

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND SPECIAL EXCEPTION - S/S
Paper Mill Road at its intersec. * ZONING COMMISSIONER
w/Northern Central RR R/W
(1235 Paper Mill Road) * OF BALTIMORE COUNTY
8th Election District
3rd Councilmanic District * Case No. 98-143-SPHX

Robert B. Mays, et ux *
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the owners of the subject property, Robert B. and Martha B. Mays. The Petitioners request a special exception to permit structures devoted to a recreational or social use (rental stand and concession stand) in a D.R. 3.5 zone located adjacent to the Northern Central Railroad Trail, pursuant to Section 1B01.1.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) and a special hearing to approve zero (0) parking spaces for such recreational or social use, pursuant to Section 409.6 of the B.C.Z.R. The subject property and relief sought are more particularly shown 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 Robert and Martha Mays, owners of the subject property; Bruce Doak, Professional Surveyor with Gerhold, Cross & Etzel, who prepared the site plan for this property; and Robert A. Hoffman, Esquire, attorney for the Petitioners. Numerous residents from the surrounding community appeared in support of the requests, all of whom signed the Petitioner's Sign-In Sheet. Additionally, the Petitioners offered a lengthy Petition and numerous letters in

ORDER RECEIVED FOR FILING

Date 11/26/97

By [Signature]

support of their request. There were no Protestants or other interested persons present.

Testimony and evidence offered was that the Petitioners own a triangularly shaped parcel of land on Paper Mill Road in Hunt Valley. The property contains a gross area of 1.46 acres, zoned D.R. 3.5, and abuts the Northern Central Railroad Trail along the rear property line. Some years ago, this former railroad line was converted to a hike/bike trail to accommodate hikers, cyclists, runners, and others. The trail provides recreational amenities for the citizens of Baltimore County and others. Particularly during periods of good weather and on weekends and holidays, numerous individuals and families use the trail to hike, bike, and otherwise enjoy the natural surroundings. The trail's southern end is located adjacent to the subject property and continues in a northerly direction through Baltimore County and into southern Pennsylvania.

Mr. & Mrs. Mays reside on the property which contains a 2 and 1/2 story dwelling, a detached garage, and a playhouse. Several years ago, the Petitioners constructed two small wooden sheds from which they commenced operating a small bike rental/concession stand incidental to the use of the Northern Central Railroad Trail. From one of the sheds, the Petitioners rent bicycles. Testimony indicated that the Petitioners own 30 bicycles which are rented to individuals and organizations for use on the Trail. From the other shed, snowballs and liquid refreshments are offered.

Section 1B01.1.C.6 of the B.C.Z.R. allows structures devoted to recreational, social or civic uses in the D.R. 3.5 zone by special exception. Counsel for the Petitioners offered selected portions of Webster's Third New International Dictionary defining the words "civic", "social",

and "recreation". Clearly, when applying these definitions, the Petitioners' activities fit within such a concept. The structures maintained by the Petitioners and services offered therein are clearly designed for the comfort and convenience of those who are using the Trail, a public recreational facility.

It should also be noted that the Petitioners' operation apparently enjoys overwhelming public support. Although commercial in nature, the use is clearly geared to accommodate only those individuals who are using the Northern Central Railroad Trail. That is, the customers of the Petitioners' operation are exclusively those individuals who are using the Trail and there are no individuals who visit the subject site without utilizing the adjacent public facility.

In my judgment, it is clear that the Petition for Special Exception should be granted. There is, and will be, no detrimental impact by the existing use upon the health, safety and general welfare of the surrounding community. The use easily satisfies the requirements set forth in Section 502.1 of the B.C.Z.R. Moreover, the use appears to offer a necessary and sought-after public service to the users of the Trail.

Special hearing relief is also sought to permit 0 parking spaces allocated to the above-described use. In this regard, the request is consistent with the actual use of the property. That is, the use is accessory to the Trail and does not generate traffic in and of itself. The traffic which is generated is as a result of the location and enjoyment of the Trail and public recreation afforded thereby. Additionally, there is public parking along the right-of-way of Paper Mill Road. Thus, in my view, the relief requested should be granted.

ORDER RECEIVED FOR FILING
Date 11/28/97
By [Signature]

It is clear that the B.C.Z.R. permits the use proposed in a D.R. 3.5 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 due consideration of the testimony and evidence presented, I am persuaded to grant the Petitions for Special Hearing and Special Exception. It has been established that special circumstances or conditions exist which are peculiar to the subject property and that strict compliance with the zoning regulations would unduly restrict the use of the parcel. In addition, the relief requested will not be detrimental to

the public health, safety, and general welfare and meets the spirit and intent of the zoning regulations.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of November, 1997 that the Petition for Special Exception to permit structures devoted to a recreational or social use (rental stand and concession stand) in a D.R. 3.5 zone to be located adjacent to the Northern Central Railroad Trail, pursuant to Section 1B01.1.C.6 of the 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 Special Hearing seeking approval of zero (0) parking spaces for such recreational or social use, pursuant to Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for use permits 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LES:bjs


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 11/28/97
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

November 28, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION
S/S Paper Mill Road at the NW/S Northern Central RR R/W
(1235 Paper Mill Road)
8th Election District - 3rd Councilmanic District
Robert B. Mays, et ux - Petitioners
Case No. 98-143-SPHX

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception 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, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Robert B. Mays
1235 Paper Mill Road, Hunt Valley, Md. 21030

People's Counsel; Case Files





Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 1235 Paper Mill Road, Hunt Valley, MDwhich is presently zoned DR3.5

98-143-SPHX

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 part of hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

structures devoted to a recreational or social use (rental stand and concession stand) in a DR3.5 zone located adjacent to the N.C.R.R. trail, pursuant to Section 1B01.1.C.6 of the Baltimore County Zoning Regulations, and a Special Hearing to approve, pursuant to Section 409.6, zero parking spaces allocated to the above-described recreational or social use.

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 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):

Martha B. Mays

(Type or Print Name)

Signature

Robert B. Mays

(Type or Print Name)

Signature

1235 Paper Mill Road

Address

410-527-0920

Phone No.

Hunt Valley

City

MD

State

21030

Zipcode

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

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

Attorney for Petitioner:

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

210 Allegheny Ave.

Address

(410) 494-6200

Phone No.

Towson

City

MD

State

21204

Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

10-14-97

127 143

ORDER RECEIVED FOR FILING
Date 11/29/97
By [Signature]Zoning Administration
& Development Management

GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.
Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

98-143-SPH

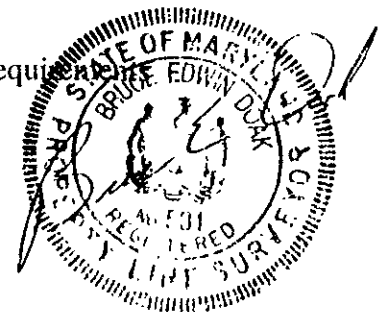
October 8, 1997

Zoning Description
To Accompany a Petition for a Special Exception/Special Hearing
(Area to Support Concession Stand and Bike Rental)
Eighth Election District, Baltimore County, Maryland

Beginning for the same on the south side of Paper Mill Road, as widened, and the northwest side of the Northern Central Railroad right-of-way as shown on Baltimore County Land Acquisition Drawing RW 78-088-7, said beginning point being distant South 78 degrees 33 minutes 12 seconds West 46 feet from the center of the existing Northern Central Railroad Trail and the division line between the D.R. 3.5 and the R.C. 4 zoning lines as shown on the Baltimore County's 1996 Comprehensive Zoning Map No. N.W. 19A and thence running and binding on the south side of Paper Mill Road as widened, the two following courses and distances, viz: 1) South 78 degrees 33 minutes 12 seconds West 51.46 feet and 2) South 73 degrees 14 minutes 34 seconds West 159.17 feet, thence leaving Paper Mill Road and running through the land of the herein petitioner, the eight following courses and distances, viz: 3) South 17 degrees 51 minutes 20 seconds East 15.25 feet, 4) South 27 degrees 14 minutes 00 seconds West 12.89 feet, 5) South 65 degrees 08 minutes 38 seconds West 29.73 feet, 6) South 37 degrees 14 minutes 37 seconds East 40.00 feet, 7) North 65 degrees 08 minutes 53 seconds East 45.00 feet, 8) South 87 degrees 50 minutes 30 seconds East 48.59 feet, 9) North 43 degrees 39 minutes 08 seconds East 62.31 feet, 10) South 73 degrees 58 minutes 02 seconds East 38.33 feet to intersect the northwest side of the right-of-way of the Northern Central Railroad, thence binding on said right-of-way and on the outline of the herein petitioner 11) North 26 degrees 44 minutes 12 seconds East 83.75 feet to the place of beginning.

Containing 0.29 of an Acre of land, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.



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.: 98-143 SPHX

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

PLACE: _____

DATE AND TIME: _____

REQUEST: A SPECIAL EXCEPTION TO APPROVE THE ~~SUBJ~~ USE OF THE
SUBJECT PROPERTY FOR STRUCTURES DEVOTED TO RECREATIONAL
USE (BIKE RENTAL STAND AND CONCESSION STAND); AND, A SPECIAL
HEARING TO APPROVE ZERO PARKING SPACES ALLOCATE,
TO THE AFOREMENTIONED USES.

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.: 143

Petitioner: MARTHA MAYS.

Location: 1235 Paper Mill Rd., Thurman Valley Md.
21030

PLEASE FORWARD ADVERTISING BILL TO:

NAME: _____

ADDRESS: SAME

PHONE NUMBER: (410) 494-6200

AJ:ggs

(Revised 09/24/96)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044257

DATE 10-14-97 ACCOUNT PO01-6150

AMOUNT \$ 550.00

RECEIVED FROM: M. KAMS — 1235 Paper Mill Rd.

FOR: SPH. [Signature]

☐ CONTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
10/14/1997 10/10/1997 15:24:44
REG NO.03 CASHIER WIL ULM DRAWER 3
5 MISCELLANEOUS CASH RECEIPT
Receipt # 020481
OR NO. 044257

550.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 30, 19 97

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 Oct. 30, 19 97.

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-143-SPHX
1235 Paper Mill Road
SRS Paper Mill Road at intersection of Paper Mill Road and Northern Capital Railroad Trail
6th Election District

3rd Councilmanic

Legal Owners:

Martha B. Mays and

Robert B. Mays

Special Exceptions for structure, recreational or social use, stand and process, Special
Recreation, to approve zero parking spaces allocated to the above-described recreational or social use.

Hearing: Monday, November 17, 1997 at 11:00 a.m., in Room 407 Courts 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

10/32 Oct. 30 C125246



Baltimore County
Department of Permits and
Development Management

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

October 26, 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: 98-143-SPHX

1235 Paper Mill Road

S/S Paper Mill Road at intersection of Paper Mill Road and Northern Central Railroad Trail

8th Election District - 3rd Councilmanic

Legal Owner(s): Martha B. Mays and Robert B. Mays

Special Exception for structures devoted to a recreational or social use (rental stand and concession stand).

Special Hearing to approve zero parking spaces allocated to the above-described recreational or social use.

HEARING: MONDAY, NOVEMBER 17, 1997 at 11:00 a.m. in Room 407 Courts Building, 401 Bosely Avenue.

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

Arnold Jablon
Director

cc: Martha and Robert Mays
Robert A. Hoffman, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 2, 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

November 12, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 143
Case No.: 98-143-SPHX
Petitioner: Robert Mays, et ux

Dear Mr. Hoffman:

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 October 14, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



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: October 27, 1997

FROM: Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for October 27, 1997
 Item Nos. 137 & 143

No plans were received for the above-referenced items.

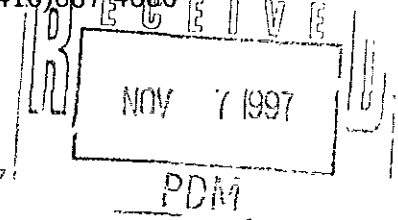
RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410) 887-4880



October 5, 1997

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

RE: Property Owner: Martha B. Mays and Robert B. Mays, 143
Exxon corporation, 147
Vestry of St. James Church, 163

Location: DISTRIBUTION MEETING OF October 27, 1997

Item No.: 143, 147, and 163

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.

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

cc: File



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

TO: PDM

DATE: _____

FROM: R. Bruce Seeley .
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Oct, 27, 1997

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

Item #'s:

137	153
143	162
147	
148	
152	

RBS:sp

BRUCE2/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 10.30.97
Item No. 143 JCM

Dear Ms. Eubanks:

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

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

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

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: October 31, 1997

FROM:  Robert W. Bowling, Chief
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for November 3, 1997
Item Nos. 137, 143, 147, 148, 151,
152, 153, & 163

The Bureau of Developer's Plans Review has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR SPECIAL EXCEPTION		
1235 Paper Mill Road, S/S Paper Mill Rd	*	ZONING COMMISSIONER
at intersection of Paper Mill Road and		
Northern Central Railroad Trail, 8th	*	OF BALTIMORE COUNTY
Election District, 3rd Councilmanic	*	
	*	CASE NO. 98-143-SPHX
Robert and Martha Mays		
Petitioner		
* * * * *		

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of November, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

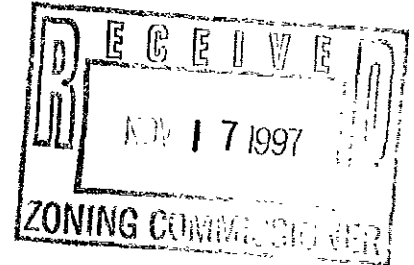
BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

Date: November 13, 1997

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

SUBJECT: 1235 Paper Mill Road



INFORMATION

Item Number: 143

Petitioner: Martha B. Mays

Zoning: DR 3.5

Summary of Recommendation:

The applicant requests a Special Exception to approve the use of the property for "structures devoted to a recreational or social use (rental stand and concession stand) in a DR 3.5 zone located adjacent to the Northern Central Railroad Trail, pursuant to Section 1B01.1.C.6 of the Baltimore County Zoning Regulations, and a Special Hearing to approve, pursuant to Section 409.6, zero parking spaces allocated to the above-described recreational or social use." Notwithstanding that it is sometimes easier to ask for forgiveness rather than permission, the fact that the proposed use can be examined as it currently exists provides an interesting opportunity to identify any negative impacts associated with the continuing recreational or social use of the subject property.

The subject property, which is located directly off Paper Mill Road and immediately adjacent to the Northern Central Railroad Trail, appears to lend itself to the provision of the services it provides to users of the trail. The Mays Property is unique in this sense because of its location and the availability of parking along both sides of Paper Mill Road. Customers visiting the property arrive via the trail or the public right-of-way located along Paper Mill Road, therefore, no private property owners are impacted by the use. Since there is no off-street parking on site, the use is supported virtually exclusively by users of the trail.

The Northern Central Railroad Trail is a significant recreational amenity located in northern Baltimore County, and the trail itself is unique in its own way because of the fact that it is maintained and patrolled by the Department of Natural Resources. The Mays property is located near the southernmost portion of the trail, and the availability of

bikes for rent and a small concession stand appears to be a convenient service for users of the trail.

Should the applicant's request be granted, use of the property for concessions and bike rental should be restricted to times when the trail is in use. It should be noted on the plan that the services provided at the subject property are meant solely for users of the trail. In addition, no future expansion or advertising (signs) should be permitted. Finally, it may be prudent to grant the Special Exception for a limited period of time to provide an opportunity for additional review in the future.

Prepared by: _____

Jeffrey W. Long

Division Chief: _____

Carol L. Kerns

AFK/JL

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Case File

DATE: March 7, 2000

FROM: Lawrence E. Schmidt
Zoning Commissioner



SUBJECT: PETITIONS FOR SPECIAL HEARING & SPECIAL EXCEPTION
S/S Paper Mill Road at the W/S Northern Central Railroad Right-of-Way
Robert B. Mays, et ux – Petitioners
Case No. 98-143-SPHX

Kate Mays, daughter of the Petitioners in the above-captioned matter, is the proprietor of the rental stand/concession stand on the subject property that was approved in prior Case No. 98-143-SPHX. Ms. Mays called me approximately one month ago to discuss proposed improvements to the site. At the request of customers and the Department of Natural Resources (DNR) she has been approached about opening a small bicycle shop on the property. The shop would repair bicycles of those individuals who use the DNR trail and also offer for sale used bikes which have been rented. She emphasized that the operation would be geared toward users of the trail, and not be run as a typical retail business. I advised her to send a "spirit and intent" letter describing the proposed operation to the Department of Permits and Development Management (DPDM). She did so by way of a letter dated January 29, 2000. Joe Merrey was assigned to respond to her inquiry and called me to discuss same after her letter was received. By his response letter dated February 15, 2000, Joe concluded, and I agree, that a public hearing is necessary, in view of the fact that the original use was approved by special exception and the proposed bicycle repair/rental shop is a retail component.

On March 1, 2000, Ms. Mays met with me to discuss the matter and Joe's response. This is a close case. Arguably, her proposal could be considered within the spirit and intent of the prior Order. She also indicated that she had significant support for the project. Nonetheless, I am reluctant to grant approval of her proposal as meeting the spirit and intent of the prior case without a public hearing. In my view, it does represent an enlargement of the existing operation and introduces a retail component on property zoned R.C.

I suggested that Ms. Mays file a Petition for Special Hearing to amend the previously approved special exception and advised that she could probably use the prior approved site plan. Without giving any specific recommendations, I told her that she could try to "go it alone" to reduce the expense of filing a Petition for Special Hearing, if she felt there would be no opposition. In any event, she anticipates filing the Petition this fall. She indicated that she is extremely busy right now; the business is being geared to open in the Spring, her father has been ill and is presently hospitalized, and she is getting married in early Summer. I told her that I thought it would be appropriate if she filed the Petitions in the Fall and that she could operate throughout the Summer as planned, contingent upon receiving special hearing approval in the Fall.

LES:bjs
cc: Joe Merrey, DPDM



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 15, 2000

Ms. Kate Mays
1235 Paper Mill road
Hunt Valley, Maryland 21030

Dear Ms. Mays:

RE: Spirit and Intent 1235 Paper Mill Rd., Case 98-143-SPHX, 8th Election District

Upon review of your letter dated January 29, 2000 and our several conversations concerning the "expansion" of your business, it is the opinion of this office that a Special Hearing is the appropriate forum to address this matter and amend zoning case # 98-143-SPHX as necessary.

If you need further information or have any questions, please do not hesitate to contact me at (410) 887-3391.

Sincerely,

Joseph C. Merrey
Planner II
Zoning Review

JCM:kew



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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

Zoning Division
Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111
Towson, Maryland 21204

January 29, 2000

Dear Sirs,

In November of 1997 Special Exception Case No. 98-143-SPIIX was granted. I am writing to request a *Spirit and Intent* letter to clarify that the relief granted for a concession stand approves that as a concessionaire I have the right to sell products and services in a given location as long as they are incidental to the use of the trail/ to sell refreshments or opportunities for entertainment to patrons of a recreational center (as a beach, park, or fair) (language based on the definitions of concession and concessionaire in Webster's Third New International Dictionary of the English Language Unabridged).

I am recognized by the Department of Natural Resources and the Maryland State Forest and Park Service as a Nature Tourism Service Provider for the Park. I have gladly accepted this responsibility as my sole business is to provide opportunities to the park patrons. I am in the process of expanding my building as approved in exhibit 1 of the 1997 case and expanding the opportunities I provide at the request of the park patrons and park representatives. These requested incidental recreational opportunities and conveniences include the opportunity to purchase bikes/accessories similar to those rented, the opportunity for service and repair of trail bikes, the opportunity to use recreational equipment on the trail and adjacent waterways, and the opportunity to purchase food and drink type refreshments.

With respect to the Baltimore County Zoning laws I have spoken to Zoning Commissioner Lawrence Schmidt to make sure that the service requests I incorporate are in line with the spirit and intent of the Special Exception ruling. After discussing the nature of the expansion with Mr. Schmidt, he recommended that I seek the above-mentioned clarification through a letter of *Spirit and Intent*. If you have any questions regarding this request please contact me, Kate Mays, at 410-889-7275 or Mr. Lawrence Schmidt at 410-887-4386.

Sincerely,

KATE MAYS 
Marybeth Mays
Peter Mays

The Mays Family

1235 PAPER MILL ROAD
HUNT VALLEY, MD 21030

(2.11.00 - 2:20) s/w/ L. Schmidt. FAX'd copy of the
to him per his request.

2.14 L/m/f. Gary 9:94 AM. He received a letter
B. Schmidt, he will be there.
2.14.00 L/m for KATE MAYS ON her voice mail; Gave STATUS.

FROM :

FAX NO. : 4105270719

00-313

Feb. 10 2000 08:11PM P1

HELP!



*

To: Jcm
ASAP 2/11/00

R 02/10/00

PAGE 1 of 2

Paid 2-11-00 P.M.

Please LOG and process the following Spirit & Intent

Letter referring to case # 98-143-SPHX.

The original letter which was paid for at the cashier's office was hand delivered to Zoning Room 111 on Tuesday, Feb. 1st at 4:30 pm. It has since disappeared.

I am very anxious to get a prompt answer and am disappointed at the prospect of waiting another 5 days after having waited 10 days. If there is any possible way of expediting this process I would very much appreciate it!

Thank you! Sincerely
Kate May

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 077992

DATE 2/1/00 ACCOUNT 01-6150
AMOUNT \$ 40.00

RECEIVED
FROM: _____

FOR: Spirit & Intent Letter

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT METHOD DATE

2/02/2000 2/01/2000 15:00:29

REG NO. 5 528 ZONING VERIFICATION

Receipt # 142091

OR NO. 077992

Receipt To 40.00

40.00 OK

Baltimore County, Maryland

CASHIER'S VALIDATION

PERMIT NUMBER:

Date: March 14, 2000

Location: 1235 PAPER MILL ROAD 21030

The issuance of this permit is subject to the following Conditions:

☒ Commissionr requesting relief from all conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above referenced permit.

Immediately thereafter, the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

for 
DIRECTOR, PERMITS & DEVELOPMENT MANAGEMENT

Signed - Owner Km (rep. for owner)
daughter Signed - Contract Purchaser _____

Printed Name KATHRYN MAYS Printed Name _____

Address 1235 PAPER MILL ROAD Address _____

HUNT VALLEY MD 21030

Work Phone # 410-864-6297 (cell) Work Phone # _____

Home Phone # 410-527-0920 Home Phone # _____

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND

DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 2-1-00

OE: 10117/7B

HISTORIC DISTRICT/BLDG

PERMIT #: 6408412
RECEIPT #: 4399940
CONTROL #: C-
XREF #:

PROPERTY ADDRESS: 1235 Paper Mill Road
SUITE/SPACE/FLOOR

☐ YES ☒ NO

SUBDIV: SW COR Pennsylvania

☐ DO NOT KNOW

TAX ACCOUNT #: 08-13-020210

DISTRICT/PRECINCT

OWNER'S INFORMATION (LAST, FIRST)

8th 3

NAME: Mays, Robert + Martha

ADDR: 1235 Paper Mill Road

21030-1904

DOES THIS BLDG.
HAVE SPRINKLERS
YES — NO —

APPLICANT INFORMATION

NAME: Mays

COMPANY:

STREET: 1235 Paper Mill Road

CITY, ST, ZIP: Hunt Valley, MD

PHONE #: 410-527-0920

MHC LICENSE #:

APPLICANT

SIGNATURE:

DRC#

PLANS: CONSTRUCTION PLOT 10 PLAT DATA EL 1 PL 2

TENANT

CONTR: Owner

ENGR:

SELLR:

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PROVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

BUILDING 1 or 2 FAM.

CODE CODE
BOCA CODE

TYPE OF IMPROVEMENT

- NEW BLDG CONST
- ADDITION
- ALTERATION
- REPAIR
- WRECKING
- MOVING
- OTHER

TYPE OF USE

RESIDENTIAL

- ONE FAMILY
- TWO FAMILY
- THREE AND FOUR FAMILY
- FIVE OR MORE FAMILY
(ENTER NO UNITS)
- SWIMMING POOL
- GARAGE
- OTHER

TYPE FOUNDATION

- SLAB
- PIER
- CONCRETE

BASEMENT

- FULL
- PARTIAL
- NONE

DESCRIBE PROPOSED WORK:

Zone Approval pr Varianse Case + Conditional Det garage bldg
Construct on
Front of Property within special exemption
Area Per Case # 98-143-SPTX. To be used
As Rental + Concession Bldg. 32'x20'x20' = 12800
Wave seal & data sheets
Non-Residential

NON-RESIDENTIAL

- AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
- CHURCH, OTHER RELIGIOUS BUILDING
- FENCE (LENGTH HEIGHT)
- INDUSTRIAL, STORAGE BUILDING
- PARKING GARAGE
- SERVICE STATION, REPAIR GARAGE
- HOSPITAL, INSTITUTIONAL, NURSING HOME
- OFFICE, BANK, PROFESSIONAL
- PUBLIC UTILITY
- SCHOOL, COLLEGE, OTHER EDUCATIONAL
- SIGN
- STORE MERCANTILE RESTAURANT
- SWIMMING POOL
- TANK, TOWER
- TRANSIENT HOTEL, MOTEL (NO. UNITS)
- OTHER

TYPE OF CONSTRUCTION

- MASONRY
- WOOD FRAME
- STRUCTURE STEEL
- REINF. CONCRETE

TYPE OF HEATING FUEL

- GAS
- OIL
- ELECTRICITY
- COAL

TYPE OF SEWAGE DISPOSAL

- PUBLIC SEWER
- PRIVATE SYSTEM
- SEPTIC
- PRIVY

TYPE OF WATER SUPPLY

CENTRAL AIR: 1. PUBLIC SYSTEM 2. PRIVATE SYSTEM 3. EXISTS 4. PROPOSED

ESTIMATED COST: \$10,000

OF MATERIALS AND LABOR

PROPOSED USE:

EXISTING USE:

OWNERSHIP

- PRIVATELY OWNED
- PUBLICLY OWNED
- SALE
- RENTAL

AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

BUILDING 1 or 2 FAM.

CODE CODE

BOCA CODE

TYPE OF IMPROVEMENT

1. ☒ NEW BLDG CONST
2. ☐ ADDITION
3. ☐ ALTERATION
4. ☐ REPAIR
5. ☐ WRECKING
6. ☐ MOVING
7. ☐ OTHER

TYPE OF USE

RESIDENTIAL

01. ☐ ONE FAMILY
02. ☐ TWO FAMILY
03. ☐ THREE AND FOUR FAMILY
04. ☐ FIVE OR MORE FAMILY
(ENTER NO UNITS)
05. ☐ SWIMMING POOL
06. ☐ GARAGE
07. ☐ OTHER

TYPE FOUNDATION

1. ☒ SLAB
2. ☒ BLOCK
3. ☒ CONCRETE

BASEMENT

1. ☒ FULL
2. ☐ PARTIAL
3. ☒ NONE

TYPE OF CONSTRUCTION

1. ☒ MASONRY
2. ☐ WOOD FRAME
3. ☐ STRUCTURE STEEL
4. ☐ REINF. CONCRETE

TYPE OF HEATING FUEL

1. ☐ GAS
2. ☐ OIL
3. ☐ ELECTRICITY
4. ☐ COAL

TYPE OF SEWAGE DISPOSAL

1. ☐ PUBLIC SEWER
2. ☒ PRIVATE SYSTEM
3. ☐ SEPTIC
4. ☐ PRIVY
5. ☐ EXISTS
6. ☐ PROPOSED

CENTRAL AIR: 1. ☐ 2. ☐ 3. ☐ PUBLIC SYSTEM

ESTIMATED COST: \$10,000

OF MATERIALS AND LABOR

PROPOSED USE:

EXISTING USE:

OWNERSHIP

1. ☒ PRIVATELY OWNED
2. ☐ PUBLICLY OWNED
3. ☐ SALE
4. ☐ RENTAL

RESIDENTIAL CATEGORY: 1. ☐ DETACHED 2. ☐ SEMI-DET. 3. ☐ GROUP 4. ☐ TOWNHSE 5. ☐ MIDRISE

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS: 6. ☐ HIRISE

1 FAMILY BEDROOMS

GARBAGE DISPOSAL 1. ☐ Y 2. ☐ N

POWDER ROOMS

BATHROOMS

KITCHENS

CLASS

LIBER

FOLIO

BUILDING SIZE

FLOOR

WIDTH

DEPTH

HEIGHT

STORIES

LOT #'S

CORNER LOT

1. ☐ Y 2. ☐ N

LOT SIZE AND SETBACKS

SIZE

FRONT STREET

SIDE STREET

FRONT SETBK

SIDE SETBK

SIDE STR SETBK

REAR SETBK

ZONING

APPROVAL SIGNATURES

DATE

BLD INSP :

BLD PLAN :

FIRE :

SEDI CTL :

ZONING :

PUB SERV :

ENVMT :

PERMITS :

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

Need Plat Plans.

height is no longer 15'

3/13/00
TO Wm?
of
To: M. L.
See me
3/20/00 via
No \$ needed
now

March 13, 2000

Dear Arnold Jablon,

I am writing per recommendation of Zoning Commissioner Lawrence Schmidt to request approval to apply for and be granted a conditional building permit for a building (24x32 with 8' sidewalls and a 12/12 pitch roof) to be used for previously approved rental and concession stand (case #98-143-SPHX). This conditional building permit would be subject to a special hearing and variance hearing to be applied for after 180 days (Reference memorandum to file dated 03/07/00). Due to an oversight in the permit process building height was not addressed until the final review before payment. The reason for the added five feet in building height is because I wish to make the building similar to a train station in order to conform to the DNR's adjacent Rail-to-Trials Path for which the stand acts as one of DNR's Nature Tourism Service Providers.

1235 Paper Mill Road
Baltimore, Maryland 21030



Kathryn Mays
410-889-7275 (home)
410-804-6297 (cell)

FAX**Date:** Monday, March 13, 2000**Pages including cover sheet:** 1

To:	Arnold Jablon
Phone	
Fax Phone	(410)887-2824

From:	Katey Mays
Phone	+1(410)889-7275
Fax Phone	+1(410)889-7275

NOTE:

March 13, 2000

Dear Arnold Jablon,

I am writing per recommendation of Zoning Commissioner Lawrence Schmidt to request approval to apply for and be granted a conditional building permit for a building (24x32 with 8' sidewalls and a 12/12 pitch roof) to be used for previously approved rental and concession stand (case#98-143-SPHX). This conditional building permit would be subject to a special hearing and variance hearing to be applied for after 180 days (Reference memorandum to file dated 03/07/00). Due to an oversight in the permit process building height was not addressed until the final review before payment. The reason for the added five feet in building height is because I wish to make the building similar to a train station in order to conform to the DNR's adjacent Rail-to-Trials Path for which the stand acts as one of DNR's Nature Tourism Service Providers.

1235 Paper Mill Road

Baltimore, Maryland 21030

Kathryn Mays 410-889-7275 (home) 410-804-6297 (cell)

October 9, 1997

Mr. Arnold Jablon
Director of Permits and
Developmental Management
County Office Building
111 W. Chesapeake Ave.
Room 111
Towson, MD 21204

Dear Mr. Jablon:

This letter is being written to advise you that I am a resident of Hunt Valley Station and located across the street from the snowball and bike stands. I understand that a zoning hearing is planned to change their residential status to commercial.

I have no objection to their enterprise, and have even purchased snowballs many times. I can't even say that there is extra noise or trash evident because of these stands.

I hope that your judgment in this situation will make it possible for these stands to continue without any change in the zoning.

Very truly yours,



Angela M. Marthacine
13 Berrycrest Court
Cockeysville-Hunt Valley, MD 21030

James Herbert Gracey
1231 Papermill Rd.
Hunt Valley, Md. 21030

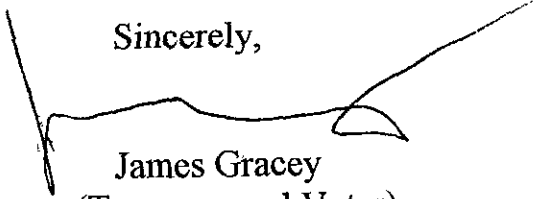
To Whom It May Concern:

I am a resident at 1231 Papermill rd., neighbors to Kate and Sarah. I felt compelled to write this letter in support of their fight to continue their businesses and that an exception be made in their favor. I have never had a problem with them as neighbors or with their snowball and bike rental enterprises, as a matter of fact, I moved here because of them and the trail. I realize that the county has laws in place for specific reasons with end results of stopping specific actions, but with every regulation, there arises certain situations in which exceptions can and should be made. Free enterprise is what this great country was built on and what makes it flourish to this very day. The Federal, state, and local governments should be creating environments where these ideals flourish, not one where they are stymied.

As for the parking problem, all I can say is that it is not Kate and Sarah's fault, nor that of their businesses, that draws such attention. The NCR trail is the best idea I have seen any government come up with and it is extremely popular. All Kate and Sarah have done is to take advantage of the trail's extreme popularity and high traffic. If the county would like to alleviate the problem with the parking, it should look at building a parking lot, not putting Kate and Sarah out of business.

I have said my piece and I would hope that someone will honestly take this situation to heart. It would be a shame to see the county harm the NCR trail situation in any way when it is currently one of the biggest and best attractions that Baltimore county has to offer. Somewhere in this situation a compromise must be available that can best suit both sides of this argument. Thank you for your time in this matter.

Sincerely,



James Gracey
(Taxpayer and Voter)

KENILWORTH

1240 Paper Mill Road
Cockeysville, MD 21030

Phone: 410-584-9960
Fax: 410-584-9166

Date: February 28, 2000
Memo To: Katie Mays
From: Douglas & Vicki Franz
Re: Expansion of business

It is our understanding that you intend to expand your current bike rental business to include incidental bike sales and services. This fits in nicely with your current strategy and will encourage bike safety on the trail.

We wish you well in this endeavor.

Vicki Franz
2/28/00

Februay 28, 2000

George Dardamanis
1231 Paper Mill Road
Hunt Valley, MD 21030

To Whom It May Concern:

I support the Mays family in their incidental sales and service endeavor at 1235 Paper Mill Road.

The Mays family have been extremely good neighbors and I support them in every way.

Sincerely,

George Dardamanis

A handwritten signature in cursive script that reads "George Dardamanis". The signature is written in black ink and is positioned below the printed name.

October 16, 1997

Franz
1240 Paper Mill Road
Cockeysville MD 21030

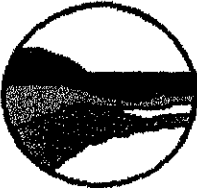
Re: Mays' Family

As a close neighbor of The Mays, we would like to go on record to say that we, Douglas and Vicki Franz, do not have any concerns regarding the bike rental or snowball stand operated by The Mays' Family.

In fact, we believe that these operations offer a valuable service that enhances the use of the Trail, and the overall nature of this area.

Sincerely,

Vicki + Douglas Franz



Maryland Department of Natural Resources
State Forest and Park Service

The Volunteers of The Gunpowder Falls State Park
NCR/Hereford Area P.O. Box 581 Monkton, Maryland 21111

To: Kate Mays - Owner Chakra Cycles

Fr: Chris McAvinue - Vice President NCR/Hereford Vol.

Re: Thank you

October 10, 1997

Dear Kate,

This letter is to thank you for selling our raffle tickets from your Bike rental / Snowball stand this summer. We rely on the help from people like you to raise money for programs and events we have along the NCRR hike / bike trail. I also would like to tell you how much the users of the trail appreciate having a place to rent bikes or get a snowball on the southern end of the trail, as you probably know the only other vendor on the trail is almost 8 miles north of your location (competition is healthy). I thank you in advance for your help and support, please let me know if I can assist you too.

Sincerely
Chris McAvinue

Webster's
Third
New International
Dictionary
OF THE ENGLISH LANGUAGE
UNABRIDGED

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REG. U. S. PAT. OFF.

*Utilizing all the experience and resources of more than
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PHILIP BABCOCK GOVE, Ph.D.
AND
THE MERRIAM-WEBSTER
EDITORIAL STAFF



Net No 2

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SPRINGFIELD, MASSACHUSETTS, U.S.A.



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**WEBSTER'S THIRD NEW INTERNATIONAL DICTIONARY
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Library of Congress Cataloging in Publication Data
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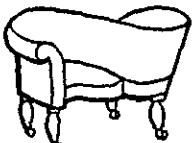
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1902-1972. II. Merriam-Webster, Inc.
PE1625.W36 1993
423—dc20

93-10630
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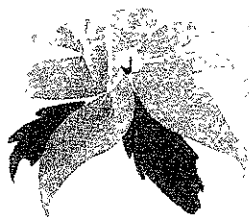
MADE IN THE UNITED STATES OF AMERICA

4647AG/H9594



[illegible]

photographs
98-143-SPNX



Season's Greetings Card

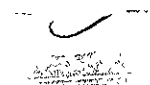
Order by December 12
for Guaranteed 7 Day
Service or FREE!

From 35mm color negatives, slides,
non-panoramic prints up to 8x12,
and Advanced Photo System.



SEASON'S
GREETINGS

THE
SMITHS



Peace on Earth

SL-54



HAPPY CHANUKAH

SL-55



SEASON'S
GREETINGS

SL-56



Feliz Navidad

SL-57



Happy Holidays

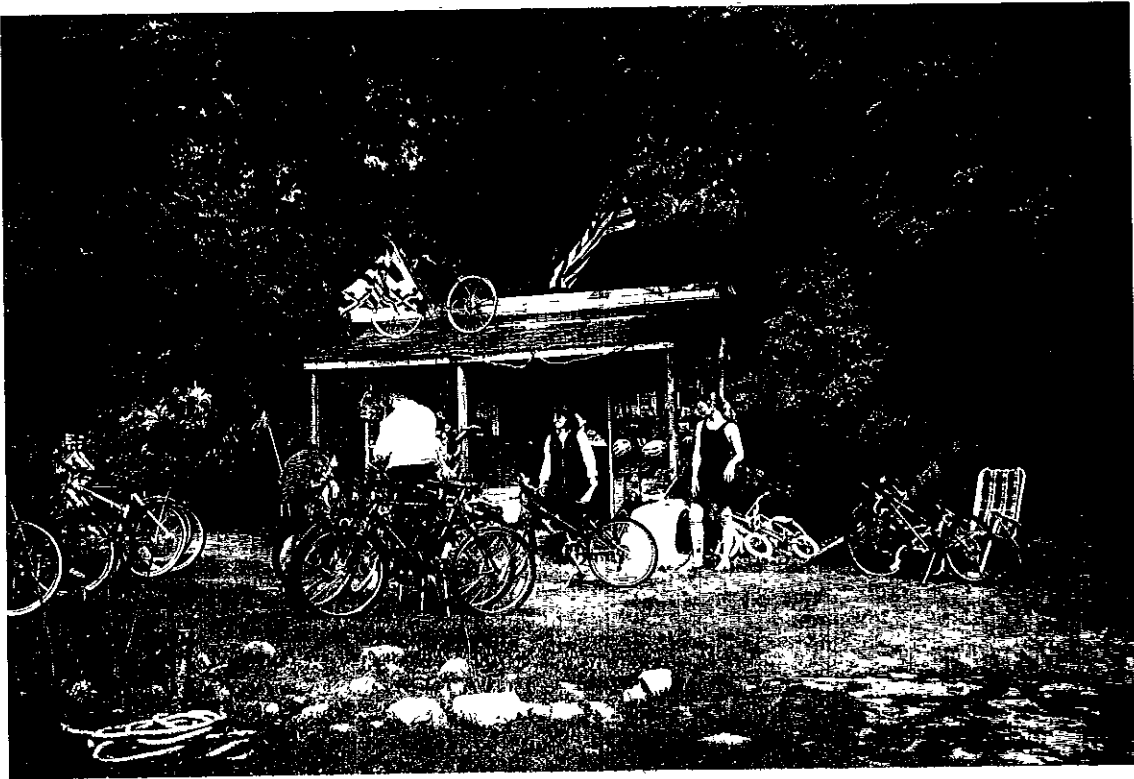
SL-58

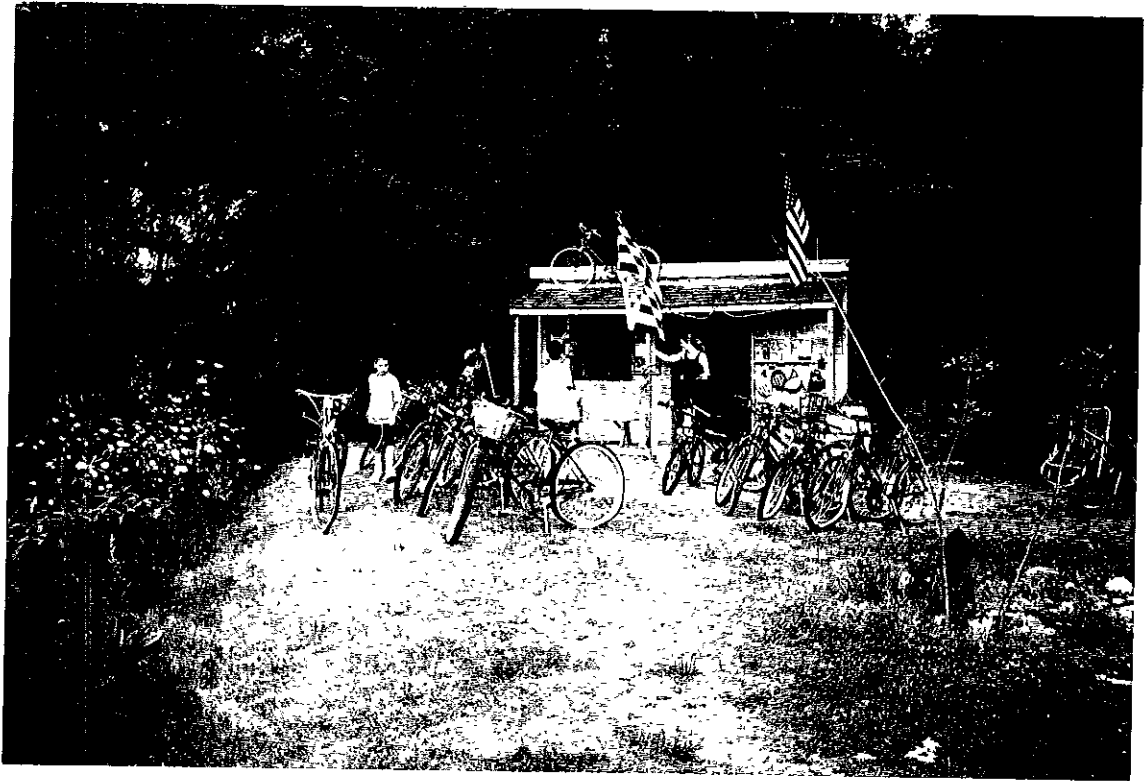


SEASON'S
GREETINGS

SL-59

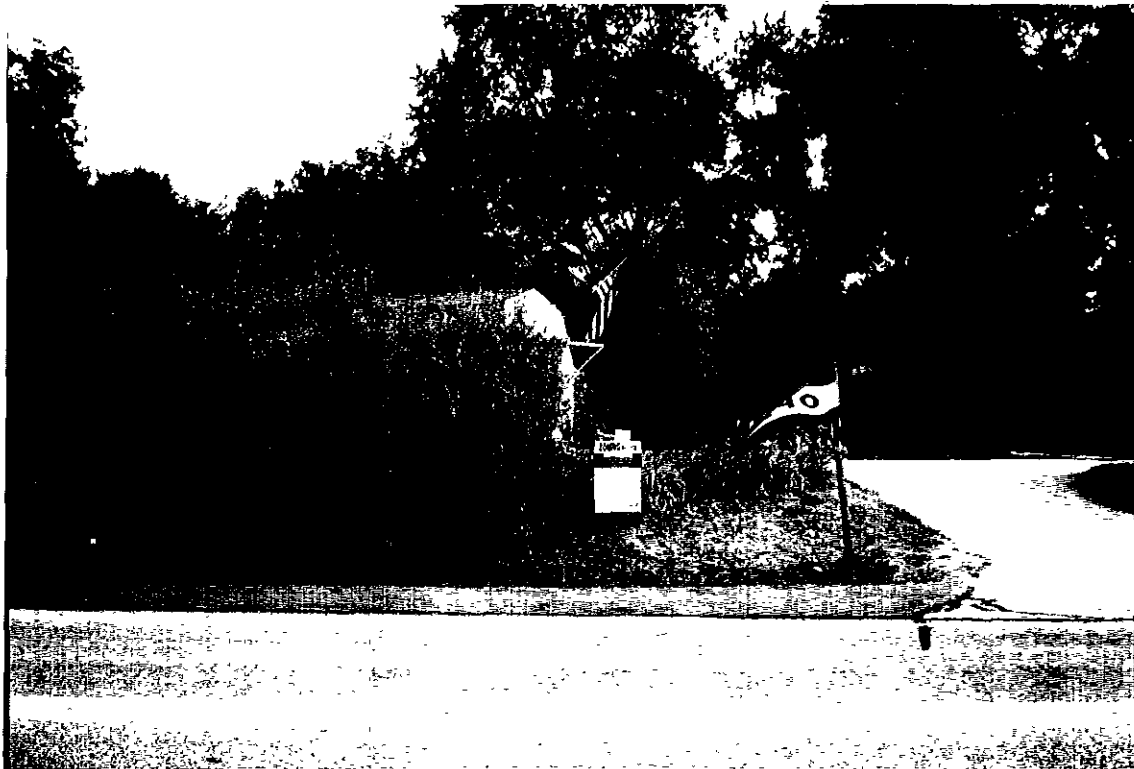
The easiest way to send a personal holiday memory!

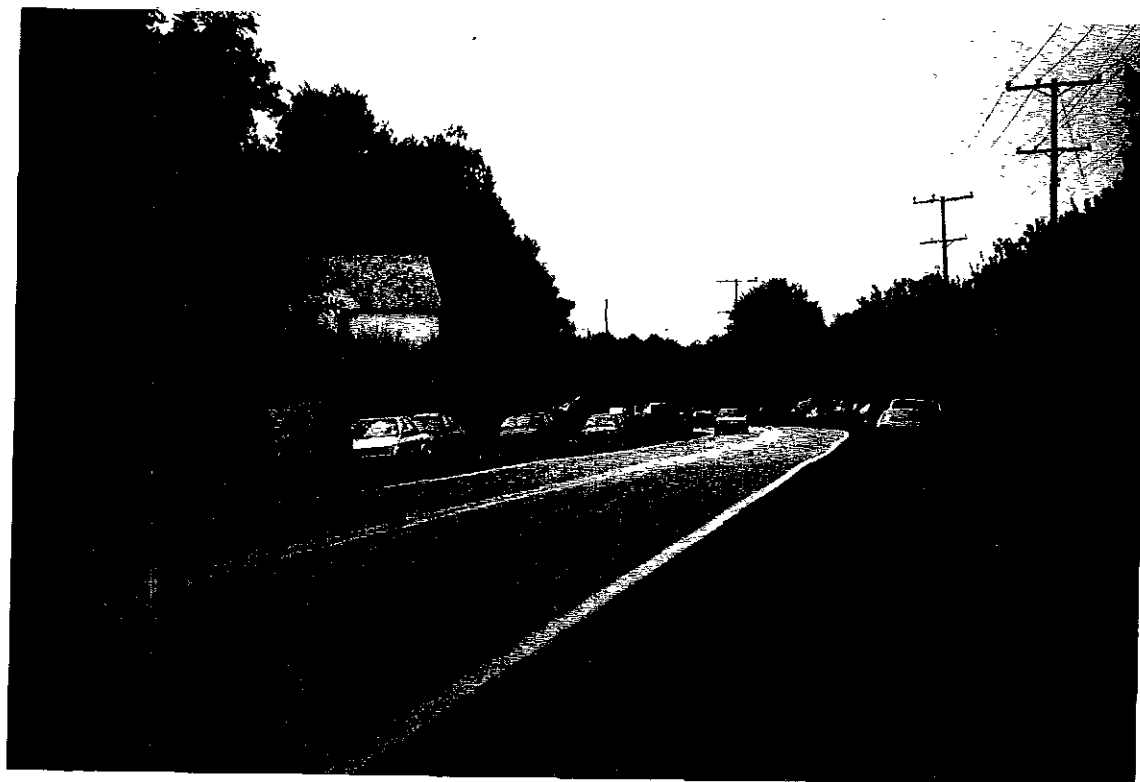
















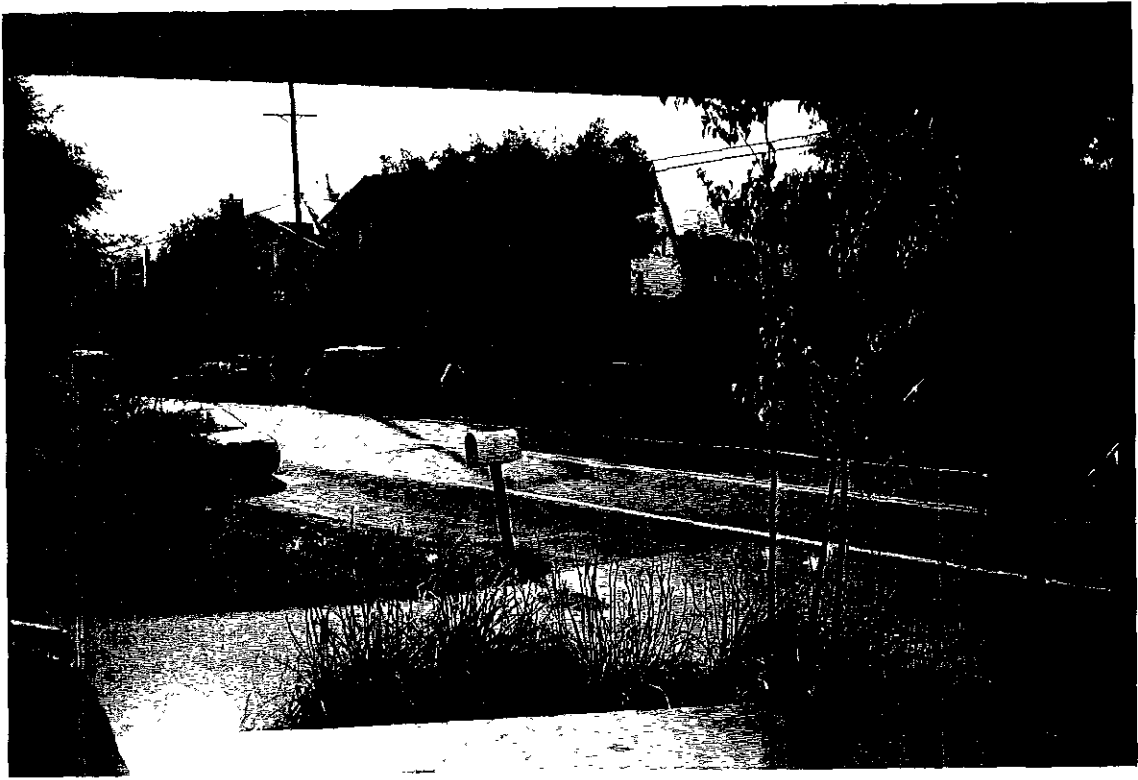


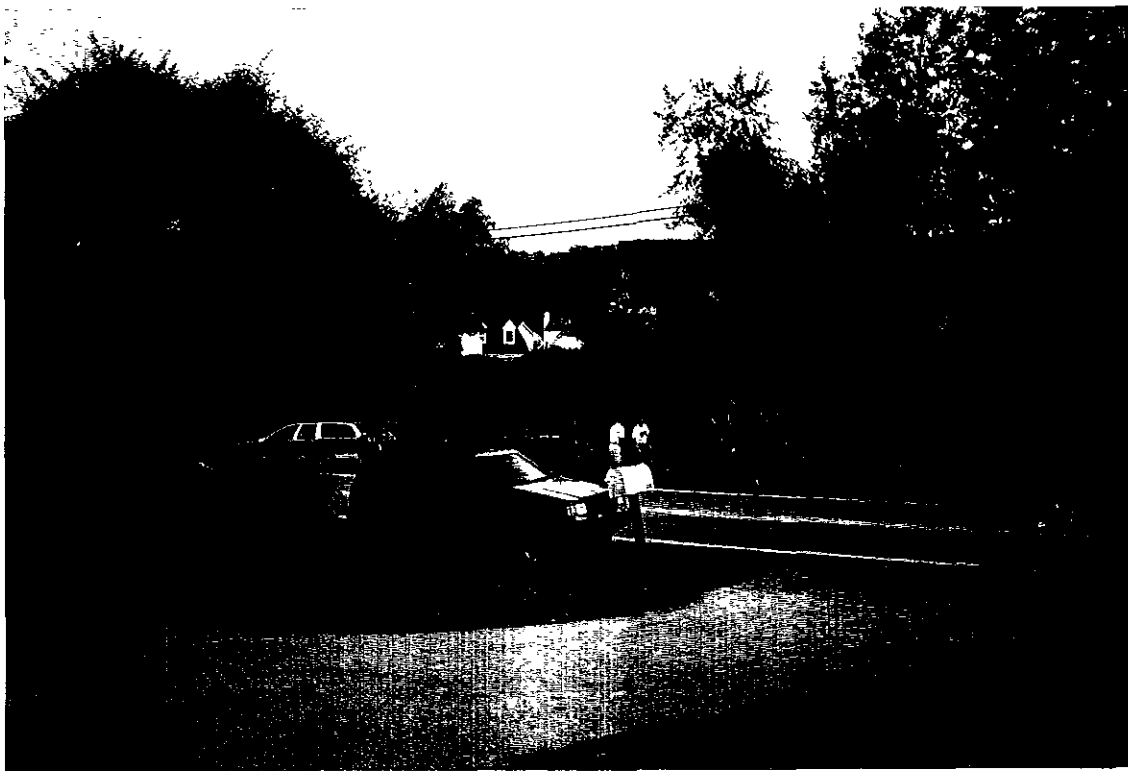
















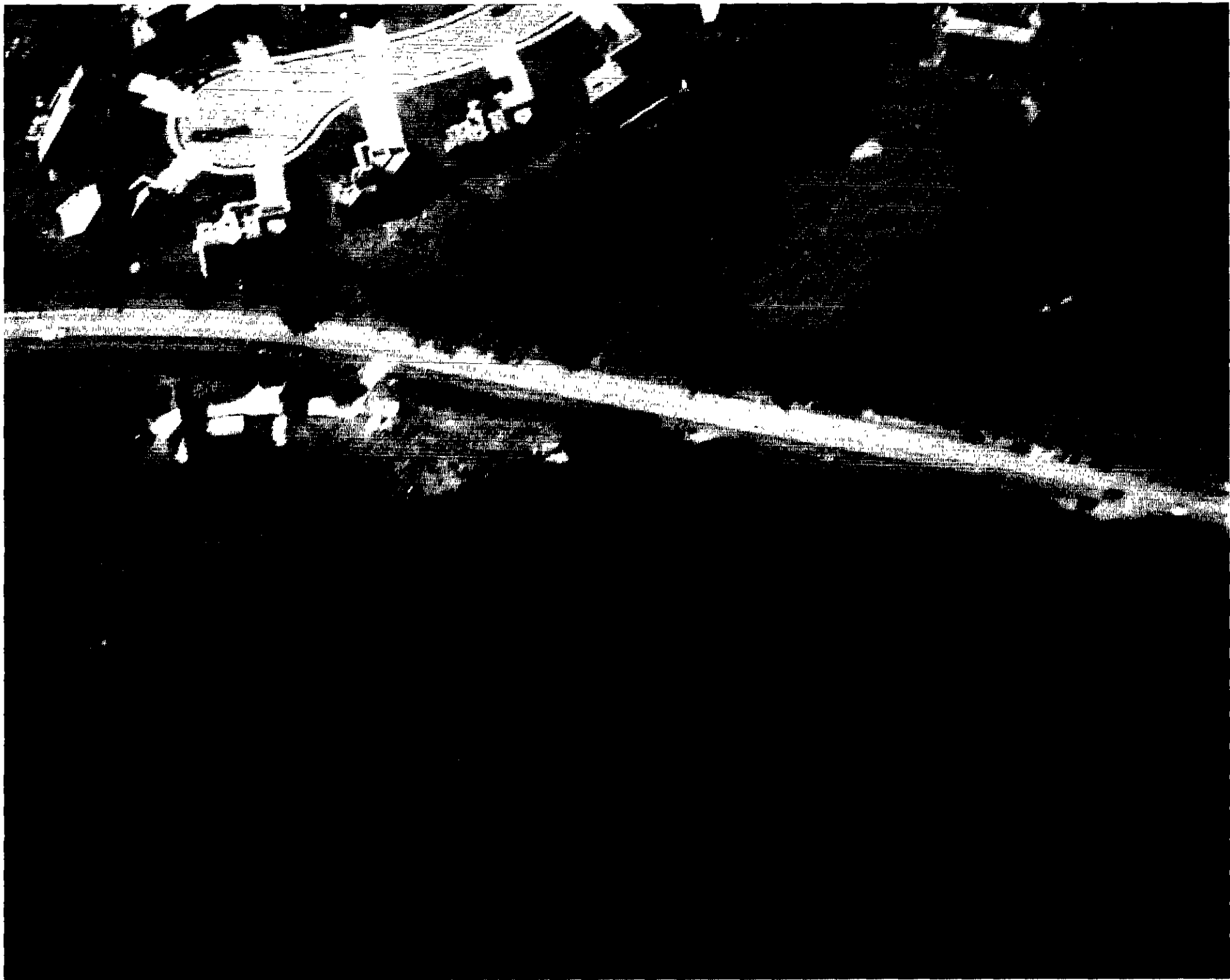












We are petitioning to amend the Special Exception (Case No. 98-143-SPHX) to expand the existing concessions of Chakra Cycles Station, LLC (formerly Chakra Cycles/Sally's Shack Concessions) located on 1235 Paper Mill Road Hunt Valley, MD 21030 property.

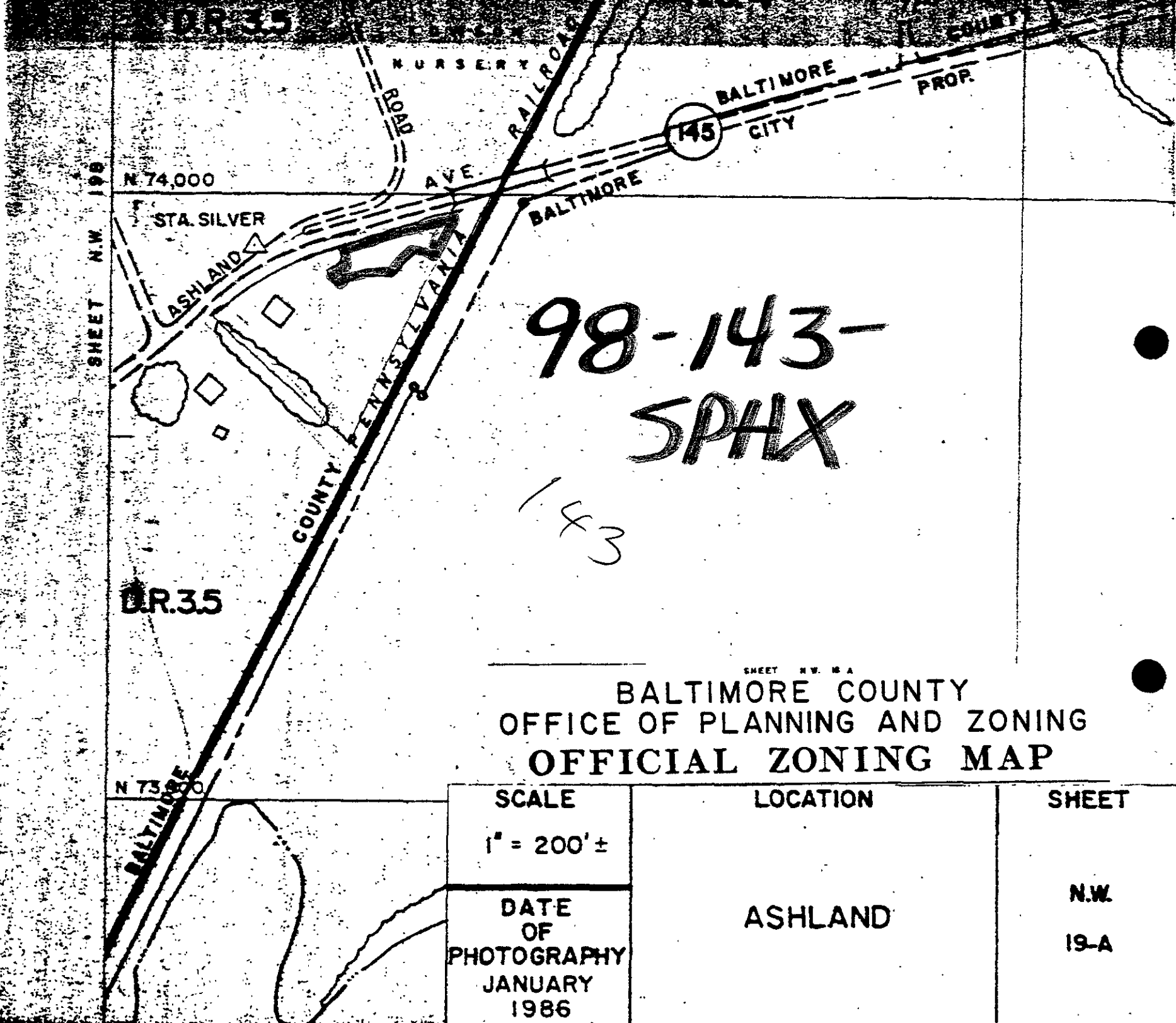
As a Nature Tourism Service Provider for the Department of Natural Resources and the Maryland State Forest and Park Service we wish to expand existing concessions to accommodate the expressed or implied requests of patrons of the adjacent Gunpowder Falls State Park's Northern Central Rail Road Hike and Bike (NCRR) Trail which support and encourage the use of the Maryland State Forest and Parks.

Zoning Review
Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111
Towson, Maryland 21204

Dear Zoning Commissioner,

We the undersigned are patrons of Maryland State Forest and Parks and being familiar with Chakra Cycles Station, LLC we request that the existing concessions be expanded to include but not be limited to the option to purchase bike(s) similar to those available for rent; bike service and repair; tubes; canoes; Park oriented education/information; and more refreshments:

SIGNATURE	ADDRESS	PHONE
<i>Indumale</i>	27 Castlehill Ct 21093	410-252-4938
<i>Red Owl</i>	27 Castlehill Ct 21093	410 252 4935
<i>John</i>	604 K COVER CREST WAY 21032	410-667-4139
<i>David</i>	1500 Warwick Dr 21093	410-828-1161
<i>Susan Delker</i>	1212 Culvert Road Balt 21286	410 828-0604
<i>Mary C. O'Neil</i>	10516 Gaderidge Rd. Cockeysville	410-666-3401
<i>Paul Handley</i>	4 Glen Alpine Rd. Phoenix Md	410 592 9307
<i>Phil Henrich</i>	19933 MIDDLEBROWN RD ²¹⁰⁵³ FREEBLAND MD	410 329 2233
<i>Tommy Dember</i>	10326 belding	Cockeysville 410 666-205
<i>Neddy Piper</i>	46 Stirrup Ct	" 21031 628-6141
<i>Sharon Pivec</i>	5 Dieckgate Ct. Cockeysville Md	21030 628-213
<i>Sharon Pivec</i>	6 Scotts Moore Ct. Phoenix Md	21131 410-453-982
<i>Grant Piper</i>	16 Killadon Ct Timonium Md	21093 410-560-1171
<i>Lee P</i>	6 Ballindine Ct Timonium Md	21093 410 252 4635
<i>Al Kuffel</i>	2309 Chetwood Circle Timonium, Md	21093
<i>Ed Hart</i>	1 Ballindine Ct Timonium Md	21093 -410-252-43
<i>Michael</i>	Towson Md	21201
<i>Camille Schutte</i>	Balto Md	21218

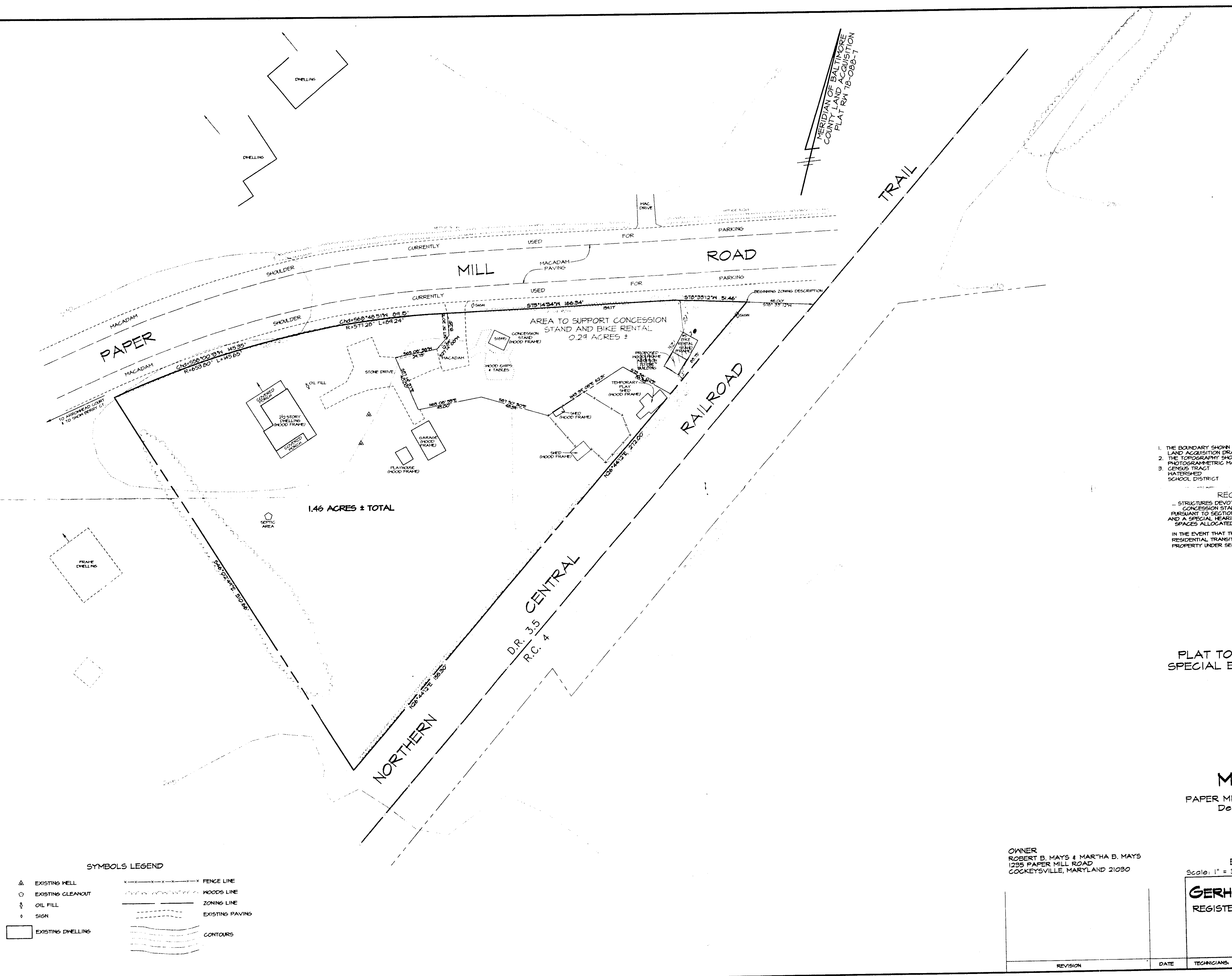


98-143-
5PHX

143

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	ASHLAND	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986		19-A



GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS TAKEN FROM THE TITLE DEED AND BALTIMORE COUNTY LAND ACQUISITION DRAWING RW 78-088-7.		
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAMMETRIC MAP NO. NW 19-A.		
3. CENSUS TRACT	4089	A.D.C. MAP # GRID
WATERSHED	11	SUBSEVERSHED
SCHOOL DISTRICT	141	REGIONAL PLANNING DISTRICT
		18 J-1
		31
		309A

REQUEST FOR SPECIAL EXCEPTION

... STRUCTURES DEVOTED TO A RECREATIONAL OR SOCIAL USE (RENTAL STAND AND CONCESSION STAND) IN A DR 35 ZONE LOCATED AMONG THE N.C.R. TRAIL PURSUANT TO SECTION 400.6 OF THE BALTIMORE COUNTY ZONING REGULATIONS, AND RECREATION TO BE OPENED, PURSUANT TO SECTION 400.6, ZERO PARKING SPACES ALLOCATED TO THE ABOVE-DESCRIBED RECREATIONAL OR SOCIAL USE.

IN THE EVENT THAT THE SPECIAL EXCEPTION IS APPROVED, A VARIANCE FROM THE RESIDENTIAL TRANSITION AREA REQUIREMENTS WOULD APPLY TO THE SUBJECT PROPERTY UNDER SEC. 1801B.1.D.10

MAYS PROPERTY

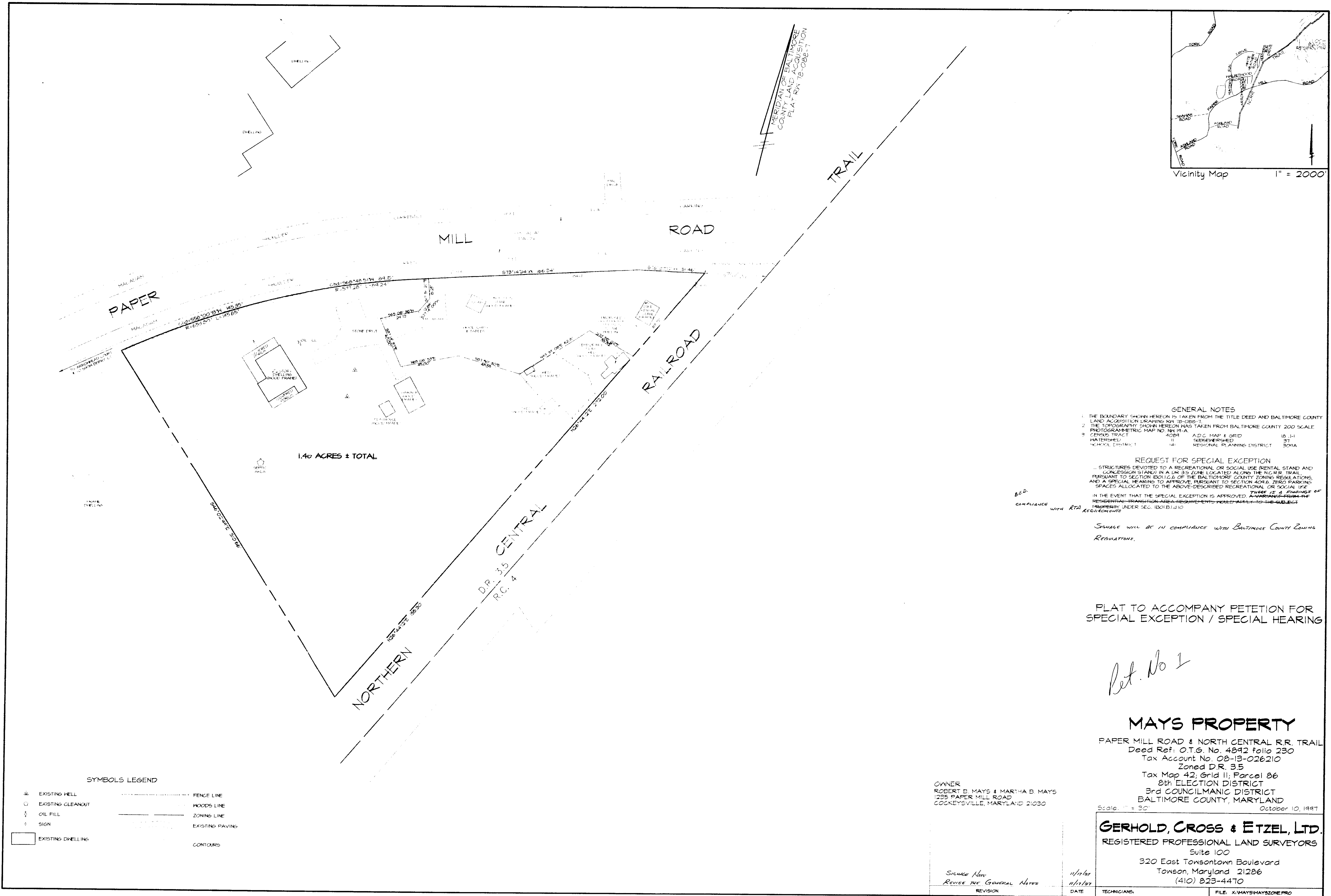
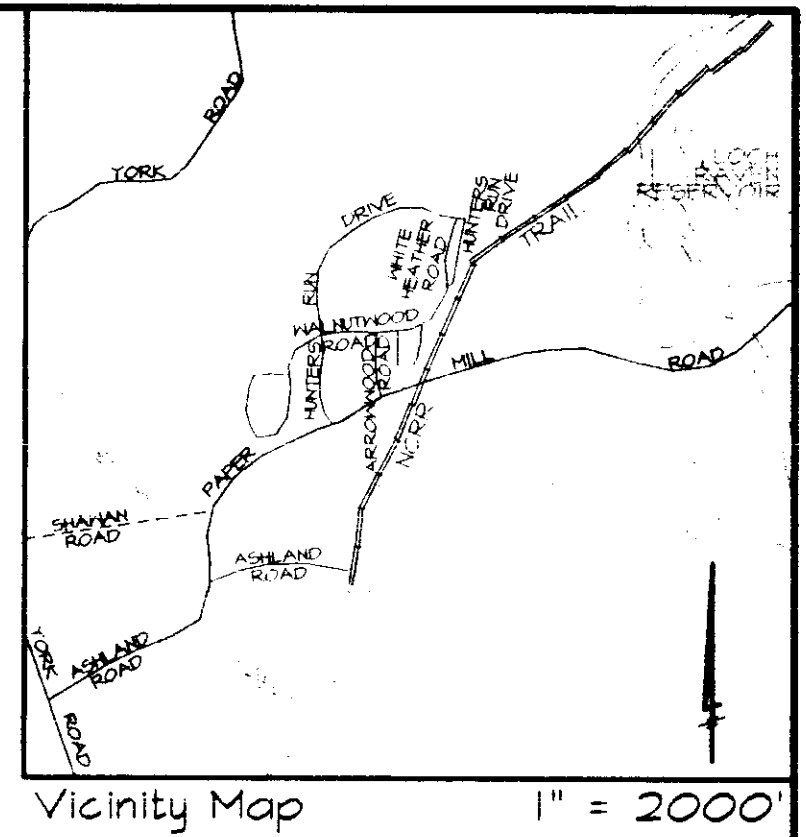
PAPER MILL ROAD & NORTH CENTRAL R.R. TRAIL
Deed Ref: O.T.G. No. 4892 folio 230
Tax Account No. 08-13-026210
Zoned D.R. 3.5
Tax Map 42; Grid 11; Parcel 86
8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
October 10, 1997

GERHOLD, CROSS & ETZEL, LTD
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21206
(410) 823-4470

OWNER
ROBERT B. MAYS & MARTHA B. MAYS
1235 PAPER MILL ROAD
COCKEYSVILLE, MARYLAND 21030

Scale: 1" = 30'

REVISION	DATE	TECHNICIANS	FILE: X:\WAYS\WAYSZONE.PRC
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GENERAL NOTES

- THE BOUNDARY SHOWN HEREON IS TAKEN FROM THE TITLE DEED AND BALTIMORE COUNTY LAND ACQUISITION PLANNING MAP NO. 13-088-1.
- THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAMMETRIC MAP NO. NK 14-A.
- CENSUS TRACT 4084
- WATERSHED 141
- SCHOOL DISTRICT 1
- A.D.C. MAP 1 GRID 11-14
- SUBSEWERED 37
- REGIONAL PLANNING DISTRICT 300A

REQUEST FOR SPECIAL EXCEPTION

... STRUCTURES DEVOTED TO A RECREATIONAL OR SOCIAL USE (RENTAL STAND AND CONCESSION STAND) IN A DR-35 ZONE LOCATED ALONG THE N.C.R.R. TRAIL, PURSUANT TO SECTION 1801.1.6 OF THE BALTIMORE COUNTY ZONING REGULATIONS, AND A SPECIAL HEARING TO APPROVE, PURSUANT TO SECTION 409.6, ZERO PARKING SPACES ALLOCATED TO THE ABOVE-DESCRIBED RECREATIONAL OR SOCIAL USE.

IN THE EVENT THAT THE SPECIAL EXCEPTION IS APPROVED, **THERE IS A FINDING OF** RESIDENTIAL TRANSITION AREA REQUIREMENTS WOULD APPLY TO THE SUBJECT PROPERTY UNDER SEC. 1801.1.1.10.

COMPLIANCE WITH RTA REQUIREMENTS

Signage will be in compliance with Baltimore County Zoning Regulations.

PLAT TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION / SPECIAL HEARING

Pet. No 1

MAYS PROPERTY

PAPER MILL ROAD & NORTH CENTRAL R.R. TRAIL
Deed Ref: O.T.G. No. 4892 folio 230
Tax Account No. 08-13-026210
Zoned D.R. 3.5
Tax Map 42, Grid 11, Parcel 86
8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

OWNER
ROBERT B. MAYS & MARTHA B. MAYS
1225 PAPER MILL ROAD
COCKEYSVILLE, MARYLAND 21030

Scale: 1" = 30' October 10, 1997

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

Signature Note REVISE THE GENERAL NOTES	DATE 11/11/97	TECHNICIAN FILE: X:\WAYS\WAYSZONE.PRO
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