

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - NW/S Old Court Road,
460' SW of c/l of St. Paul Avenue * DEPUTY ZONING COMMISSIONER
(10612 Old Court Road)
2nd Election District * OF BALTIMORE COUNTY
1st Councilmanic District * Case No. 96-444-XA
Donald L. Hamilton, et ux
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance for that property known as 10612 Old Court Road, located across from Bunker Hill Road in Granite. The Petitions were filed by the owners of the property, Donald L. and Brenda G. Hamilton, through their attorney, Kathleen S. Skullney, Esquire. The Petitioners seek approval of the use of the subject property for an antique shop, and variance relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 20 feet in lieu of the required 50 feet, and a street centerline setback of 40 feet in lieu of the required 75 feet for an existing historic school building. 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 Petitions were Donald and Brenda Hamilton, property owner, their attorney, Kathleen Skullney, Esquire, and various representatives and members of the surrounding community, all of whom signed the Petitioner's Sign-In Sheet. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 1.27 acres, more or less, zoned R.C. 5 and is the site of an

ORDER RECEIVED FOR FILING
Date 6/25/96
By [Signature]

MICROFILMED

old school house which was constructed in 1870 and is the third oldest school built in Baltimore County. The building operated as a school house for many years until approximately the 1940s when it went into private ownership. The property was subsequently sold to a Mr. Ben Wood at a tax sale approximately two years ago, after which the building became run-down, abandoned and neglected. Having been life-long residents of Granite, the Petitioners were desirous of purchasing the property and restoring the school building. They then contacted Mr. Wood and he agreed to sell the property to them. Since their purchase of the property, the Hamiltons have worked diligently to restore the building and the grounds surrounding same. Testimony indicated that the building has been fully restored and contains many valuable antiques which Mrs. Hamilton would like to offer for sale to the general public.

Photographs of the property both before and after its restoration were offered in support of the Petitioners' request. These photographs show the tremendous work and effort that has been put forth to restore this property. Furthermore, the Petitioners submitted several letters of support from the Greater Patapsco Community Association, the Granite Historical Society, as well as the strong showing of support by those members of the community who attended the hearing. In order to establish an antique shop within the existing school house building, the requested special exception relief is necessary. Furthermore, due to the location of the existing building, which has been cited to have been at its present location for over 100 years, the requested variances are necessary to bring the property into compliance with current regulations. In addition, the Petitioners testified that a durable and dustless surface is being provid-

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By [Signature]

ed for the parking area, and a small sign has been located on the property to identify the business.

Further testimony revealed that the Petitioners and the Granite Historical Society are desirous of locating an office for the Granite Historical Society within the subject school house building. This office would provide space for the Society to conduct its business as well as hold its monthly meetings, and would be maintained within the building as an ancillary activity to the antique business.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

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Date

By

of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

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

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

Based upon the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that the subject building has existed on the site for over 100 years and that strict compliance with current zoning regulations 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

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Date

By

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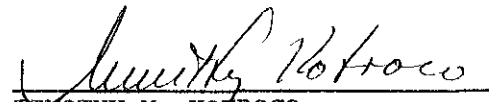
health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of June, 1996 that the Petition for Special Exception to permit the use of the subject property as an antique shop, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 20 feet in lieu of the required 50 feet, and a street centerline setback of 40 feet in lieu of the required 75 feet for an existing historic school building, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petitioners shall be permitted to establish and maintain an office within the school house building for the Granite Historical Society to use as both a place to conduct its business as well as a place to hold its monthly meetings as set forth herein.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 6/25/96
By [Signature]

441



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

10612 Old Court Road, Granite 21163

which is presently zoned

RC5

76-444-XA

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Antique Shop

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

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

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

Contract Purchaser/Lessee.

(Type or Print Name)

Signature

Address

City

State

Zipcode

Legal Owner(s)

Donald L. Hamilton

(Type or Print Name)

Signature

Brenda Hamilton

(Type or Print Name)

Signature

2619 Bunker Hill Road

461-5310

Address

Phone No

Granite,

MD

21163

City

State

Zipcode

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

Attorney for Petitioner

KATHLEEN S. SKULLNEY

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

5/10/96

ORDER RECEIVED FOR FILING

Date

6/25/96

MICROFILMED



441



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10612 Old Court Road, Granite 21163

96-444-XA

which is presently zoned RC5

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)

1A4.3(B)(3) Setbacks
20 FEET IN LIEU OF 50 FEET REQUIRED SIDEYARD.
40 FEET IN LIEU OF 75 FEET REQUIRED SETBACK FROM E ROAD.

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

Historic stone schoolhouse built in 1871, situated on a lot recorded about the same time

No adjoining property is available to meet setbacks

Building is in a historic district registered on the National Historic Register

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:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

KATHLEEN S. SKULLNEY

(Type or Print Name)

Kathleen S. Skullney

Signature

403 Allegheny Ave 321-4770

Address

Towson MD

Phone No.

City

State

21204 Zipcode

(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):

Donald L. Hamilton

(Type or Print Name)

Donald L. Hamilton

Signature

Brenda G. Hamilton

(Type or Print Name)

Brenda G. Hamilton

Signature

2619 Bunker Hill Road 461-5310

Address

Phone No.

Granite MD

21163

City

State

Zipcode

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

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

2 hr

the following dates

Next Two Months

ALL OTHER

REVIEWED BY:

MAIL

DATE

5/10/96

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6/25/96
Date
BQ

RECEIVED MED

Zoning Administration

Development Management

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
205 COURTLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE: 825-3908

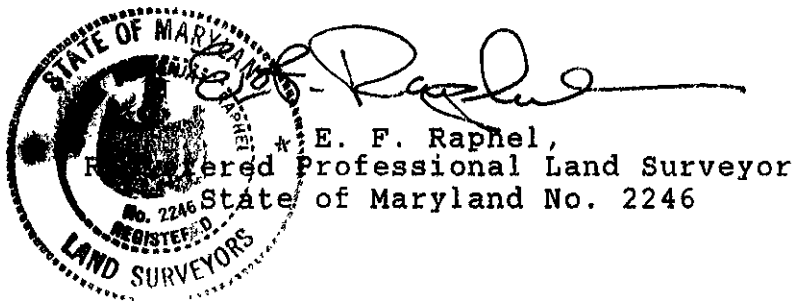
RESIDENCE: 771-4592

96-444-XA

May 03, 1996

Description to Accompany Zoning Petition:

Beginning for the same in the bed of Old Court Road
southwesterly 460 feet from the centerline intersection of
Old Court Road and St. Paul Avenue said point being the
easternmost outline of the land conveyed to Donald And Brenda
Hamilton, running thence and in the bed of Old Court Road
South 29° 24' West 57.1 feet South 46° 42' West 57.10 feet
South 66° 36' West 125 feet South 42° 55' West 93.77 feet
thence leaving said Road and binding on the lands of Donald
and Brenda Hamilton North 76° 36' West 19.8 feet North 04°
54' East 286.2 feet South 85° 06' East 120 feet north 65° 17'
East 174.23 feet and South 06° 10' East 113.08 feet to the
beginning. Containing 1.27 acres of land more or less.



441

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-444-XA

District 2nd Date of Posting 6/2/96
Posted for: Special Exception & Variance
Petitioner: Donald & Brenda Hamilton
Location of property: 18612 Old Court Rd
Location of Signs: Facing roadway on property being zoned
Remarks: _____
Posted by M. McKealy Date of return: 6/2/96
Signature
Number of Signs: 1

MICROFILMED

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: #96-444-XA
(Item 441)
10612 Old Court Road
NW/SE Old Court Road, 460'
SW of c/s St. Paul Avenue
2nd Election District

1st Councilmanic
Legal Owner(s):
Donald L. Hamilton
and Brenda Hamilton

Special Exception: for an
antique shop. Variance: for
20 feet in lieu of 50 feet re-
quired side yard and 40 feet in
lieu of 75 feet required setback
from centerline road.

Hearing: Tuesday, June 18,
1996 at 9:00 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 and/or Hearing,
Please Call 887-3391.

5/313 May 23 CS4212

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

May 24, 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 May 23, 1996.

THE JEFFERSONIAN,

G. Henrichson

LEGAL AD. - TOWSON

MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY
May 23, 1996 Issue - Jeffersonian

Please forward billing to:

Donald and Brenda Hamilton
2619 Bunker Hill Road
Granite, MD 21163
461-5310

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: 96-444-XA (Item 441)
10612 Old Court Road
NW/S Old Court Road, 460' SW of c/l St. Paul Avenue
2nd Election District - 1st Councilmanic
Legal Owner(s): Donald L. Hamilton and Brenda Hamilton

Special Exception for an antique shop.
Variance for 20 feet in lieu of 50 feet required side yard and 40 feet in lieu of 75 feet required setback from centerline road.

HEARING: TUESDAY, JUNE 18, 1996 at 9:00 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.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

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

May 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: 96-444-XA (Item 441)
10612 Old Court Road
NW/S Old Court Road, 460' SW of c/l St. Paul Avenue
2nd Election District - 1st Councilmanic
Legal Owner(s): Donald L. Hamilton and Brenda Hamilton

Special Exception for an antique shop.
Variance for 20 feet in lieu of 50 feet required side yard and 40 feet in lieu of 75 feet required setback from centerline road.

HEARING: TUESDAY, JUNE 18, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

Arnold Jablon
Director

cc: Donald and Brenda Hamilton
Kathleen S. Skullney

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





Baltimore County
Department of Permits and
Development Management

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

June 12, 1996

Kathleen S. Skullney, Esquire
403 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 441
Case No.: 96-444-XA
Petitioner: Donald Hamilton, et ux

Dear Ms. Skullney:

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 May 10, 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 Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over a circular stamp that partially obscures the text.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 05/20/96

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 MAY 20, 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: 437, 438, 440, 441, 442, 443, 444, 445, 446, 447 AND 448. 10

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

cc: File

MICROFILMED

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

TO: PDM

DATE: 6-3-96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: MAY 20, 1996

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

Item #'s: 437

438

441

442

444

447

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: May 23, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 10612 Old Court Road

INFORMATION:

Item Number: 441

Petitioner: Hamilton Property

Property Size: _____

Zoning: RC 5

Requested Action: _____

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The Community Planning Division of the Baltimore County Planning Office has not received a single negative comment from the community on this request, and it is clear that the Granite Community is strongly supportive of the proposed antique shop.

Additional comments may be forwarded after referral to the Landmarks Preservation Commission.

Prepared by: Jeffrey W. Le...

Division Chief: Carol. Kerns

PK/JL/lw

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
 Department of Permits &
 Development Management

DATE: May 28, 1996

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

SUBJECT: Zoning Advisory Committee Meeting
 for May 28, 1996
 Item No. 441

The Development Plans Review Division has reviewed the subject zoning item. Streetscape plantings should be provided along Old Court Road.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: May 10, 1996

TO: Hearing Officer

FROM: Mitchell J. Kellman
Planner II
Zoning Review, PDM

SUBJECT: Item #441
10612 Old Court Road

I advised the applicant's attorney and engineer that retail parking must be of a durable and dustless material. The engineer did not want to revise the plan or request a variance as he would argue his case at the hearing.

MJK:scj

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
PETITION FOR VARIANCE		
10612 Old Court Road, NW/S Old Court Rd,	*	ZONING COMMISSIONER
460' SW of c/l St. Paul Avenue		
2nd Election District, 1st Councilmanic	*	OF BALTIMORE COUNTY
Donald and Brenda Hamilton	*	CASE NO. 96-444-XA
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

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


PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County


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 June, 1996, a copy of the foregoing Entry of Appearance was mailed to Kathleen S. Skullney, Esquire, 403 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner.


PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

KATHLEEN SKULLNBY, ATTY

10813 DAVIS AVE, 21163

Gene Rappaport

205 COURT WIND AVE Towson

Donald L Hamelin

2619 Bunker Hill Rd. 21163

Charles R. Brown

2732 McLoose Ave 21163

Thomas R. Barton

2615 Bunker Hill Rd 21163

Rosalyn N. Roddy

3036 Fernwood Rd 21163

Lutie Shade

10601 St Paul Ave 21163

Jessamine H. Brinnard

2615 Bunker Hill Rd 21163

Brenda J. Logue

10521 Old Court Rd. 21163

Frederick A. Stratton

2619 Bunker Hill Rd 21163

Sandy Ludwig

10628 Davis Ave 21163



Kodak *ds*
digital science™

DEMO

AX-444-SP

Granite Historical Society
10225 Old Court Road
Granite, Maryland, 21163

Brenda Hamilton
c/o Schoolhouse Antiques
Old Court Road
Granite, MD 21163-1111

December 22, 1995

Dear Brenda:

At its meeting of December 21, 1995, the Board of Directors of the Granite Historical Society voted to write this letter emphasizing the right of your property within the National Historic District of Granite to be used as an antique shop. We also recognize through our various community involvements how warmly the Granite community has received your establishment and how beautifully it has been renovated.

If we can be of further support, please let us know. Again, we welcome your shop into the community and wish you all the best in your endeavors.

Most sincerely,

Beverly M. Griffith
Beverly M. Griffith
President

PETITIONER'S
EXHIBIT /

GPCA Board Meeting
February 19, 1996

Time Started: 7:40

Time Adjourned: 10:45

Meeting notes of the last meeting read and approved.

Attendees: Claude Libis, President
Steve Goodmuth, Vice President
Susan Mamakos, Secretary
Marty Kelly, Treasurer
Bob Skinder, Director
Dwight Hartman, Director

Tom DeMay
Juliana Angle
Billy Mamakos
Barbara Brown
Abe Granek
Bob Hocutt

Treasurers Report

See attached.

PETITIONER'S
EXHIBIT 2

COP

Currently have 14 people which make up 7 teams.
Need evenings and weekend shifts.

Christmas in Granite

Christmas in Granite will be its own separate entity and not part of GPCA.

\$200.00 seed money is yet to be reimbursed.

Newsletter

Deadline Friday, February 23rd.
Three people behind in payment for Ads.

The Job Corps is key to the production of the newsletter. It costs approximately \$260.00/month to produce. Tax exempt status would make the cost to produce the newsletter cheaper. The majority of newsletters go out third class. A few are sent 1st class.

District. It is in keeping in preserving the community.

Support
Support

2-004
2-010
2-023
2-035
2-036

Upcoming Program

March - Friends of Animals
April - Wine Making
May - Experience from Father Lerch in India.

Need ideas for future programs.

General News

Bob Hocutt attended the Baltimore County Police and Community Relations Council. In January Robberies were down 12%, Burglaries down 40%, Stolen Cars down 24%. Shirley McQuire is the Community McQuire Officer with the Woodlawn precinct. She is the contact with the station. Would like to know the names of officer we can call during each shift if we need to. Baltimore County has a new police chief.

The council need resource help. People needed to give time to organization.

Individual needed to be in charge of refreshments at the GPCA meeting.

Community Clean-up - Scheduled for April 20th. Money for clean-up comes from County Grant. It costs approximately \$1,000.

To discuss tax exempt status in the future.

Zoning

Bill Bauman from the planning board is interested in GPCAs concerns with the zoning issues.

Issue #	GPCA Comments
1-003	Support
1-010	Support
1-011	Support
1-031	No Comment
1-043	Access to property created dangerous highway situation. Concerns on road safety.
1-051	No Comment
1-059	Support. Historic Building within Historic District. It is in keeping in preserving the community.
2-004	Support
2-010	Support
2-023	
2-035	
2-036	

According to the constitution and by-laws, GPCA is dedicated to:

- Preserving the beauty and tranquility of the rural nature of the community
- Encouraging orderly and positive growth
- Responding to situations and activities which threaten the objectives stated above, and the safety and welfare of the community as a whole
- Directing its actions based on existing laws and regulations
- Assisting in the implementation of new laws and regulations for the protection of the community
- Fostering a spirit of community and fellowship through the sponsoring of social activities.

Secretary - Susan Mamakos

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE * NW/4 Old Court Road,
460' SW of c/l of St. Paul Avenue * DEPUTY ZONING COMMISSIONER
(10612 Old Court Road)
2nd Election District * OF BALTIMORE COUNTY
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Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance for that property known as 10612 Old Court Road, located across from Bunker Hill Road in Granite. The Petitions were filed by the owners of the property, Donald L. and Brenda G. Hamilton, through their attorney, Kathleen S. Skulley, Esquire. The Petitioners seek approval of the use of the subject property for an antique shop, and variance relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 20 feet in lieu of the required 50 feet, and a street centerline setback of 40 feet in lieu of the required 75 feet for an existing historic school building. 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 Petitions were Donald and Brenda Hamilton, property owner, their attorney, Kathleen Skulley, Esquire, and various representatives and members of the surrounding community, all of whom signed the Petitioner's Sign-In Sheet. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 1.27 acres, more or less, zoned R.C. 5 and is the site of an

old school house which was constructed in 1870 and is the third oldest school built in Baltimore County. The building operated as a school house for many years until approximately the 1940s when it went into private ownership. The property was subsequently sold to a Mr. Ben Wood at a tax sale approximately two years ago, after which the building became run-down, abandoned and neglected. Having been life-long residents of Granite, the Petitioners were desirous of purchasing the property and restoring the school building. They then contacted Mr. Wood and he agreed to sell the property to them. Since their purchase of the property, the Hamiltons have worked diligently to restore the building and the grounds surrounding same. Testimony indicated that the building has been fully restored and contains many valuable antiques which Mrs. Hamilton would like to offer for sale to the general public.

Photographs of the property both before and after its restoration were offered in support of the Petitioners' request. These photographs show the tremendous work and effort that has been put forth to restore this property. Furthermore, the Petitioners submitted several letters of support from the Greater Patapsco Community Association, the Granite Historical Society, as well as the strong showing of support by those members of the community who attended the hearing. In order to establish an antique shop within the existing school house building, the requested special exception relief is necessary. Furthermore, due to the location of the existing building, which has been cited to have been at its present location for over 100 years, the requested variances are necessary to bring the property into compliance with current regulations. In addition, the Petitioners testified that a durable and dustless surface is being provided

for the parking area, and a small sign has been located on the property to identify the business.

Further testimony revealed that the Petitioners and the Granite Historical Society are desirous of locating an office for the Granite Historical Society within the subject school house building. This office would provide space for the Society to conduct its business as well as hold its monthly meetings, and would be maintained within the building as an ancillary activity to the antique business.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

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

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

Based upon the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that the subject building has existed on the site for over 100 years and that strict compliance with current zoning regulations 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 and 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 these Petitions held, and for the reasons given above, the special exception and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of June, 1996 that the Petition for Special Exception to permit the use of the subject property as an antique shop, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 20 feet in lieu of the required 50 feet, and a street centerline setback of 40 feet in lieu of the required 75 feet for an existing historic school building, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petitioners shall be permitted to establish and maintain an office within the school house building for the Granite Historical Society to use as both a place to conduct its business as well as a place to hold its monthly meetings as set forth herein.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

June 22, 1996

(410) 887-4386

Kathleen S. Skulley, Esquire
403 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
E/S Chestnut Oak Road, 30' N of the c/l of Amuskai Road
(8501 Chestnut Oak Road)
9th Election District - 4th Councilmanic District
Robert L. Osborne, et ux - Petitioners
Case No. 95-149-A

Dear Ms. Skulley:

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

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

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Donald L. Hamilton
2619 Bunker Hill Road, Granite, Maryland 21163

People's Counsel
File

Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 10612 Old Court Road, Granite 21163
which is presently zoned R.C.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owners 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

Antique Shop

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

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

We do hereby certify that the use and use of the property herein described is not in violation of any other laws, ordinances, or regulations of Baltimore County.

Signature of Petitioner: Donald L. Hamilton

Signature of Petitioner: Brenda Hamilton

Signature of Petitioner: Robert L. Osborne

Address: 2619 Bunker Hill Road 461-5310

City: Granite, MD 21163

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

Signature: Kathleen S. Skulley

Address: 403 Allegheny Ave 331-4770

City: Towson, MD 21204

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

Signature: Kathleen S. Skulley

Address: 403 Allegheny Ave 331-4770

City: Towson, MD 21204

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

Signature: Kathleen S. Skulley

Address: 403 Allegheny Ave 331-4770

City: Towson, MD 21204

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

Signature: Kathleen S. Skulley

Address: 403 Allegheny Ave 331-4770

City: Towson, MD 21204

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

Signature: Kathleen S. Skulley

Address: 403 Allegheny Ave 331-4770

City: Towson, MD 21204

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

Signature: Kathleen S. Skulley

Address: 403 Allegheny Ave 331-4770

City: Towson, MD 21204

Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 10612 Old Court Road, Granite 21163
which is presently zoned R.C.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owners 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(s) of the Zoning Regulations of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1A4.3(B) (3) Setbacks
20 FEET IN LIEU OF 50 FEET REQUIRED SIDEYARD
40 FEET IN LIEU OF 75 FEET REQUIRED SETBACK FROM E. ROAD

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

Historic stone schoolhouse built in 1871, situated on a lot recorded about the same time

No adjoining property is available to meet setbacks

Building is in a historic district registered on the National Historic Register

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.

We do hereby certify that the use and use of the property herein described is not in violation of any other laws, ordinances, or regulations of Baltimore County.

Signature of Petitioner: Donald L. Hamilton

Signature of Petitioner: Brenda Hamilton

Signature of Petitioner: Robert L. Osborne

Address: 2619 Bunker Hill Road 461-5310

City: Granite, MD 21163

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

Signature: Kathleen S. Skulley

Address: 403 Allegheny Ave 331-4770

City: Towson, MD 21204

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

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Signature: Kathleen S. Skulley

Address: 403 Allegheny Ave 331-4770

City: Towson, MD 21204

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
205 COURTLAND AVENUE
TOWSON, MARYLAND 21204

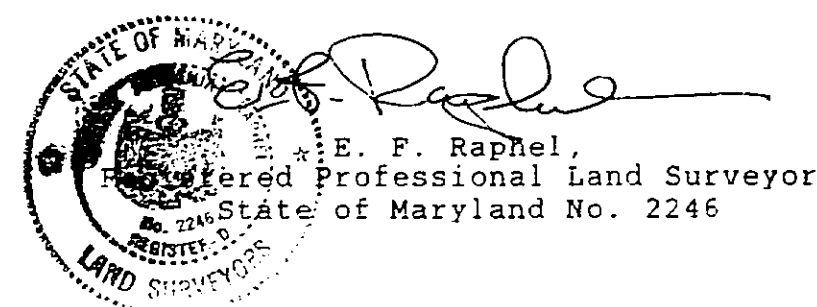
OFFICE: 825-3908

RESIDENCE: 771-4552

May 03, 1996

Description to Accompany Zoning Petition:

Beginning for the same in the bed of Old Court Road
southwesterly 460 feet from the centerline intersection of
Old Court Road and St. Paul Avenue said point being the
easternmost outline of the land conveyed to Donald and Brenda
Hamilton, running thence and in the bed of Old Court Road
South 29° 24' West 57.1 feet South 45° 42' West 57.10 feet
South 66° 36' West 125 feet South 42° 55' West 93.77 feet
thence leaving said Road and binding on the lands of Donald
and Brenda Hamilton North 76° 36' West 19.9 feet North 04°
54' East 286.2 feet South 85° 06' East 120 feet North 65° 17'
East 174.23 feet and South 06° 10' East 113.08 feet to the
beginning. Containing 1.27 acres of land more or less.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 4/18/96
Posted for: Donald L. Hamilton & Brenda Hamilton
Petitioner: Donald L. Hamilton & Brenda Hamilton
Location of property: 10612 Old Court Rd.
Location of Signs: Front, Back, and Sides of Property
Remarks: _____
Posted by: [Signature] Date of return: 6/18/96
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 24, 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 May 23, 1996.

THE JEFFERSONIAN,
C. H. Hemmison
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commission 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, Towson, Maryland
21204 as follows:

Case No. 96-444-XA
(Item 441)
10612 Old Court Road
NW/4 Old Court Road, 460' SW of c/l St. Paul Avenue
2nd Election District - 1st Councilmanic
Legal Owner(s): Donald L. Hamilton and Brenda Hamilton

Special Exception for an antique shop.
Variance for 20 feet in lieu of 50 feet required side yard and 40 feet in lieu of 75 feet required
setback from centerline road.
Hearing: Tuesday, June 18,
1996 at 9:00 a.m. in Rm. 118,
Old Courthouse.
LAWRENCE E. SCHWARTZ
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.
5/13/96 May 23 05212



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/neighbors property owners relative to property which
is the subject of an upcoming zoning hearing. For these 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.: 441 Petitioner: Donald Hamilton
Location: 10612 Old Court Rd.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Donald Hamilton
ADDRESS: 10612 Old Court Rd.
Towson, MD 21204
PHONE NUMBER: 825-3908

Printed with Soybean Ink
on Recycled Paper

12

TO: POTOMAC PUBLISHING COMPANY
May 23, 1996 Issue - Jeffersonian

Please forward billing to:
Donald and Brenda Hamilton
2619 Bunker Hill Road
Granite, MD 21163
461-5310

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: 96-444-XA (Item 441)
10612 Old Court Road
NW/4 Old Court Road, 460' SW of c/l St. Paul Avenue
2nd Election District - 1st Councilmanic
Legal Owner(s): Donald L. Hamilton and Brenda Hamilton

Special Exception for an antique shop.
Variance for 20 feet in lieu of 50 feet required side yard and 40 feet in lieu of 75 feet required
setback from centerline road.

HEARING: TUESDAY, JUNE 18, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHWARTZ
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

May 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: 96-444-XA (Item 441)
10612 Old Court Road
NW/4 Old Court Road, 460' SW of c/l St. Paul Avenue
2nd Election District - 1st Councilmanic
Legal Owner(s): Donald L. Hamilton and Brenda Hamilton

Special Exception for an antique shop.
Variance for 20 feet in lieu of 50 feet required side yard and 40 feet in lieu of 75 feet required
setback from centerline road.

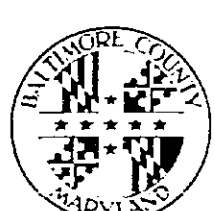
HEARING: TUESDAY, JUNE 18, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

[Signature]

Arnold Jablon
Director

cc: Donald and Brenda Hamilton
Kathleen S. Skulley

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.



Baltimore County
Department of Permits and
Development Management

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

June 12, 1996

Kathleen S. Skulley, Esquire
403 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 441
Case No.: 96-444-XA
Petitioner: Donald Hamilton, et ux

Dear Ms. Skulley:

The Zoning Advisory Committee (ZAC), which consists of representa-
tives 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
May 10, 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
Roslyn Subanks in the zoning office (887-3391).

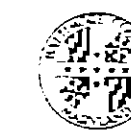
Sincerely,

[Signature]
W. Carl Richards, Jr.
Zoning Supervisor

MCR/re
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Fire Department



700 East Jones Road
Towson, MD 21206-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 05/20/96

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 MAY 20, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been reviewed
by this Bureau and the contents below are applicable and required to
be corrected or incorporated into the final plans for the property.

5. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 437, 438, 441, 442, 443,
444, 445, 446 AND 448.

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

cc: File

Printed with Soybean Ink
on Recycled Paper

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

TO: PDM DATE: 6-3-96
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: MAY 20, 1996

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

Item #'s: 437
438
441
442
444
447

RBS:sp
BRUCEZ/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: May 23, 1996
FROM: Arnold F. "Pat" Keller, III, Director, OP
SUBJECT: 10612 Old Court Road

INFORMATION:

Item Number: 441
Petitioner: Hamilton Property
Property Size: _____
Zoning: RC 5
Requested Action: _____
Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The Community Planning Division of the Baltimore County Planning Office has not received a single negative comment from the community on this request, and it is clear that the Granite Community is strongly supportive of the proposed antique shop.

Additional comments may be forwarded after referral to the Landmarks Preservation Commission.

Prepared by: Jeffrey W. L.
Division Chief: Charles E. Brown
PK/JL/lw

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits &
Development Management
FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

DATE: May 28, 1996

SUBJECT: Zoning Advisory Committee Meeting
For May 28, 1996
Item No. 441

The Development Plans Review Division has reviewed the subject zoning item. Streetscape plantings should be provided along Old Court Road.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: May 10, 1996
TO: Hearing Officer
FROM: Mitchell J. Kellman
Planner II
Zoning Review, PDM
SUBJECT: Item #441
10612 Old Court Road

I advised the applicant's attorney and engineer that retail parking must be of a durable and dustless material. The engineer did not want to revise the plan or request a variance as he would argue his case at the hearing.

MJK/scj

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
10612 Old Court Road, NW/5 Old Court Rd.,
160' SW of c/1 St. Paul Avenue
2nd Election District, 1st Councilmanic
Donald and Brenda Hamilton
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-444-XA

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

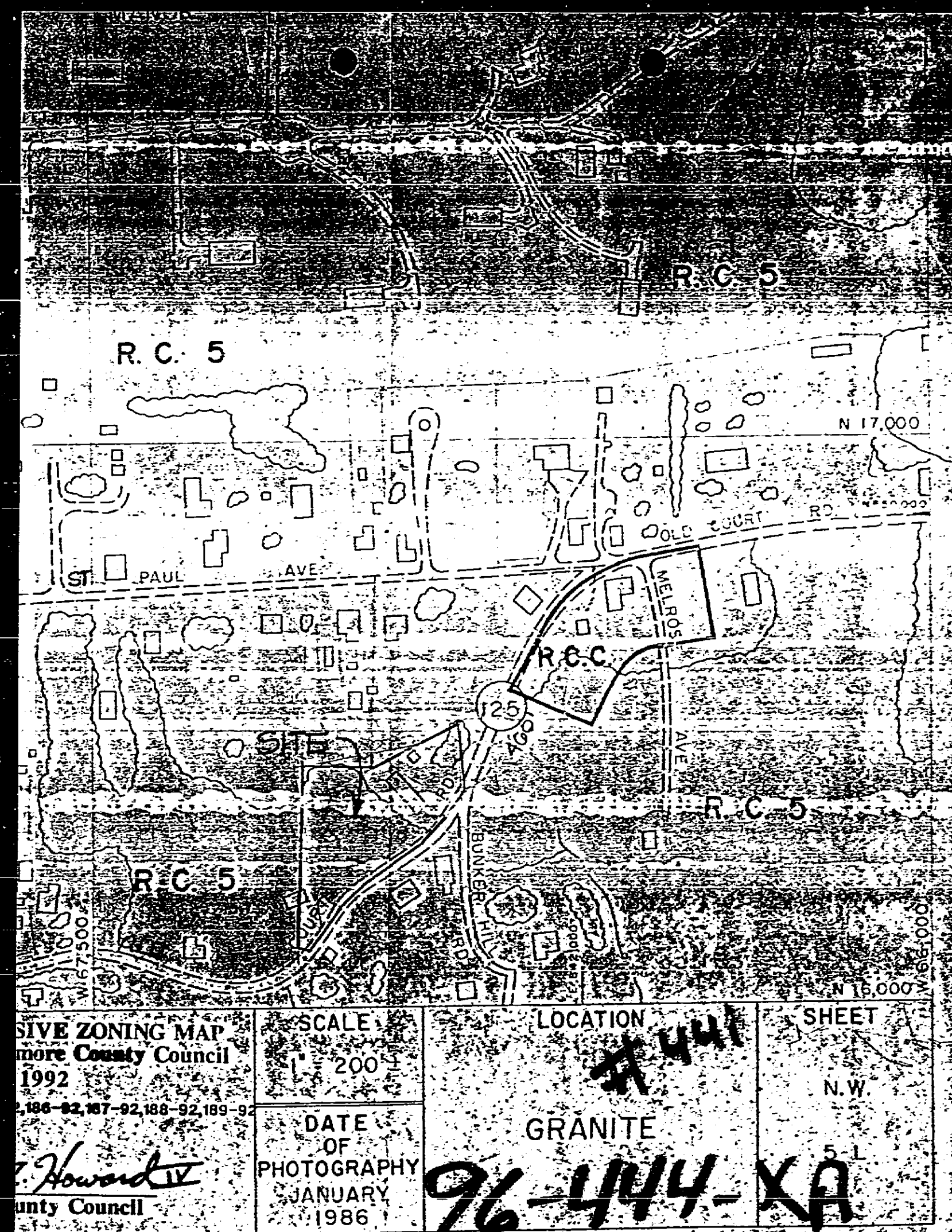
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Kathleen S. Skullney, Esquire, 403 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
KATHLEEN SKULLNEY, ATTY	10813 DAVIS AVE, 21163
Don Ruggie	705 COURT ROAD AVE TOWSON
Donald E. Hamill	2619 Bunker Hill Rd 21163
Charles E. Brown	2332 Melrose Ave 21163
Bruce P. Bhatia	1615 Dimp V. Rd 21163
Rosalyn H. Rottly	3036 Kenwood Rd 21163
Antioch Thade	10601 St Paul Ave 21163
Barbara H. Brimard	2615 Bunker Hill Rd 21163
Brenda J. Bogun	10521 Old Court Rd 21163
Franklin A. Brimard	2619 Bunker Hill Rd 21163
Andy Ludwig	10628 Davis Ave 21163

Granite Historical Society
10225 Old Court Road
Granite, Maryland, 21163

Brenda Hamilton
c/o Schoolhouse Antiques
Old Court Road
Granite, MD 21163-1111

December 22, 1995

Dear Brenda:

At its meeting of December 21, 1995, the Board of Directors of the Granite Historical Society voted to write this letter emphasizing the right of your property within the National Historic District of Granite to be used as an antique shop. We also recognize through our various community involvements how warmly the Granite community has received your establishment and how beautifully it has been renovated.

If we can be of further support, please let us know. Again, we welcome your shop into the community and wish you all the best in your endeavors.

Most sincerely,
Beverly M. Griffith
Beverly M. Griffith
President

PETITIONER'S
EXHIBIT 1

GPCA Board Meeting
February 19, 1996

Time Started: 7:40
Time Adjourned: 10:45

Meeting notes of the last meeting read and approved.

Attendees: Claude Libis, President
Steve Goodmuth, Vice President
Susan Mamakos, Secretary
Mary Kelly, Treasurer
Bob Skinder, Director
Dwight Hartman, Director

Tom DeMay
Juliana Angle
Billy Mamakos
Barbara Brown
Abe Grank
Bob Hocutt

Treasurers Report

See attached.

COP

Currently have 14 people which make up 7 teams.
Need evenings and weekend shifts.

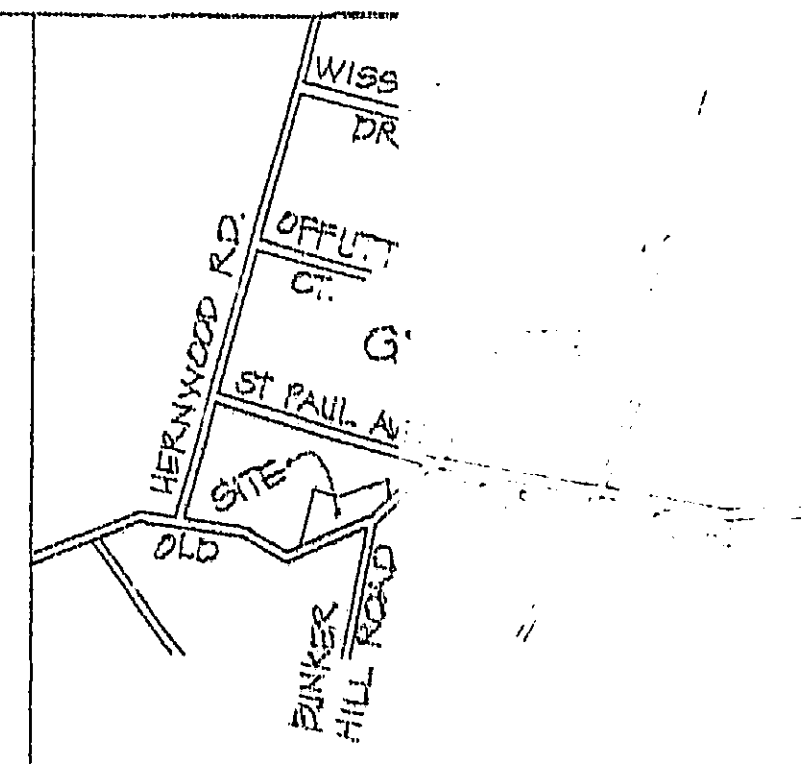
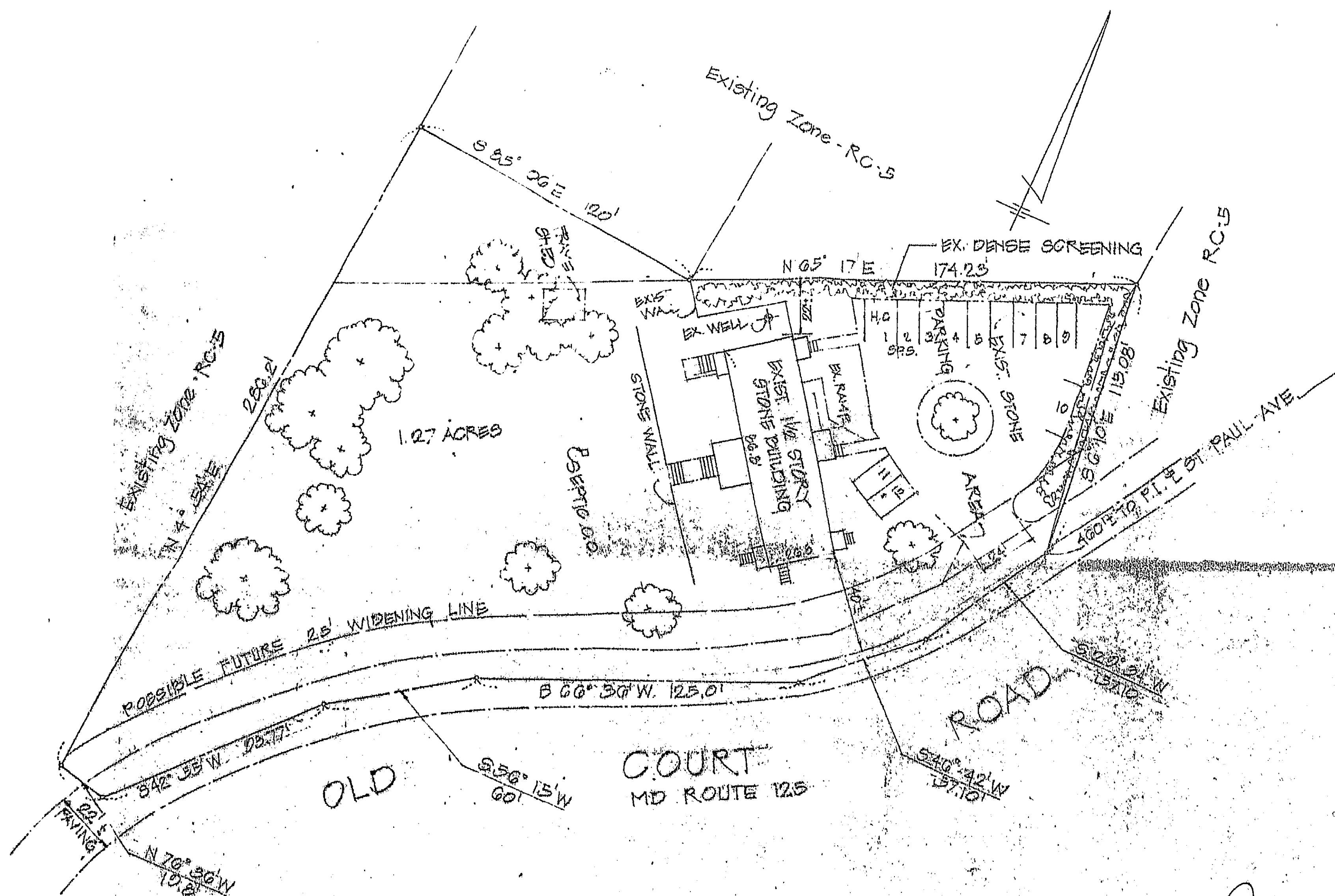
Christmas in Granite

Christmas in Granite will be its own separate entity and not part of GPCA.
\$290.00 seed money is yet to be reimbursed.

Newsletter

Deadline Friday, February 23rd.
Three people behind in payment for Ads.

The Job Corps is key to the production of the newsletter. It costs approximately \$260.00/month to produce. Tax exempt status would make the cost to produce the newsletter cheaper. The majority of newsletters go out third class. A few are sent 1st class.



VICINITY MAP
SCALE 1"=1000'
ADC. MAP OF GRID 3-4

GENERAL NOTES
1) FAR = 232G/35.321 = 40 %
PARKING REQUIRED: 23 x 5 = 115 SPACES
PARKING PROVIDED: 2 x 25 = 50



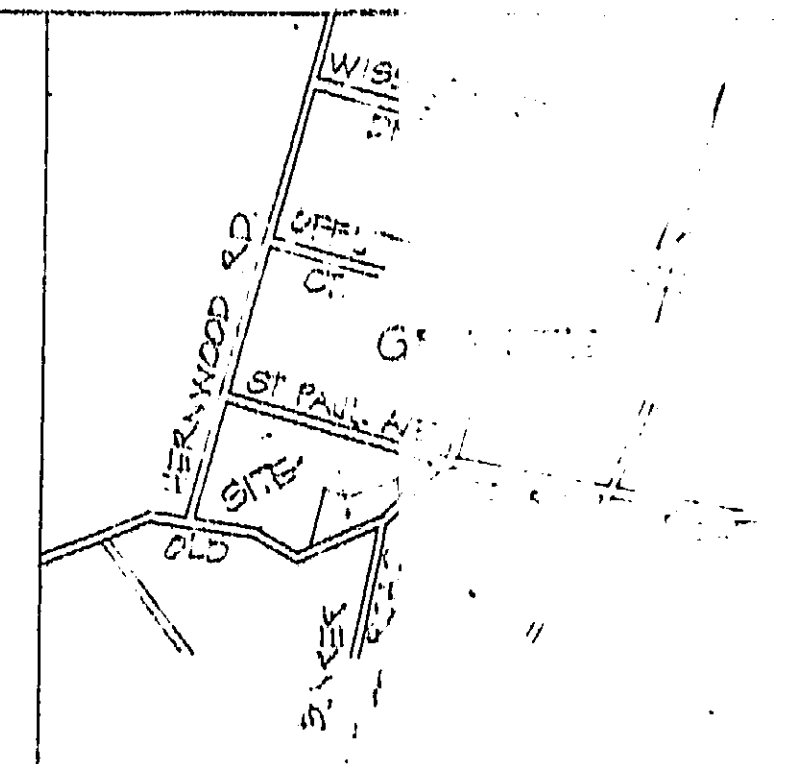
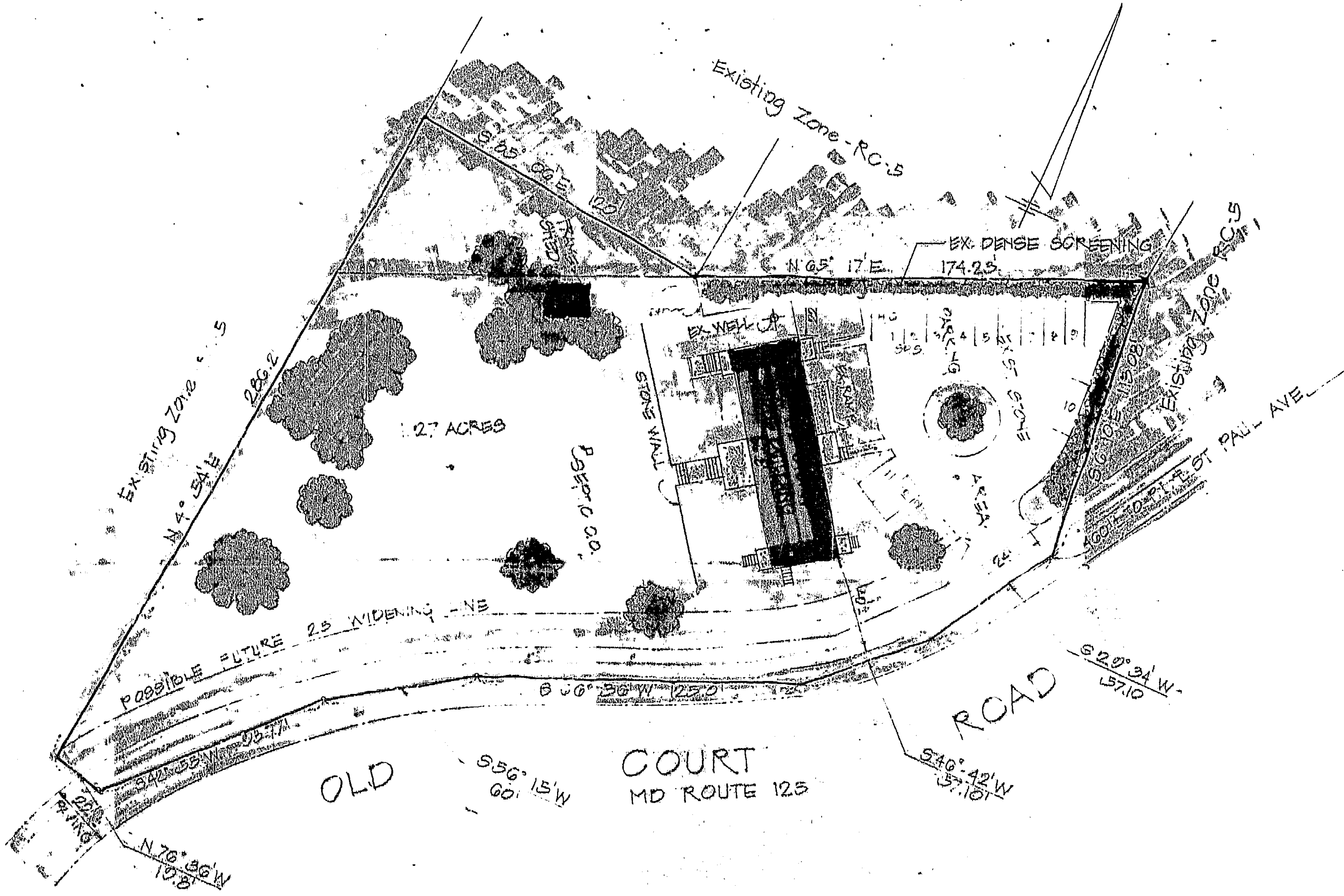
E. F. RAPHAEL & ASSOC.
REGISTERED PROFESSIONAL LAND SURVEYORS
205 COURTLAND AVENUE
TOWSON, MARYLAND 21204

OWNER:
DONALD & BRENDA HAMILTON
DEED REFERENCE: S.M. 1008G/070
TAX ACCT# 022 0350030,51
GRANITE, MD/PHN. 410-461-5310

96-444-XA

PETITIONER'S
EXHIBIT 3

PLAT ACCOMPANY SPECIAL EXCEPTION
AN ANTIQUE SHOP IN A RC-5 ZONE
ELECTION DISTRICT NO. 2 - BALTIMORE COUNTY, MARYLAND
SCALE: 1"=30' 1ST COUNCILMANIC DIST. DATE: APRIL 22, 1996



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