



KEVIN KAMENETZ
County Executive

August 16, 2013

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

J.S. Dallas, Inc.
P.O. BOX 26
Baldwin, Maryland 21013
Attention: J. Scott Dallas

Subject: Spirit and Intent Letter for
12043-12045 Glen Arm Road
11th Election District
Reference: Case #1996-0396-A

Dear Mr. Dallas,

Your spirit and intent letter sent to Arnold Jablon, Director of Permits, Approvals and Inspections has been referred to me for reply. Based upon meetings with the Zoning Supervisor, Carl Richards, the information provided therein, and our research of the zoning records, the following applies:

Your Spirit and Intent letter sent to Arnold Jablon, Director of Permits, Approvals and Inspections has been referred to me for reply. Based upon the information provided therein, and our research of the zoning records, the following applies:

1. It has been determined that the previously approved 40 horse power total equipment site limitation and proposed addition outlined in your letter and shown on your accompanied red lined site plan do meet the Spirit and Intent of the Baltimore County Zoning Regulations and the order in Zoning Case 1996-0396-A.
2. Your letter, the accompanied site plan, exhibits, and a copy of this response will be made a permanent part of the above listed case file for future reference.

THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPRETATION THEREOF.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Leonard Wasilewski", is written over a large, stylized, light-colored scribble or watermark.

Leonard Wasilewski
Planner II, Zoning Review

13-298/LW
Revised

IN RE: PETITION FOR VARIANCE
SE/S Glen Arm Road, 1909' SW of
the c/l of Long Green Pike
(12047 Glen Arm Road)
11th Election District
6th Councilmanic District

Fairhaven Limited Partnership
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-396-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 12047 Glen Arm Road, located in the vicinity of Long Green Pike in Glen Arm. The Petition was filed by the owner of the property, Fairhaven Limited Partnership, by Paul W. Botzler, General Partner, and the Contract Lessee, John H. Franz, Jr., through their attorney, Francis X. Borgerding, Jr., Esquire. The Petitioners seek relief from Section 230.12(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit equipment used in the manufacturing and repair of furniture on the subject property to have a horsepower of 40 in lieu of the maximum permitted 15 horsepower. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Paul Botzler, representating Fairhaven Limited Partnership, legal owners of the property, John H. Franz, Contract Lessee, and Francis X. Borgerding, Jr., Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 1.858 acres, more or less, zoned B.L.-C.R. and is improved with a two-story office building to the front of the site used by the Tamarack Construction Company, and a one-story building to the rear of the

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

property which is presently vacant. The Contract Lessee wishes to utilize this building for his cabinet, furniture and millwork sales operation. In order to utilize the building as proposed, the requested variance from Section 230.12(c) is necessary. Said Section limits the amount of horsepower which can be utilized on property zoned B.L. The Petitioner submitted as Petitioner's Exhibit 4 a list of 24 different types of tools that are utilized in his furniture restoration business. When computing the aggregate amount of horsepower associated with these 24 different tools, the total horsepower amounts to 36.26, which exceeds the 15 horsepower permitted. In order to allow some flexibility in the types of tools the Petitioner might use in his business, a variance to permit up to 40 horsepower in lieu of the required 15 is being requested.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

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

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

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ORDER RECEIVED FOR FILING
5/3/96
By _____
Date _____

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 31st day of May, 1996 that the Petition for Variance seeking relief from Section 230.12(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit fabrication and/or repair equipment used in the manufacturing and repair of furniture on the subject property to have a horsepower of 40 in lieu of the maximum permitted 15 horsepower, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

ORDER RECEIVED FOR FILING

Date

By

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 31, 1996

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
SE/S Glen Arm Road, 1909' SW of the c/l of Long Green Pike
(12047 Glen Arm Road)
11th Election District - 6th Councilmanic District
Fairhaven Limited Partnership - Petitioner
Case No. 96-396-A

Dear Mr. Borgerding:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

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

Very truly yours,

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

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Paul W. Botzler, 12047 Glen Arm Road, Glen Arm, Md. 21057

Mr. John H. Franz, Jr., P.O. Box 146, Kingsville, Md. 21087

People's Counsel

✓
File

MICROFILMED





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

12047 Glen Arm Road
Glen Arm, MD 21057

which is presently zoned B.L.-C.R.

96-396-A

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 Variance from Section(s) 230.12(C) of the Baltimore County Zoning Regulations to permit 40 horsepower in lieu of the required 15 horsepower in the operation of all machines used in fabrication or repair

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Configuration of the property; and
2. For such other and further reasons as will be presented at the time of the hearing of this matter.

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

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

Contract Purchaser/Lessee:

John H. Franz, Jr.
(Type or Print Name)

Signature

Box 146

Address

Kingsville MD 21087
City State Zipcode

Attorney for Petitioner:

Francis X. Borgerding, Jr.
(Type or Print Name)

Signature

409 Washington Ave., Ste. 600

Towson MD 21204 296-6820
City State Zipcode

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.

Legal Owner(s):

Fairhaven Limited Partnership
(Type or Print Name)

By:

Signature

Paul W. Botzler

(Type or Print Name)

Signature

12047 Glen Arm Road
Address

Phone No.

Glen Arm, MD 21057
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Francis X. Borgerding, Jr.

409 Washington Avenue, Suite 600
Towson, MD 21204 296-6820
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates _____ Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

4/12/96



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Zoning Administration

Development Management

96-396-A

Zoning Description; 12045-7 Glen Arm RD.

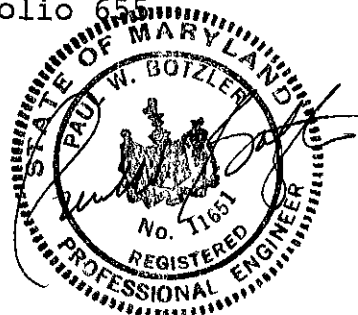
Beginning at a point on the south side of Glen Arm Road which is .30 feet wide at the distance of 1090 feet west of the center line of its intersection with Long Green Pike which is 30' wide. Thence the following courses and distances:

S. $41^{\circ}23'14''$ E. 129.78', S. $41^{\circ}23'14''$ E. 87.72'
S. $53^{\circ}12'24''$ W. 88.5', S. $51^{\circ}42'24''$ W. 100.15'
S. $49^{\circ}12'24''$ W. 50.07', S. $46^{\circ}27'24''$ W. 50.07'
S. $44^{\circ}27'24''$ W. 50.07', S. $42^{\circ}27'24''$ W. 50.07'
S. $40^{\circ}27'24''$ W. 50.07', S. $38^{\circ}27'24''$ W. 60.1'
N. $46^{\circ}49'14''$ W. 39.34', N. $39^{\circ}39'46''$ E. 99.99'
N. $44^{\circ}08'46''$ E. 50.8', N. $46^{\circ}49'14''$ W. 175.63'

and

N. $48^{\circ}35'06''$ E. 367.84' to the place of beginning

as recorded in Deed Liber 8673 Folio 655



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394

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-396-A

District 11th Date of Posting 5/19/96
Posted for: MAY 20, 1996 Hearing
Petitioner: FAIRHAVEN LTD PART/ JOHN H. FRANZ, JR.
Location of property: 12047 GLEN ARM RD

Location of Signs: Facing No way on property being zoned

Remarks:

Posted by: [Signature] Date of return: 5/13/96

Number of Signs: 1

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NOTICE OF HEARINGS

The Planning Commission of Baltimore County, by authority of the Planning and Zoning Commission of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 1111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: 885-395-A
(Item 394)
12847 Glen Arm Road
SE/S Glen Arm Road, 1989
SW of off Long Green Pike
11th Election District
8th Councilmanic

Legal Owner(s):
Jefferson Limited Partner-
Ship
Diamond Purchase
Company, Inc.

Request: to permit 48
horsepower in lieu of the re-
quired 15 horsepower in the
operation of all machines used
in fabrication or repair.
Hearing: Monday, May 20,
1986 at 10:00 a.m. in Rm.
118 Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible, for
special accommodations
Please Call 887-3353.
(2) For information concern-
ing the file, author, hearing,
Please Call 887-3351.

4/28/86 April 25 C65793

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/23, 1996

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 4/25, 1996.

THE JEFFERSONIAN,

A. Henriksen

LEGAL AD. - TOWSON

RECEIVED
APR 25 1986
BALTIMORE COUNTY
PLANNING & ZONING

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. E - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

16963

96-396-A

DATE 4/10/96 ACCOUNT 01-615

Item: 394

By: MFK

AMOUNT \$ 285.00

RECEIVED FROM: Tamarack Construction - 12047 Glen Arms Rd

020 - Comm. Var. — \$ 250.00
080 - 1500 posting — \$ 35.00
\$ 285.00

FOR: _____

MICROFILMED

01A00W0050MICIRC

\$285.00

BA 6010-05AM04-10-96

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

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

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 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.: 394 Petitioner: Fairhaven Ltd. Partnership

Location: 12047 Glen Arm Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Francis X. Borgesding, Jr.

ADDRESS: 409 Washington Ave, Ste. 600

Towson, MD 21204

PHONE NUMBER: (410) 296-6820

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TO: PUTUKENT PUBLISHING COMPANY
April 25, 1996 Issue - Jeffersonian

Please forward billing to:

Francis X. Borgerding, Jr., Esq.
409 Washington Avenue, Suite 600
Towson, Maryland 21204
296-6820

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: 96-396-A (Item 394)
12047 Glen Arm Road
SE/S Glen Arm Road, 1909' SW of c/l Long Green Pike
11th Election District - 6th Councilmanic
Legal Owner(s): Fairhaven Limited Partnership
Contract Purchaser: John H. Franz, Jr.

Variance to permit 40 horsepower in lieu of the required 15 horsepower in the operation of all machines used in fabrication or repair.

HEARING: MONDAY, MAY 20, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

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.

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Baltimore County
Department of Permits and
Development Management

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

April 17, 1996

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: 96-396-A (Item 394)
12047 Glen Arm Road
SE/S Glen Arm Road, 1909' SW of c/l Long Green Pike
11th Election District - 6th Councilmanic
Legal Owner(s): Fairhaven Limited Partnership
Contract Purchaser: John H. Franz, Jr.

Variance to permit 40 horsepower in lieu of the required 15 horsepower in the operation of all machines used in fabrication or repair.

HEARING: MONDAY, MAY 20, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Fairhaven Limited Partnership
John H. Franz, Jr.
Francis X. Borgerding, Jr., Esq.

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.

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Baltimore County
Department of Permits and
Development Management

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

May 15, 1996

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue
Suite 600
Towson, MD 21204

RE: Item No.: 394
Case No.: 96-396-A
Petitioner: Fairhaven Limited

Dear Mr. Borgerding:

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 April 26, 1996.

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,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: April 26, 1996

FROM: *Rub* Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 29, 1996
Item Nos. 390, 392, 394, 395, 397

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:DAB:jrb

cc: File

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: April 24, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 370 and 394

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey M. Long

Division Chief:

Edry L. Keller

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 04/18/96

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 APRIL 22, 1996.

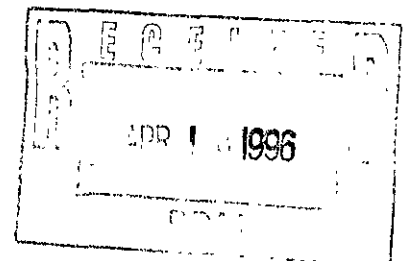
Item No.: SEE BELOW

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: 389, 390, 391, 392, 393, 394,
395, 397 AND 398.



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

cc: File

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

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 4-22-96

DATE: 4-23-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

389

390

392

394

395

396

397

398

Kodak *ds*
digital science™

DEMO

LS:sp

LETTY2/DEPRM/TXTSBP

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**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

4-19-96

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

RE: Baltimore County
Item No. 394 (MJK)

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 410-333-1350⁵⁴⁵⁻⁵⁵⁸¹ 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
877-8255 Statewide Toll Free

PETITION PROBLEMS

#389 --- RT

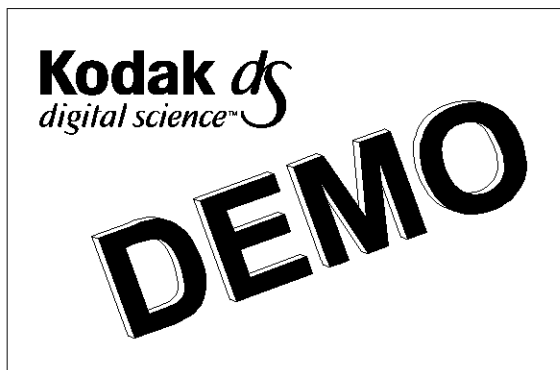
1. Only 1 signature was notarized.

#394 --- MJK

1. No telephone number for legal owner.

#395 --- CAM

1. No review information on bottom of petition form.



applicant is "Ridgeway Manor Nursing
al owner is "Burleigh Enterprise Limited
orrect???

2. Need title of person signing for legal owner.
3. Need address of legal owner (including zip code).
4. Need telephone number for legal owner.

RE: PETITION FOR VARIANCE * BEFORE THE
12047 Glen Arm Road, SE/S Glen Arm Road, *
1909' SW of c/l Long Green Pike * ZONING COMMISSIONER
11th Election District, 6th Councilmanic *
Legal Owner(s): Fairhaven Ltd. Partnership * OF BALTIMORE COUNTY
Contract Purchaser: John H. Franz, Jr. * CASE NO. 96-396-A
Petitioner

* * * * *

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 17th day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Francis X. Borgerding, Esquire, 409 Washington Avenue, Suite 600, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED



**Baltimore County
Zoning Commissioner**

September 18, 2002

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

Timothy J. Oursler, Esquire
Royston, Mueller, McLean & Reid, LLP
102 W. Pennsylvania Avenue, Suite 600
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
Botzler/Franz Property
Case No. 96-396-A

Dear Mr. Oursler:

This is to confirm our recent telephone conversation regarding the above-captioned matter. A review of the case file discloses that the subject Petition for Variance was filed for a property identified as 12047 Glen Arm Road, Glen Arm, Md. 21057. The property owner was identified as Fairhaven Limited Partnership (Paul W. Botzler, General Partner) and the Contract Lessee as John H. Franz, Jr. The Petitioners sought variance relief from Section 230.12(C) of the B.C.Z.R. to permit 40 HP machinery in lieu of the maximum permitted 15 HP machinery in connection with a furniture fabrication and repair business on the subject site. Following the requisite public hearing the Petition for Variance was granted by Order of Deputy Zoning Commissioner Timothy M. Kotroco on May 31, 1996.

A site plan was submitted by the applicants and was incorporated as part of Commissioner Kotroco's Order. That site plan shows that variance relief was granted to a 1.858-acre parcel with frontage on Glen Arm Road. The plan shows that the property was improved with two buildings, the first being a two-story "office building" identified on the plan as 12045 Glen Arm Road. The second building was a larger structure to the rear of the site where the furniture repair/fabrication operation was contained. That building was shown on the plan with the address 12047 Glen Arm Road.

You have indicated that those street addresses are erroneous. Whatever the addresses were designated, the zoning approval granted by Deputy Commissioner Kotroco would relate to the subject property. It is a long-established principle of land use law that zoning relief is not personal and runs with the land. Thus, Deputy Commissioner Kotroco's approval would attach to the subject 1.858-acre parcel, no matter what address the Post Office assigned to the buildings thereon. As further clarification, I am attaching a copy of the legal description of the property that was likewise incorporated in Deputy Commissioner Kotroco's Order. Please note that the legal description references a deed recorded in the Land Records of Baltimore County at Liber 8673, Folio 655.

I trust that the above clarifies this issue.

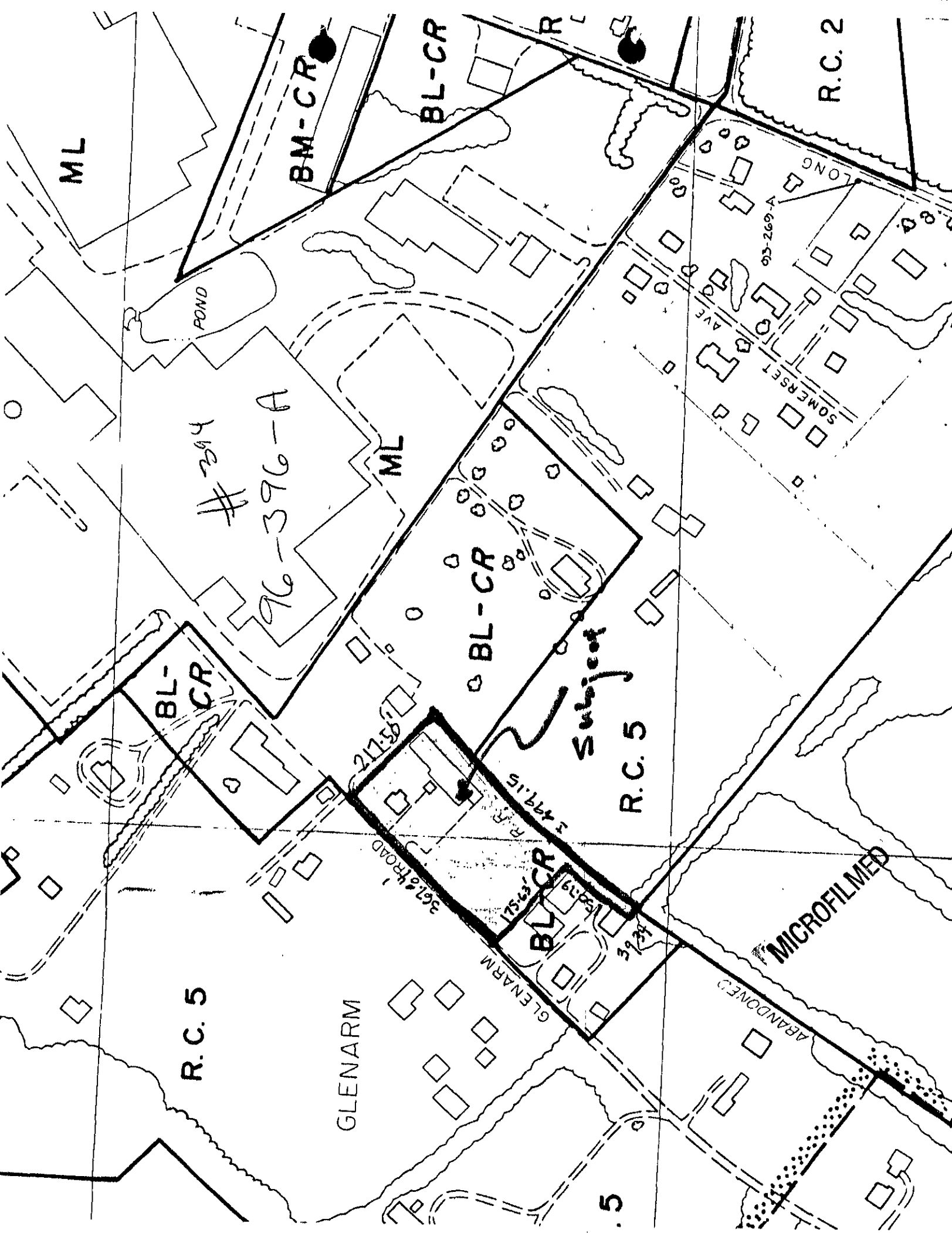
Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

cc: Case File

Come visit the County's Website at www.co.ba.md.us





ML

BM-CR

BL-CR

R.C. 2

POND

#34

96-396-A

ML

BL-CR

Subject

R.C. 5

BL-CR

217.56
367.8 ROAD

34.79.15
34.79.15

BL-CR

R.C. 5

GLENARM

GLENARM

.5

ABANDONED
MICROFILMED

STATIONARY EQUIPMENT LIST

J. H. FRANZ, INC.

5/15/96

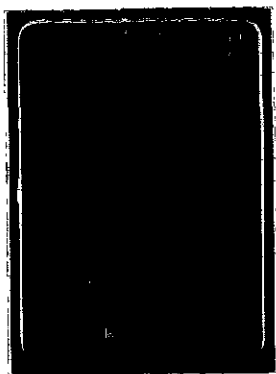
<u>Machine</u>	<u>HP</u>
1. Horz. Air Compressor	5
2. Radial Arm Saw	0.75
3. Vert. Panel Saw	3.5
4. Edge Bander	1
5. Disc Sander	0.5
6. Spindle Sander	0.5
7. Mortise Machine	1
8. Hinge drill and Insertion	1
9. 14" Band Saw	0.75
10. 10" Table Saw	1.5
11. 12" Planer	3
12. 12" Jointer	3
13. 3/4" Spindle Shaper	1.5
14. Edge Sander	2
15. Single End Tenoner	3
16. 1/2" Spindle Shaper	0.5
17. 6" Jointer	0.75
18. Line Boring Machine	2
19. Moulder	1.5
20. Drill Press	0.25
21. Lathe	0.75
22. Bench Grinder	0.75
23. OverArm Pin Router	2
24. Stocker Feeder	0.75
Total Stationary HP	36.25

Pet Ex #4

MICROFILMED

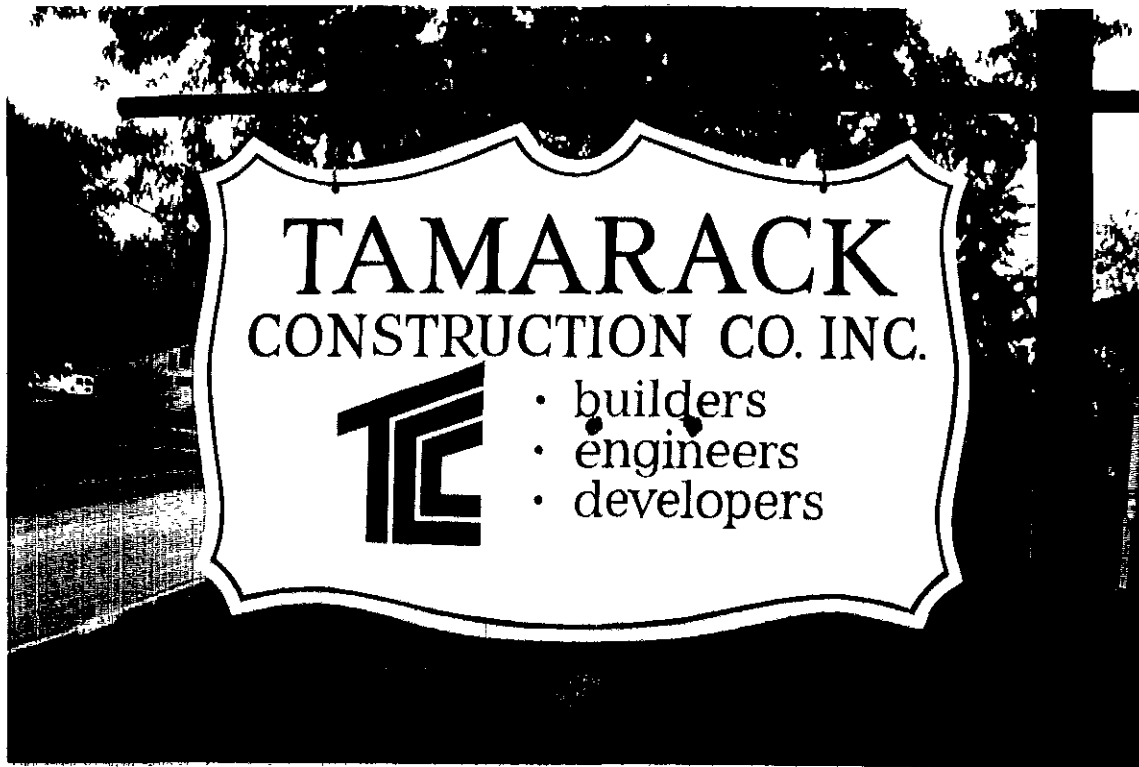
3M, St. Paul, MN.

SECRET

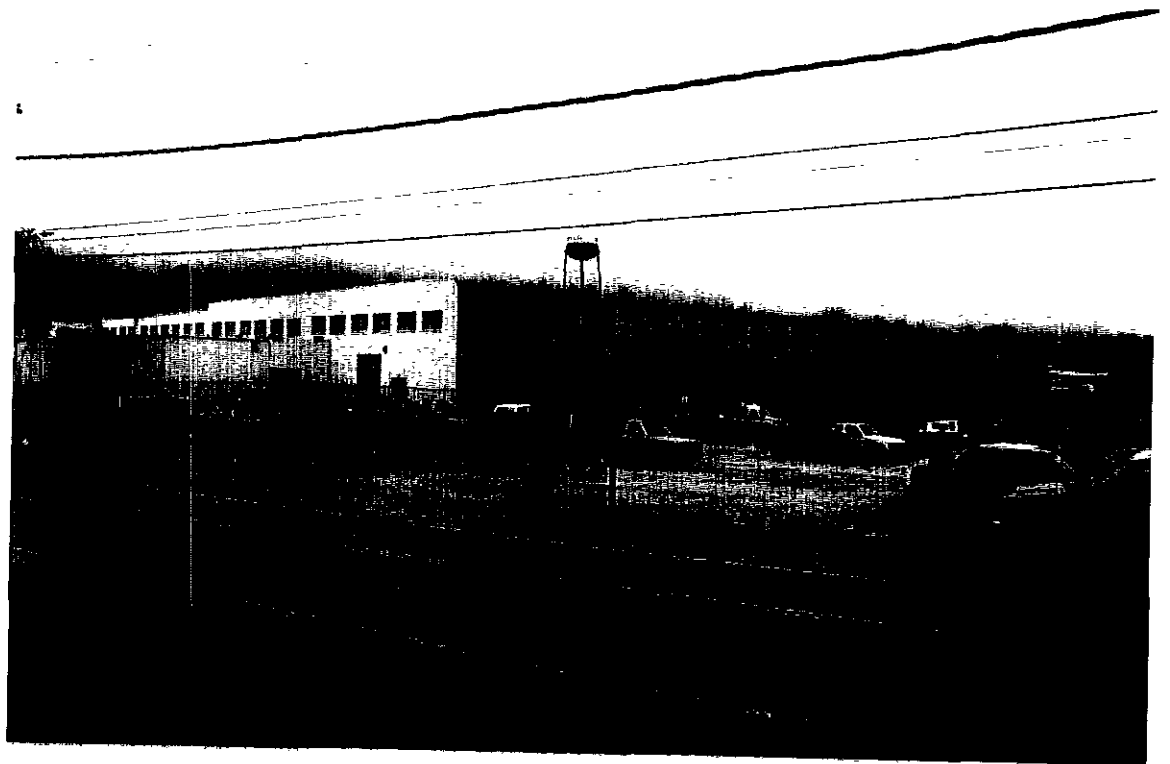


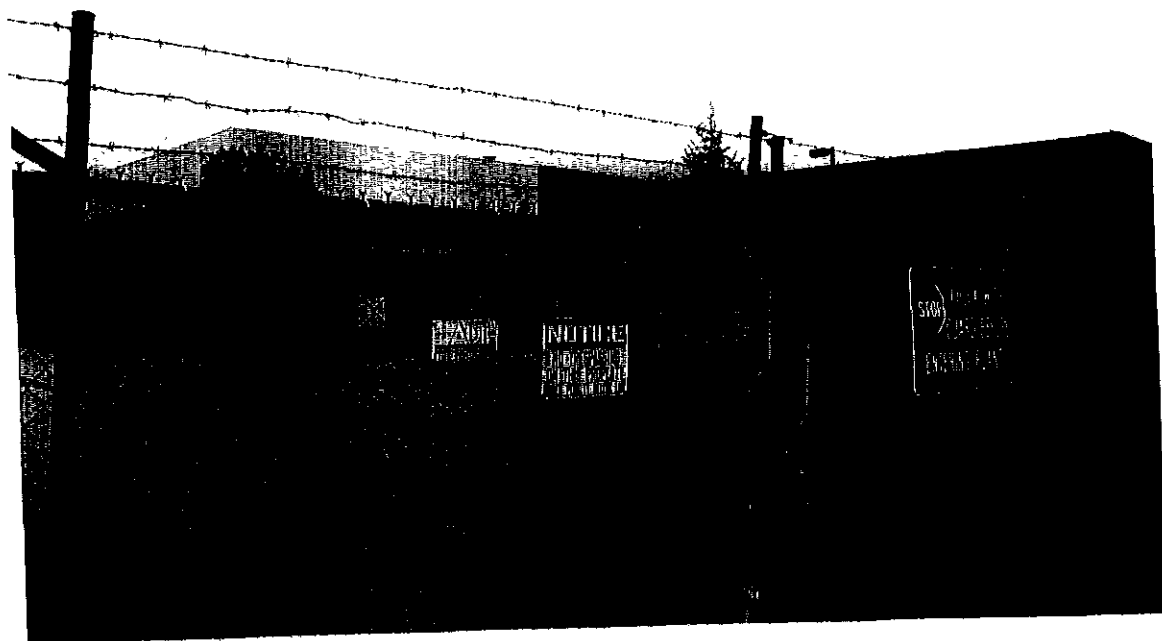
Petitioner's (photographs)
Exhibit B

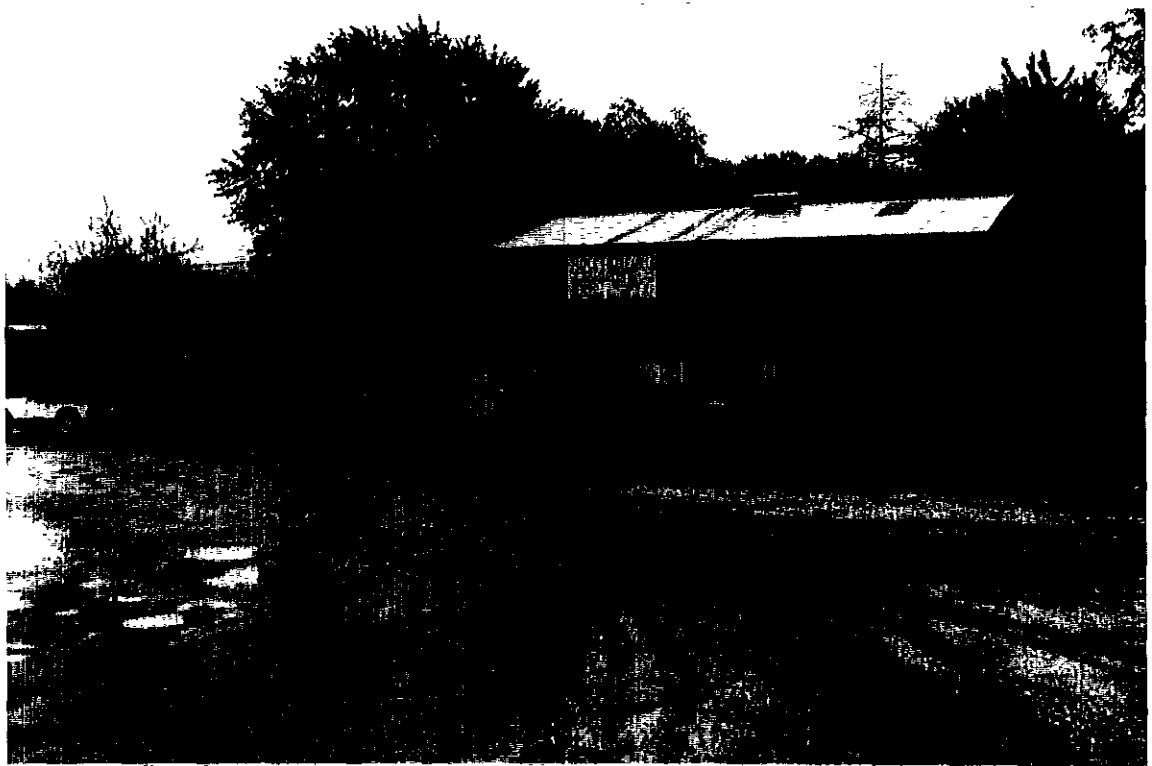
96-396-A



















time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

IN RE: PETITION FOR VARIANCE
SE/S Glen Arm Road, 1909' SW of
the c/l of Long Green Pike
(12047 Glen Arm Road)
11th Election District
6th Councilmanic District
Fairhaven Limited Partnership
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-396-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 12047 Glen Arm Road, located in the vicinity of Long Green Pike in Glen Arm. The Petition was filed by the owner of the property, Fairhaven Limited Partnership, by Paul W. Botzler, General Partner, and the Contract Lessee, John H. Franz, Jr., through their attorney, Francis X. Borgerding, Jr., Esquire. The Petitioners seek relief from Section 230.12(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit equipment used in the manufacturing and repair of furniture on the subject property to have a horsepower of 40 in lieu of the maximum permitted 15 horsepower. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Paul Botzler, representing Fairhaven Limited Partnership, legal owners of the property, John H. Franz, Contract Lessee, and Francis X. Borgerding, Jr., Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 1.858 acres, more or less, zoned B.L.-C.R. and is improved with a two-story office building to the front of the site used by the Tamarack Construction Company, and a one-story building to the rear of the

property which is presently vacant. The Contract Lessee wished to utilize this building for his cabinet, furniture and millwork sales operation. In order to utilize the building as proposed, the requested variance from Section 230.12(c) is necessary. Said Section limits the amount of horsepower which can be utilized on property zoned B.L. The Petitioner submitted as Petitioner's Exhibit 4 a list of 24 different types of tools that are utilized in his furniture restoration business. When computing the aggregate amount of horsepower associated with these 24 different tools, the total horsepower amounts to 36.26, which exceeds the 15 horsepower permitted. In order to allow some flexibility in the types of tools the Petitioner might use in his business, a variance to permit up to 40 horsepower in lieu of the required 15 is being requested.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

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

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

- 2 -

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of May, 1996 that the Petition for Variance seeking relief from Section 230.12(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit fabrication and/or repair equipment used in the manufacturing and repair of furniture on the subject property to have a horsepower of 40 in lieu of the maximum permitted 15 horsepower, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

- 3 -

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

TMK:bjs

ORDER RECEIVED FOR FILING
Date 5/3/96
By hjs

ORDER RECEIVED FOR FILING
Date 5/3/96
By hjs

Timothy M. Kotroco
5/3/96
hjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 31, 1996

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
SE/S Glen Arm Road, 1909' SW of the c/l of Long Green Pike
(12047 Glen Arm Road)
11th Election District - 6th Councilmanic District
Fairhaven Limited Partnership - Petitioner
Case No. 96-396-A

Dear Mr. Borgerding:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

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

Very truly yours,

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

TMK:bjs

cc: Mr. Paul W. Botzler, 12047 Glen Arm Road, Glen Arm, Md. 21057

Mr. John H. Franz, Jr., P.O. Box 146, Kingsville, Md. 21087

People's Counsel

File

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 12047 Glen Arm Road
Glen Arm, MD 21057

96-396-A which is presently zoned B.L.-C.R.

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 Variance from Section 230.12(c) of the Baltimore County Zoning Regulations to permit 40 horsepower in lieu of the required 15 horsepower in the operation of all machines used in fabrication or repair

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Configuration of the property; and
2. For such other and further reasons as will be presented at the time of the hearing of this matter.

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

Contract Purchaser/Lessee

John H. Franz, Jr.

Box 146

Kingsville MD 21087

City State Zip

Signature

Francis X. Borgerding, Jr.

409 Washington Avenue, Suite 600

Towson, MD 21204 296-6820

Address Phone No. City State Zip

Signature

ESTIMATED LENGTH OF HEARING

the following dates

ALL OTHER DATE

REVIEWED BY DATE

Use to identify decedent and affirm under the penalties of perjury that one and the legal owner(s) of the property which is the subject of this Petition

Legal Owners:

Fairhaven Limited Partnership

By: *Paul W. Botzler*

Signature

Paul W. Botzler

Signature

12047 Glen Arm Road

Address

Glen Arm, MD 21057

City State Zip

Signature

Francis X. Borgerding, Jr.

409 Washington Avenue, Suite 600

Towson, MD 21204 296-6820

Address Phone No. City State Zip

Signature

ESTIMATED LENGTH OF HEARING

the following dates

ALL OTHER DATE

REVIEWED BY DATE

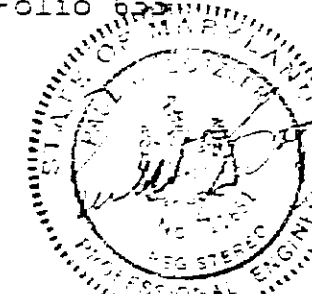
Zoning Description; 12045-7 Glen Arm RD.

Beginning at a point on the south side of Glen Arm Road which is .30 feet wide at the distance of 1090 feet west of the center line of its intersection with Long Green Pike which is 30' wide. Thence the following courses and distances:

S. 41°23'14"E. 129.78', S. 41°23'14"E. 87.72'
S. 53°12'24"W. 88.5', S. 51°42'24"W. 100.15'
S. 49°12'24"W. 50.07', S. 46°27'24"W. 50.07'
S. 44°27'24"W. 50.07', S. 42°27'24"W. 50.07'
S. 40°27'24"W. 50.07', S. 38°27'24"W. 50.07'
N. 46°49'14"W. 39.34', S. 39°46'46"E. 60.1'
N. 44°08'46"E. 50.8', N. 46°49'14"W. 175.63'

and
N. 48°35'06"E. 367.84' to the place of beginning

As recorded in Deed Liber 8673 Folio 633



96-396-A-1

394

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-396-A

District 11th Date of Posting May 20, 1996

Posted for: FAIRHAVEN LTD. PART/ JOHN H. FRANZ, JR.

Petitioner: FAIRHAVEN LTD. PART/ JOHN H. FRANZ, JR.

Location of property: 12047 GLEN ARM RD.

Location of Sign: Along Highway on Roadway facing road

Remarks: None

Posted by: hjs Date of return: 5/21/96

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 4/25, 1996

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 4/25, 1996.

THE JEFFERSONIAN,

A. Henderson
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, to advertise

of the Zoning Act and Regulations

of Baltimore County and

to hold a public hearing on the

property described herein in

Room 105 of the County of

for Baltimore County, Maryland

on May 20, 1996 at 10:00 a.m.

at the County of Baltimore

for Baltimore County, Maryland

Case #96-396-A

12047 Glen Arm Road

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

SW of c/l of Long Green Pike

11th Election District, 1909'

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

No. 16507

DATE 4/15/96 ACCOUNT 96-396-A

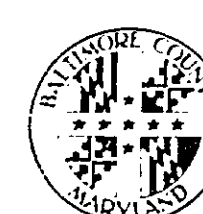
FROM: 394
200-1000-1000

RECEIVED: 12047 Glen Arm Rd
200-1000-1000

FOR: 200-1000-1000

AMOUNT \$ 235.00

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

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

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.: 394 Petitioner: Fairhaven Limited Partnership

Location: 12047 Glen Arm Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Arnold Jablon, Director

ADDRESS: 111 West Chesapeake Avenue, Towson, MD 21204

PHONE NUMBER: 410-288-6220

Printed with Soybean Ink
on Recycled Paper

12

TO: POTOMAC PUBLISHING COMPANY
April 25, 1996 Issue - Jeffersonian

Please forward billing to:

Francis X. Borgerding, Jr., Esq.
409 Washington Avenue, Suite 600
Towson, Maryland 21204
296-6220

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: 96-396-A (Item 394)

12047 Glen Arm Road
36/5 Glen Arm Road, 1909' SW of c/1 Loop Green Pike
11th Election District - 6th Councilmanic
Legal Owner(s): Fairhaven Limited Partnership
Contract Purchaser: John H. Franz, Jr.

Variance to permit 40 horsepower in lieu of the required 15 horsepower in the operation of all machines used in fabrication or repair.

HEARING: MONDAY, MAY 20, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

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.



Baltimore County
Department of Permits and
Development Management

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

April 17, 1996

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: 96-396-A (Item 394)

12047 Glen Arm Road
36/5 Glen Arm Road, 1909' SW of c/1 Loop Green Pike
11th Election District - 6th Councilmanic
Legal Owner(s): Fairhaven Limited Partnership
Contract Purchaser: John H. Franz, Jr.

Variance to permit 40 horsepower in lieu of the required 15 horsepower in the operation of all machines used in fabrication or repair.

HEARING: MONDAY, MAY 20, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

6: Fairhaven Limited Partnership
John H. Franz, Jr.
Francis X. Borgerding, Jr., Esq.

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

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

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

May 15, 1996

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue
Suite 600
Towson, MD 21204

RE: Item No.: 394
Case No.: 96-396-A
Petitioner: Fairhaven Limited

Dear Mr. Borgerding:

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 April 26, 1996.

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

MCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: April 26, 1996

FROM: Robert M. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 29, 1996
Item Nos. 390, 392, 394, 395, 397

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:DAB:jrb

cc: File

ZONES

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: April 25, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 370 and 394

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

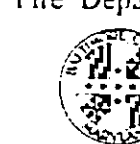
Prepared by: Jeffrey M. Long

Division Chief: Jeffrey L. Keller

PR/JL

ITEM370A/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 04/18/96

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 APRIL 22, 1996.

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: 387, 390, 392, 393, 394, 395, 397 AND 398.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4681, MS-1102F

cc: File

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on Recycled Paper

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

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 4-23-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s:

389
390
392
394
395
396
397
398

LS:sp

LETTYZ/DEPRM/TXTSBP

SHA
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. 394 (MJK)

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 410-339-1850 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2266 Statewide Toll Free

PETITION PROBLEMS

#389 --- RT

1. Only 1 signature was notarized.

#394 --- MJK

1. No telephone number for legal owner.

#395 --- CAM

1. No review information on bottom of petition form.

#396 --- CAM

1. Plat says legal owner/applicant is "Ridgeway Manor Nursing Home". Petition says legal owner is "Burleigh Enterprise Limited Partnership". Which is correct???
2. Need title of person signing for legal owner.
3. Need address of legal owner (including zip code).
4. Need telephone number for legal owner.

April 15, 1996

RE: PETITION FOR VARIANCE
12047 Glen Arm Road, SE/S Glen Arm Road,
1909' SW of 7/1 Long Green Pike
11th Election District, 6th Councilmanic
Legal Owner(s): Fairhaven Ltd. Partnership
Contract Purchaser: John H. Franz, Jr.
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-396-A

ENTRY OF APPEARANCE

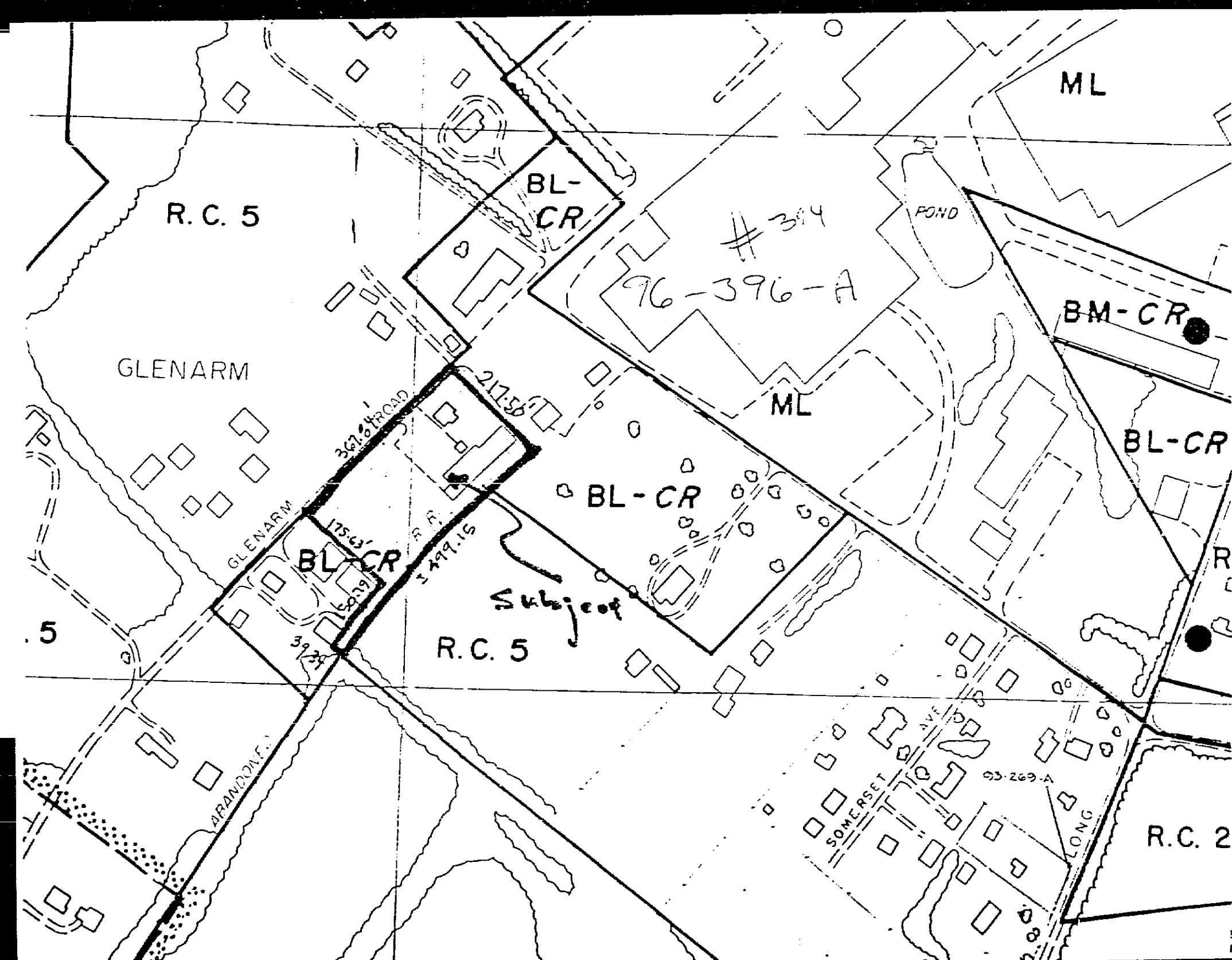
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carol S. Demilio
CAROL S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 857-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Francis X. Bergerding, Esquire, 409 Washington Avenue, Suite 600, Towson, MD 21204, attorney for Petitioners.

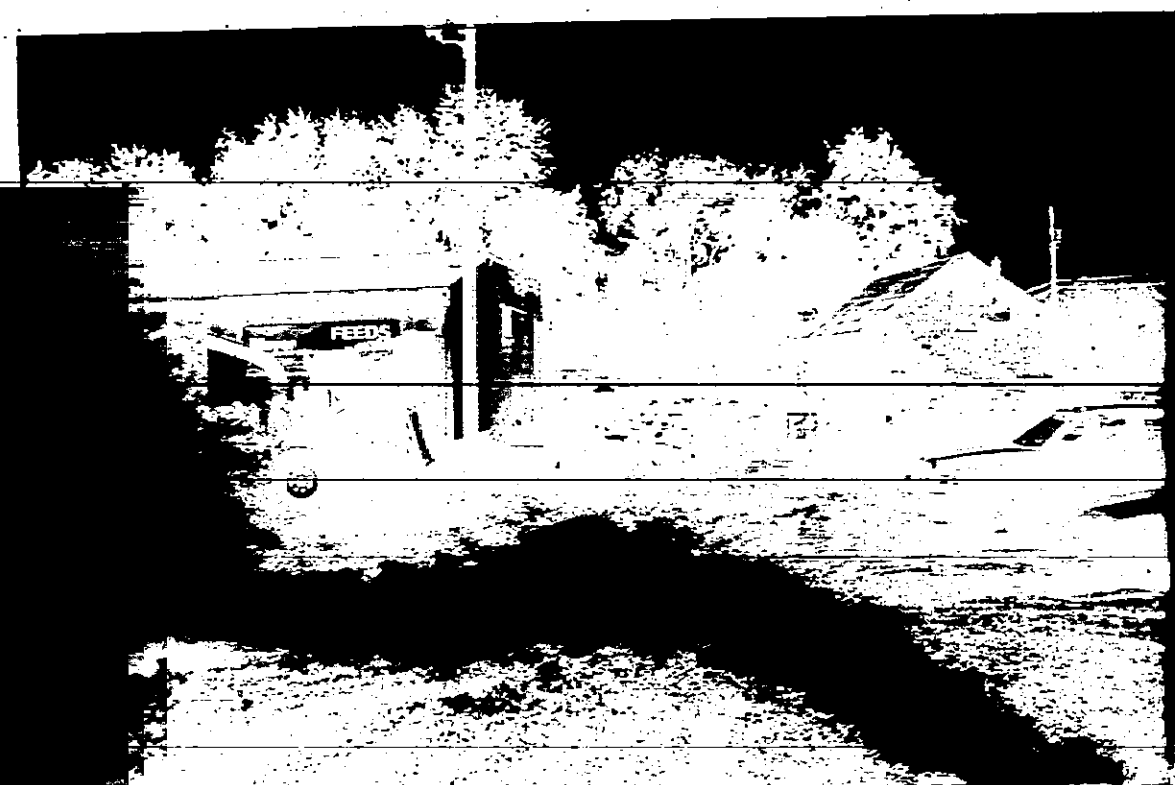
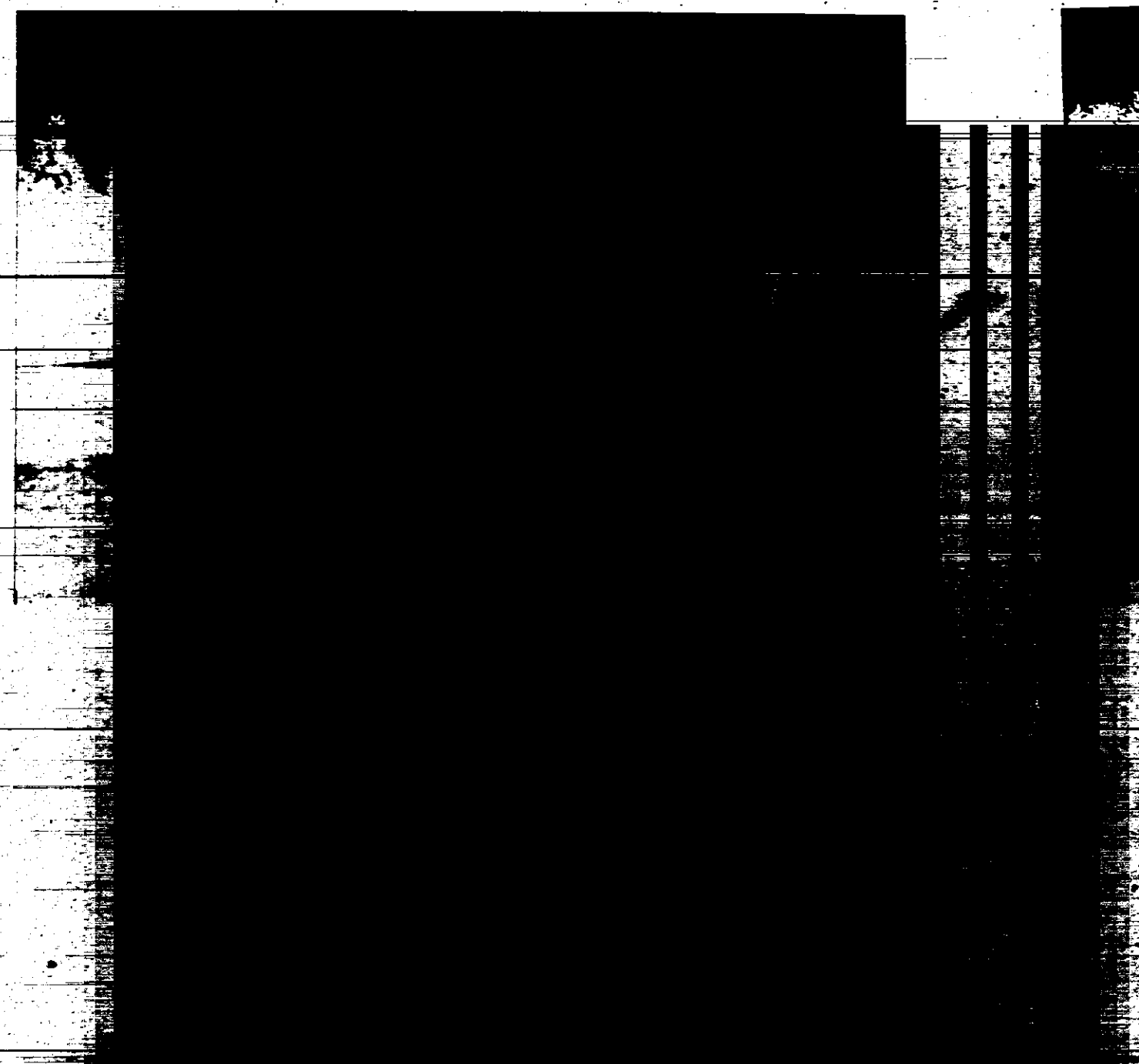
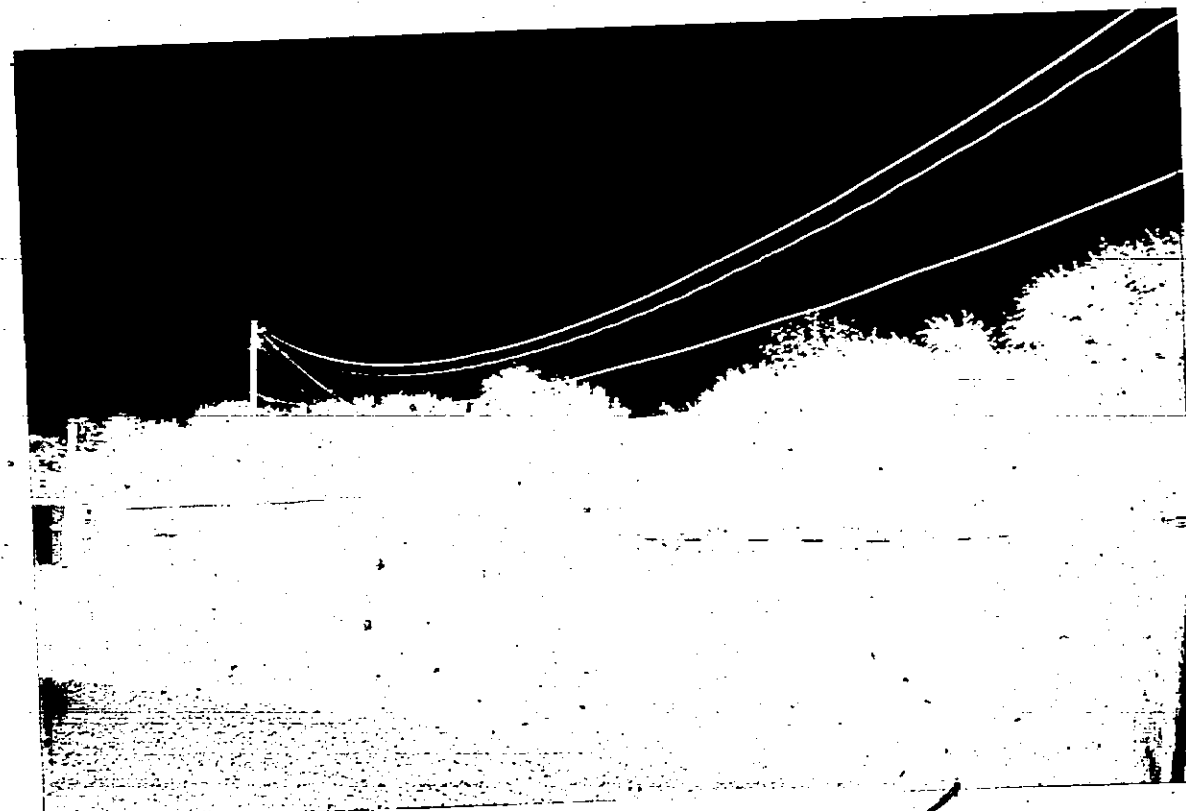
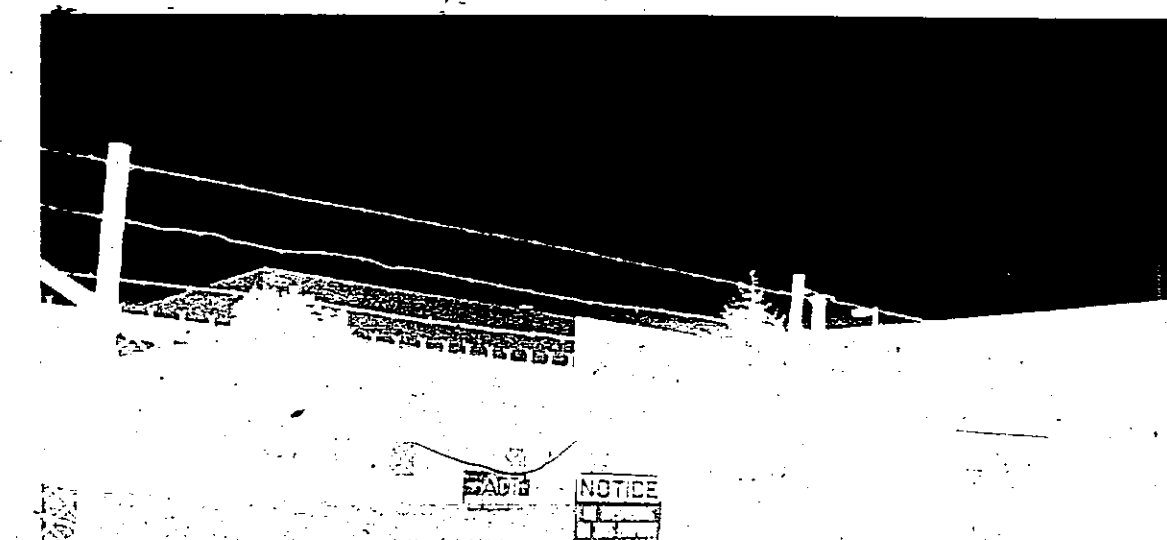
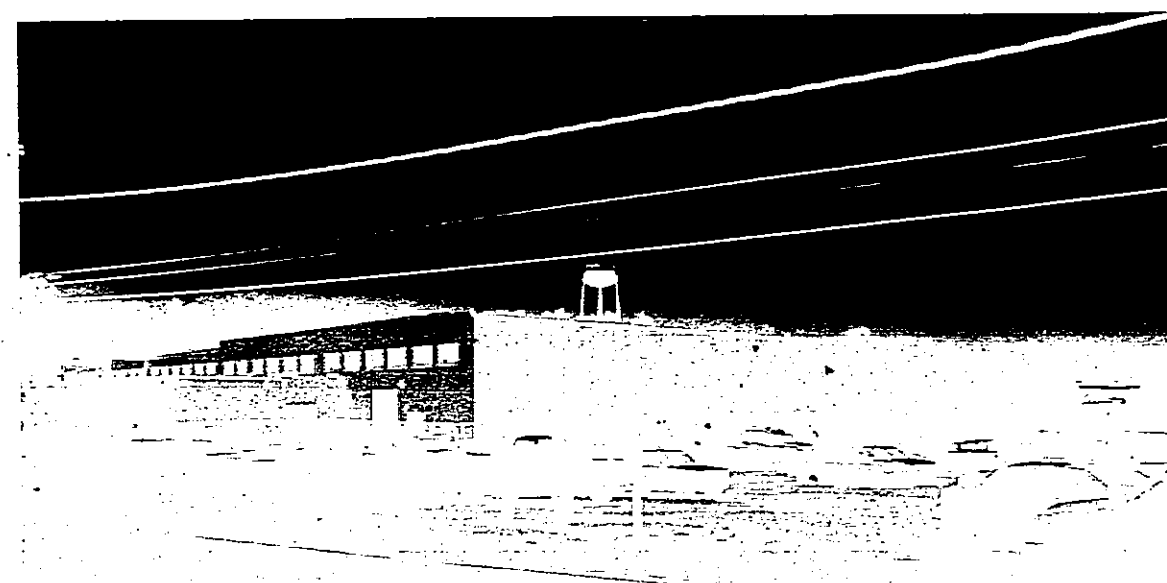
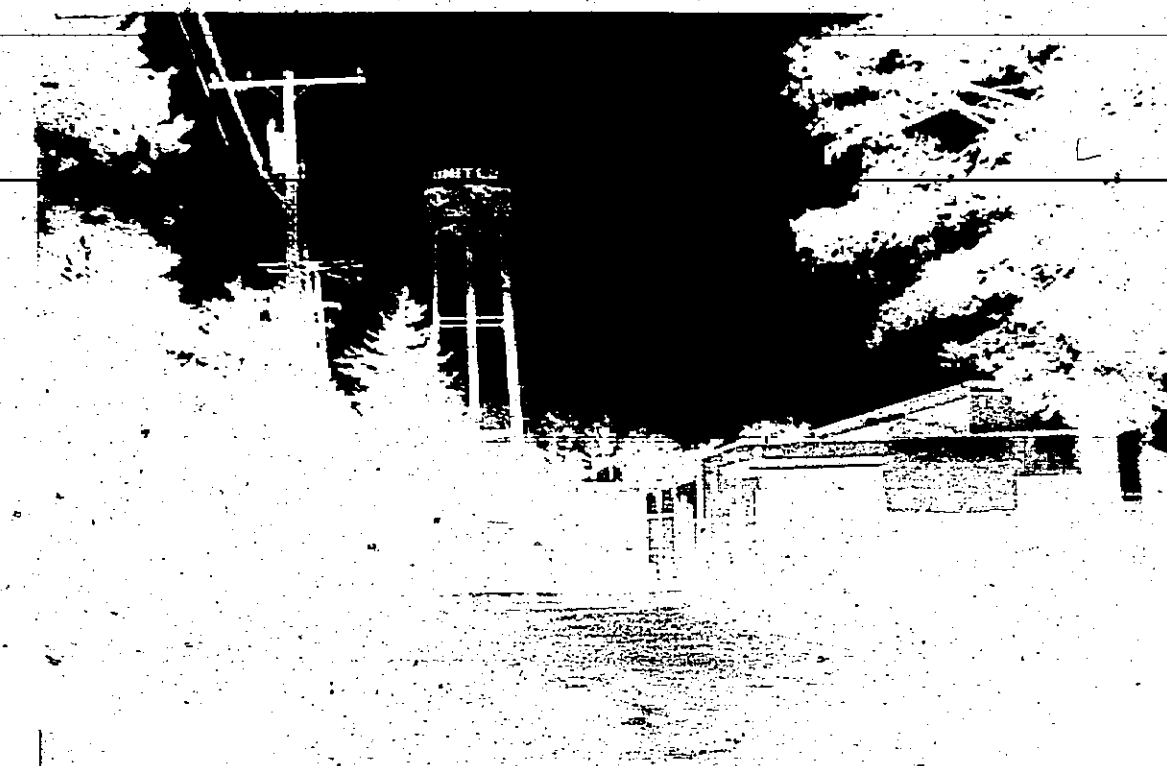
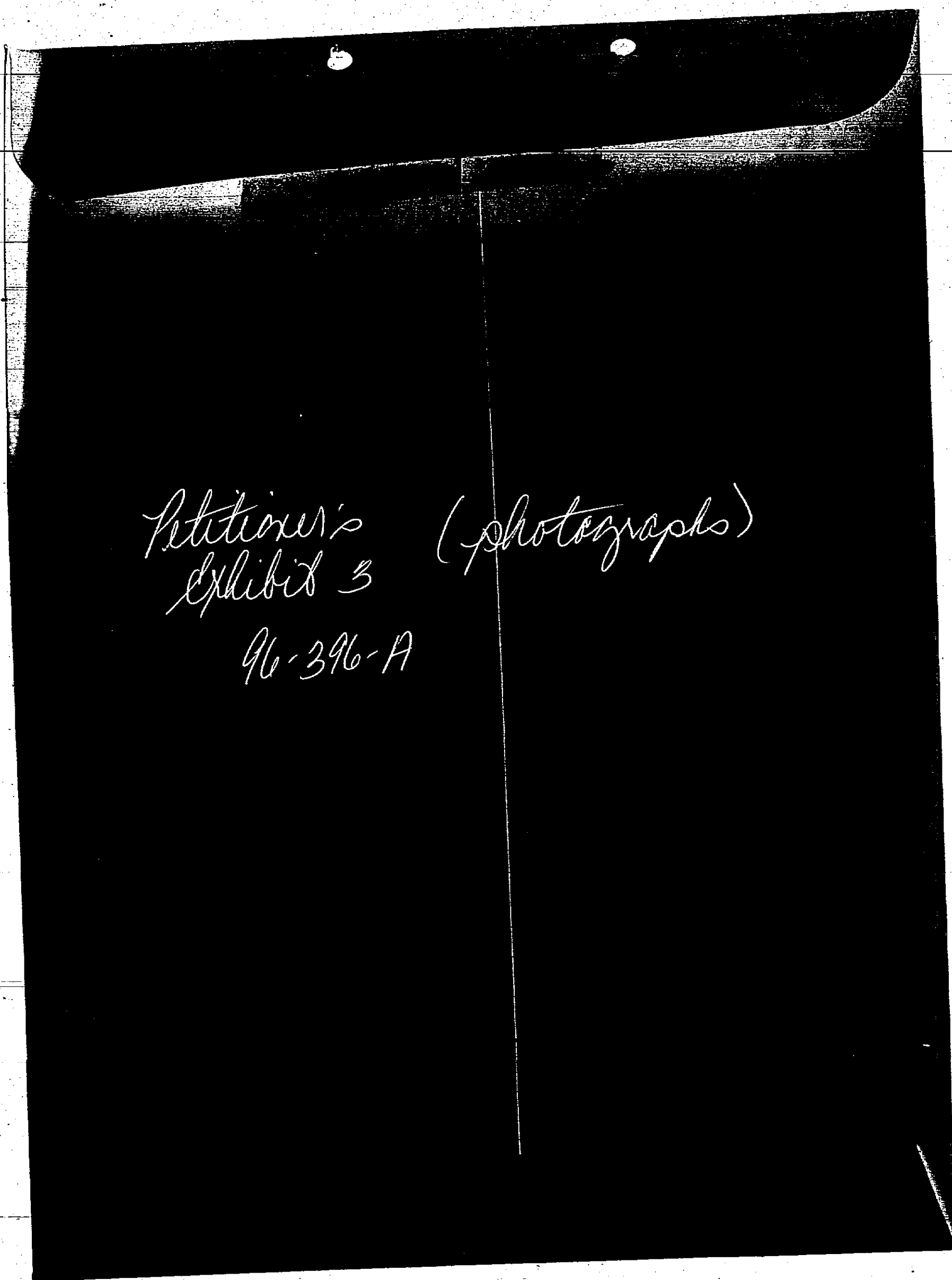
Peter Max Zimmerman
PETER MAX ZIMMERMAN



STATIONARY EQUIPMENT LIST
J. H. FRANZ, INC.
5/15/96

Machine	HP
1. Horz. Air Compressor	5
2. Radial Arm Saw	0.75
3. Vert. Panel Saw	3.5
4. Edge Bander	1
5. Disc Sander	0.5
6. Spindle Sander	0.5
7. Mortise Machine	1
8. Hinge drill and Insertion	1
9. 14" Band Saw	0.75
10. 10" Table Saw	1.5
11. 12" Planer	3
12. 12" Jointer	3
13. 3/4" Spindle Shaper	1.5
14. Edge Sander	2
15. Single End Tenoner	3
16. 1/2" Spindle Shaper	0.5
17. 6" Jointer	0.75
18. Line Boring Machine	2
19. Moulder	1.5
20. Drill Press	0.25
21. Lathe	0.75
22. Bench Grinder	0.75
23. OverArm Pin Router	2
24. Stocker Feeder	0.75
Total Stationary HP	38.25

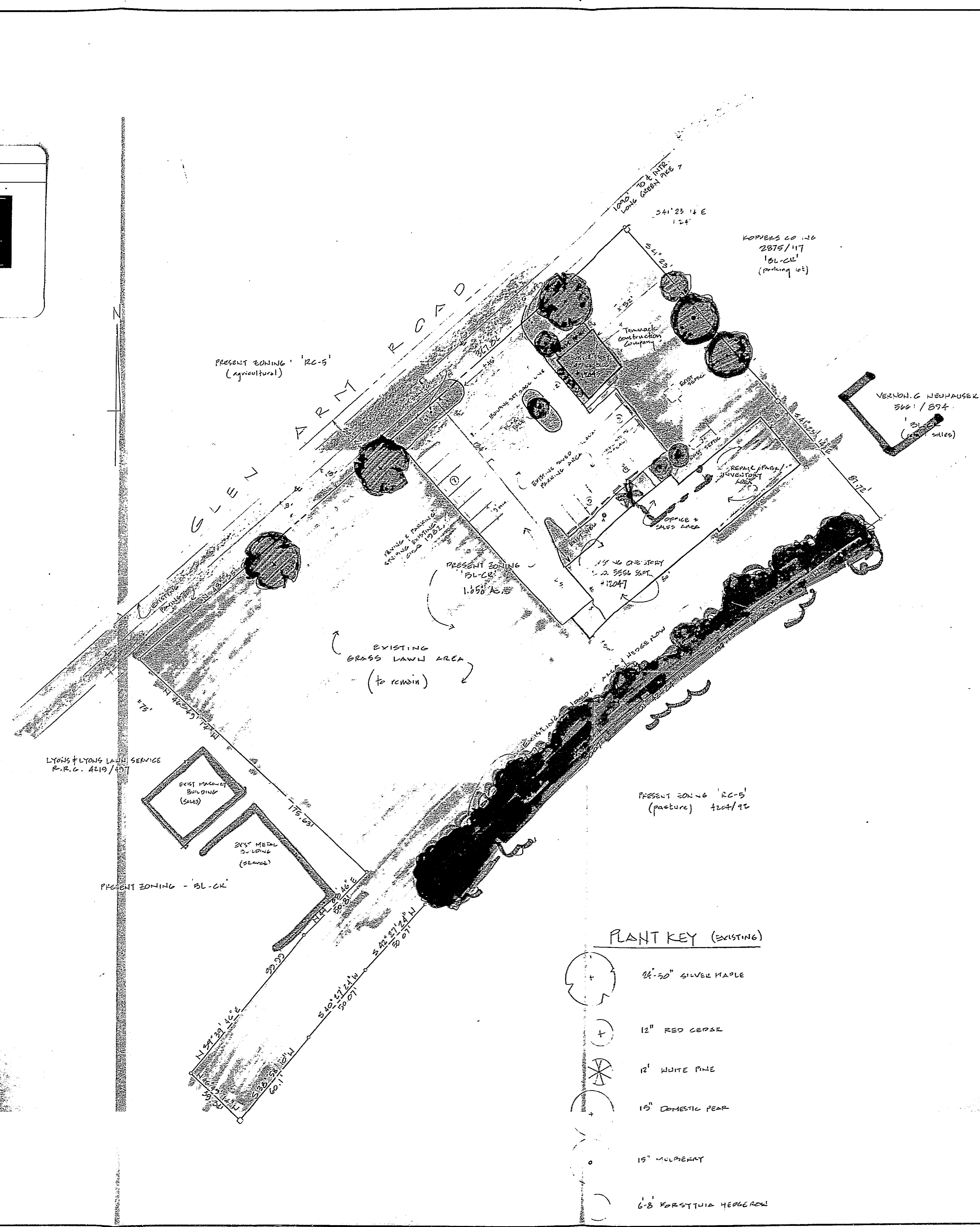
Pet #4



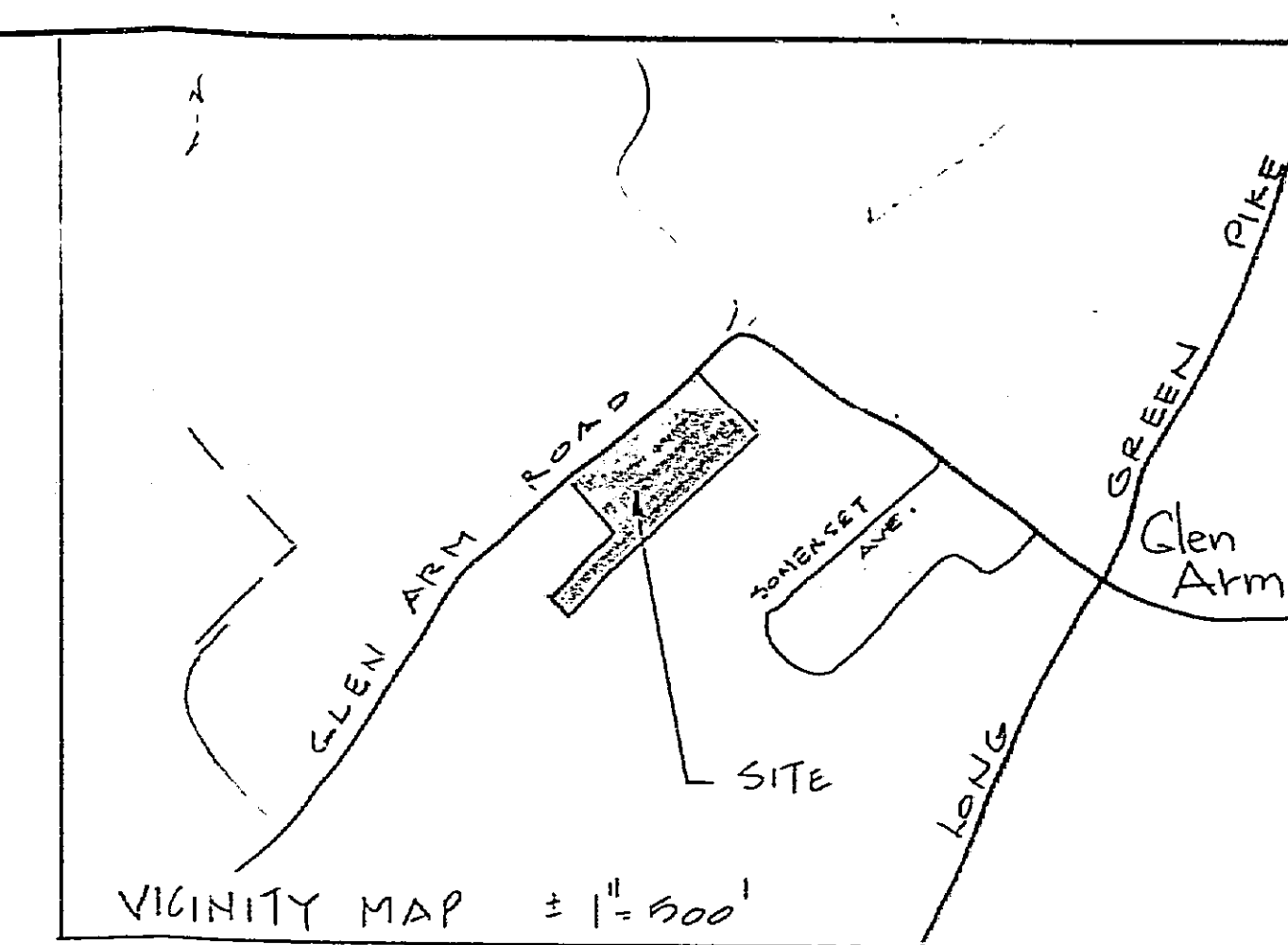
C

ES&S 5824 FILMSORT & DUPLICATOR Corp.

3W, St. Paul, MN.



- PLANT KEY (EXISTING)**
- 24'-30" SILVER MAPLE
 - 12" RED CEDAR
 - 12" WHITE PINE
 - 15" DOMESTIC PEAR
 - 15" MULBERRY
 - 6'-8' FORTSYTHIA HEDGE ROW



PLOT PLAN 1" = 30'

PLOT PLAN TO ACCOMPANY PETITION FOR VARIANCE FROM SECTION 200.12 (C) OF EAST MARY COUNTY ZONING REGULATIONS TO PERMIT 20.4% IN USE OF THE ALLOTTED MAXIMUM OF 15.4% IN THE SPECULATION OF ALL MACHINERY AVAILABLE FOR SPECIFICATION/REPAIR.

12047 GLEN ARM ROAD, APRIL, 1996
OWNER: FAIRHAVEN LTD. PARTNERSHIP
BOX 226
GLEN ARM, MD. 21057

PROPERTY: 1.858 AC. EXISTING ZONING = BL-CR
ELEVATION: ELECTION DISTRICT
FOURTH COUNCILMANIC DISTRICT

F.A.R. = 0.040/0.0100 sq ft = .068
EXISTING = 3 CARPET FURNITURE & MILKWORK SALES TA
DON H. FRANK, NC.

PARKING CALCULATIONS OF EXISTING USES

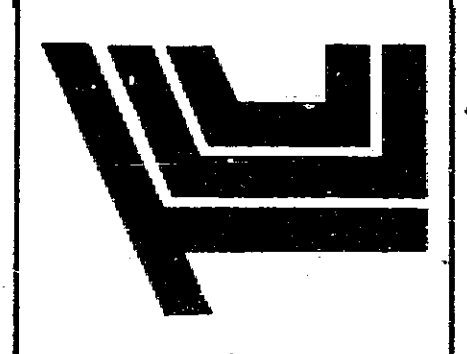
EXISTING B&B BUILDING 300 SFT OFFICE/REAR = 4.6 REQ'D.
REPAIR/PAINT/INVENTORY B&B / EMPLOYEE = 4 REQ'D.
EXISTING B&B BUILDING 450 SFT OFFICE 3.0/1000 = 4.5 REQ'D

TOTAL PARKING SPACES REQ'D.	13.4 (14)
HANDICAPPED SPACES REQ'D.	1
TOTAL PARKING SPACES EXISTING	17
HANDICAPPED SPACES EXIST.	1
	18

OWNER:
FAIRHAVEN LTD. PARTNERSHIP
PO BOX 226
GLEN ARM MD 21057
DESIGN ENGINEER:
PAUL W. BOTTLER, P.E.
12045 GLEN ARM RD
GLEN ARM, MD. 21057

12045-7 GLEN ARM ROAD

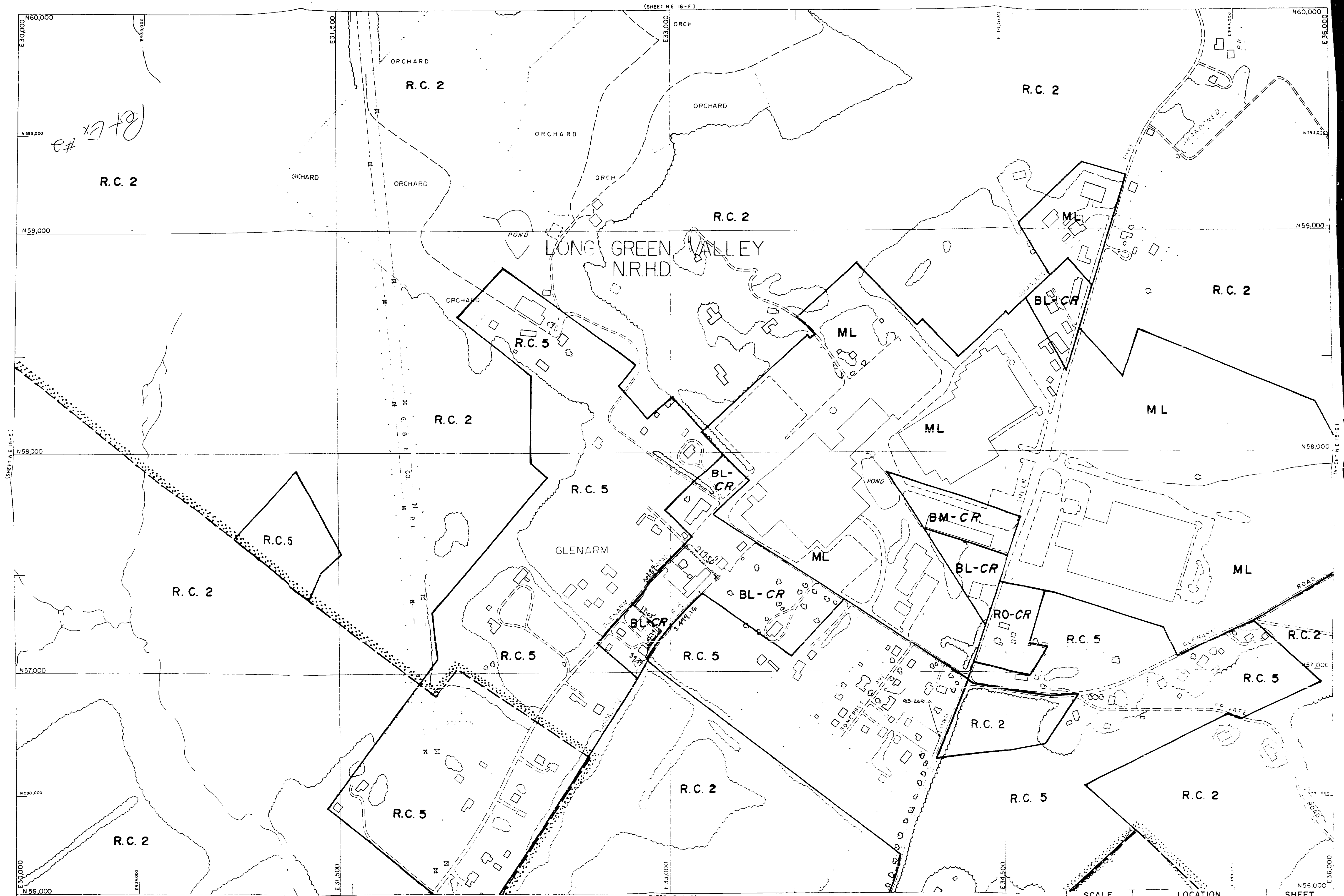
**TAMARACK
CONSTRUCTION
COMPANY, INC.**
Builders/Engineers/Developers
Box 226 Glen Arm, MD 21057



Date: APRIL 10, 1996
Revisions:
1. 4-10-96
2. 4-10-96
3. 4-10-96
4. 4-10-96

Sheet Title:
Sheet 4 of 4

Pet ex #1



R-NE Q-SW
U-SE UU-SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHANAN HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

William A. Howard
Chairman, County Council

SCALE 1" = 200'	LOCATION GLEN ARM	SHEET N. E. 15-F
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