

IN RE: PETITIONS FOR SPECIAL HEARING
AND SPECIAL EXCEPTION – E/S
Reisterstown Rd., 20' S of Shirley Ave.
(435 Main Street)
4th Election District
3rd Council

George W. Casper, Jr. and
Patricia Hamilton, Legal Owners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-056-SPHX

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, George W. Casper, Jr., and Patricia Hamilton, through their attorney, Michael S. Rosofsky, Esquire. The Petitioners request special hearing relief to approve an upholstery repair studio as a home occupation, pursuant to Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.), or, in the alternative, that the Petitioner's upholstery repair talent and experience qualifies him as a professional person, pursuant to Section 1B01.1.C.9.B of the B.C.Z.R. If found to be a professional person, as so defined, then the Petitioners request a special exception to allow the use of the subject property for a professional person's upholstery repair studio. In addition, the Petitioners request special hearing approval of a proposed garage addition to the existing garage, which is located in a historic district. The subject property and relief requested are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were George W. Casper, Jr., co-Petitioner/property owner, and his attorney, Michael S. Rosofsky, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangularly shaped parcel located on the southeast corner of the intersection of Reisterstown Road (Main

ORDER RECEIVED FOR FILING

Date 11/2/00

By [Signature]

Street/Route 140) and Shipley Avenue in historic Reisterstown. The property contains a gross area of 24,175 sq.ft., more or less, zoned R.O., and is improved with a one-story single family dwelling, which features an attached 20' x 22' garage. Vehicular access to the site is by way of a driveway which leads from Shipley Avenue, although the house fronts Reisterstown Road. Mr. Casper indicated that he repairs upholstery and has been in this business for approximately 40 years. For many years, he worked out of a studio in Carroll County. However, in view of his age and desire to work out of his home, the Petitioner proposes to relocate his studio to the subject property. To that end, the Petitioners propose to construct a 19' x 24' addition to the existing garage as more particularly shown on the site plan submitted into evidence as Petitioner's Exhibit 1. This space will be used to house his upholstery repair business and the requisite tools associated therewith.

In this regard, it is to be emphasized that Mr. Casper does not make furniture, but repairs the upholstery of existing furniture pieces. It was indicated that he frequently goes to a customer's house and picks up the item to be repaired. The item is then transferred to his house where he repairs and replaces the upholstery as necessary. Mr. Casper is the sole employee of the business, but for one part-time employee who works approximately 7.5 hours per day, two days a week. The business is carried out exclusively in the garage and not within the single family dwelling that is attached thereto. That building serves as the Petitioner's private residence.

The Petitioners request relief under alternative theories. First, Mr. Casper alleges that his business is a home occupation, as defined in Section 101 of the B.C.Z.R. Home occupations are permitted by right in the R.O. zone. Section 101 defines a home occupation as "Any use conducted entirely within a dwelling which is incidental to the main use of the building for dwelling purposes and does not have exterior evidence, other than a permitted sign, as stated in Section 405.4 to indicate that the building is being utilized for any purpose other than that of a dwelling, and in connection with which no commodity is kept for sale on the premises; not more than one person per dwelling is employed on the premises, other than domestic servants or

members of the immediate family; and, no mechanical equipment, other than computers, printers, fax machines, modems, standard office copy machines and similar office equipment, is used except such as may be used for domestic purposes. A home occupation does not include fortune telling."

Testimony and evidence presented was persuasive that the use is conducted entirely within the dwelling (attached garage), and that there is no exterior evidence of the business. Moreover, it is clear that the building is primarily used for the purposes of a dwelling. Also, there is no commodity kept for sale on the premises. Again, it is to be emphasized that Mr. Casper does not manufacture or sell furniture, he re-upholsters it. Moreover, he employs only one person (non-resident, part-time) in the business.

As to the equipment used in connection with the business, Mr. Casper indicated that the tools and equipment used are commonly found in most households. He testified that he uses a small air compressor, which many homeowners use in connection with the maintenance of their properties. He also utilizes a staple gun and sewing machine, which are also domestic-type tools.

Based upon the testimony and evidence offered, I am persuaded that Mr. Casper's business falls within the definition of a home occupation, pursuant to Section 101, and find that his use of the property is as a home occupation, which is permitted by right on property zoned R.O. Thus, I shall grant that portion of the special hearing request.

Having made this determination, a decision is not necessary as to the other special hearing relief requested. As noted above, the Petitioners sought an alternative finding that he was a professional person, under Section 1B01.1.C.9.B of the B.C.Z.R., and if so, requested special exception relief to allow the use of the subject property for a professional person's upholstery repair studio, pursuant to that Section. Although an upholstery repairman might not generally be thought of as a professional person within the purview of that section, a decision need not be reached in this case, in that relief has been granted pursuant to the home occupation definition.

ORDER RECEIVED FOR FILING
Date 11/27/00
By [Signature]

Relief shall also be approved to permit the proposed addition to the existing garage. The dwelling and garage are not historic, themselves; however, the property itself is located within the Reisterstown historic district. Thus, the relief requested is necessary in order to proceed with the proposed improvements.

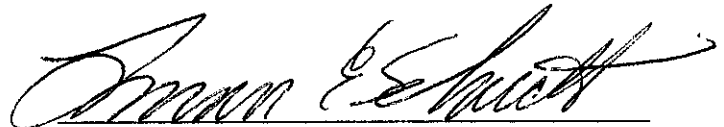
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of November, 2000 that the Petition for Special Hearing to approve an upholstery repair studio as a home occupation, pursuant to Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve the proposed garage addition to the existing garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the alternative relief sought within the Petition for Special Hearing to approve that an upholstery repairman qualifies as a professional person, pursuant to Section 1B01.1.C.9.B of the B.C.Z.R., be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to allow the use of the subject property for a professional person's upholstery repair studio, be and is hereby DISMISSED AS MOOT.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 11/2/00
By [Signature]



Baltimore County
Zoning Commissioner

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

November 2, 2000

Michael S. Rosofsky, Esquire
Durkee & Rosofsky
322 Main Street
Reisterstown, Maryland 21136

RE: PETITIONS FOR SPECIAL HEARING and SPECIAL EXCEPTION
E/S Reisterstown Road (Main Street/Route 140), 20' S of Shirley Avenue
(435 Main Street)
4th Election District - 3rd Councilmanic District
George W. Casper, Jr. & Patricia Hamilton - Petitioners
Case No. 01-056-SPHX

Dear Mr. Rosofsky:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted and the Petition for Special Exception dismissed, 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. George W. Casper, Jr. & Ms. Patricia Hamilton
435 Main Street, Reisterstown, Md. 21136
People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 435 Main St., Reisterstown MD 21136
which is presently zoned R-O

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

- 1) That George Casper's upholstery repair talent and experience qualifies him as a professional person under section 1B01.1.C.9B and/or
- 2) That George Casper's upholstery repair studio qualifies as a home occupation under section 101.
- 3) The proposed garage addition in Historical District.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Michael S. Rosofsky
Name - Type or Print

Signature

Durkee & Rosofsky

Company

322 Main Street

(410) 526-9220

Address

Telephone No.

Reisterstown

MD

21136

State

Zip Code

Legal Owner(s):

George W. Casper, Jr.

Name - Type or Print

Signature

Patricia Hamilton

Name - Type or Print

Signature

435 Main Street

(410) 833-7705

Address

Telephone No.

Reisterstown

MD

21136

City

State

Zip Code

Representative to be Contacted:

Vince Moskunas

M & H Development & Engineering, Inc.

Name

200 E. Joppa Rd, Ste 101

(410) 828-9060

Address

Telephone No.

Towson

MD

21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JWM

Date 8-7-00

ORDER RECEIVED FOR FILING
11/2/00
Case No. 201-056 SPH
Date 11/2/00



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 435 Main St., Reisterstown MD 21136
which is presently zoned R-0

This Petition shall be filed with the Department of Permits and 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

Professional person's upholstery repair studio

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Michael S. Rosofsky
Name - Type or Print _____

Signature _____

Durkee & Rosofsky
Company _____

322 Main Street (410) 526-9220
Address _____ Telephone No. _____

Reisterstown, MD 21136
City _____ State _____ Zip Code _____

Legal Owner(s):

George W. Casper, Jr.

Name - Type or Print _____

Patricia Hamilton
Signature _____

Patricia Hamilton

Name - Type or Print _____

Patricia Hamilton
Signature _____

435 Main Street (410) 833-7705
Address _____ Telephone No. _____

Reisterstown MD 21136
City _____ State _____ Zip Code _____

Representative to be Contacted:

Vince Moskunas

M & H Development & Engineering, Inc.
Name _____

200 Joppa Rd. Ste 101 (410) 828-9060
Address _____ Telephone No. _____

Towson MD 21286
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By JCM Date 8-7-00

Case No. 1-056 SP4X

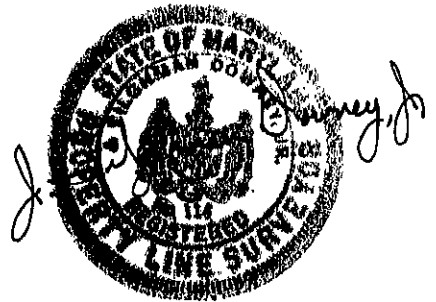
227 08/15/98

Date _____
By _____

ORDER RECEIVED FOR FILING
11/27/00

ZONING DESCRIPTION FOR #435 MAIN STREET

Beginning at a point on the east side of Reisterstown Road which is 66 feet wide at the distance of 20 feet south of the centerline of Shirley Avenue which is 40 feet wide. Thence the following courses and distances: N 87 degrees 23 minutes E, 200 feet; thence S 2 degrees 39 minutes E, 113.5 feet; thence S 85 degrees 6 minutes W, 200.2 feet and thence N 2 degrees 39 minutes W, 121.5 feet to the place of beginning, as recorded in Deed Liber 13869, folio 285.



J. Tilghman Downey, Jr.

*Site Rite Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060*

056

01-056-SPHX

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

056
No. 083560

DATE 8-7-00 ACCOUNT F-6150

AMOUNT \$ 556.00

RECEIVED FROM: CASH 425 MAIN ST

FOR: (020) VAR.
(040) SP-HDC

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

JCM

PAID RECEIPT

07/07/2000 07/07/2000 10:11:11
FEDERAL RESERVE BANK OF BALTIMORE
DEPT. OF TREASURY
RECEIVED BY: [signature]
OF NO. 083560
PAID TO: [signature]
PAID FOR: [signature]
BALTIMORE COUNTY, MARYLAND

01-056-SP4X

CASHIER'S VALIDATION

NOTICE OF ZONING 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: #01-056-SPHX

435 Main Street

E/S Reisterstown Road, 20 feet S of centerline Shirley Avenue

4th Election District - 3rd Councilmanic District

Legal Owner(s): George W. Casper, Jr. & Patricia Hamilton

Special Hearing: to approve that George Casper's upholstery repair talent and experience qualifies him as a professional person or that George Casper's upholstery repair studio qualifies him as a home occupation and to permit the proposed garage addition in an historic district. **Special Exception:** for professional person's upholstery repair studio.

Hearing: Thursday, September 21, 2000 at 10:00 a.m. In Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations. Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

UT/g/600 Sept. 5

C416576

CERTIFICATE OF PUBLICATION

TOWSON, MD, 9/7/, 2000

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 9/5/, 2000.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

ZONING NOTICE

Case # 101-056-SPHX

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

PLACE *10147 GARDENVIEW RD. TOWSON, MD*
TIME & DATE *10th Mon. After. Sept. 24, 1990*

*SPECIAL HEARING TO APPROVE THAT GARDENVIEW
DEVELOPMENT BEING TAKEN AND EXTENDING PERMITS
HIM AS A PROFESSIONAL STUDIO OR ART STONE
GARDEN DEVELOPMENT BEING TAKEN PERMITS HIM AS
A HOME OCCUPATION AND TO PERMIT THE
PROPOSED GARAGE ADDITION IN AN ARTIST'S
DISTRICT SPECIAL EXCEPTION FOR PROFESSIONAL
PERSONS DEVELOPMENT BEING TAKEN.*

POSTAL MAILING FOR THE CITY OF TOWSON AND OTHER JURISDICTIONS ARE AVAILABLE
NECESSARY FOR THE CITY OF TOWSON AND OTHER JURISDICTIONS ARE AVAILABLE
CALL 410-526-1234 FOR MORE INFORMATION. **CHANGING HEARING DATE**
IF YOU ARE NOT A RESIDENT OF TOWSON AND WANT TO ATTEND
HEARINGS ARE HANDICAPPED ACCESSIBLE

435 Main Street

CERTIFICATE OF POSTING

**RE: CASE # 01-056-SPHX
PETITIONER/DEVELOPER
(George W. Casper)
DATE OF Hearing
(9-22-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

435 Main Street Baltimore, Maryland 21136_____

THE SIGN(S) WERE POSTED ON_____ 9-6-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____

(TELEPHONE NUMBER)

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
435 Main Street, E/S Reisterstown Road
4th Election District, 3rd Councilmanic

Legal Owner: George W. Casper, Jr. and
Patricia Hamilton
Petitioner(s)

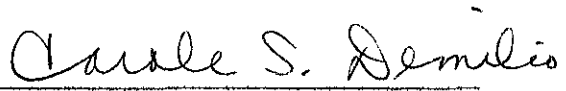
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-56-SPHX

* * * * *

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of August, 2000 a copy of the foregoing Entry of Appearance was mailed to Michael S. Rosofsky, Esq., Durkee & Rosofsky, 322 Main Street, Reisterstown, MD 21136, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 11, 2000

NOTICE OF ZONING 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: 01-056-SPHX

435 Main Street

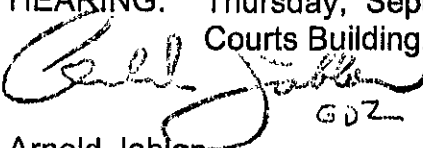
E\S Reisterstown Road, 20 feet S of centerline Shirley Avenue

4th Election District – 3rd Councilmanic District

Legal Owners: George W. Casper, Jr. & Patricia Hamilton

Special Hearing to approve that George Caster's upholstery repair talent and experience qualifies him as a professional person or that George Caster's upholstery repair studio qualifies him as a home occupation and to permit the proposed garage addition in an historic district. Special Exception for professional person's upholstery repair studio

HEARING: Thursday, September 21, 2000, at 10:00 a.m., in Room 407, County Courts Building.


Arnold Jablon
Director

C: Michael S. Rosofsky, Esquire ,Durkee & Rosofsky, , 322 Main Street, Reisterstown 21136

George W. Casper, Jr. & Patricia Hamilton, 435 Main Street, Reisterstown 21136
M & H Development & Engineering, Inc., c/o Vince Moskunus, 200 E. Joppa Road, Suite 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SEPTEMBER 6, 2000.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATION'S PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

01-056-SPHX

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 5, 2000 Issue – Jeffersonian

Please forward billing to:
George Casper, Jr.
435 Main Street
Reisterstown, MD 21136

410-828-9060

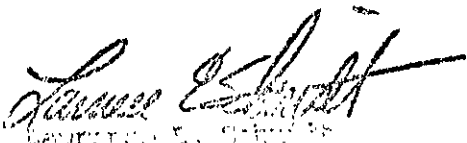
NOTICE OF ZONING HEARING

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: 01-056-SPHX
435 Main Street
E\S Reisterstown Road, 20 feet S of centerline Shirley Avenue
4th Election District – 3rd Councilmanic District
Legal Owners: George W. Casper, Jr. & Patricia Hamilton

Special Hearing to approve that George Caster's upholstery repair talent and experience qualifies him as a professional person or that George Caster's upholstery repair studio qualifies him as a home occupation and to permit the proposed garage addition in an historic district. Special Exception for professional person's upholstery repair studio

HEARING: Thursday, September 21, 2000, at 10:00 a.m., in Room 407, County Courts Building.



LAWRENCE E. SCHMIDT
GJZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

01-056-SPHX

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 056
Petitioner: GEORGE CASPER JR.
Address or Location: 435 MAIN ST. REISTERSTOWN, Md. 21136

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____
Address: SAME.
Telephone Number: (410) 828-9060

Revised 2/20/98 - SCJ

01-056-SPHX



Baltimore County
Department of Permits and
Development Management

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

September 15, 2000

Michael S. Rosofsky, Esquire
Durkee & Rosofsky
322 Main Street
Reisterstown, MD 21136

Dear Mr. Rosofsky:

RE: Case Number: 01-056-SPHX, 435 Main Street

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 7, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

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

WCR: gdz

Enclosures

C: George W. Casper, Jr. & Patricia Hamilton, 435 Main St., Reisterstown 21136
M & H Development & Engineering, Inc., Vince Moskun, 200 E. Joppa Road,
Suite 101, Towson 21286
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 30, 2000

FROM: *sub* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 21, 2000
Item Nos. 046, 049, 052, 054, 055,
and 056

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

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

August 22, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF AUGUST 14, 2000

Item No.: See Below

Dear Ms. Stephens:

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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM #'S.

046, 048, 049, 050, 052, 053, 055, 056

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *m/rbs*

DATE: September 11, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of August 14, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
046	104 Glen Ridge Road
047	19807 York Road
050	34 Dovefield Road
051	200 Detroit Avenue
052	326 South Wind Road
053	4467 Spring Avenue
056	435 Main Street
550 Revised	Phillips Purchase

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 21, 2000

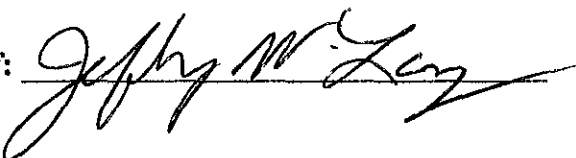
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 01-56**

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: 

Section Chief: 

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 8.16.00

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

RE: Baltimore County
Item No. 056 JCM

Dear Ms. Jackson:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 140 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

8.7.00

NOTE TO FILE:

- DISCUSSED WITH APPLICANT.

PARKING facility should BE
DIMENSIONED TO SHOW COMPLIANCE
WITH SECTION 409.

- @ IS ~~THE~~ 3.3 SPACES / 1000 ϕ
SUFFICIENT FOR THE PROPOSED USE?

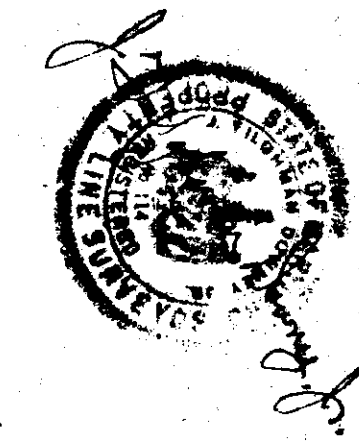
Joe M.

PREPARE OF PLAN:

Shirley S. Sweeney, Inc.
200 E. Joppa Road
Shirley Sweeney, Room 101
Towson, MD 21206
(410) 288-0080

LEGEND
PROP. PAVING: (P) (P) (P)
NATIONAL REGISTER OF HISTORIC DISTRICTS
WATER METER: W.M.O.
WOOD FENCE: (W) (W) (W)
LANDSCAPE SCREENING (PROP): (P) (P) (P)

ZONE: PD
ZONE: DR.16



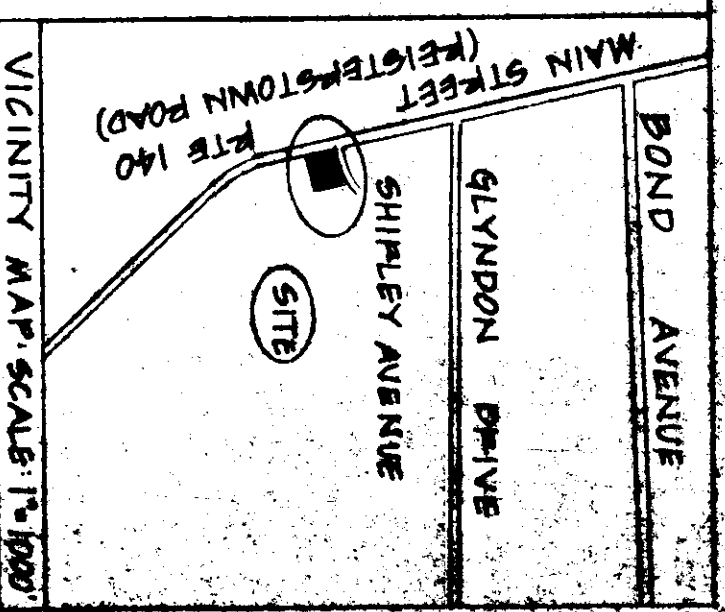
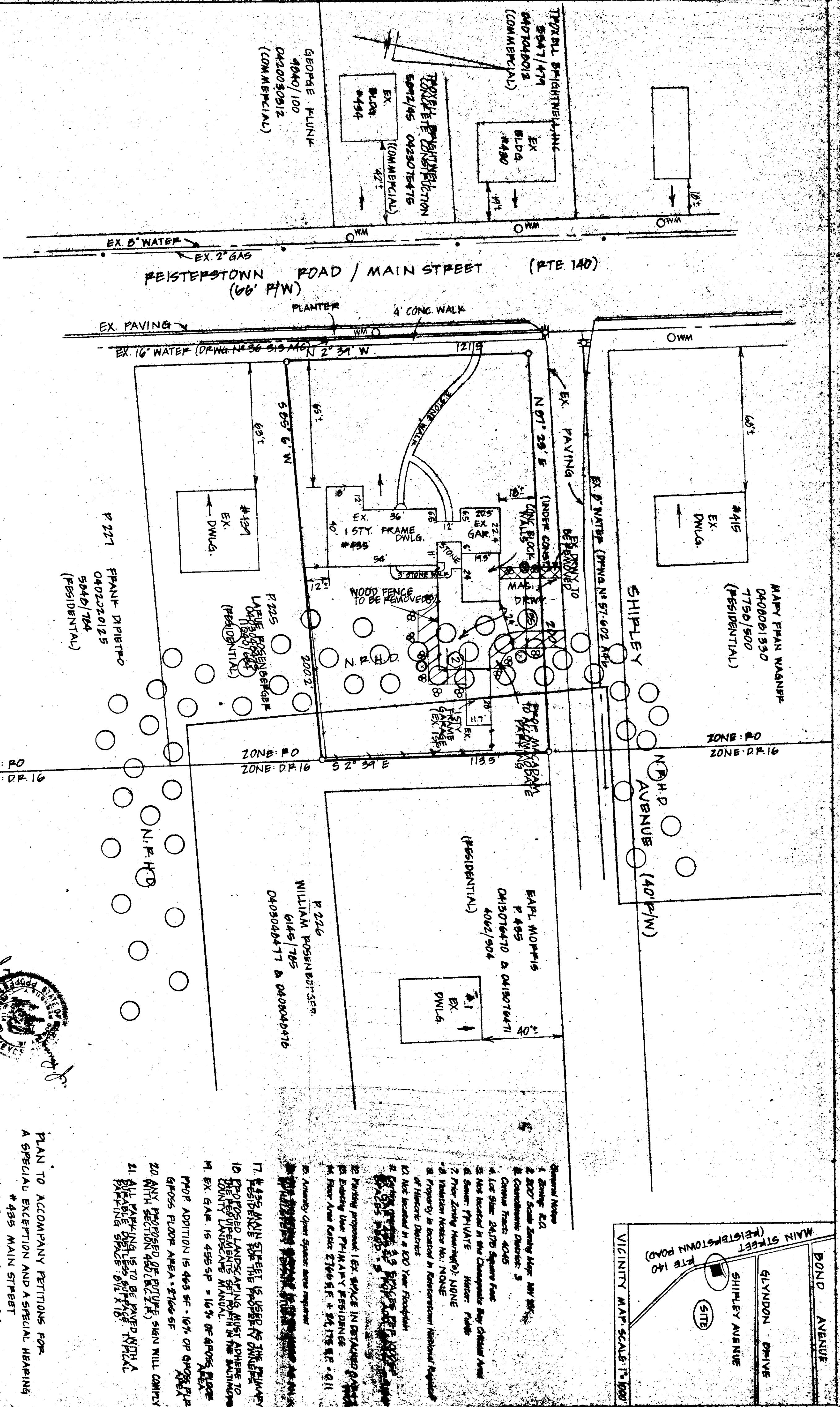
101

PLAN TO ACCOMPANY PETITIONS FOR
A SPECIAL EXCEPTION AND A SPECIAL HEARING
435 MAIN STREET
ELECTION DISTRICT NO. 4
BALTIMORE CO, MD
SCALE: 1"=30'
JULY 24, 2000
REVISED AUG 1, 2000

00-0346

ZONING OFFICE USE ONLY
REV'D BY: ITEM # CASE #

2000 056



1. Zoning: E.O.
2. 200' Scale Zoning Map: MAY 1998
3. Comprehensive District: S
4. Census Tracts: 4045
5. Lot Size: 24,175 Square Feet
6. Owner: PRIVATE
7. Prior Zoning Hearing(s): NONE
8. Variation Notice No.: NONE
9. Property is located in the Chesapeake Bay Coastal Area of Historic District
10. Not located in a 100 Year Floodplain
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