

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - W/S Jarrettsville Pike,
1,000' NW of Paper Mill Road * DEPUTY ZONING COMMISSIONER
(14342 Jarrettsville Pike)
10th Election District * OF BALTIMORE COUNTY
6th Councilmanic District * Case No. 97-533-XA
Klein Family Development Corp.
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owner of the subject property, Klein Family Development Corporation, by Howard S. Klein, Vice President, and the Contract Lessee, Rose Claire Opfer. The Petitioners request a special exception for an antique shop on the subject property, zoned R.C.5, pursuant to Section 1A04.2(B)(1) of the Baltimore County Zoning Regulations (B.C.Z.R.) and variance relief from the B.C.Z.R. as follows: From Section 409.8.A.2 to permit gravel paving in a parking area in lieu of the required durable and dustless surface; from Section 409 to permit the use of an existing driveway, 9 feet wide, in lieu of the minimum required driveway width of 20 feet; from Section 1A04.3.(B)(1) to permit a lot size of .883 acres in lieu of the required 1.00 acre minimum lot area; and from Section 1A04.3(B)(3) to permit side setbacks of 32 feet and 20 feet in lieu of the required 50 feet for an existing 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 Rose Claire Opfer, Contract Lessee, and Tim Madden, Professional Engineer with

ORDER RECEIVED FOR FILING
Date 7/27/97
By [Signature]

Morris & Ritchie Associates, Inc., who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of .883 acres, zoned R.C.5 and is improved with a three-story single family dwelling. The property is located near the intersection of Sweet Air Road and Jarrettsville Pike, also known as Four Corners, in Jacksonville. Ms. Opfer testified that she operates the Manor Mischief Antique Shop at another location in the area, also owned by the Petitioner. Due to the poor condition of the building on that property, she recently commenced relocating her business to the subject site; however, due to the R.C.5 zoning of the property and the location of existing improvements thereon, the requested special exception and variance relief are necessary in order to utilize the existing dwelling for an antique business. Testimony indicated that Ms. Opfer wishes to remain in business in the Four Corners area as she has developed a number of regular customers and has established a reputation in the business community. Thus, the requested special exception and variance relief are necessary in order to utilize the subject property as proposed and allow her to remain in the area.

It is clear that the B.C.Z.R. permits the use proposed in a 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.

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Date 7/24/99
By [Signature]

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

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, and meets 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 special exception and variance relief should be granted.

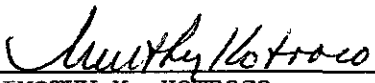
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of July, 1997 that the Petition for Special Exception to permit an antique shop on the subject property, zoned R.C.5, pursuant to Section 1A04.2(B)(1) of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 409.8.A.2 to permit gravel paving in a parking area in lieu of the required durable and dustless surface; from Section 409 to permit the use of an existing driveway, 9 feet wide, in lieu of the minimum required driveway width of 20 feet; from Section 1A04.3.(B)(1) to permit a lot size of .883 acres in lieu of

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Date 7/24/97
By [Signature]

the required 1.00 acre minimum lot area; and from Section 1A04.3(B)(3) to permit side setbacks of 32 feet and 20 feet in lieu of the required 50 feet each for an existing building, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 7/20/92
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

July 24, 1997

Mr. Howard S. Klein, Vice President
Klein Family Development Corporation
223 N. Main Street
Bel Air, Maryland 21041

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
W/S Jarrettsville Pike, 1,000' NW of Paper Mill Road
(14342 Jarrettsville Pike)
10th Election District - 6th Councilmanic District
Klein Family Development Corp. - Petitioner
Case No. 97-533-XA

Dear Mr. Klein:

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,

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

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Rose Claire Opfer
4112 Croftleigh Court, Jarrettsville, Md. 21084

People's Counsel; Case Files



RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
PETITION FOR VARIANCE *
14342 Jarrettsville Pike, W/S Jarrettsvle * ZONING COMMISSIONER
Pike, 1000'+/- NW of c/l Paper Mill Road *
10th Election District, 6th Councilmanic * OF BALTIMORE COUNTY

Legal Owner: Klein Family Devel. Corp. * CASE NO. 97-533-XA
Petitioner: Rose Claire Opfer *
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
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 7th day of July, 1997, a copy of the foregoing Entry of Appearance was mailed to Timothy F. Madden, Morris & Ritchie Assoc., 110 West Road, Towson, MD 21204, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

14342 JARRETSVILLE PIKE

97-533-XA

which is presently zoned RC-5

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

An antique shop, which is permitted as a special exception in an RC-5 zone, in accordance with Section 1A04.2(B)(1) of the BCZR.

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.

Petitioner:

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

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):

KLEIN FAMILY DEVELOPMENT CORPORATION

(Type or Print Name)

Signature

HOWARD S. KLEIN, VICE PRESIDENT

(Type or Print Name)

Signature

223 N. MAIN STREET

Address

Phone No.

BEL AIR

MD

21041

City

State

Zipcode

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

TIMOTHY F. MADDEN

Name MORRIS & RITCHIE ASSOCIATES, INC.

110 WEST RD, TOWSON, MD 21204 821-1690

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL

OTHER

REVIEWED BY: Jay

DATE

5-27-97

533

ORDER RECEIVED FOR FILING

Date

By



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

14342 Jarrettsville Pike

which is presently zoned

RC-5

97-533-XA

This Petition shall be filed with the Department of Permits & 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)

See
attached
page.

- A. Section 409.8A2 to permit gravel paving in a parking area in lieu of the required "durable and dustless surface".
- B. Section 409 to permit use of the existing 9 ft wide drive in lieu of the minimum required 20ft width.

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

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.

Petitioner:

Contract Purchaser/Lessee:

Rose Claire Offer

(Type or Print Name)

Signature

4112 Croftleigh Court

Address

Jarrettsville, MD 21084

City 410-666-1072 State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

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):

Klein Family Development Corporation

(Type or Print Name)

Signature

Howard S. Klein, Vice President

(Type or Print Name)

Signature

223 N. Main Street

Address

Phone No.

Bel Air, MD 21014

City

State

Zipcode

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

Timothy F. Madden

Morris & Ritchie Associates, Inc.

Name

110 West Road, Suite 105, Towson, MD 21204

Address

Phone No. 410-821-1690

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

5-27-97

533

Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

ORDER RECEIVED FOR FILING

Date

By

VARIANCES REQUESTED

97-533-XA

THE FOLLOWING ARE REQUESTED VARIANCES FOR THE PROPERTY KNOWN AS 14342 JARRETTSVILLE PIKE:

- * A USE OF EXISTING 9' DRIVEWAY IN LIEU OF THE REQUIRED 20' TWO WAY DRIVEWAY, AS PER BCZR SEC. 409 .4A.
- * B IT IS ALSO REQUESTED THAT THE VARIANCE FROM BCZR SEC 1A04.3 (B). (1) BE GRANTED TO PERMIT THE EXISTING LOT OF .883 ACRES IN LIEU OF THE ONE ACRE MINIMUM LOT AREA IS PERMITTED IN AN RC-5 ZONE.
- * C. A VARIANCE OF SETBACK REQUIREMENTS IS REQUESTED IN WHICH A 32' AND 20' BUILDING & SIDE YARD SETBACK IS REQUIRED IN LIEU OF THE 50' SETBACK FOR AN RC-5 SITE FROM SEC. 1A04.3 (B) (3) IN THE BCZR. THESE BUILDING SETBACKS ARE REQUESTED TO MAINTAIN THE EXISTING BUILDING ON THIS EXISTING LOT OF RECORD.
- * D. A VARIANCE FROM SECTION 409.8 (A) (2) OF THE BCZR IS REQUESTED TO ALLOW THE PROPOSED GRAVEL PAVEMENT IN THE PROPOSED PARKING LOT IN LIEU OF THE REQUIRED "....DURABLE, DUSTLESS, AND STRIPED SURFACE.....".

533

UNDER REVIEW FOR FILING

Date

By

7/24/07
[Signature]

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



ZONING DESCRIPTION

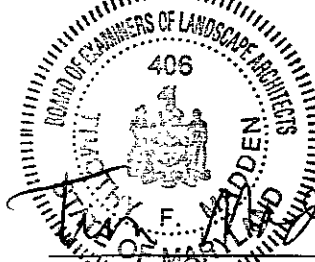
97-533-XA

BEGINNING at a point on the west side of Jarrettsville Pike (Md. Rte. 146), 40 feet wide, at the distance of 1000 feet more or less measured northwesterly from the centerline of Paper Mill Road (Md. Rte. 145), ultimate 100 feet wide. Thence the following courses and distances:

North 74° 22' 04" West 460.77 feet, North 05° 49' 02" East 82.50 feet, South 74° 35' 04" East 474.52 feet, and South 15° 24' 56" West 83.09 feet to the place of beginning.

CONTAINING 0.883 Acres of land more or less.

BEING known as 14342 Jarrettsville Pike and located in the Tenth Election District of Baltimore County, Maryland.



Timothy F. Madden, ASLA, AICP
Principal

533

☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☒ 110 WEST ROAD, SUITE 105
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9446 (301) 470-4470
FAX (410) 792-7395

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Rules of Baltimore County will

hold a public hearing in Towns, Maryland on the property identified herein as follows:

Case: #97-533-XA
14342 Jarrattsville Pike
W/S Jarrattsville Pike, 1000'
4-1/2 NW of Paper Mill Road,
10th Election District
6th Councilmanic
Legal Owner(s):
Klein Family Development
Corporation
Petitioner:

Rose Clara Opler
Special Exception: for an antique shop. **Variance:** to permit gravel paving in a parking area in lieu of the required durable and dustless surface to permit use of the existing 9-foot wide drive in lieu of the minimum required 20' foot width; to permit use of existing 9 foot driveway in lieu of the required 20' foot two-way driveway; to permit the existing lot of 8883 acres in lieu of the one acre minimum lot area; to permit a 32 foot and 20 foot building and side yard setback in lieu of the required 50 foot setback and to allow the proposed gravel pavement in the proposed parking lot in lieu of the required durable dustless and striped surface.
Hearing: Wednesday, July 9, 1997 at 9:00 a.m. in Room 407 Courte Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations please call (410) 887-3353.
(2) For information concerning the file and/or hearing, please call (410) 887-3391.

6/203 June 12 C150324

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/12, 1997

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 6/12, 1997.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

533

No.

038077

PAID RECEIPT

05/17/97 04 7 LBS R 7234
Dept 5 513 ZONING VERIFICATION
CR NO. 038077

DATE 5-27-97

ACCOUNT Pool-6150

\$550.00 OK P-A I-D
Baltimore County Maryland
Office of Budget & Finance

AMOUNT \$ 550.00

RECEIVED FROM: R. OPPER 14342 JARRETTSVILLE PIKE

FOR: SP.X (050)
VAR (020)

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

CASHIER'S VALIDATION

97-533X-A
#14342 JARRETTVILLE PIKE
KLEIN FARM, DEN. / R.C. OTTER
* - 7/9/97 P-6/19/97

CERTIFICATE OF POSTING

RE: Case No.: 97-533 XA

Petitioner/Developer: KLEIN FAMILY DEV. CO. ETAL
C/O P.O'KEEFE, ETAL

Date of Hearing/Closing: 7/9/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #14342 JARRETTVILLE PIKE

2516 NS

The sign(s) were posted on

6/19/97
(Month, Day, Year)

FIX

Sincerely,

Patrick M. O'Keefe, 6/26/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

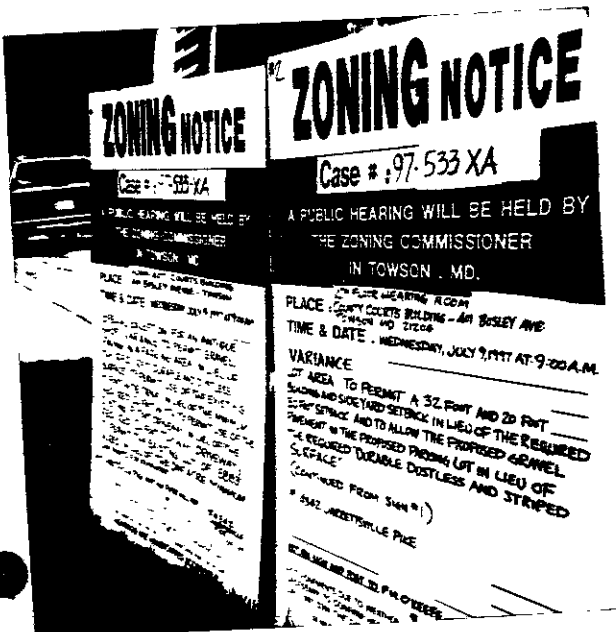
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

Pager (410) 646-8354

(Telephone Number)



97-533 XA

#14342 JARRETTVILLE PIKE

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-533-SPXA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: *

DATE AND TIME: *

REQUEST: FOR A Special Exception To permit
AN ANTIQUE Shop AND A VARIANCE FOR
MINIMUM LOT AREA, SIDEYARD SETBACKS (EXISTING),
THE USE of THE 9ft. DRIVEWAY TO ACCESS A REAR-
YARD PARKING AREA AND FOR A GRAVEL DRIVEWAY AND
PARKING AREA IN LIEU of THE REQUIRED DURABLE AND DUSTLESS SURFACE.
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 533

Petitioner: Ms. Rose Claire Opfer

Location: 14342 Jarrettsville Pike

PLEASE FORWARD ADVERTISING BILL TO: Jacksonville, Md. 21131

NAME: ~~Mr. & Mrs. [illegible]~~ Same as above

ADDRESS: 4112 Croftleigh Court
Jarrettsville, Md. 21084

PHONE NUMBER: 410-666-1072

AJ:ggs

(Revised 09/24/96)

TO: PUTUXENT PUBLISHING COMPANY

June 12, 1997 Issue - Jeffersonian

Please forward billing to:

Rose Claire Opfer
4112 Croftleigh Court
Jarrettsville, MD 21084
410-666-1072

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-533-XA
14342 Jarrettsville Pike
W/S Jarrettsville Pike, 1000'+/- NW of c/l Paper Mill Road
10th Election District - 6th Councilmanic
Legal Owner(s): Klein Family Development Corporation
Petitioner: Rose Claire Opfer

Special Exception for an antique shop.

Variance to permit gravel paving in a parking area in lieu of the required "durable and dustless surface", to permit use of the existing 9-foot wide drive in lieu of the minimum required 20 foot width; to permit use of existing 9 foot driveway in lieu of the required 20 foot two-way driveway; to permit the existing lot of .8883 acres in lieu of the one acre minimum lot area; to permit a 32 foot and 20 foot building and side yard setback in lieu of the required 50 foot setback; and to allow the proposed gravel pavement in the proposed parking lot in lieu of the required "durable, dustless, and striped surface".

HEARING: WEDNESDAY, JULY, 9, 1997 at 9:00 a.m. in Room 407 Courts Building, 401 Bosley Avenue.

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

June 6, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-533-XA
14342 Jarrettsville Pike
W/S Jarrettsville Pike, 1000'+/- NW of c/l Paper Mill Road
10th Election District - 6th Councilmanic
Legal Owner(s): Klein Family Development Corporation
Petitioner: Rose Claire Opfer

Special Exception for an antique shop.

Variance to permit gravel paving in a parking area in lieu of the required "durable and dustless surface", to permit use of the existing 9-foot wide drive in lieu of the minimum required 20 foot width; to permit use of existing 9 foot driveway in lieu of the required 20 foot two-way driveway; to permit the existing lot of .8883 acres in lieu of the one acre minimum lot area; to permit a 32 foot and 20 foot building and side yard setback in lieu of the required 50 foot setback; and to allow the proposed gravel pavement in the proposed parking lot in lieu of the required "durable, dustless, and striped surface".

HEARING: WEDNESDAY, JULY, 9, 1997 at 9:00 a.m. in Room 407 Courts Building, 401 Bosley Avenue.

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

Arnold Jablon
Director

cc: Klein Family Development Corporation
Timothy F. Madden
Rose Claire Opfer

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 24, 1997.
(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

July 1, 1997

Mr. Howard S. Klein
Klein Family Development Corporation
223 N. Main Street
Bel Air, MD 21041

RE: Item No.: 533
Case No.: 97-533-XA
Petitioner: Howard S. Klein

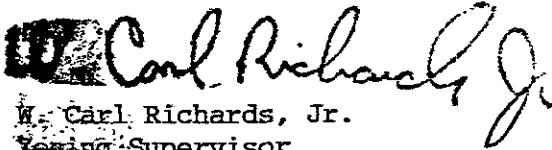
Dear Mr. Klein:

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 27, 1997.

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 (410-887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



Baltimore County Government
Fire Department



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

(410) 887-4500

June 13, 1997

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

RE: Property Owners: Klein Family Dev. Corp.
Patrick J. Malec

Location: DISTRIBUTION MEETING OF June 9, 1997

Item No.: *533, and *537

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code". 1991 edition prior to occupancy.

*533: A- The 9 foot driveway width is not acceptable.

*537: A- Note if variance is granted, a change of occupancy permit will be required.





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

June 9, 1997

Ms Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building
Room 109
Towson MD 21204

RE: Baltimore County
Item No. 533
14342 Jarrettsville Pike
MD 146

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval.

However, we will require the owner to obtain a residential access permit through the District Office.

You may contact Mr. Allan Price at 410-329-6752 regarding this matter.

Very truly yours,


h Ronald Burns, Chief
Engineering Access Permits Division

LG/eu

cc: Mr. Allan Price w/att.

My telephone number is _____

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

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

____ Attach original petition

Due Date 6/19/97

To: Arnold L. Jablon

From: Bruce Seeley *BS/JP*

Subject: Zoning Item_533

14342 JARRETTSVILLE PILE

Zoning Advisory Committee Meeting of JUNE 9.97

____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

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

____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

____ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

X GROUND WATER MANAGEMENT:

The well and septic system must be shown accurately on the site plan.
Tim Madden to submit new plan.

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

INTEROFFICE CORRESPONDENCE

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

DATE: June 16, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for June 16, 1997
 Item No. 533

The Development Plans Review Division has reviewed the subject zoning item. This proposed change of use is subject to the Landscape Manual. A Landscape Plan must be approved before permits are issued.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 19, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 533

If there should be any questions or if this office can provide additional information,
please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

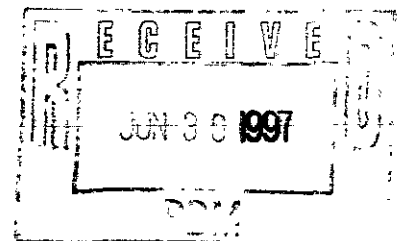
Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Keller

AFK/JL



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

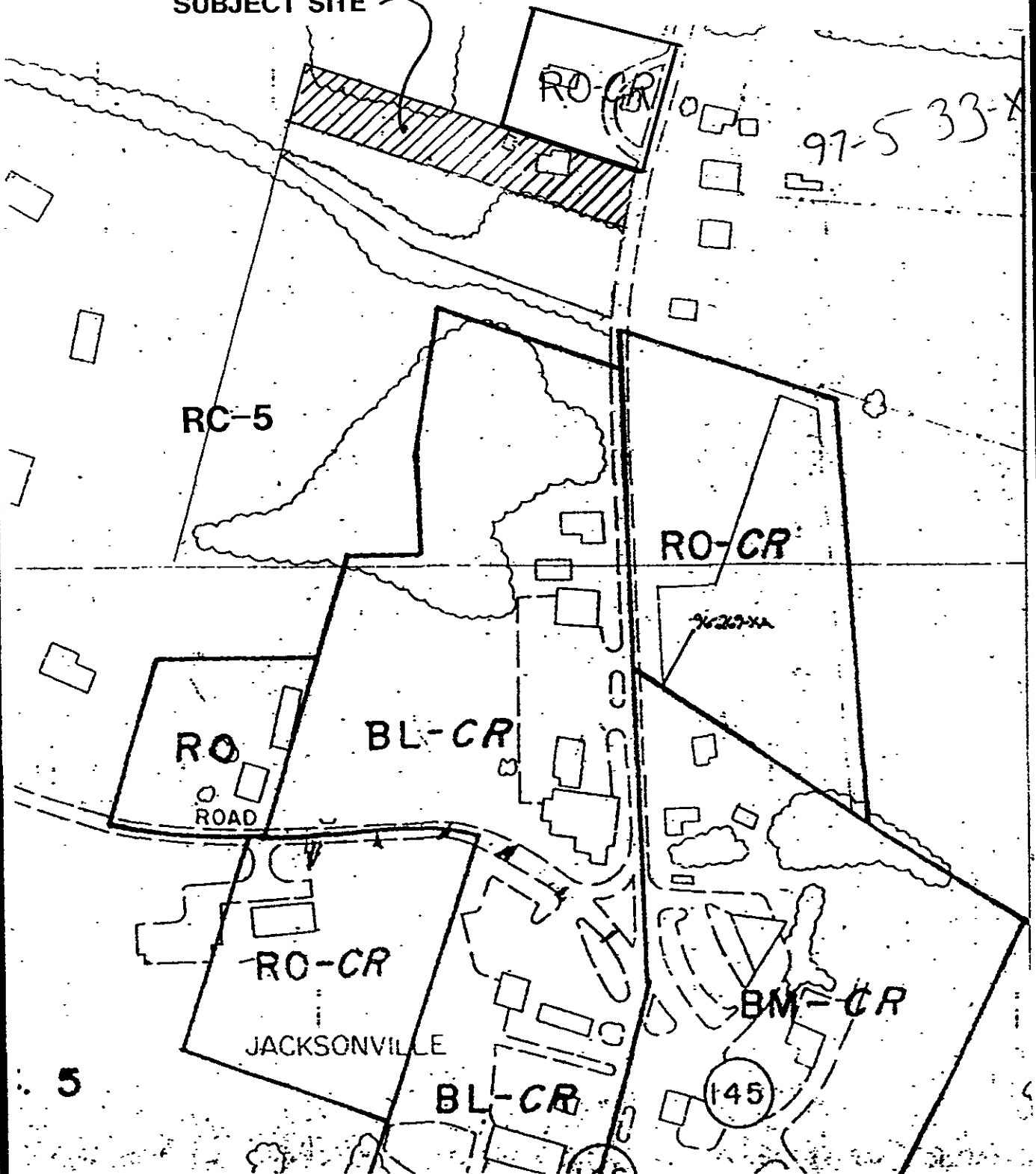
ADDRESS

Tim Madders
Rose Claire Opfer

MPA - 110 W
4112 Croftleigh Ct. Jarrettsville Md
21084



SUBJECT SITE



Map No. NE 21-C



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
110 West Road, Suite 105
Towson, Maryland 21204
(410) 821-1690
Fax: (410) 821-1748

BALTIMORE COUNTY
200' SCALE ZONING MAP

SPECIAL HEARING
FOR
"MANOR MISCHIEF ANTIQUE SHOP"

REVISED

SCALE:
1"=200'

DATE:
2-21-97

DRAWN BY
BHJ

DESIGN BY

REVIEW BY:
TFM

JOB NO.
10241