special exception or renewal thereof which was granted for a boarding house or rooming house prior to the effective date of Bill No. 124-93 and pursuant to the law in effect at that time shall after the effective date of Bill No. 124-93 be of no further force and effect, unless permitted pursuant to the procedure delineated in Section 4088 of these regulations.
[Bills No. 44, 1982; No. 124, 1993.]

- (3. Applications for renewal...deleted by Bill No. 124, 1993.)

* 502 SA 45-Bill No. 167, 1980 does not affect the validity of any order granting a special exception for an office or office building pursuant to Subsection 1802.1. Any such special exception may be used in accordance with both the applicable provisions of these regulations and the zoning classification of the property in effect at the time of the grant of such special exception provided construction is started prior to the expiration date of such special exception and provided the zoning classification at the time construction is started is either D.R.16, R.O., O-1 or O-2.
[Bills No. 167, 1980; No. 124, 1993.]

- 502.6--In addition to the other requirements of this section, the zoning commissioner and the board of appeals, upon appeal, when considering a special exception for a use in a residential transition area, shall conform with the requirements of Subparagraph 1801.1.5 where applicable. [Bill No. 124, 1993.]

Dear Judge Timothy Kotrocz



I Am writing to you as the President of the Rockland Village Homeowners Association and A concerned Resident. I Am aware of the fact that you are presently in deliberation over the issue of the expansion of the Rockland Grist Mill. I believe that granting the building of an addition to the Grist Mill will result in the expansion of a crime problem in our neighborhood which already exists. Our home was broken into at the beginning of September while we were in our house. I was told that on September 21st at 5:30 AM. police responded to a break in at the Grist Mill. Also I was told, at 4:00 PM. the following day an attempted carjacking occurred at the Grist Mill. As a resident of the Rockland Village I fear that doubling the size of the Grist Mill will double the traffic into our neighborhood. Thus there will be a greater chance for robberies. Please consider my concerns while making your decision.

MICROFILMED

Thanks, Stuart Vogel

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Stephen J Seymour
Mae T. Miyasaka
L. J. Link Jr.
Howard L. Alderman Jr Esq.

2201 Old Court Rd 21208
2201 Old Court Rd 21208
2201 Old Court Rd. 21208
305 W. Chesapeake Ave #113 21204



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on Recycled Paper

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PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

Anne H. Coyle

Sarah Lord

Mari Pulimond

Herbert A. Jarvis

THOMAS M. BRUGGEMAN

VPC - John Brinkman

Copy of
Decision

ADDRESS

10/36 Falls Road Box 758
Brooklandville MD

6134 Barroll Rd 21022

21289 828-4355

10027 Falls Road 823-2658

LUTHERVILLE MD 21093

2201 Old Ct Rd. 21022

P.O. Box 1117, 2202 Old Court Rd.

BROOKLANDVILLE, MD 21022

Box 5402 Towson 21286

21022

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PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Ruxton-Riderwood-
Lake Roland Area-
Improvement Assoc.
(Anne H. Coyle)

P.O. Box 204
Riderwood
Maryland 21137

- THOMAS M. BRUGGMAN

P.O. Box 1117, 2202 Oldcourt Rd.
Brooklandville, MD. 21022

Laurie Long
Ruxton-Riderwood Imp.
P.O. 4 204 Assoc.
Riderwood 21139

per copy → Case # 96-31-5PH

BALTIMORE COUNTY ZONING REGULATIONS

AS AMENDED THROUGH OCTOBER 10, 1974

1975 EDITION

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND

MICROFILMED

1B02.2—Regulations, Standards, and Controls for Density, Bulk, Open Space, and Parking. [Bill No. 100, 1970.]

- A. **Dwellings.** The maximum gross residential densities and height of dwellings, the minimum per cent of gross site area which must be in local open space tracts, and the minimum number of offstreet parking spaces required with respect to residential development in D.R. zones shall be as prescribed in the table below; provided, however, that higher or additional standards for the provision of other amenity open space, standards and methods for the inclusion and equitable apportionment of public amenity open space within the calculations of gross areas of tracts abutting the open space, and standards providing for greater heights of buildings in appropriate circumstances, all as more particularly set forth in Section 504, shall control when adopted pursuant to the authority of said section.

Zoning Classification	Maximum Gross Residential Density, in Dwelling or Density Units per Acre	Maximum Height of Buildings, in Feet	* Minimum Per Cent of Gross Site Area as Local Open Space Tracts	Minimum Number of Offstreet Parking Spaces per Dwelling or Density Unit, Except for Housing for the Elderly	Minimum Number of Offstreet Parking Spaces per Dwelling or Density Unit for Housing for the Elderly
D.R. 1	1.0 dwelling units/acre	50	0	2.0 per dwelling unit	1.5 per dwelling unit
D.R. 2	2.0 " " " "	50	0	2.0 " " " "	1.5 " " " "
D.R. 3.5	3.5 " " " "	50	3	2.0 " " " "	1.5 " " " "
D.R. 5.5	5.5 " " " "	50	6	1.75 " " " "	1.3 " " " "
D.R. 10.5	10.5 " " " "	50	12	1.75 " " " "	1.3 " " " "
D.R. 16	16.0 density " " "	60	15	1.53 " density " but not less than 1.0 per dwelling unit	1.15 " density "

*Land within 35 feet of a window or other opening in a residential structure in a D.R. zone is not considered local open space.

[Bill No. 100, 1970.]

- B. **Other Principal Uses.** Density, bulk, open space, and parking regulations, standards, or controls for principal uses other than dwellings within zones of different classification shall be governed by provisions adopted pursuant to the authority of Section 504. [Bill No. 100, 1970.]
- C. In a D.R. 16 zone, no building shall be constructed within 75 feet of land which is in any zone classified as D.R. 1, D.R. 2, D.R. 3.5, D.R. 5.5, or D.R. 10.5 and which is not within the same development tract. [Bill No. 100, 1970.]

1B02.3—Special Regulations for Certain Existing Developments or Subdivisions and for Small Lots or Tracts in D.R. Zones. [Bill No. 100, 1970.]

- A. In D.R. zones, contrary provisions of this article notwithstanding, the provisions of or pursuant to this subsection shall apply to the use, occupancy,

V.B.2 SETBACK STANDARDS FOR PRINCIPAL
BUILDING PERMITTED IN ANY D.R.
ZONE OTHER THAN FOR RESIDENTIAL
USE

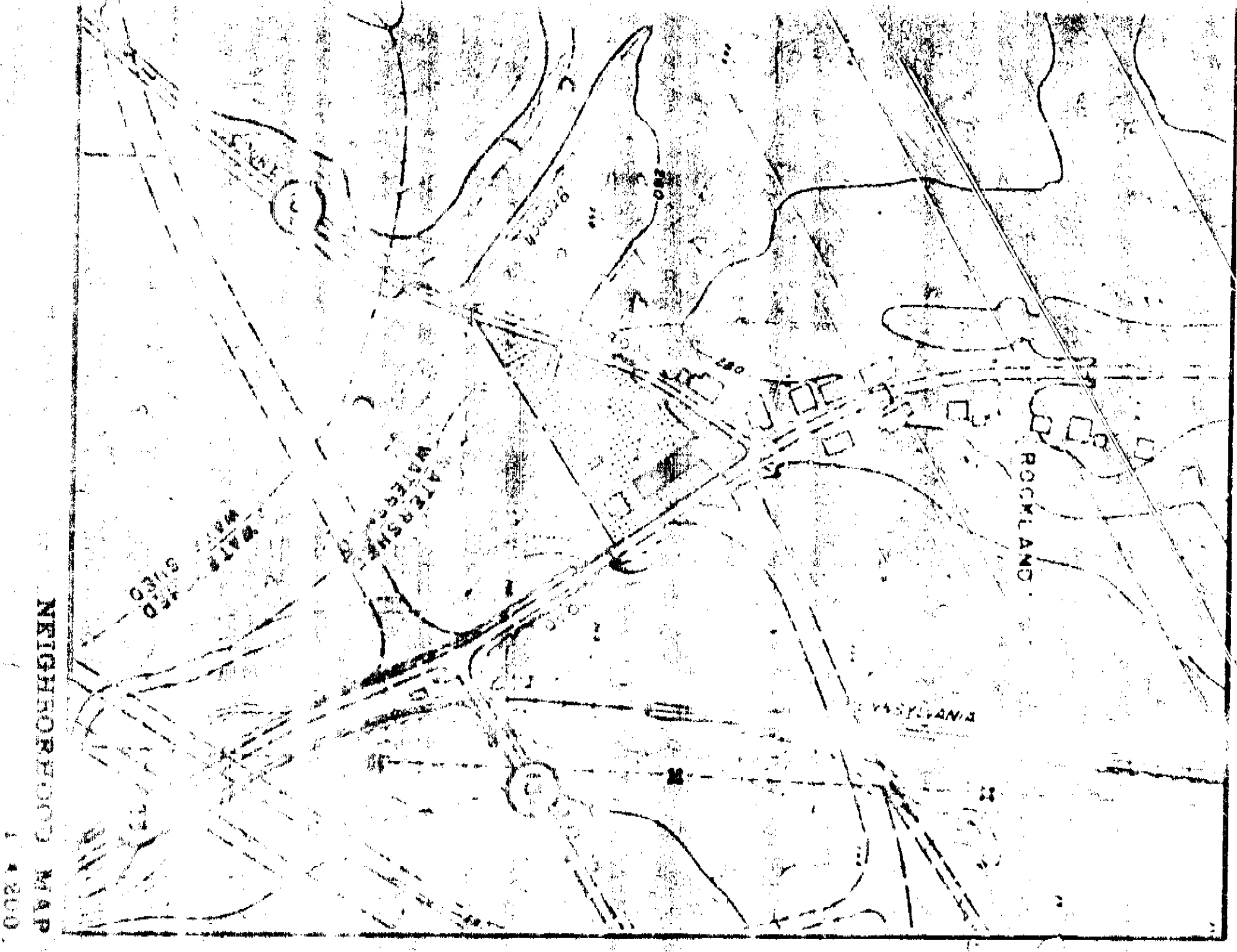
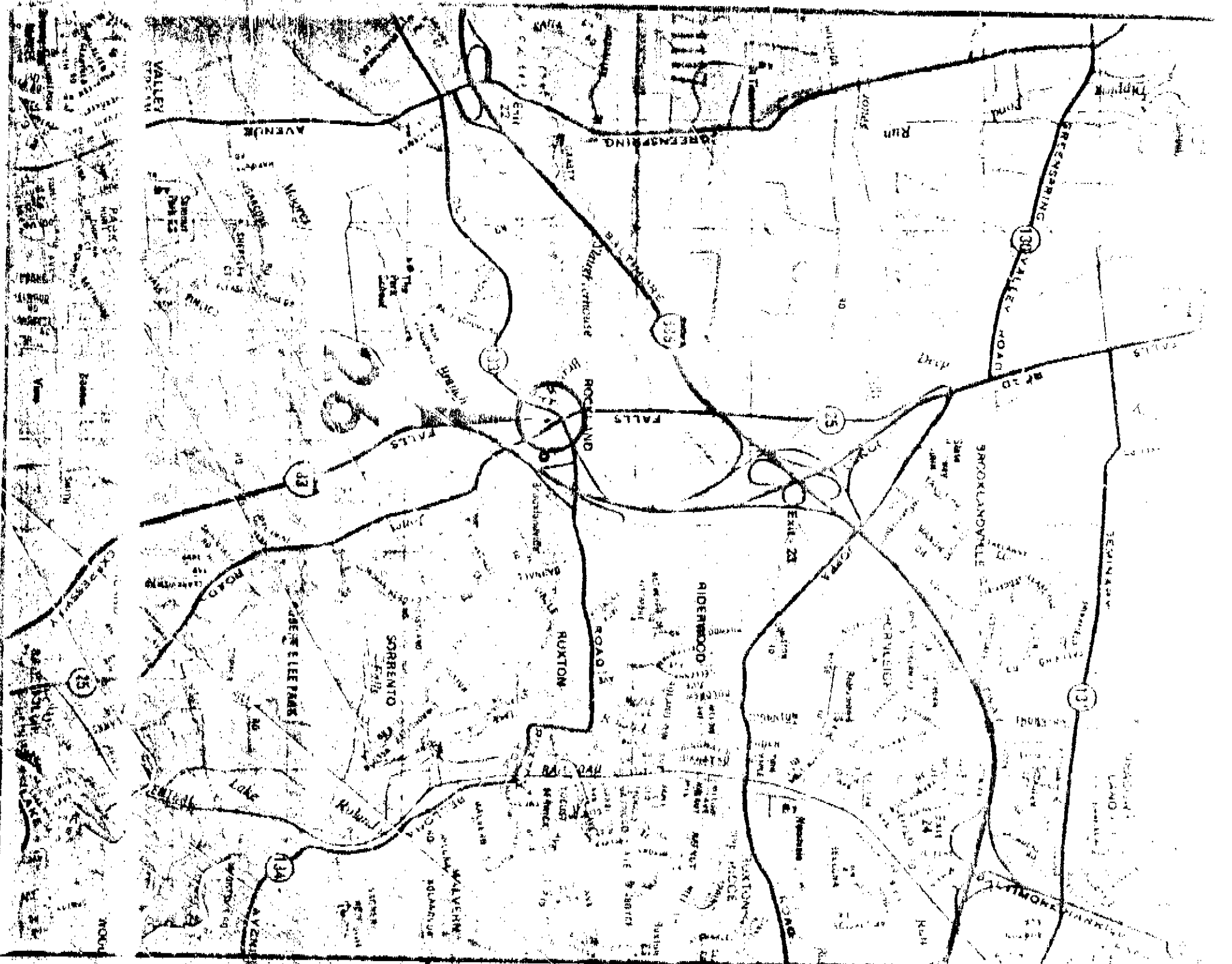
Principal buildings other than for residential use situated in any D.R. Zone shall conform to the setback standards as set forth in Table 5-4.

TABLE 5-4. BUILDING SETBACK STANDARDS

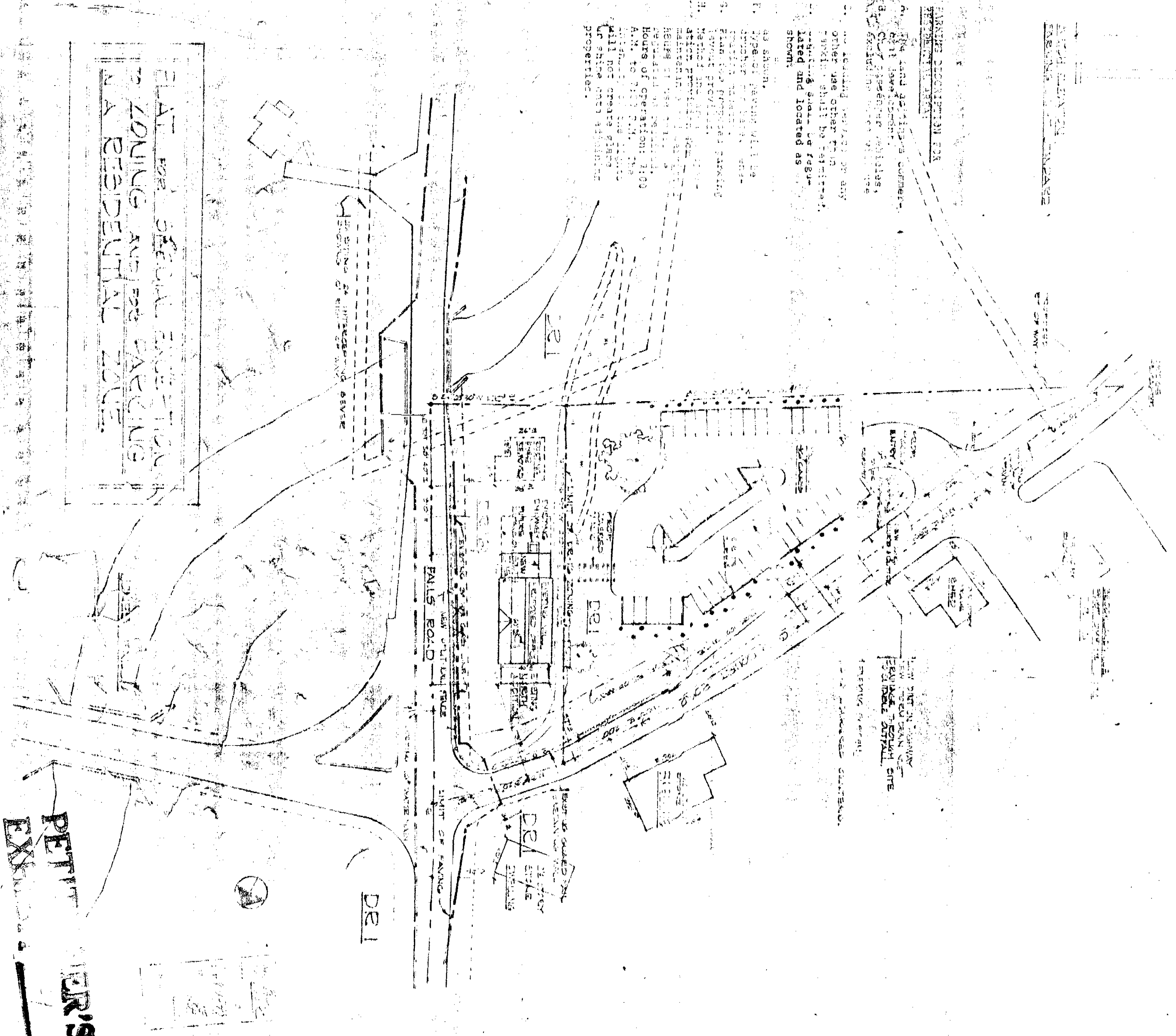
	DR-1	DR-2	DR-3.5	DR-5.5	DR-10.5	DR-16
Front yard	70	60	50	40	25	30
Side yard	40	30	20	20	20	25
Interior, one both	80	60	40	40	40	
Corner, street side	65	50	35	35	35	
both	105	80	55	55	55	
Rear yard	50	40	30	30	50	30

COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES





- [illegible]



**PETTER'S
EXTRA**

MICROFILMED

ROCKLAND HILL
CALLE ROAD BROOKLYN, N. Y.
AMES R. GRIFFIN ASSOCIATES
209 NORTH CHARLES BALTIMORE, MARYLAND

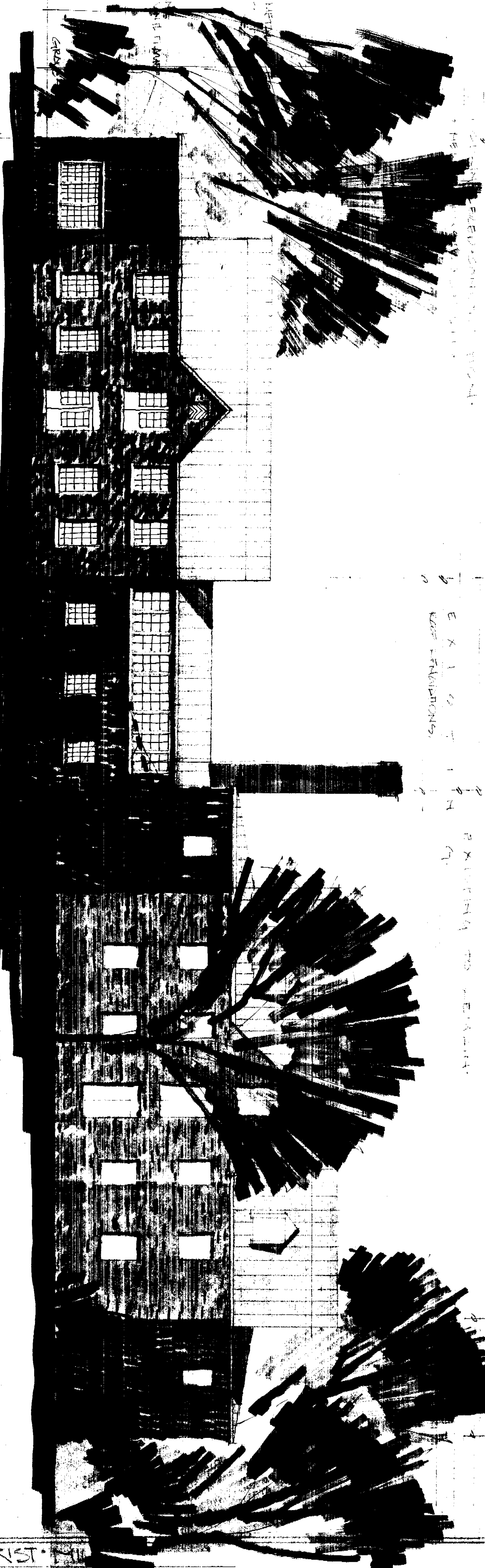
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GROUND FLOOR

UPPER FLOOR

PLAN OF BUILDING IN 1870

STAIRS



NEED CHANGES
BEFORE BUILDING

NEED TO RE-EVALUATE

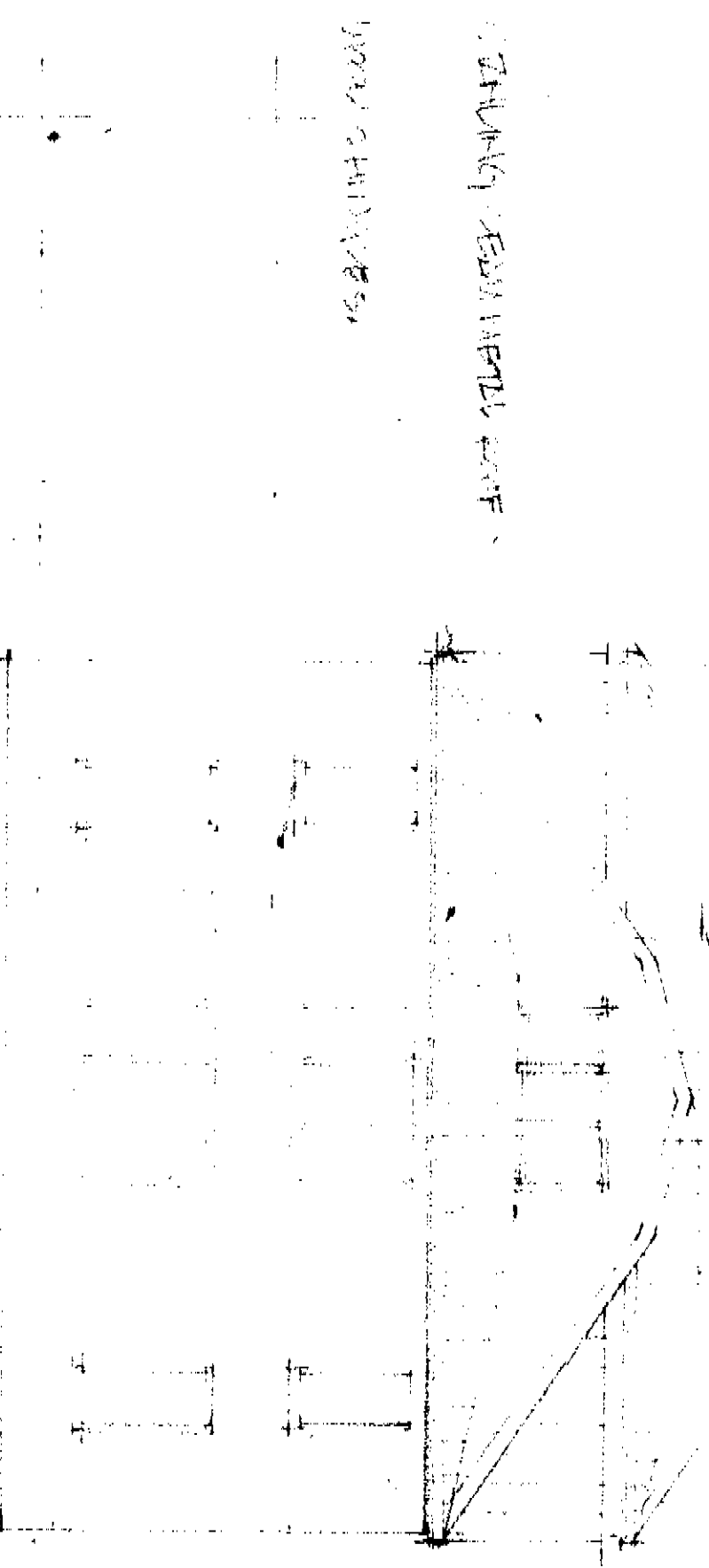
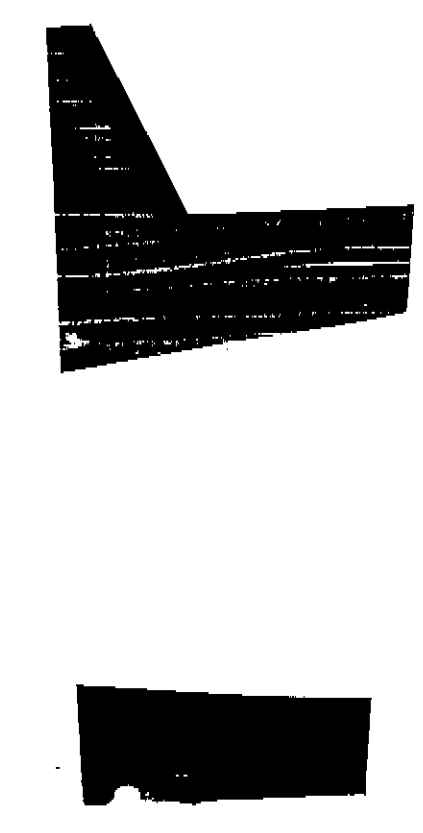
EAST ELEVATION

MICROFILMED

EAST ELEVATION

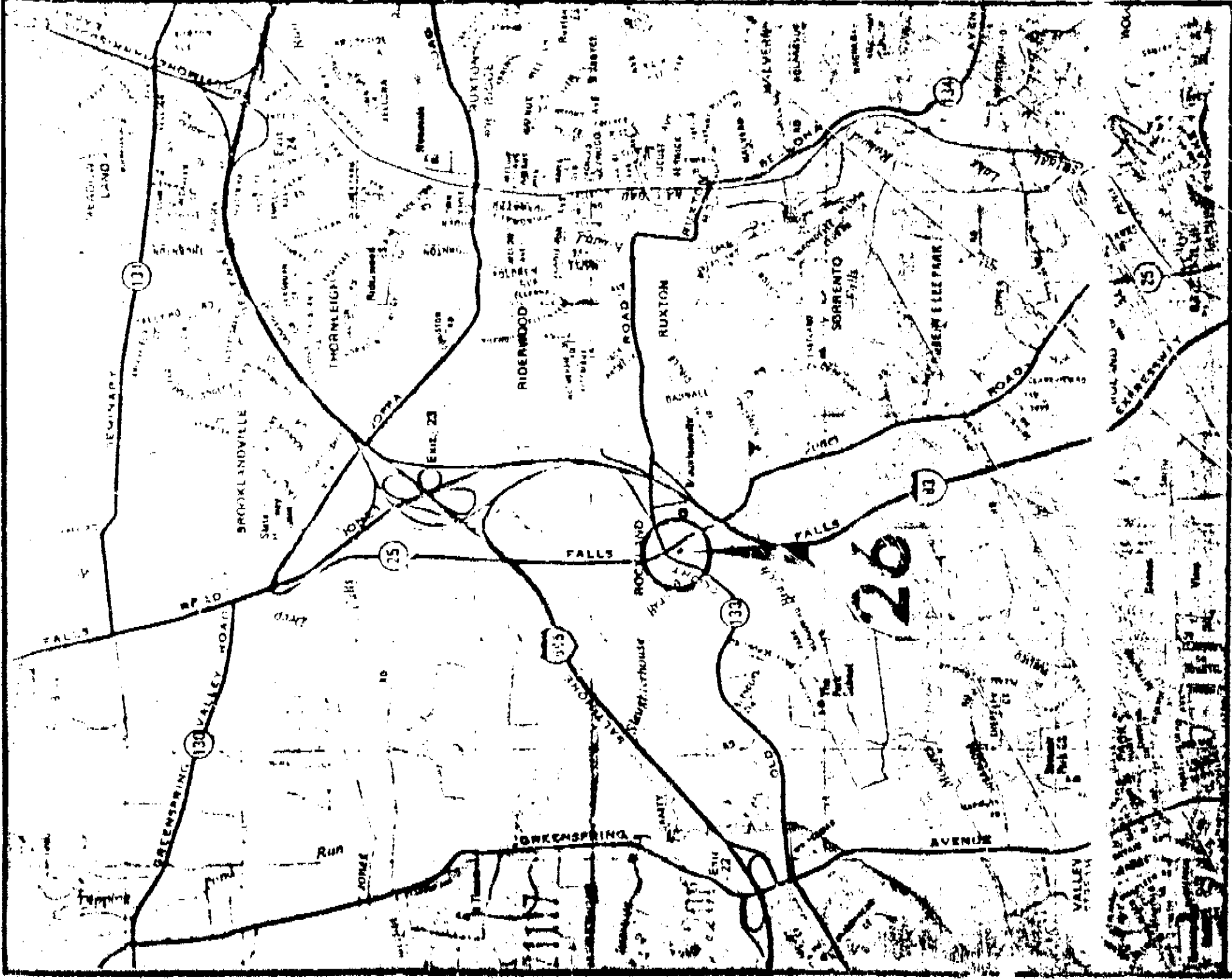
PLAN OF BUILDING IN 1870

SOUTH ELEVATION

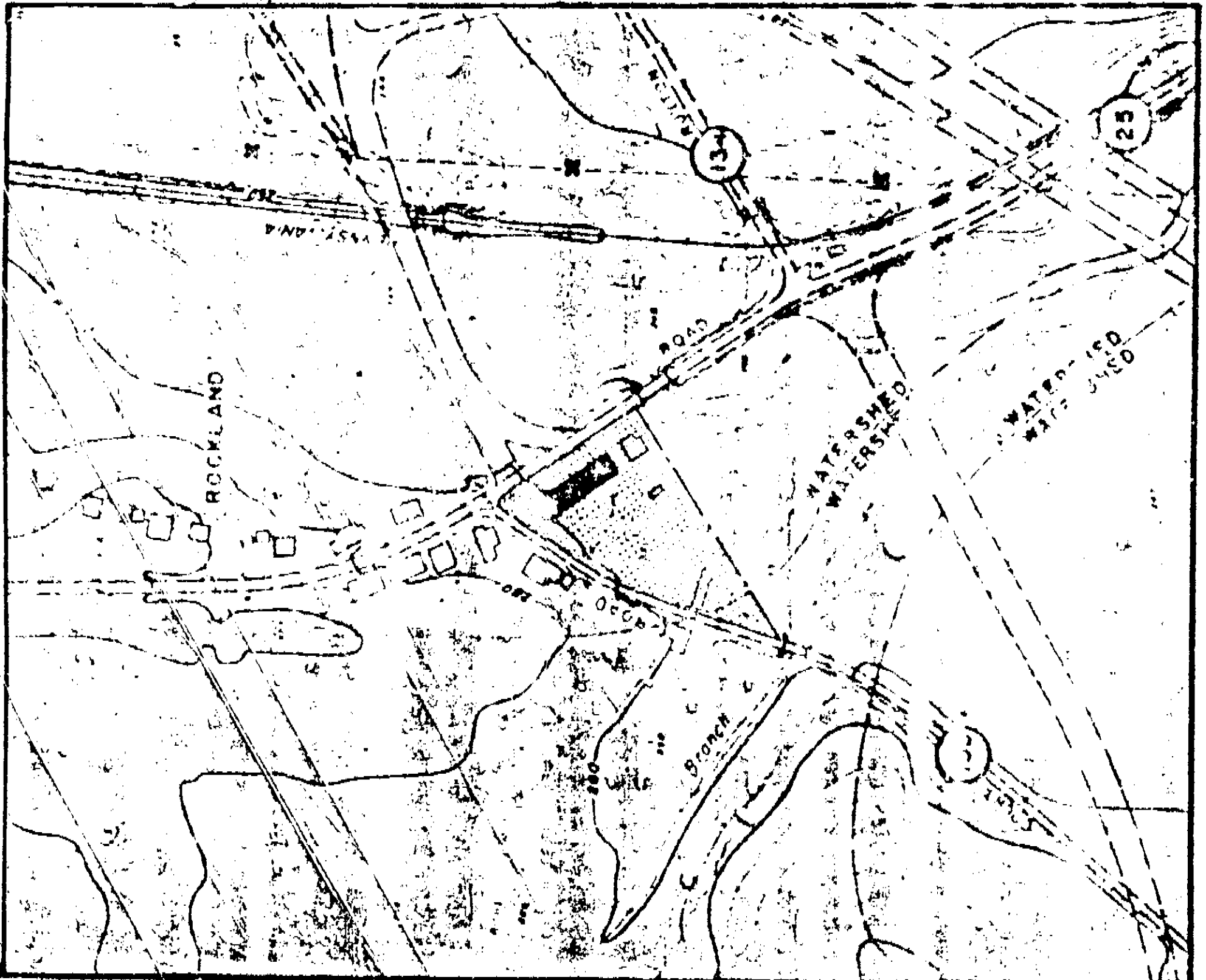


RECKLAND CRIST
2201 OLD COURT ROAD
BROOKLANDVILLE, MARYLAND 21022

Ref 9x3



LOCATION MAP
1" = 200'



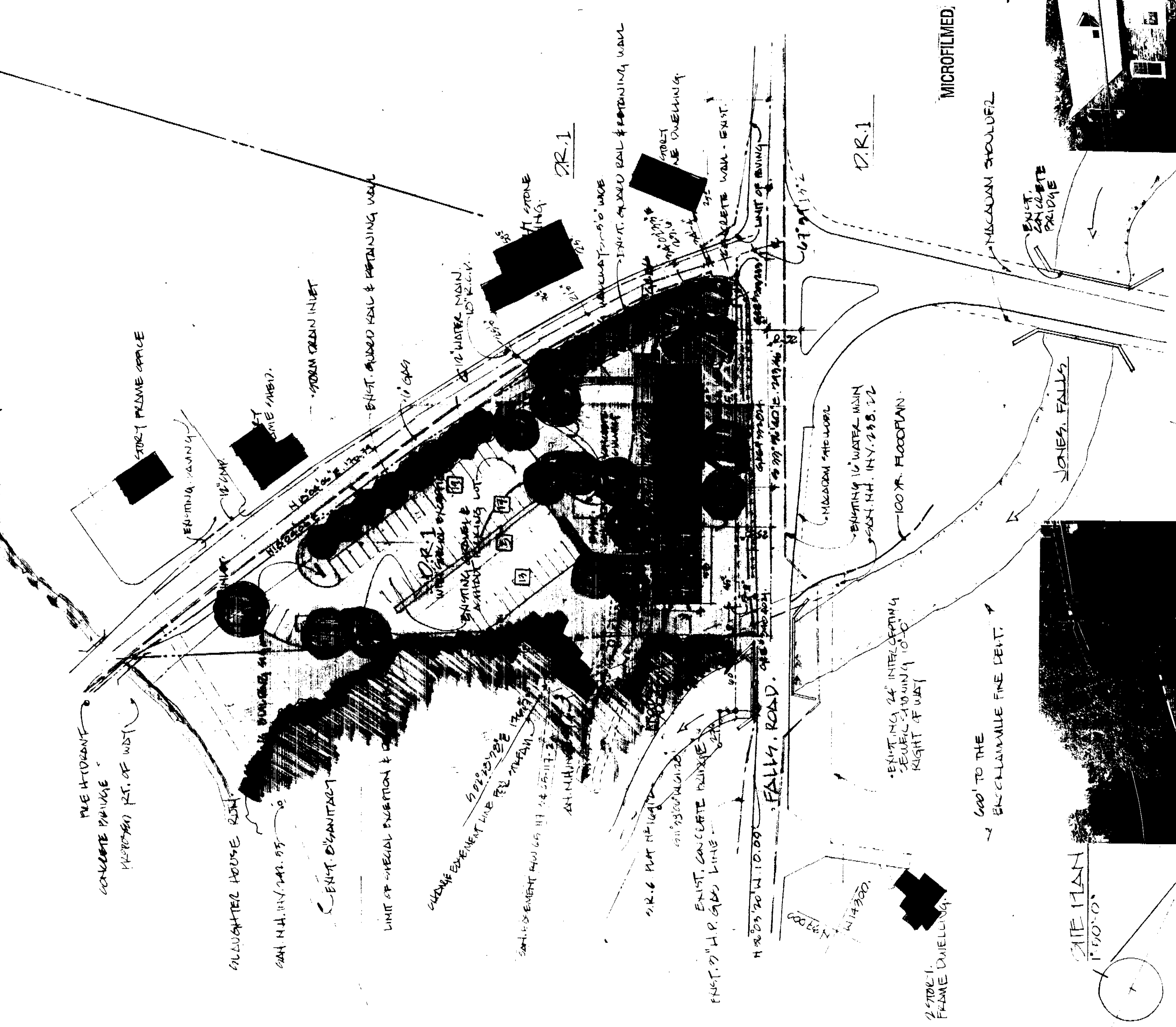
NEIGHBORHOOD MAP
1" = 200'

NOTES

1. Special exception requested to build 5,000 s.f. addition to an existing 12,857 s.f. office, located in the Rockland Grist Mill.
2. Occupancy: 2-story type 1B, unprotected BOC-A side.
3. Area of property: 2.1 acres in special exception.
4. Existing Zoning and Zoning History: DR 16 and DR 1 with Special exceptions for offices in a residential zone.
5. Case # 78-93-XSPH.
6. DR 16 = 0.7 acres.
7. DR 1 = 1.3 acres.
8. Owner: Rockland Associates, 2201 Old Court Road, Baltimore, MD 21208, phone 410-328-4780, Tax account # 1800003582.
9. Previous permits: B 154629 - interior partition renovations (150 s.f.) (06/24/93).
10. Parking Required: 3.3 spaces per 1,000 s.f. gross floor area office: 12,857 s.f. Existing main building: 5,000 s.f. Proposed main building: 17,857 s.f. Total Area: 58,933 parking spaces (reqd).
11. Existing Parking: 59 spaces existing in a gravel and asphalt parking lot. Parking layout is based upon 8'5" x 18'0" spaces. Drive aisles are 24'0" width. No alterations will be made to the existing parking lot.
12. Floor Area Ratio: 17,857 / 70,000 = 0.2551.
13. Height of addition: 33'0". Height of existing structure: 42'. Amenity open space is not required. No additional signage is proposed. Existing building setbacks will be maintained.



EXISTING 10' WATER MAIN



EXISTING 10' WATER MAIN

EXISTING 10' WATER MAIN

EXISTING 10' WATER MAIN

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EXISTING 10' WATER MAIN

LAST TO REQUEST A SPECIAL EXCEPTION FOR AN ADDITION TO THE ROCKLAND GRIST MILL

RECKLAND GRIST MILL

RECKLAND GRIST MILL

RECKLAND GRIST MILL

RECKLAND GRIST MILL

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78-93-XSPH

RE: PETITION FOR SPECIAL EXCEPTION:
AND SPECIAL EXCEPTION:
SW/ other Falls & Old Court Road -
3rd Election District
J. T. Johnson, et al. - Petitioners
NO. 78-93-XSPH (Item No. 2)

OF
BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of Petitioners for a Special Exception for an office building and offices and a Special Exception for an office building and offices and a

Testimony for the Petitioners indicated that the subject property dates to the early nineteenth century and that the building (with a small addition in the twelve years, is part of the "Blackland (Hanson) District" and recorded in the Maryland Historical Trust and the National Register of Historic Places. Testimony by Mr. Nancy Miller, historian, Maryland Historical Trust, indicated that it was placed on the national register in 1975. Officiant pursuing requires maintenance, under existing regulations, will require more space. The Petitioners testified that they will provide forty-two spaces.

Expert testimony by Mr. David Bryant, architect, indicated that the Petitioners, conscious of the building's historic importance, plan to preserve its exterior substantially as it exists, if the office conversion is permitted.

Testimony by Mr. James G. Howell, of the Office of Planning, indicated that the office conversion is a permitted use. Further written, item of by the State Highway Administration indicated approval of the Old Court Road of the subject property.

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SW/ other Falls & Old Court Road -
3rd Election District
J. T. Johnson, et al. - Petitioners
NO. 78-93-XSPH (Item No. 2)

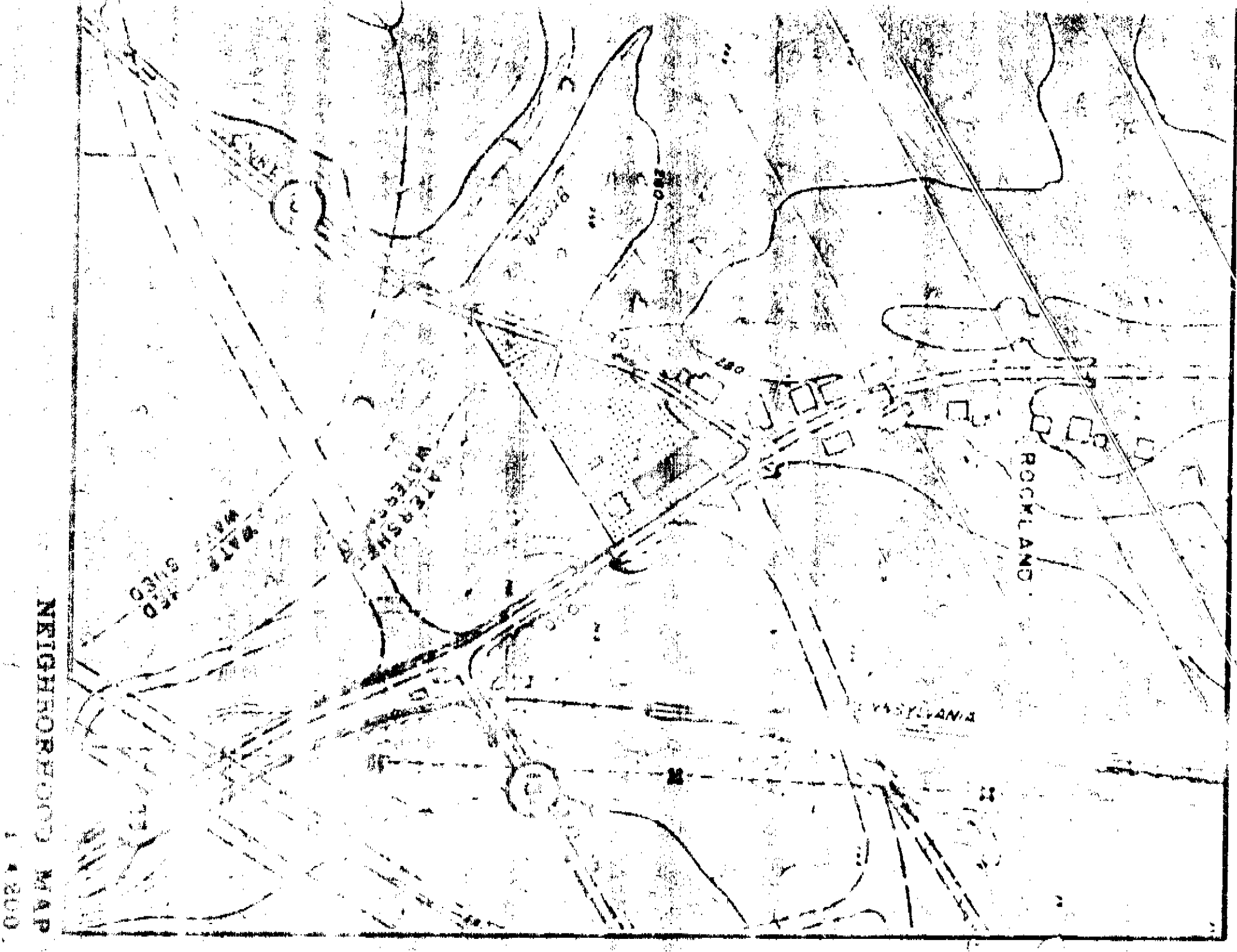
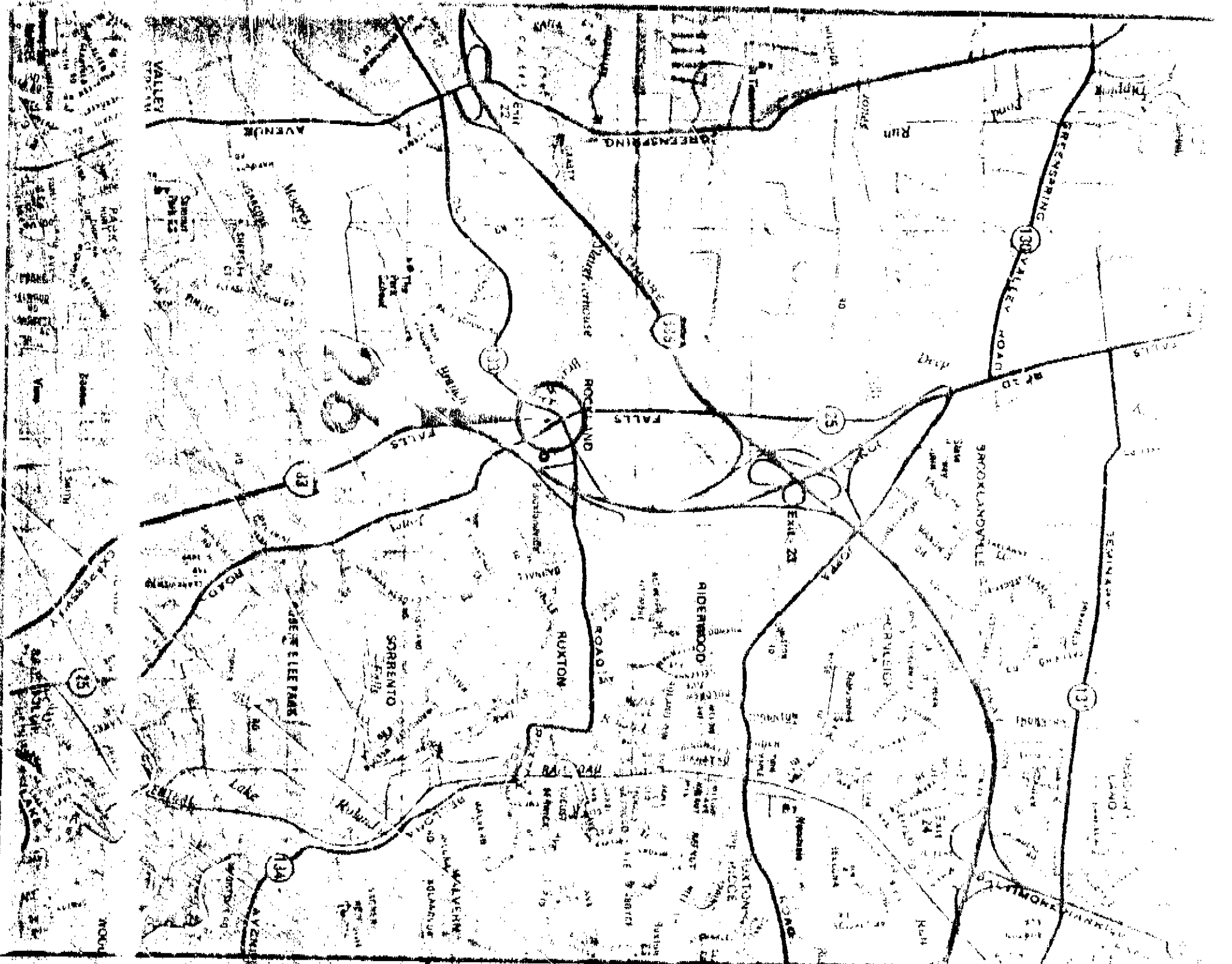
OF
BALTIMORE COUNTY

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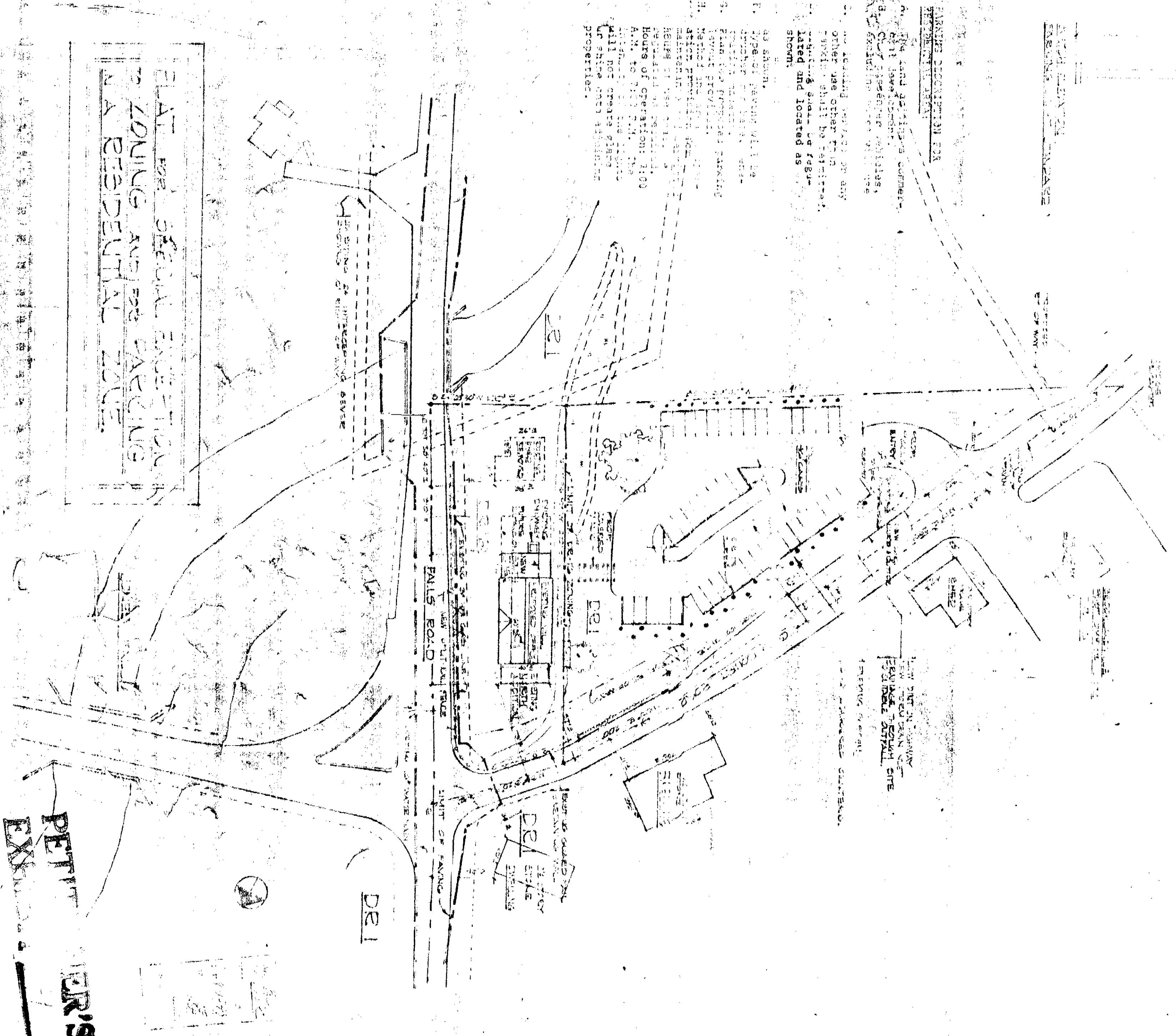
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- [illegible]



**PETTER'S
EXTRA**

MICROFILMED

ROCKLAND HILL
CALLE ROAD BROOKLYN, NEW YORK
AMES R. GLEVEN ASSOCIATES ARCHITECTS
609 NORTH CHARLE BALTIMORE, MARYLAND

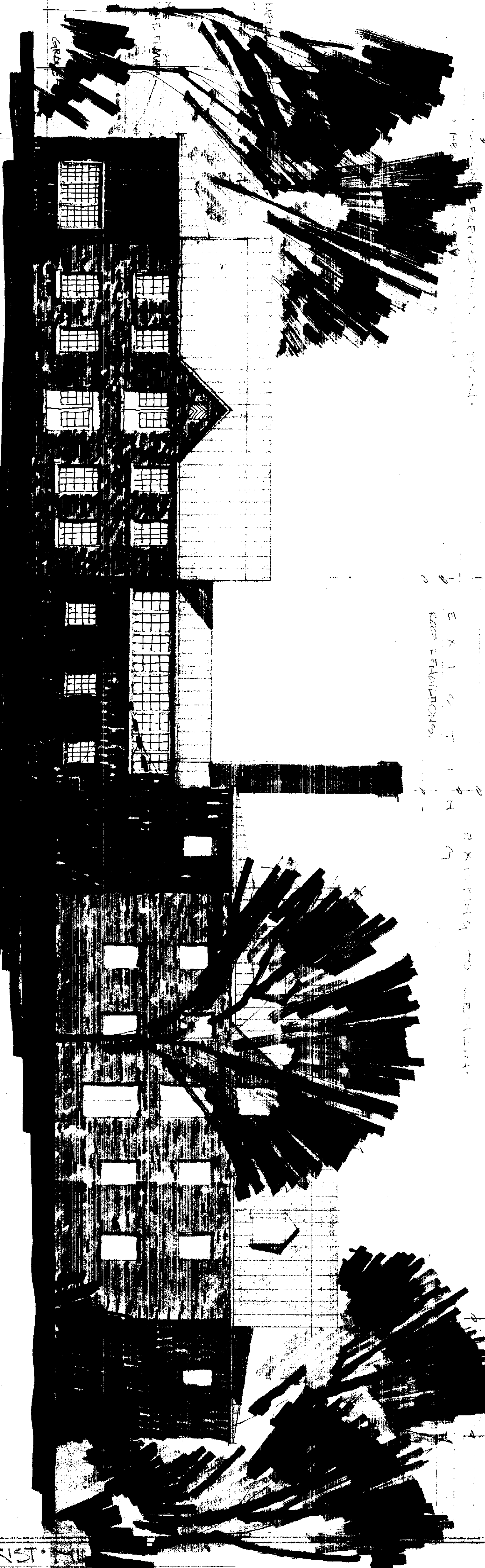
0.11

GROUND FLOOR

UPPER FLOOR

PLAN OF BUILDING IN 1870

STAIRS



NEED CHANGES
BEFORE BUILDING

NEED TO RE-EVALUATE

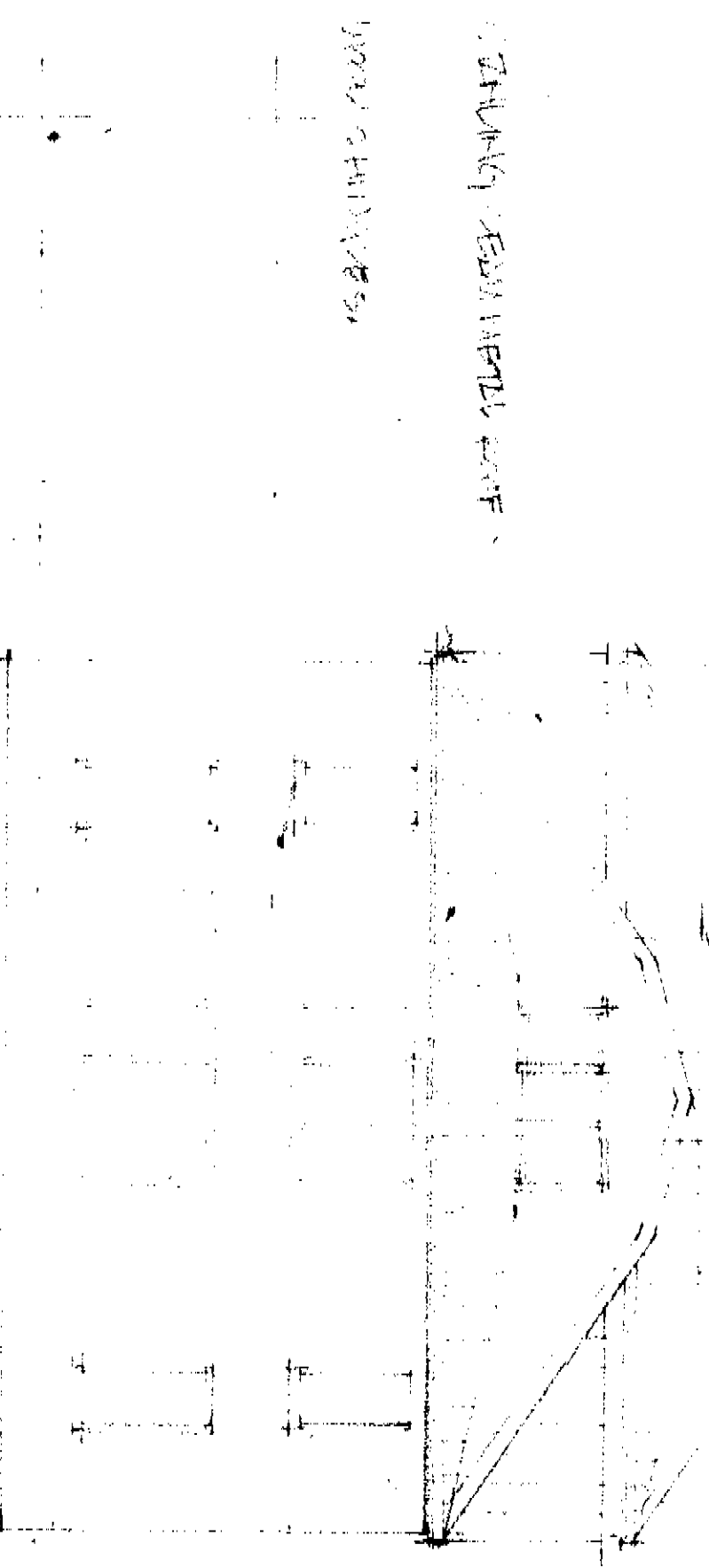
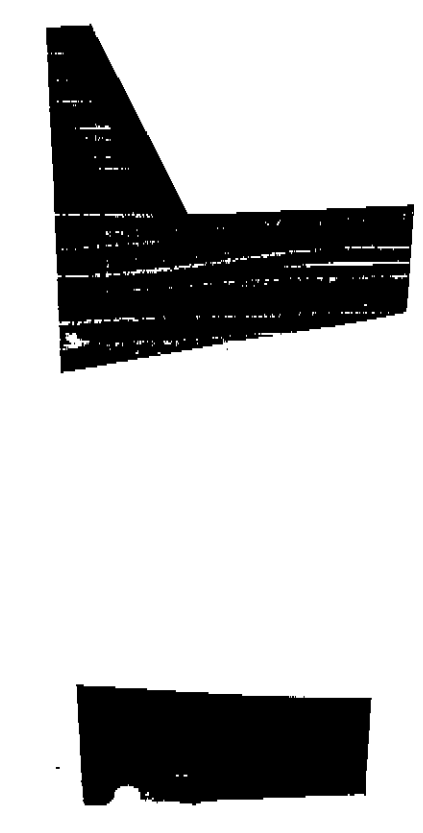
EAST ELEVATION

MICROFILMED

EAST ELEVATION

PLAN OF BUILDING IN 1870

SOUTH ELEVATION



RECKLAND CRIST
2201 OLD COURT ROAD
BROOKLANDVILLE, MARYLAND 21022

Ref 9x3

IN THE MATTER OF * BEFORE THE
THE APPLICATION OF * COUNTY BOARD OF APPEALS
STEPHEN SEYMOUR FOR SPECIAL *
HEARING RELIEF ON PROPERTY * OF
LOCATED ON THE SOUTHWEST *
CORNER OLD COURT ROAD AND * BALTIMORE COUNTY
FALLS ROAD (2201 OLD COURT RD) *
3rd ELECTION DISTRICT * CASE NO. 96-31-SPH
2ND COUNCILMANIC DISTRICT * * * * *

ORDER OF DISMISSAL

This matter comes to this Board on appeal from a decision of the Deputy Zoning Commissioner dated November 7, 1995 in which Petitioner's request for special hearing relief was denied.

WHEREAS, the Board is in receipt of a Notice of Dismissal of appeal filed by Howard L. Alderman, Jr., Esquire, on behalf of Stephen Seymour, Appellant /Petitioner, filed May 20, 1996 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Appellant requests that the appeal filed in this matter be dismissed as of May 20, 1996;

IT IS HEREBY ORDERED this 7th day of June, 1996 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Robert C. Schutz

A. Duane Lewis

Harry E. Burkhardt

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
SW/Corner Old Court Road and * COUNTY BOARD OF APPEALS
Falls Road *
(2201 Old Court Road) *
3rd Election District * FOR BALTIMORE COUNTY
2nd Councilmanic District *
Stephen Seymour * Case No.: CBA 96-31-SPH
Appellant *

NOTICE OF DISMISSAL

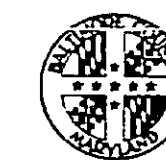
Stephen Seymour, Appellant, by and through his undersigned legal counsel, hereby dismisses the appeal of the decision of the Deputy Zoning Commissioner for Baltimore County in the above-captioned case, said decision having been rendered on November 7, 1995, and said appeal having been noted to this Board on or about November 16, 1995.

Howard L. Alderman, Jr.
HOWARD L. ALDERMAN, JR.
Levin & Gann, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, Maryland 21204
(410) 321-0600
Attorneys for Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of May, 1996, a copy of the foregoing NOTICE OF DISMISSAL was hand-delivered to Peter Max Zimmerman, People's Counsel, Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

Howard L. Alderman, Jr.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

June 7, 1996

Howard L. Alderman, Jr., Esquire
LEVIN & GANN, P.A.
Suite 113
305 W. Chesapeake Avenue
Towson, MD 21204

RE: Case No. 96-31-SPH
Stephen Seymour -Appellant

Dear Mr. Alderman:

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

Very truly yours,
Charlotte E. Rodcliffe for
Kathleen C. Bianco
Administrative Assistant

Enclosure

cc: Stephen D. Seymour
Anne H. Coyle
Thomas M. Bruggman
Sarah Lord
Mani Pullimood
Herbert A. Davis
John Bernstein, Executive Director
Valleys Planning Council
Laurie Long /Ruxton-Riderwood
Improvement Association
People's Counsel for Baltimore County
Lawrence E. Schmidt
Pat Keller /Planning Director
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

Printed with Soy-based Ink
on Recycled Paper

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
SW/Corner Old Court Road and *
Falls Road * DEPUTY ZONING COMMISSIONER
(2201 Old Court Road) *
3rd Election District * OF BALTIMORE COUNTY
2nd Councilmanic District *
Stephen Seymour * Case No.: 96-31-SPH
Petitioner *

NOTICE OF APPEAL

Stephen Seymour, Petitioner, by and through his undersigned legal counsel, pursuant to Baltimore County Code §26-132 and Baltimore County Zoning Regulations §500.10, hereby notes an appeal of the decision of the Deputy Zoning Commissioner for Baltimore County in the above-captioned case, said decision having been rendered on November 7, 1995.

Howard L. Alderman, Jr.
HOWARD L. ALDERMAN, JR.
Levin & Gann, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, Maryland 21204
(410) 321-0600
Attorneys for Appellant

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
SW/Corner Old Court Road and * DEPUTY ZONING COMMISSIONER
Falls Road *
(2201 Old Court Road) * OF BALTIMORE COUNTY
3rd Election District *
2nd Councilmanic District * Case No. 96-31-SPH
Stephen Seymour *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as two Petitions for Special Hearing for that property known as 2201 Old Court Road, located in the vicinity of the interchange of I-83, Falls and Old Court Roads in Brooklandville. The Petitions were filed by the owner of the property, Stephen Seymour. The first special hearing request seeks approval, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Section 517.2 of the Building Code (BC), and Sections 26-276, 26-670, and 26-172(2) and (3) of the Baltimore County Code (BCC), to construct a pedestrian bridge over the existing mill race at the Rockland Grist Mill located on the subject property. The second special hearing requests an amendment to the previously approved site plan in Case No. 78-93-XSPH to permit the proposed improvements as set forth above. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Stephen D. Seymour, legal owner of the property, Mace T. Miyasaki and L.J. Link, Jr., and Howard L. Alderman, Jr., Esquire, attorney for the Petitioner. Appearing in opposition to the Petitioner's request were Anne H. Coyle, who appeared on behalf of the Ruxton-Riderwood-Lake Roland Area Improve-

ment Association, and Thomas M. Bruggman, a nearby property owner. In addition, numerous residents from the surrounding community appeared as interested parties, including Sarah Lord, Mani Pullimood, Herbert A. Davis, and John Bernstein, Executive Director of the Valleys Planning Council.

Testimony and evidence offered revealed that the subject property consists of approximately 2 acres, more or less, of which 0.7 acres are zoned D.R. 16 and 1.3 acres are zoned D.R.1. The property is improved with a 2.5 story office building and accessory parking area which are more clearly depicted on Petitioner's Exhibit 1. As noted above, the property was the subject of prior Case No. 78-93-XSPH in which the Petitioner was granted approval to renovate the subject building and convert it to office use and to allow parking for said use to be located in a residential zone. The Petitioner now comes before me seeking approval to amend the previously approved site plan to remove an existing barn and its place, construct a 5,500 sq.ft. addition to the existing building. However, the building and parking area are separated by the former "mill race" where water once flowed through to power the turn wheel. Therefore, due to the topography of the land and the location of the building thereon, the Petitioner proposes to construct a pedestrian footbridge which would connect the proposed addition with the parking area. This footbridge is proposed to be located in the 100-year flood plain on the site.

As noted on the site plan, the subject building is located in the D.R. 16 zoned portion of the site, while the parking lot is located on D.R. 1 zoned land. Pursuant to Sections 1801 et seq of the B.C.Z.R., an office building is not permitted in a D.R. 16 zone, either as of right or by special exception. The Petitioner attempts to circumvent this problem by arguing his case meets the requirements of Section 502.5A of the

B.C.Z.R. and therefore can be permitted by virtue of this special hearing request.

However, I do not interpret Section 502.5A in the same manner as the Petitioner. In the opinion of this Deputy Zoning Commissioner, the Petitioner cannot utilize Section 502.5A in an effort to expand the square footage of the special exception use on this property. I do not believe that Section 502.5A was established to permit an expansion of this nature in this particular case.

Furthermore, it is clear that the prior decision which granted the special exception use was for the building that existed at that time and indicated that the building would remain substantially the same from that day forward. There was no proposal at that time to permit expansion of the building at any time in the future. Nor, was there any area established for "future expansion." Therefore, given the language found in the Order issued on December 12, 1977, as well as my interpretation of Section 502.5A, I am not persuaded to grant the relief requested within the Petitions for Special Hearing, as in the opinion of this Deputy Zoning Commissioner, it is not proper to proceed in that fashion.

It is not necessary to review the testimony offered at the hearing on this matter by either the Petitioner and his witnesses or the Protes-tants, given the fact that a decision is not being rendered on the merits of this case. The decision to deny the two special hearing requests is based on procedural and interpretational grounds in that Section 502.5A of the B.C.Z.R. does not permit the Petitioner to expand the square footage of his special exception use.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of November, 1995 that the Petitions for

Special Hearing seeking approval, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Section 517.2 of the Building Code (BC), and Sections 26-276, 26-670, and 26-172(2) and (3) of the Baltimore County Code (BCC), and an amendment to the previously approved site plan in Case No. 78-93-XSPH to construct a pedestrian bridge over the existing mill race at the Rockland Grist Mill, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

TMK:hjs

Timothy M. Motroco
TIMOTHY M. MOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date *11/9/95*
By *hjs*

ORDER RECEIVED FOR FILING
Date *11/9/95*
By *hjs*

ORDER RECEIVED FOR FILING
Date *11/9/95*
By *hjs*

ORDER RECEIVED FOR FILING
Date *11/9/95*
By *hjs*

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204
November 7, 1995 (410) 887-4386

Howard L. Alderman, Jr., Esquire
Levin & Gann
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204
RE: PETITIONS FOR SPECIAL HEARING
SW/Corner Old Court Road and Falls Road
(2201 Old Court Road)
3rd Election District - 2nd Councilmanic District
Stephen Seymour - Petitioner
Case No. 96-31-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing have been denied 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,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Stephen D. Seymour
2201 Old Court Road, Brooklandville, Md. 21022

Mr. Thomas M. Bruggman, 2202 Old Court Road, Brooklandville, Md. 21022
Ms. Anne Coyle, 10136 Falls Road, Brooklandville, Md. 21022
Mr. John Bernstein, VPC, P.O. Box 5402, Towson, Md. 21202
Mr. Herbert A. Davis, 2201 Old Court Road, Brooklandville, Md. 21022
Ms. Sarah Lord, 6134 Bervill Road, Baltimore, Md. 21209
Mr. Mani Pullimood, 10027 Falls Road, Lutherville, Md. 21093

People's Counsel; Case File

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 7/27/95 ACCOUNT 80014150
AMOUNT \$ 535.00
RECEIVED FROM L.V. Link
FOR 24 hours SPH \$ 500.00 (600.00)
15 min.
VALIDATION OR SIGNATURE OF CASHIER
DISTRIBUTION: WHITE - CASHIER, PINK - AGENCY, YELLOW - CUSTOMER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3rd Date of Posting 9/13/95
Posted for Special Hearing
Petitioner: Stephen Seymour
Location of property: 2201 Old Court Rd.
Location of Sign: Living Roadway at property boundary, 2201 Old Court Rd.
Remarks: _____
Posted by M. H. H. H. Date of return: 9/13/95
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 11/14/95 ACCOUNT 8001-7120
AMOUNT \$ 210.00
RECEIVED FROM Levin and Gann PA
FOR Appeal Deputy Zoning Commissioner's
2201 Old Court Rd.
334918
Order 4 - 96-31-SPH
VALIDATION OR SIGNATURE OF CASHIER

#39.
Petition for Special Hearing
96-31-SPH
to the Zoning Commissioner of Baltimore County
for the property located at 2201 Old Court Road, 21022
which is presently zoned CR16 & DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AMENDMENTS TO THE PREVIOUSLY APPROVED PLAN IN ZONING CASE NO. 96-31-SPH, permission to construct an addition to the Rockland Grist Mill in Brooklandville, Maryland; the proposed addition is a 5,500 sq. ft. office annex on the south side of the existing 12,857 sq. ft. office structure, in the style and character of the historic mill. The site already accommodates the parking spaces required for the larger structure, and is landscaped to a standard as befits the character of the Rockland Historic District and Baltimore County Codes.

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

Contract Purchaser/Lessee: _____
(Type or Print Name)
Signature: _____
Address: _____
City: _____ State: _____ Zipcode: _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature: _____
Address: _____
City: _____ State: _____ Zipcode: _____
Name, Address and phone number of representative to be contacted: _____
ESTIMATED LENGTH OF HEARING: _____
unavailable for Hearing
the following date: _____ Next Two Months
ALL OTHER DATE
REVIEWED BY: _____ DATE: _____

#39 (FLOOD PLAIN)
Petition for Special Hearing
96-31-SPH
to the Zoning Commissioner of Baltimore County
for the property located at 2201 Old Court Road, 21022
which is presently zoned CR16 & DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve A SPECIAL HEARING, PER SECTION 500.6 B.C.Z.R., SET 517.2, BUILDING CODE; AND SECTIONS 26-276, 26-610, 26-172(a)(3) B.C. TO CONSTRUCT A PEDESTRIAN FOOT BRIDGE. permission to construct a pedestrian bridge over the existing mill race at the Rockland Grist Mill in Brooklandville, Maryland; the proposed bridge is to be a wood structure, in the character of the historic mill, and is necessary for the proposed addition to have access to the existing parking lot on the property. The mill race has been fed only by rainwater and has been inactive since the early 1900's, and the bridge will be designed in accordance with regulations governing structures within a 100 year flood plain area of the site.

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

Contract Purchaser/Lessee: _____
(Type or Print Name)
Signature: _____
Address: _____
City: _____ State: _____ Zipcode: _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature: _____
Address: _____
City: _____ State: _____ Zipcode: _____
Name, Address and phone number of representative to be contacted: _____
ESTIMATED LENGTH OF HEARING: _____
unavailable for Hearing
the following date: _____ Next Two Months
ALL OTHER DATE
REVIEWED BY: _____ DATE: _____

ORDER RECEIVED FOR FILING
Date 11/14/95
By TMK

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3rd Date of Posting 9/13/95
Posted for: Special Hearing
Petitioner: Stephen Seymour
Location of property: 2201 Old Court Rd.
Location of Sign: Living Roadway at property boundary, 2201 Old Court Rd.
Remarks: _____
Posted by M. H. H. H. Date of return: 9/13/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug. 11, 1995
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 Aug. 10, 1995.

THE JEFFERSONIAN,
A. Henricson
LEGAL AD. - TOWSON

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, on September 5, 1995 at 11:00 a.m. in Room 118, Old Courthouse.
Legal Owner(s): Stephen Seymour
Hearing: Tuesday, September 5, 1995 at 11:00 a.m. in Room 118, Old Courthouse.
Special Hearing to construct a pedestrian foot bridge and to approve amendments to the previously approved plan in zoning case #78-93-SPH.
LAWRENCE 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.
8/12/95 Aug. 10.

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, DIRECTOR

For newspaper advertising:

Item No.: 39.
Petitioner: SEYMOUR.
Location: 2201 Old Court Road, Brooklandville 21022.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: L.J. Link, Jr. Inc.
ADDRESS: 2201 Old Court Road
Brooklandville Md. 21022.
PHONE NUMBER: 410-337-9928.

Baltimore County Government
Department of Permits and Licenses

111 West Chesapeake Avenue
Towson, MD 21204 887-3610

August 9, 1995

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, on September 5, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Legal Owner(s): Stephen Seymour
Hearing: Tuesday, September 5, 1995 at 11:00 a.m. in Room 118, Old Courthouse.
Special Hearing to construct a pedestrian foot bridge and to approve amendments to the previously approved plan in zoning case #78-93-SPH.

Arnold Jablon
Director
Department of Permits and Development Management

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.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue February 9, 1996

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 96-31-SPH STEPHEN SEYMOUR -Petitioner
SW/corner Old Court Road and Falls Road (2201 Old Court Road)
3rd Election District
2nd Councilmanic District

SPH -To construct pedestrian bridge over existing mill race at Rockland Grist Mill; amendment to previously approved site plan /to permit proposed improvements.

11/07/95 -D.Z.C.'s Order in which Petition for Special Hearing is DENIED.

ASSIGNED FOR: THURSDAY, MAY 23, 1996 at 10:00 a.m.

cc: Howard L. Alderman, Jr., Esquire Counsel for Appellant/Petitioner
Stephen D. Seymour Appellant/Petitioner

Anne H. Coyle
Thomas M. Bruggman
Sarah Lord
Mani Pulimood
Herbert A. Davis
John Bernstein, Exec. Director
Valleys Planning Council
Laurie Long /Ruxton-Riderwood Improvement Association

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
W. Carl Richards, Jr. /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

Kathleen C. Bianco
Administrative Assistant

RE: 96-31-SPH /Seymour case

T/C from H. Alderman - dismissal of this appeal is very possible.

If and when this notification is received by this office, call Tom Bruggman (home 296-1144) and leave message re status of this case; if it in fact has been withdrawn and dismissed.

5/16/96

k



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 29, 1995

Mr. Stephen Seymour
2201 Old Court Road
Brooklandville, Maryland 21208

RE: Item No.: 39
Case No.: 96-31-SPH
Petitioner: S. Seymour

Dear Mr. Seymour:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 27, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management August 10, 1995

FROM: J. Lawrence Pilon
Development Coordinator, DEPRM

SUBJECT: Zoning Item #39 - Rockland Grist Mill
2201 Old Court Road
Zoning Advisory Committee Meeting of August 7, 1995

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

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

A variance from these Regulations is required for the proposed addition.

JLP:VK:sp
ROCKLAND/DEPRM/TXTSPB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: August 16, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 2201 Old Court Road

INFORMATION:

Item Number: 39

Petitioner: Stephen Seymour

Property Size: _____

Zoning: DR-1 and DR-16

Requested Action: Special Hearing

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, staff recommends that plans be forwarded to the Landmarks Preservation Commission for review and comment prior to the issuance of any building permits.

Prepared by: *Jeffrey M. Long*

Division Chief: *Caryl L. Keller*

PK/JL

ITEM39/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Aug. 14, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for August 14, 1995
Item 039

The Development Plans Review Division has reviewed the subject zoning item. The rear of the building may not be constructed within 20 feet of the limits of the flood plain as established for a 100-year flood level with a one foot freeboard. See Standard Plate 19D in the Baltimore County Design Manual, dated 1982 and adopted 1983.

Also, in conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least one foot over the flood plain elevation in all construction.

RWB:aw

Baltimore County Government
Fire Department



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

(410) 887-4500

DATE: 08/08/95

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

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF AUGUST 07, 1995.

Item No.: SEE BELOW Zoning Agenda:

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.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41 AND 42.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 687-4881, MS-1102F

cc: File

RECEIVED
AUG 11 1995
ZADM

Printed on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 039 (JLL)

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: July 27, 1995
TO: Hearing Officer
FROM: John L. Lewis
Planner II, PDM
SUBJECT: Item #39
2201 Old Court Road

Two types of special hearings - one to amend and one for flood plain construction.

There have been changes from the approved zoning plan over time and now an addition is being proposed. Per Section 502.5.A, the old rules still apply.

The applicant will address the differences at the hearing.

JLL:scj

RE: PETITION FOR SPECIAL HEARING
2201 Old Court Road, SWC Falls and Old
Court Roads, 3rd Election District,
2nd Councilmanic
Stephen Seymour
Petitioner
* * * * *
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-31-SPH

ENTRY OF APPEARANCE

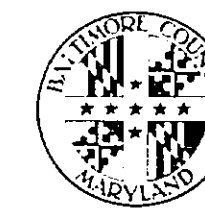
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to L. J. Link, Jr., Inc., 2201 Old Court Road, Baltimore, MD 21208, representative for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
AUG 11 1995
DEPT. OF PERMITS & LICENSES
OF BALTIMORE COUNTY



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

November 17, 1995

Mr. Thomas M. Bruggman
2201 Old Court Road
Brooklandville, MD 21022

Ms. Anne Coyle
10136 Falls Road
Brooklandville, MD 21022

Mr. John Bernstein
VPC
P.O. Box 5402
Towson, MD 21286-5402

Mr. Herbert A. Davis
2201 Old Court Road
Brooklandville, MD 21022

Mr. Sarah Lord
6134 Barroll Road
Baltimore, MD 21209

Mr. Mani Pulimood
10027 Falls Road
Lutherville, MD 21093

Ms. Laurie Long
Ruxton-Riderwood Improvement Association
P.O. Box 204
Riderwood, MD 21139

Re: Petitions for Special Hearing
SW/Corner Old Court Road and Falls Road
2201 Old Court Road
3rd Election District
2nd Councilmanic District
Stephen Seymour-Petitioner
Petitions for Special Hearing
Case No. 96-31-SPH

Ladies and Gentlemen:

Please be advised that an appeal of the above-referenced case was filed in this office on November 16, 1995 by Howard L. Alderman, Jr. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals, "Board".

If you have any questions concerning this matter, please do not hesitate to contact the Board at 887-3180.

Arnold Jablon
ARNOLD JABLON
Director
Department of Permits and
Development Management

AJ:mhm
cc: People's Counsel

Printed with Soybean Ink
on Recycled Paper

APPEAL

Petitions for Special Hearing
SW/Corner Old Court Road and
Falls Road
2201 Old Court Road
3rd Election District - 2nd Councilmanic District
Stephen Seymour - Petitioner
Case No. 96-31-SPH

Petitions for Special Hearing
Certificate of Posting
Certificate of Publication
Entry of Appearance of People's Counsel
Zoning Plans Advisory Committee Comments
Petitioner(s) and Protestant(s) Sign-In Sheets
Citizen(s) Sign-In Sheet

Petitioner's Exhibits: 1 - Site Plan to Accompany Petition for Special Hearing
2 - Site Plan to Accompany Petition for Special Hearing (Highlighted Building, Parking, Property, Landscaping Areas, and Six Attached Photographs)
3 - Highlighted Site Plan of the Rockland Grist Mill
4 - Plat to Accompany Petition for Special Hearing including Neighborhood Map and Parking in a Residential Zone

One Large Print Containing Eight Microfilm Copies from a Previous Petition for Zoning Re-Classification and/or Special Exception and a Petition for Special Hearing (Not Marked as Exhibits)

Letter to Timothy Kotroco, Deputy Zoning Commissioner from Laurie S. Long on behalf of the Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc. dated October 31, 1995

Letter to Timothy Kotroco, Deputy Zoning Commissioner from Stuart Vogel received on November 9, 1995

Deputy Zoning Commissioner's Order dated November 7, 1995 (Denied)

Notice of Appeal received on November 16, 1995 from Howard L. Alderman, Jr., Esquire on behalf of Stephen Seymour, Petitioner

cc: Howard L. Alderman, Jr., Levin and Gann, 305 W. Chesapeake Avenue, Towson, MD 21204
Anne Coyle, 10136 Falls Road, Brooklandville, MD 21022
Thomas M. Bruggman, 2201 Old Court Road, Brooklandville, MD 21022
Sarah Lord, 6134 Barroll Road, Baltimore, MD 21209
Mani Pulimood, 10027 Falls Road, Lutherville, MD 21093
Herbert A. Davis, 2201 Old Court Road, Brooklandville, MD
Mr. John Bernstein, VPC, P.O. Box 5402, Towson, MD 21286-5402
Ms. Laurie Long, Ruxton-Riderwood Improvement Association, P.O. Box 204, Riderwood, MD 21139
Stephen D. Seymour, 2201 Old Court Road, Baltimore, MD 21208
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy M. Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM

2/09/96 -Notice of Assignment for hearing scheduled for Thursday,
May 23, 1996 at 10:00 a.m. sent to following:

Howard L. Alderman, Jr., Esquire
Stephen D. Seymour
Anne H. Coyle
Thomas M. Bruggman
Sarah Lord
Mani Pulimood
Herbert A. Davis
John Bernstein, Exec. Director
Valleys Planning Council
Laurie Long /Ruxton-Riderwood
Improvement Association
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
W. Carl Richards, Jr. /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

5/20/96 -Notice of Dismissal of appeal filed by H. Alderman on behalf of
Stephen Seymour, Appellant /Petitioner. Order to be issued by
Board dismissing this appeal.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 10, 1997
Permits & Development Management
FROM: Charlotte E. Radcliffe
County Board of Appeals
SUBJECT: Closed Files: Case Nos.
95-366-A /Carroll Coleman, et ux (12th; 7th)
96-24-A /Thomas Kreiner, Jr., et ux (15th; 5th)
96-31-SPH /Stephen Seymour (3rd; 2nd)
96-40-A /Joseph C. Nowakowski (15th; 7th)
96-63-A /Joseph E. Neet, et ux (13th; 1st)
96-118-SPHXA /Rocky Gorge at Grey Rock, L.P. and
Rocky Gorge Communities, Inc., G.P. (3rd; 2nd)
96-120-SPHA /Richmond American Homes and
Ruby Holzapfel, et al (2nd; 2nd)
CBA-95-178 /Steinberg Property (DRC #07315M)
CBA-96-113 /Samuel Owings House (Permit #B240689)

As no further appeals have been taken regarding the subject cases, we are hereby closing the files and returning same to you herewith.

Attachments (Case File Nos. 95-366-A; 96-24-A; 96-31-SPH; 96-40-A;
96-63-A; 96-118-SPHXA; 96-120-SPHA; CBA-95-178; CBA-96-113)

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-530-3700
TELECOMPER 410-629-0250

HOWARD L. ALDERMAN, JR.

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOMPER 410-296-2801

ELLIS LEVIN (1893-1960)

November 16, 1995

HAND DELIVERED

Mr. Arnold Jablon, Director
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Appeal of Decision of Deputy Zoning Commissioner
Stephen Seymour, Petitioner
2201 Old Court Road
Case No.: 96-31-SPH

Dear Mr. Jablon:

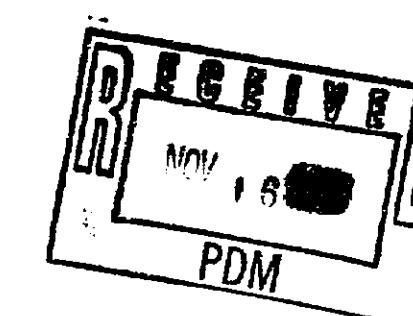
Enclosed please find a Notice of Appeal on behalf of Stephen Seymour, Petitioner, in the above-referenced case. Also enclosed please find this firm's check in the amount of Two Hundred Ten Dollars (\$210.00) representing the filing fee of One Hundred Seventy Five Dollars (\$175.00) and the Thirty Five Dollar (\$35.00) cost of the sign.

I would appreciate it if you would have prepared promptly all necessary papers and documents and transfer them to the County Board of Appeals for Baltimore County for immediate docketing and hearing. Should you need any additional information with respect to this appeal, as always, please do not hesitate to contact me.

Very truly yours,

Howard L. Alderman, Jr.
Howard L. Alderman, Jr.

HLA/lah
Enclosure
cc: Mr. Stephen Seymour



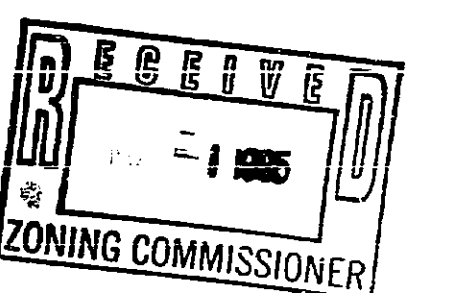
11-01-95 15:37 1103 792

R-R-LR-A-I-A

001

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.
P.O. Box 204
Riderwood, MD 21139
Tel. (410) 337-0792

FACSIMILE COVER SHEET



DATE: November 1 1995 TIME: _____

TO: Mr. Timothy Kotroco

OF: Deputy Zoning Commissioner

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 4

FROM: The Ruxton-Riderwood-Lake Roland Area Improvement Association

MESSAGE: Regarding Rockland Grist Mill Case # 96-31-SPH

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

P. O. Box 204
Ridewood, MD 21139
Tel. & FAX (410) 337-0792

Mr. Timothy Kotroco
Deputy Zoning Commissioner
Old Court House
400 Washington Avenue
Towson, MD 21204

October 31, 1995

RE: Rockland Grist Mill (case # 96-31-SPH)

Dear Mr. Kotroco:

On September 5, 1995, petitioner, Steven Seymour, represented by Howard Alderman, applied for a 5,500 sq. foot addition to the Rockland Mill, a historic structure built c. 1810. The building, which is partially in a 100 year flood plain, currently has 12,857 square feet of office space.

The original office use (in a DR-16 zone) was permitted by special exception (Case # 78-93-XSPH) in 1978. The original site plan associated with the special exception does not show the addition that is proposed now, nor does it propose any area for future expansion. Indeed, the Zoning Commissioner's order conditioned the approval as follows:

"The exterior of the building [shall] remain substantially the same as it is at present."

It is therefore clear that no further additions were contemplated by the special exception granted in 1978. Several other points lead to the same conclusion. On the special exception plat to be found in the case file, the mill building is the only shaded area. The petition further notes under the heading "Expected Improvements," the mill building, only with a footprint of 40' x 52'. And in a letter of March 9, 1978 to M.P. Azola, Eric Di Nienna, Zoning Commissioner notes that a special exception has been granted "to convert the existing building to office use."

Office use is not currently permitted by special exception in any DR zone and has not been so permitted since 1980. The petitioner suggests that section 502.5A of the Baltimore County Zoning Regulations (attached) grandfather the new proposal now under consideration. We contend that this reaving of the section is unfounded. The section in question merely protects "...the validity of any order granting a special exception for... an office building," and continues "any such special exception may be used in accordance with applicable provisions of these regulations provided that construction is started prior to the expiration date of such special exception." The clear intent of this section of the regulations is to grandfather an existing, but unused permission, acquired by special exception. Such intent corresponds to general usage and practice provisions such as this one, as a matter of law protect existing uses or rights, they do not confer new rights to build or permit expansion unless explicitly so noted.

Clearly in this case, it is the permission granted by the special exception in 1978 was limited, both by the language of the decision and by the site plan, to the existing building. No footprint for proposed future development was included in the petition or the site plan and no "unused permission" remains from the 1978 special exception. Thus, Section 502.5A does not apply, and the current proposal cannot be grandfathered by section 502.5A. As shown above, the clear intent of this section is to protect rights expressly permitted by earlier special exceptions.

Even if the original special exception had granted permission for future expansion, it would no longer be valid. Under Section 502.3 of the Baltimore County Zoning Regulations, "A special exception which has not been used within a period of two years from the date of the final order granting same...shall thereafter be void."

It is important to note several additional points. The area that is zoned DR-16 is approximately 0.7 acre. On this size lot, the existing structure would come very close to the permitted FAR (floor area ratio) in the RO zone, and fall inside the permitted FAR in OR zones (allowed ratio of 0.5). With the proposed addition however, it currently could not be built in the RO, OR-1, or OR-2 zones.

There are other serious flaws in the current special exception proceeding. No testimony was offered as to the historic importance of the mill building, the contiguous historic district, or the neighboring county landmark structures, which are universally acknowledged to be among the most significant in the county and state. Representatives of the Landmark Commission have frequently appeared before the Zoning Commissioner in similar cases. Further, no discussion took place as to the exact location of the 100-year flood plain, which has never been adequately mapped; the plan presented appears to have used an old and outdated FEMA study from the early 1970s.

For all these reasons, we respectfully request that the proposed special exception petition be denied.

Very truly yours,

Laurie S. Long
Laurie S. Long
Executive Director

cc: Henry Homes, III
Anne Coyle
Nancy Horst
Thomas Bruggman
Howard Alderman
John Bernstein

may impose new or amended conditions as may be appropriate.
[Bills No. 142, 1979; No. 124, 1993.]

2. Any special exception or renewal thereof which was granted for a boarding house or rooming house prior to the effective date of Bill No. 124-93 and pursuant to the law in effect at that time shall after the effective date of Bill No. 124-93 be of no further force and effect, unless permitted pursuant to the procedure delineated in Section 408B of these regulations.
[Bills No. 44, 1982; No. 124, 1993.]

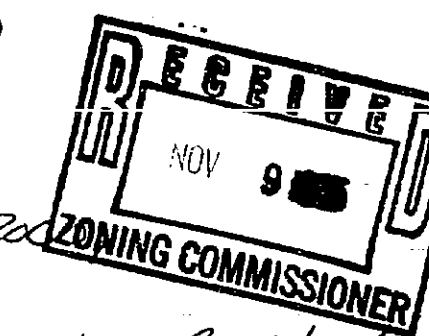
(3. Applications for renewal...deleted by Bill No. 124, 1993.)

*502.5A Bill No. 167, 1980 does not effect the validity of any order granting a special exception for an office or office building pursuant to Subsection 1802.1. Any such special exception may be used in accordance with both the applicable provisions of these regulations and the zoning classification of the property in effect at the time of the grant of such special exception provided construction is started prior to the expiration date of such special exception and provided the zoning classification at the time construction is started is either D.R.16, R.O., O-1 or O-2.
[Bills No. 167, 1980; No. 124, 1993.]

502.5--In addition to the other requirements of this section, the zoning commissioner and the board of appeals, upon appeal, when considering a special exception for a use in a residential transition area, shall conform with the requirements of Subparagraph 1801.1.B1, where applicable. [Bill No. 124, 1981.]

REV 12/93

5-11



Dear Judge Timothy Kotroco

I am writing to you as the President of the Rockland Village Homeowners Association and a concerned resident. I am aware of the fact that you are presently in deliberation over the issue of the expansion of the Rockland Grist Mill. I believe that granting the building of an addition to the Grist Mill will result in the expansion of a crime problem in our neighborhood which already exists. Our home was broken into at the beginning of September while we were in our house. I was told that on September 21st at 5:30 AM, police responded to a break in at the Grist Mill. Also I was told, at 4:00 PM, the following day an attempted carjacking occurred at the Grist Mill. As a resident of the Rockland Village I fear that doubling the size of the Grist Mill will double the traffic into our neighborhood. Thus there will be a greater chance for robberies. Please consider my concerns while making your decision. Thanks, Stuart Vogel

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME	ADDRESS
Steve A. Coyle	1116 Falls Road Box 758
Swah Lord	Brooklandville MD
Mark A. Davis	6134 Bond Rd 21052
Thomas M. Bruggman	21209 528-4315
John Bernstein	2201 Old Court Rd 21022
John Bernstein	P.O. Box 1117, 2202 Old Court Rd, Brooklandville, MD 21022
John Bernstein	301 5402 Towson 21286

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Stephen J. Seymour	2201 Old Court Rd 21208
Mark J. Miza	2201 Old Court Rd 21208
L. J. Link Jr.	2201 Old Court Rd 21208
Howard L. Alderman Jr Esq.	305 W. Chesapeake Ave #113 21208

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Ruxton-Riderwood-Lake Roland Area Improvement Assoc.	P.O. Box 204
Steve A. Coyle	Edgewood Maryland 21037
Thomas M. Bruggman	P.O. Box 1117, 2202 Old Court Rd, Brooklandville, MD 21022
Laurie Long	
Ruxton-Riderwood-Lake Roland Area Improvement Assoc.	
P.O. Box 204	
Ridewood 21139	
and copy to 76-31-SPH	

BALTIMORE COUNTY ZONING REGULATIONS

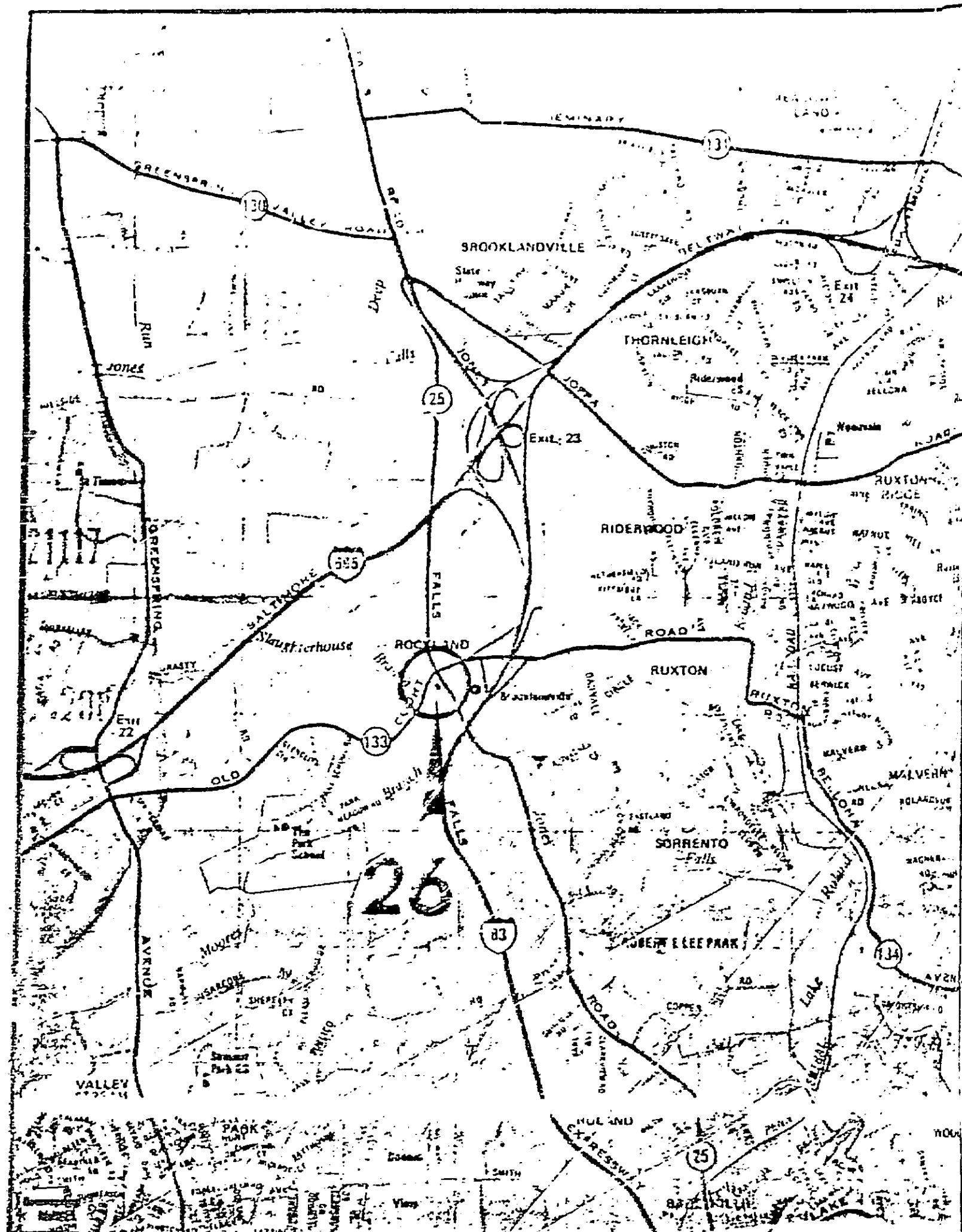
AS AMENDED THROUGH OCTOBER 10, 1974

1975 EDITION

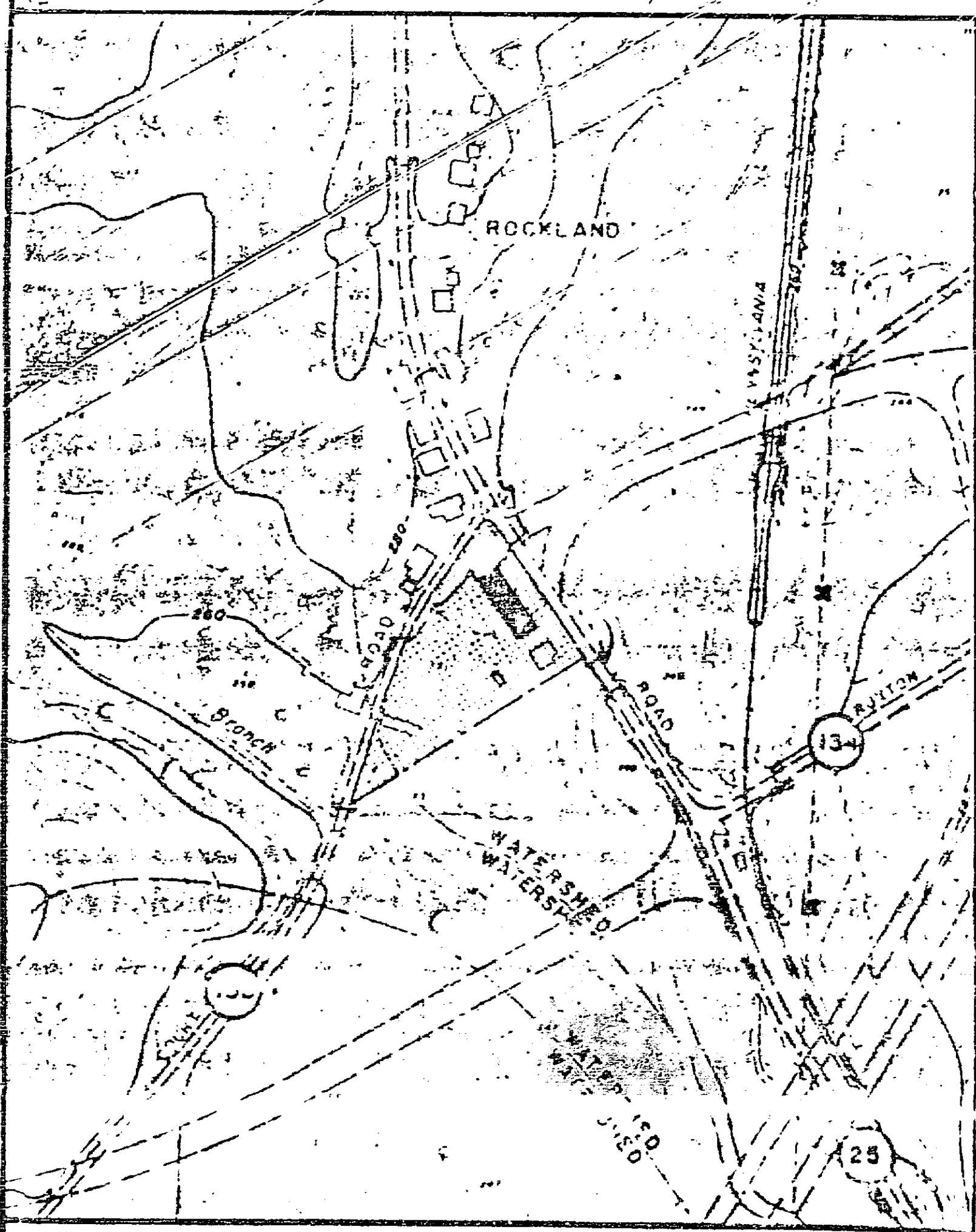
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND

78-93-XSPH

600-7 14 cards in
interdependent committee
78-93-XSPH
Brooklandville, MD
ca Microphins



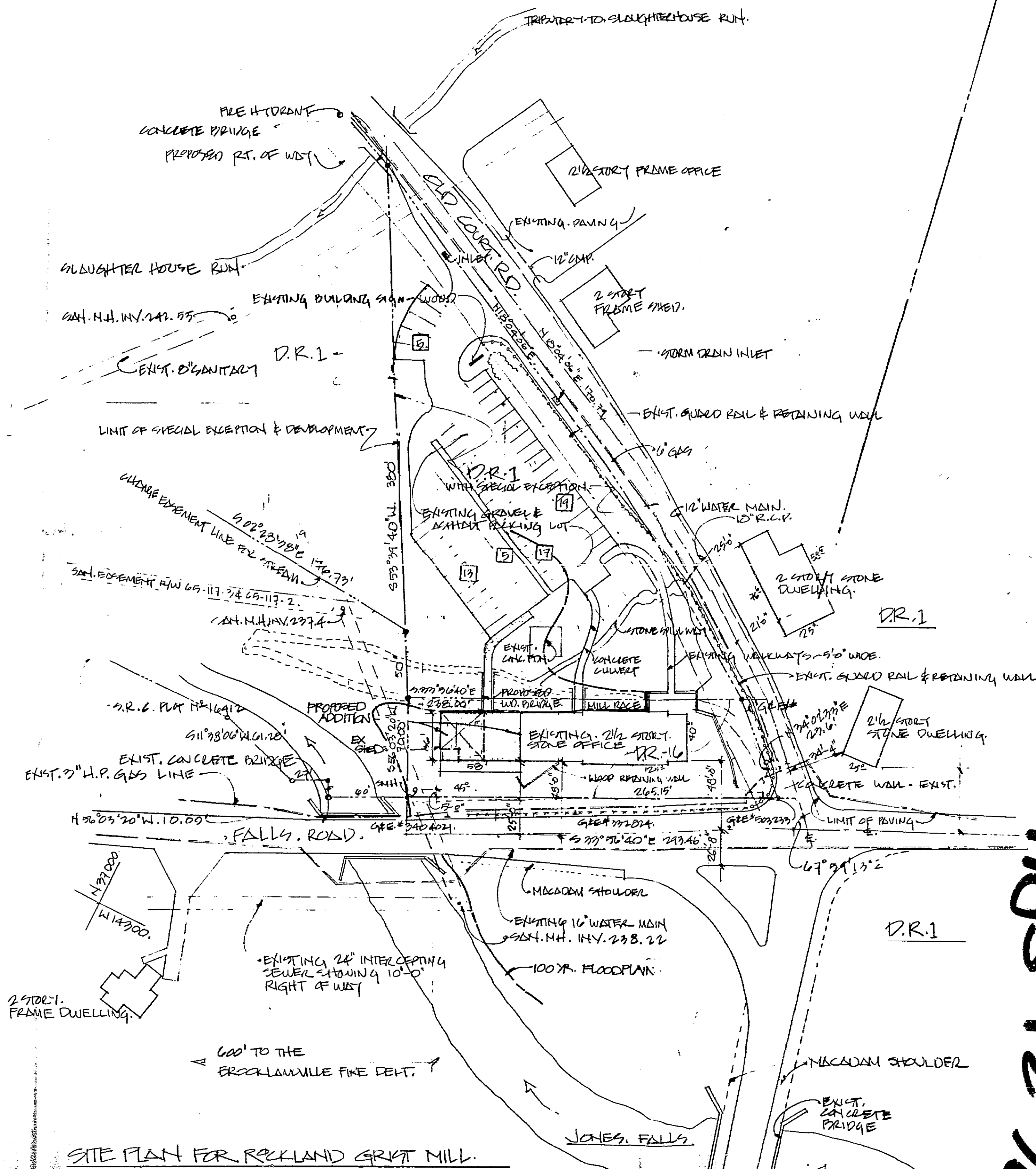
LOCATION MAP
1" = 2,000'



NEIGHBORHOOD MAP
1" = 200'

NOTES:

1. Special exception requested to build 5,000 s.f. addition to an existing 12,857 s.f. office, located in the Rockland Grist Mill.
2. Occupancy 2 story type 3B, unprotected BOCA code.
3. Area of property 21 acres in special exception.
4. Existing Zoning and Zoning History:
DR 16 and DR1 with Special exceptions for offices in a residential zone
Case # 78-03-XSPH
DR 16 = 0.7 acres
DR 1 = 1.3 acres
5. Owner:
Rockland Associates
2201 Old Court Road
Baltimore, MD 21208
phone: 410-828-4780
Tax account # 1800003582
6. Previous permits:
B 154629 - interior partition renovations (150 s.f.) @ 2/5/93
7. Parking Required:
3.3 spaces per 1,000 s.f. gross floor area office
Existing main building 12,857 s.f.
Proposed mini-mill 5,000 s.f.
Total Area 17,857 s.f. : 1,000 s.f. = 58.93 parking spaces reqd
8. Existing Parking:
59 spaces existing in a gravel and asphalt parking lot
Parking layout is based upon 8.5' x 18.0' spaces
Drive aisles are 24.0' width
No alterations will be made to the existing parking lot.
9. Floor Area Ratio 17,857 : 70,000 = 0.2551
10. Height of addition: 33.0'
11. Height of existing structure: 42'
12. Amenity open space is not required
13. No additional signage is proposed.
14. Existing building setbacks will be maintained.



SITE PLAN FOR ROCKLAND GRIST MILL
1" = 50'-0"

HEARING
PLAT TO REQUEST A SPECIAL EXCEPTION FOR AN ADDITION TO THE
ROCKLAND GRIST MILL
2201 OLD COURT ROAD,
BROOKLANDVILLE, MARYLAND 21208 / 21022.
DISTRICT OF

Revision

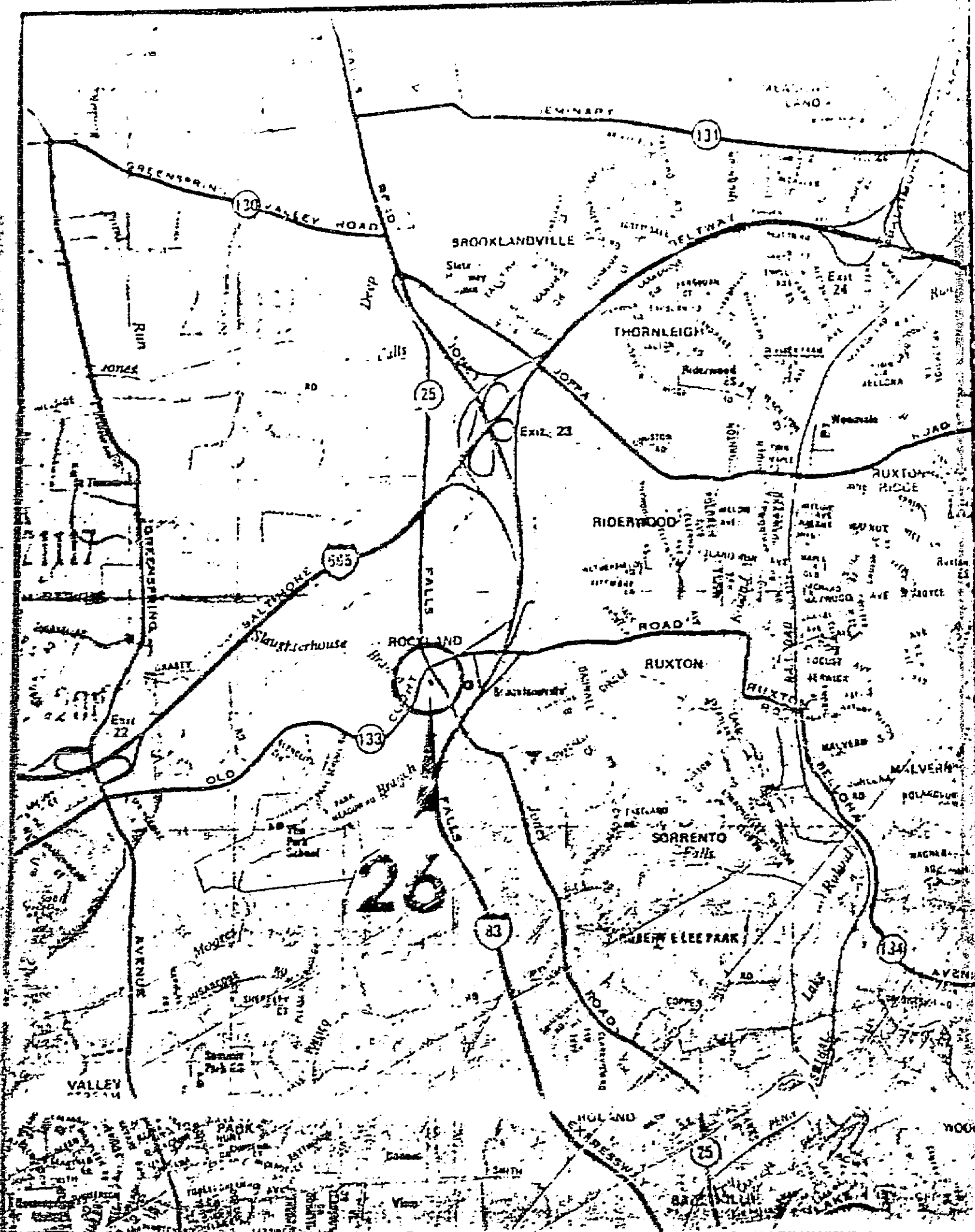
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L.J. Link Jr. Inc.
ARCHITECT
Rockland Grist Mill
2201 Old Court Road
Brooklandville, MD 21208
301.337.9528

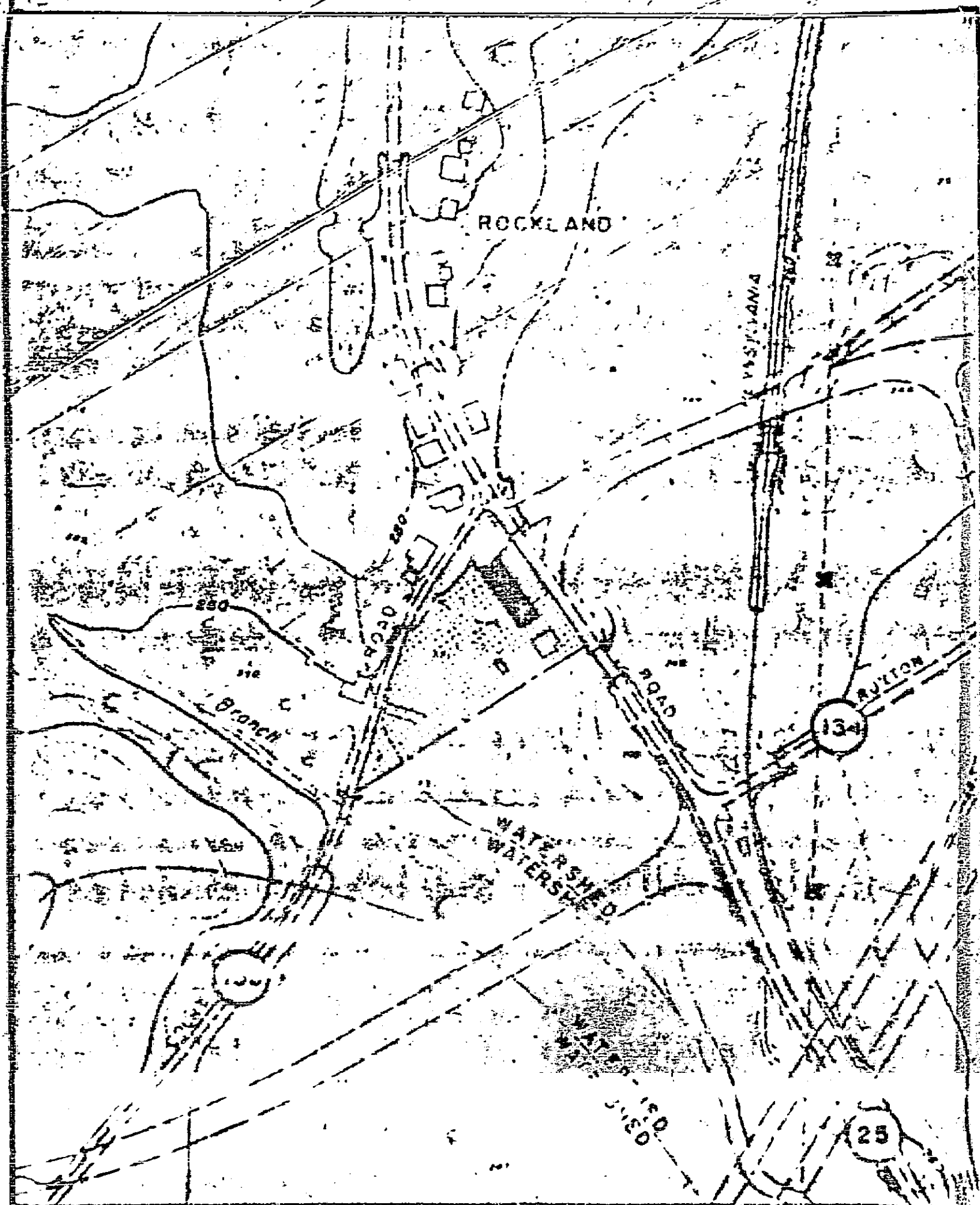
96-31-SPH

PETITIONER'S
EXHIBIT 1

DATE: APRIL 3, 1995



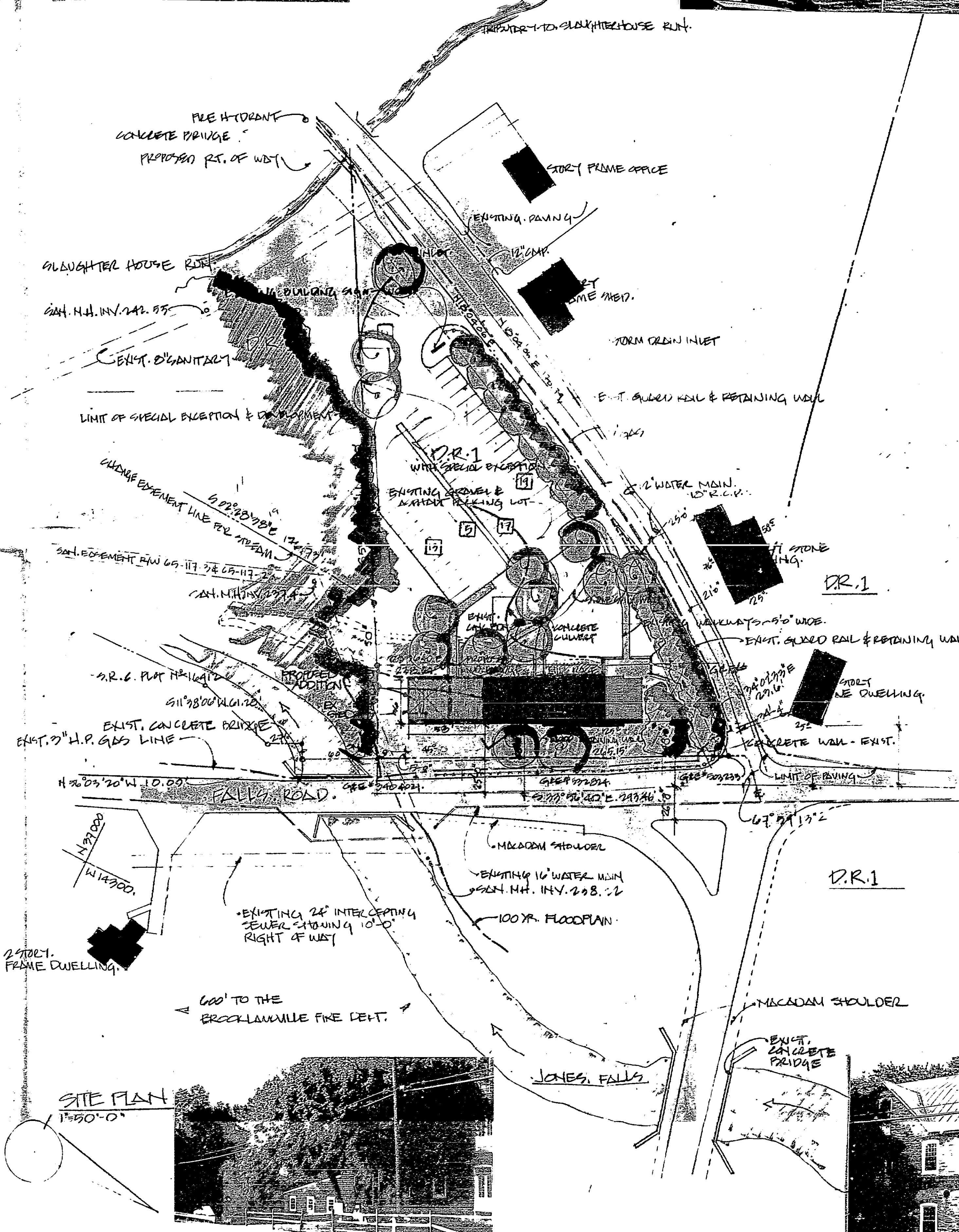
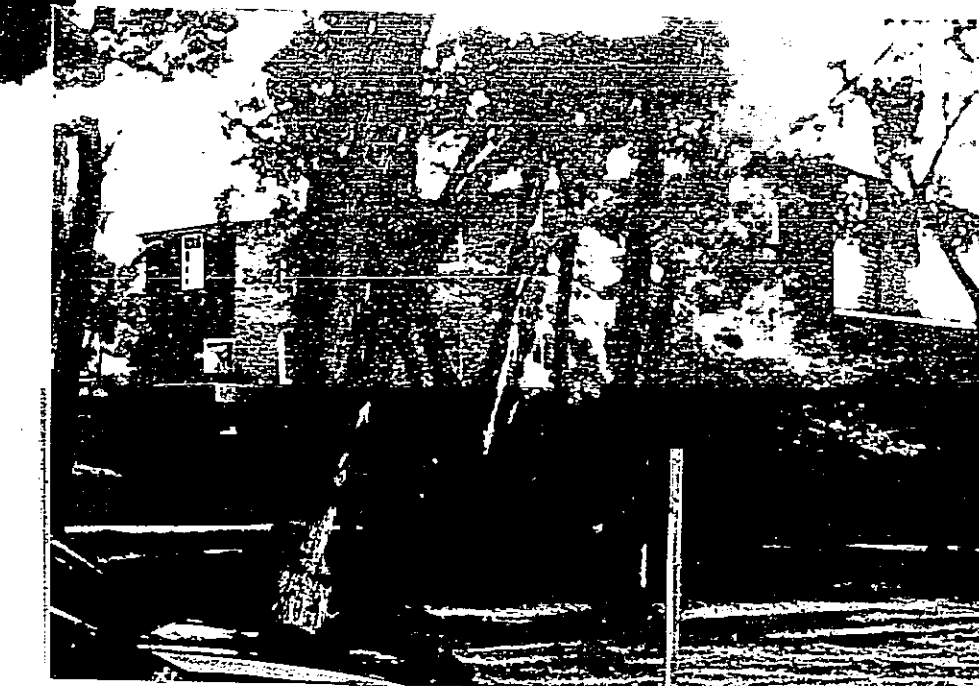
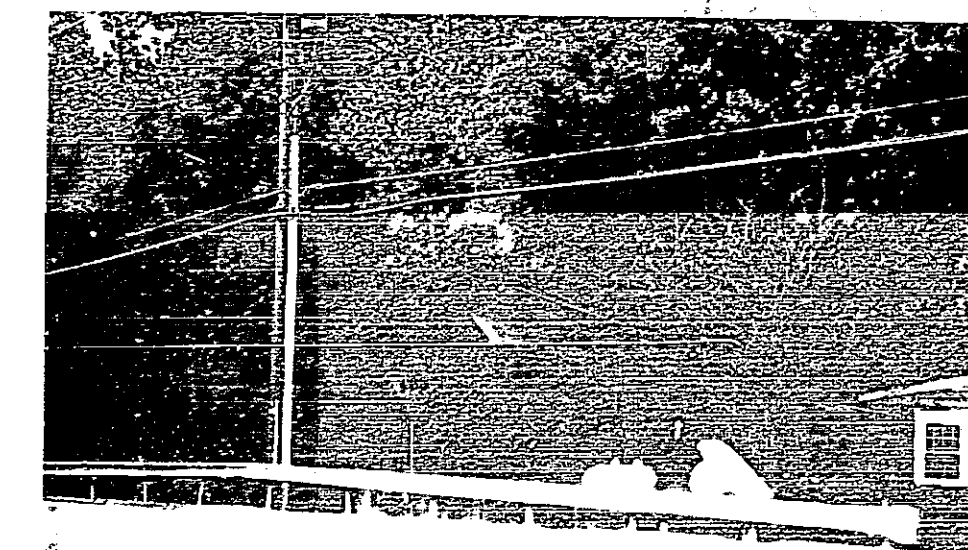
LOCATION MAP
1" = 2,000'



NEIGHBORHOOD MAP
1" = 200'

NOTES:

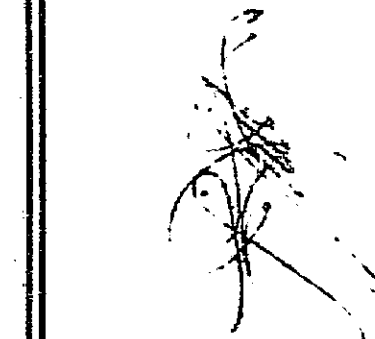
1. Special exception requested to build 5,000 s.f. addition to an existing 12,857 s.f. office, located in the Rockland Grist Mill.
2. Occupancy 2 story type 3B, unprotected BOCA code.
3. Area of property 2.1 acres in special exception.
4. Existing Zoning and Zoning History:
DR 16 and DR 1 with Special exceptions for offices in a residential zone
Case # 78-93-XSPH
DR16 = 0.7 acres
DR 1 = 1.3 acres
5. Owner:
Rockland Associates
2201 Old Court Road
Baltimore, MD 21208
phone 410-828-4780
Tax account # 1800003582
6. Previous permits:
B 154629 - interior partition renovations (150 s.f.) @ 2/5/93
7. Parking Required:
3.3 spaces per 1,000 s.f. gross floor area office
Existing main building 12,857 s.f.
Proposed mini-mill 5,000 s.f.
Total Area 17,857 s.f. = 1,000 s.f. = 58.93 parking spaces reqd
8. Existing Parking:
59 spaces existing in a gravel and asphalt parking lot
Parking layout is based upon 8.5' x 18'0" spaces
Drive aisles are 24'0" width
No alterations will be made to the existing parking lot.
9. Floor Area Ratio: 17,857 / 70,000 = 0.2551
10. Height of addition: 33'11"
11. Height of existing structure: 42'
12. Amenity open space is not required
13. No additional signage is proposed
14. Existing building setbacks will be maintained



PLAT TO REQUEST A SPECIAL EXCEPTION FOR AN ADDITION TO THE
ROCKLAND GRIST MILL
2201 OLD COURT ROAD,
BROOKLANDVILLE, MARYLAND, 21208 / 2012.
DISTRICT 02

Revision: Key # 2

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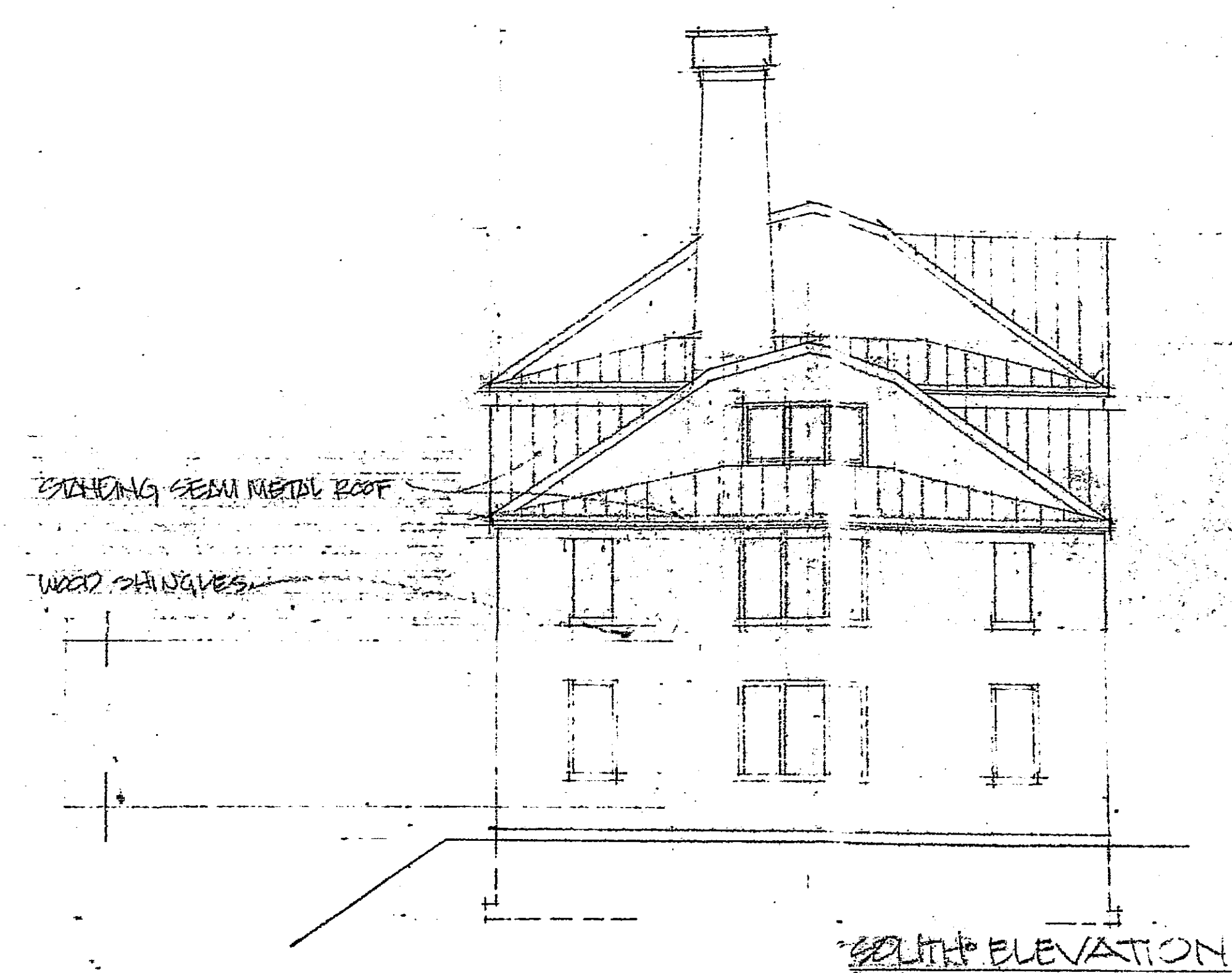


C.J. Inc.
ARCHITECT

and Grist Mill
PO Box 236
P.O. Box 21022
301-337-9528



2193



SOUTH ELEVATION
18'-10"

STANDING SEAM METAL ROOF
WOOD SHINGLES

• SPRAILED CONSTRUCTION.
• HEAVY CONSTRUCTION.

EXIST
ROOF RENOVATIONS.

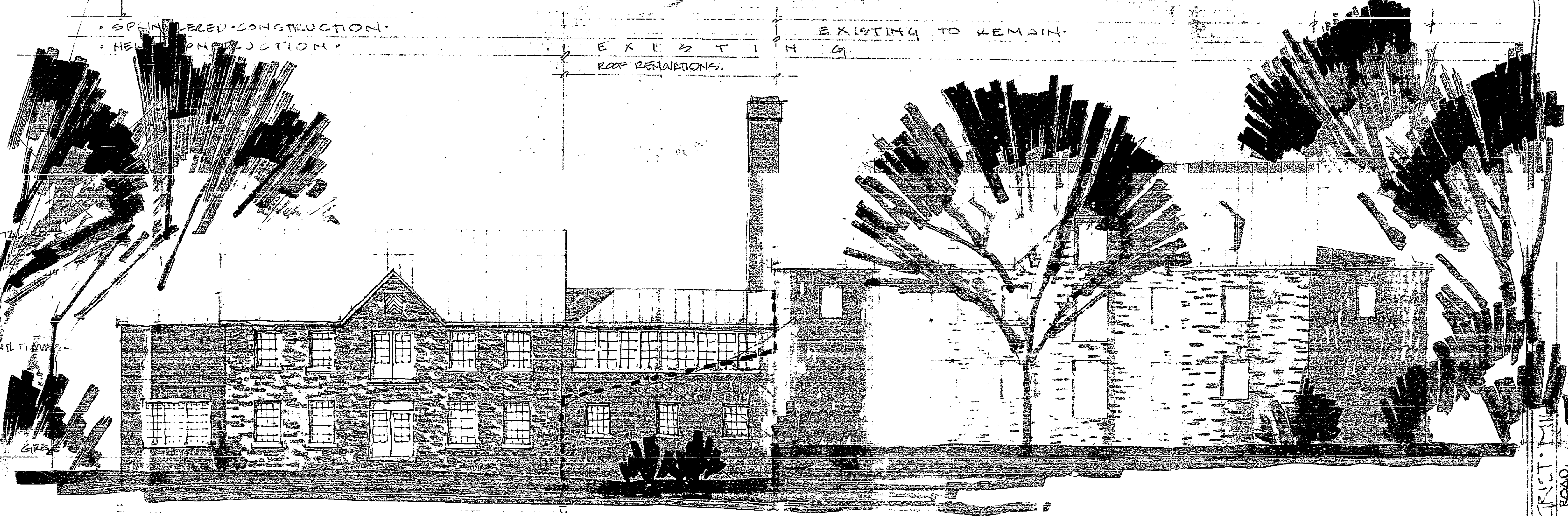
EXISTING TO REMAIN

STANDING SEAM METAL
SOLV. GUTTERS & D.S.
STONE VENEER.

NO SHINGLES, STAIN
INSUL. SLABING IN VENT. TUNNEL.

UPPER FLOOR.

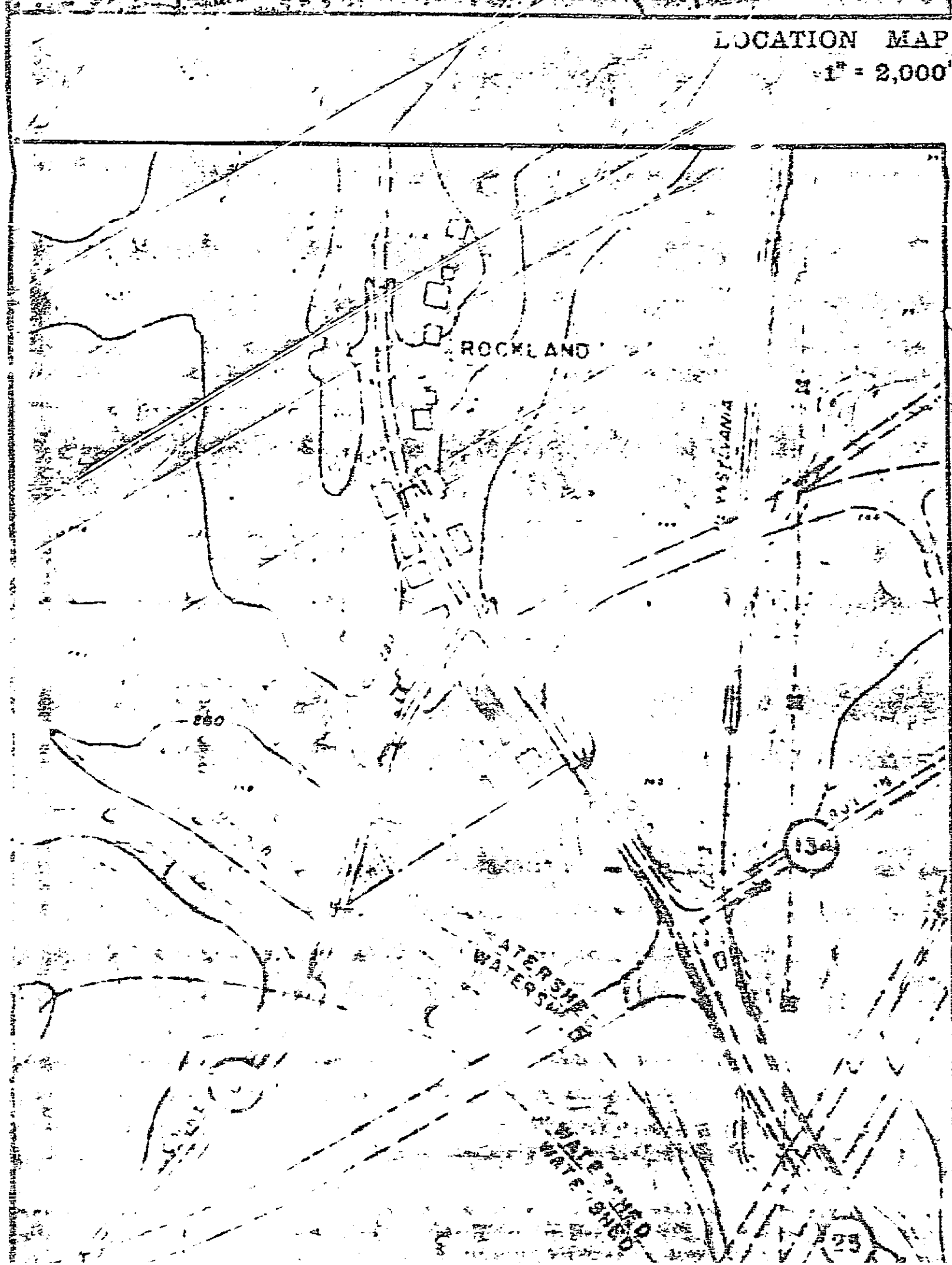
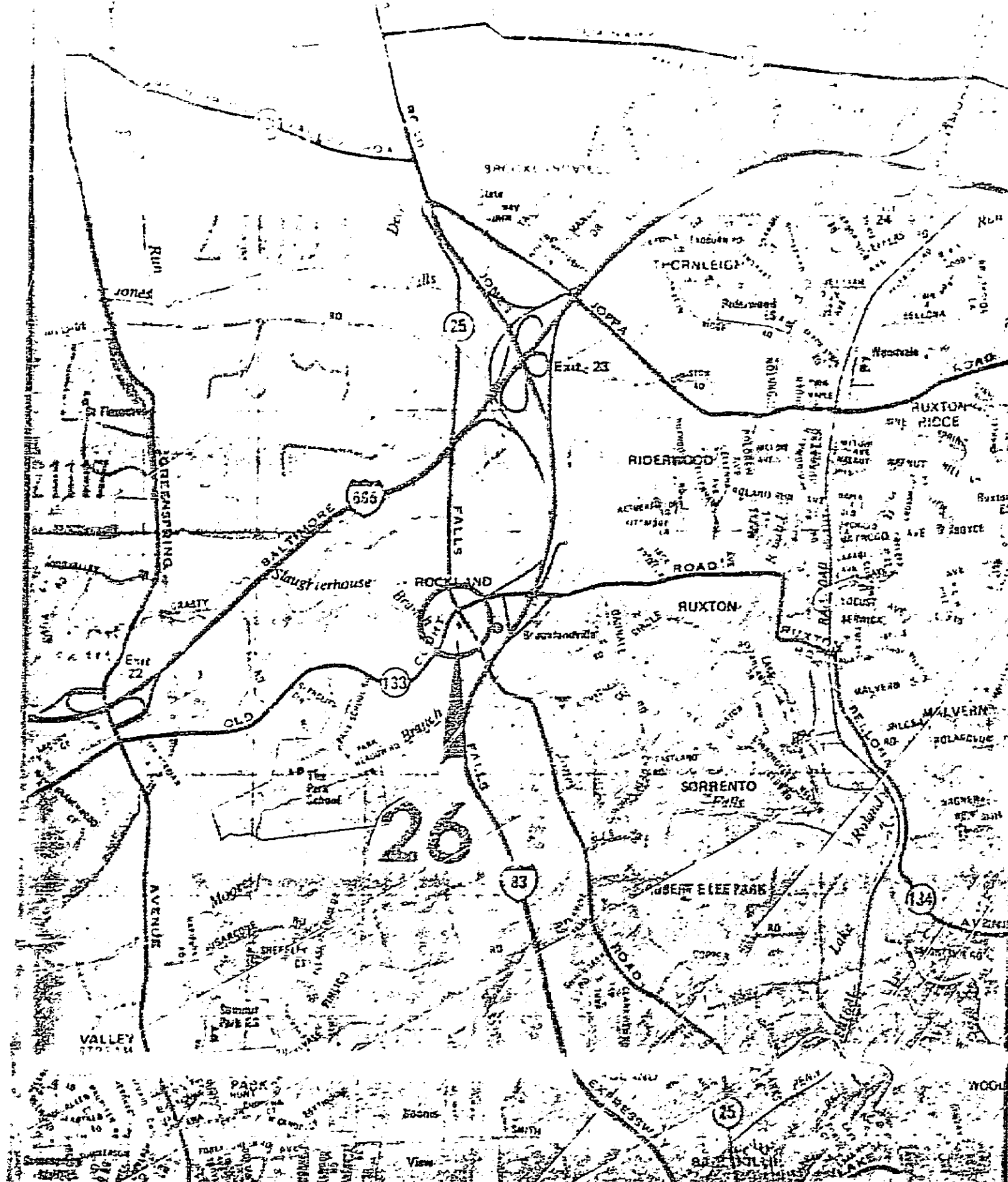
GROUND FLOOR



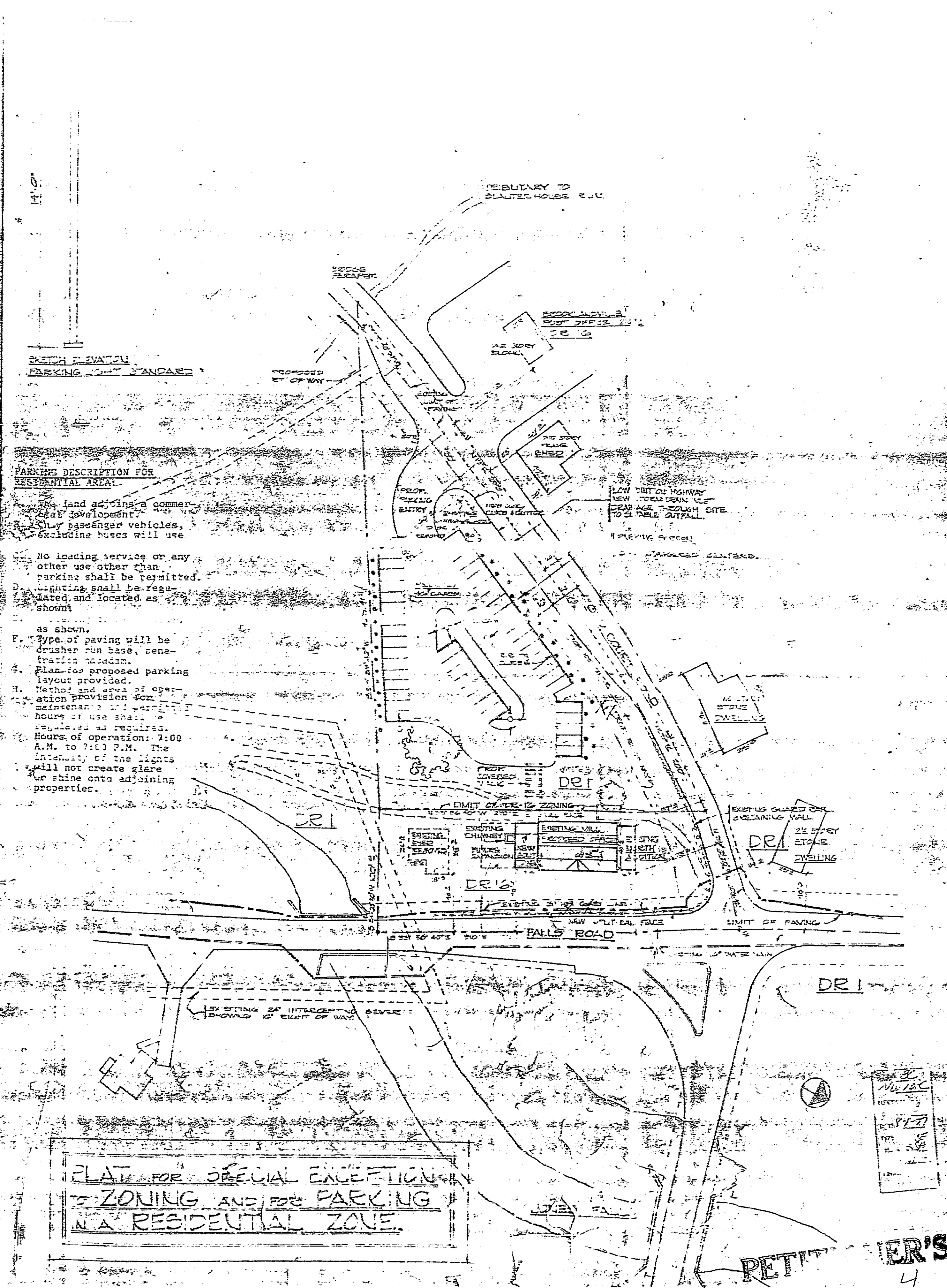
NEW SHINGLES
EXISTING SHINGLES

EAST ELEVATION
18'-10"

RECKLAND TRIST. MILL
2201 OLD COURT ROAD
BROOKLAND, MICHIGAN 48022



- EXISTING CONDITIONS**
1. North shed addition, type 4 - frame unprotected.
 2. 2 hour fire separation between mill and addition.
 3. Site: Access provided only from Old Court Road, opposite entry to Post Office. Forty-six parking spaces provided, minimum distance from the centerline of Old Court to be 48 feet. Feet of cut and curb provided along Old Court widening existing roadway 27.5 feet. Drains at each end of development 40 ft. from curb and 100 ft. at the north end. Covered walk with 5% slope from parking to south service tower, including 10' over roadway.
- II. NEW USE, CONSTRUCTION AND RENOVATION CLASSIFICATION**
- A. S.O.C.A. Table 5, Business, use Group B.
 - B. Mill Building allowable square feet/floor, and building height: 35 - 12,000 sq. ft./floor, 50 ft. height.
 - C. North frame addition: allowable square feet/floor and building height: 35 - 7,000 sq. ft./floor, 50 ft. height.
 - D. New South Service Tower shall meet type 3B construction, exterior masonry walls and protected joisting for floors and roof. (Part 1-503). South service tower to be separated from main mill by a minimum 20' fire separation.
- III. FIRE PROGRESS**
- A. South service stairs, 2 hr. construction, Class A stairs, interconnecting all four levels and exiting at ground through entry lobby (2 hr. separation from adjacent interior spaces).
 - B. North fire stairs, 2 hr. construction, Class A stairs, interconnecting the third and second floor with exterior exit at first floor grade.
- IV. BOCA Allowances:**
For Business - 1 person per 100 sq. ft., limited to 10 people.
Floor for storage, first and second levels. Third level (occupiable), 1000 sq. ft. will equal 34 people.
- V. PARKING**
- A. Parking requirements
1 space required for every 100 sq. ft. of ground floor area
1 space for every 500 sq. ft. of upper floor area.
Ground floor: 1000/500 = 2 spaces
First floor: 3707/500 = 7 spaces
Second floor: 1757/500 = 3 spaces
Third floor: 1000/500 = 2 spaces
Total Spaces Required = 29 spaces
Total Spaces Provided = 46 spaces
 - B. Parking Layout
Size of spaces: 9' x 20'
Curb: railroad ties, anchored
Setback: 8' from proposed right of way of Old Court Road
Screening: 4' White Pine at 10'-0" centers, staggered
Lighting: 400W Luminaire, medium spread with cut off.
14 ft. mounting height at 35' spacing.
- VI. ZONING**
- A. Existing Zoning: DR16 and DR1
 - B. Proposed Zoning: DR16 and DR1 with special exception for offices and for parking in a residential zone.
 - C. Area of Tract: DR16: 0.71 acres
DR1: 1.21 acres
 - D. Proposed Use: Offices, Business



PLAN FOR SPECIAL EXCEPTION
TO ZONING AND FOR PARKING
IN A RESIDENTIAL ZONE

RETIREMENT
EXHIBIT 4

ROCKLAND MILL
BROOKLANDVILLE, MARYLAND
ASSOCIATES
BALTIMORE, MARYLAND

Site Plan

Election District:
A. Precinct
B. Parcel Description
C. Area: 2.0 acres (74,000 sq. ft.) Irregular triangular site, south-east corner of Old Court Road and Falls Road, included as part of land held in fee and described in deed of William Fell Johnson, Baltimore County, Records Office C.W.C. 851-111.

Site Plan