

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE

SE/S McDaniel Avenue, 230' NE
centerline of Golden Ring Road
15th Election District
7th Councilmanic District
(8105 McDaniel Avenue)

Timothy C. Brown
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-322-SPHA

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owner of the subject property, Timothy C. Brown. The Petitioner is requesting a special hearing to allow business parking in a residential zone and a variance as follows: to permit a 5 ft. setback in lieu of the required 75 ft. to the southwest of the parking area and 45 ft. to the northeast of the parking area in lieu of the required 75 ft. and also to permit a buffer of 5 ft. to the southwest in lieu of the required 50 ft. and a buffer of 45 ft. to the northeast in lieu of the required 50 ft. The Petitioner is also requesting that the parking surface be permitted to be crusher run in lieu of the required durable and dustless surface and that the parking spaces be non-striped.

Appearing at the hearing on behalf of the special hearing and variance requests were Timothy Brown, owner of the property and Michael Paul Smith, attorney at law, representing the Petitioner. Appearing in opposition and as interested citizens were several residents of the surrounding community, namely Mr. & Mrs. Ambrosetti, Loretta Pasko and Steven Armstrong.

Testimony and evidence indicated that the property, which is the subject of this special hearing and variance request, consists of 0.332 acres, more or less, zoned DR 5.5. The subject property is located on the south side of McDaniel Avenue, near its intersection with Golden Ring

COPIES FOR FILING
Date 5/8/01
By [Signature]

Road. The subject property is unimproved at this time. The Petitioner has constructed a stone parking lot on the subject property, upon which the employees of his business park. Mr. Brown testified that he owns and operates a commercial waterproofing business located at 6914 Golden Ring Road. To the rear of his property on Golden Ring Road exists a vacant lot that has frontage on McDaniel Avenue. The Petitioner has installed a parking lot for his employees on that property. He was unaware of the need for a variance and special hearing in order for the parking lot to be used on the property. Consequently, he has filed the petition for relief herein to legitimize the subject parking lot.

Mr. Brown had an opportunity to discuss the use of the parking lot with his surrounding neighbors. He has agreed to certain conditions and restrictions, all of which will be placed at the end of this Order.

As stated previously, the residents from the surrounding community appeared at the hearing and testified out of concern for this parking lot. The concerns raised by those in attendance will be included within the conditions and restrictions at the end of this Order.

Business parking on residentially zoned land is permitted by way of a special hearing before this Deputy Zoning Commissioner. The testimony and evidence offered at the hearing demonstrated that the property upon which the Petitioner wishes to install this parking lot is in fact adjacent to his business. Only employees of Mr. Brown's business will utilize the subject property and will park only their passenger vehicles on the lot. There shall be no loading or servicing of any vehicles parked on the lot and the lot itself will not be illuminated. Furthermore, as stated previously, conditions and restrictions will be imposed at the end of this Order to further address concerns raised at the hearing before me.

ORDER RECEIVED FOR FILING
Date 5/8/01
By R. P. Jamison

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and their property. McLean v. Soley, 270 Md. 208 (1973).

To prove practical difficulty for an area variance, the Petitioner must meet the following:

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

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

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 property which is the subject of this 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 relief 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.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental 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 held on the Petition and for the reasons given above, I believe that the special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8th day of May, 2001, that the Petitioner's Request for Special Hearing, to allow business parking in a residential zone, be and is hereby GRANTED.

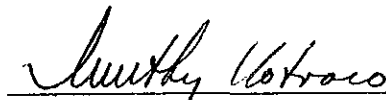
IT IS FURTHER ORDERED, that the Petitioner's Request for Variance, to permit a 5 ft. setback in lieu of the required 75 ft. to the southwest of the parking area and 45 ft. to the northeast of the parking area in lieu of the required 75 ft.; to permit a buffer of 5 ft. to the southwest in lieu of the required 50 ft.; to permit a buffer of 45 ft. to the northeast in lieu of the required 50 ft.; and that the parking surface be permitted to be crusher run in lieu of the required durable and dustless surface and that the parking spaces be non-striped, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall be required to submit a landscape plan to Mr. Avery Harden, Landscape Architect for Baltimore County, providing for the installation of appropriate screening around the perimeters of the subject parking lot.
3. The parking lot in question shall be utilized by only employees of Mr. Brown's business. There shall be no customer parking on the subject lot. Furthermore, the use of the parking lot in question must cease and terminate at such time as Mr. Brown no longer operates his business from 6914 Golden Ring Road. At that time, the parking lot area must be returned to its original condition, that being turf grass. The Petitioner shall be required to permanently chain or fence off the entrance to the parking lot from McDaniel

ORDER PREPARED FOR FILING
Date 5/8/01
By J.P. Gannon

Avenue. No one utilizing the subject parking lot may be permitted to drive upon or use McDaniel Avenue when coming and going to the parking lot in question.

4. Commercial trash pick-up from the Petitioner's business shall be made from Golden Ring Road, so as to eliminate the need for the trash truck to utilize McDaniel Avenue. In the event it is not physically possible for the trash truck to access the dumpster from Golden Ring Road, then it may be permitted to utilize McDaniel Avenue. However, this trash pick-up must occur no more than once per week and must be done between the hours of 9:00 a.m. through 5:00 p.m., Monday through Friday.
5. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

OFFICIAL RECORD FOR FILING
5/18/01
R. Emerson



Baltimore County
Zoning Commissioner

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

May 8, 2001

Michael Paul Smith, Esquire
Bodie, Nagle, Dolina, Smith & Hobbs, PA
143 Main Street
Reisterstown, Maryland 21136

Re: Petitions for Special Hearing & Variance
Case No. 01-333-SPHA
Property: 8105 McDaniel Avenue

Dear Mr. Smith:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and variance have been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Copies to:

Mr. Timothy C. Brown
P. O. Box 70048
Baltimore, MD 21237

Mr. & Mrs. A. J. Ambrosetti
8610 McDaniel Avenue
Baltimore, MD 21237

Ms. Loretta M. Pasko
8611 McDaniel Avenue
Baltimore, MD 21237

Mr. Steven L. Armstrong
8607 McDaniel Avenue
Baltimore, MD 21237



AMENDED

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8105 McDaniel Avenue

which is presently zoned DR 5.5

8605

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 Variance from Section(s)

1B01 (B) (1) (e) 5 to permit a 5-foot setback in lieu of the required 75' to the southwest of the parking area and 45' to northeast of the parking area in lieu of the required 75 feet; also to permit a buffer of 5 feet to the southwest in lieu of the required 50 feet and buffer of 45' to the northeast in lieu of the required (Cont'd on page 2) of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Due to the size and shape of the property in question the RTA provisions are not able to be met.

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

I, or we, agree to pay expenses of above Variance, 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 Paul Smith

Name - Type or Print

Signature

Bodie, Nagle, Dolina, Smith & Hobbs, PA

Company

143 Main St.

410-833-1221

Address

Telephone No.

Reisterstown, MD 21136

City

State

Zip Code

Legal Owner(s):

Timothy C. Brown

Name - Type or Print

Signature

Name - Type or Print

Signature

PO Box 70048

410-391-2266

Address

Baltimore, MD 21237

Telephone No

City

State

Zip Code

Representative to be Contacted:

attorney for petitioner

Name

Address

Telephone No

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

TAC

Date

3/1/01

Case No. 01-322-5PHA

REV 9/15/98

REVISED 3/1/01

ORIGINAL FILED FOR FILING

page 2

50 feet. It is also requested that the parking surface be permitted to be crush and run in lieu of the required minimum that the surface be durable and dustless and the parking spaces must be striped in accordance with Section 409.8.

01-322-SPHA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8105 McDaniel Ave
~~6914 Golden Ring Road~~

which is presently zoned DR5.5

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 Variance from Section(s) 1B01(B)(1)(e)5 to permit a 5-foot setback in lieu of the required 75' to the southwest of the parking area and 45' to northeast of the parking area. Also to permit a buffer of zero feet to the southwest and 45' to the northeast, 409.8 to permit crush and run surface in lieu of the required durable and dustless surface and the striping of spaces. RTA fwc In lieu of the required 50 ft. of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

OLD

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, 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 Paul Smith
Name - Type or Print _____

Signature _____

Bodie, Nagle, Dolina, Smith & Hobbs, P.A.
Company _____

143 Main Street 410-833-1221
Address _____ Telephone No. _____

Reisterstown MD 21136
City _____ State _____ Zip Code _____

Legal Owner(s):

Timothy C. Brown
Name - Type or Print _____

Signature Timothy C. Brown, Jr.

Name - Type or Print _____

Signature _____

P.O. Box 70048 410-391-2266
Address _____ Telephone No. _____

Baltimore MD 21237-6048
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____

Address _____ Telephone No _____

City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By TAG Date 2/8/01

Case No. 01-322-SPHA

REV 9/15/98

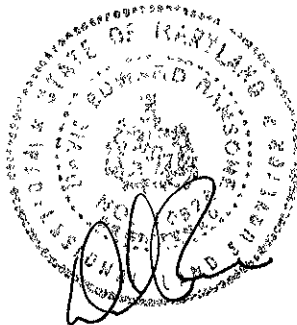
January 15, 2001

Zoning Description

All that piece or parcel of land situate, lying and being in the Fifteenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the Southeast side of McDaniel Avenue at a point situate the 2 following courses and distances from Golden Ring Road: Northeasterly, measured along the center of McDaniel Avenue, 230 feet from the center of Golden Ring Road and Southeasterly 15 feet to the Southeast side of McDaniel Avenue, thence binding on the Southeast side of McDaniel Avenue, North 50 degrees 34 minutes 20 seconds East 97 feet, thence leaving said avenue and running the 5 following courses and distances viz: South 56 degrees 15 minutes 40 seconds East 185.70 feet, South 48 degrees 44 minutes West 60 feet, North 61 degrees 03 minutes West 97 feet South 50 degrees 34 minutes 20 seconds West 28 feet and North 56 degrees 15 minutes 40 seconds West 93.34 feet to the place of beginning.

Containing 0.332 of an Acre of Land, more or less.



01-322-SP1A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 90031

DATE 2-8-01 ACCOUNT 001-006-6150

AMOUNT \$ 500.00

RECEIVED
FROM:

Kodie Nagle, Delina Smith & Helen VA

FOR:

Special Hearing & Variance

01-242-SFHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
2/08/2001 2/08/2001 11:41:03

REC'D US07 CASHIER LWIL LDW DRAWER 3

RECEIPT # 168113 OFLN

DEPT 5 527 ZONING VERIFICATION

CR NO. 090031

Recpt Tot 500.00

500.00 CR .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 93106

DATE 3/12/01 ACCOUNT 001-006-6150

AMOUNT \$ 100.00

RECEIVED
FROM:

Kodie Nagle, Delina Smith & Helen VA

FOR:

8105 William I Avenue

PAID RECEIPT

PAYMENT ACTUAL TIME
3/13/2001 3/12/2001 15:07:36

REC'D US01 CASHIER JPIC JHP DRAWER 1

RECEIPT # 076813 OFLN

DEPT 5 527 ZONING VERIFICATION

CR NO. 093106

Recpt Tot 100.00

100.00 CR .00 CA

Baltimore County, Maryland

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: #01-322-SPHA

8105 McDaniel Avenue

SE/S McDaniel Avenue, 230' NE of centerline Golden Ring Road

15th Election District - 7th Councilmanic District

Legal Owner(s): Timothy C. Brown

Special Hearing: to approve business parking in a residential zone. **Variance:** to permit a 5-foot setback in lieu of the required 75 feet to the southwest of the parking area and 45 feet to northeast of the parking area; to permit a RTA buffer of zero feet to the southwest and 45 feet to the northeast in lieu of the required 50 feet; and to permit crush and run surface in lieu of the required durable and dustless surface and the striping of spaces.

Hearing: Monday, April 30, 2001 at 2:00 p.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.

4/11/4 April 12

C462083

CERTIFICATE OF PUBLICATION

4/13/, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/12/, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-322-SPHA

Petitioner/Developer: _____

Timothy C. Brown

Date of Hearing/Closing: 4-30-01@2:00pm

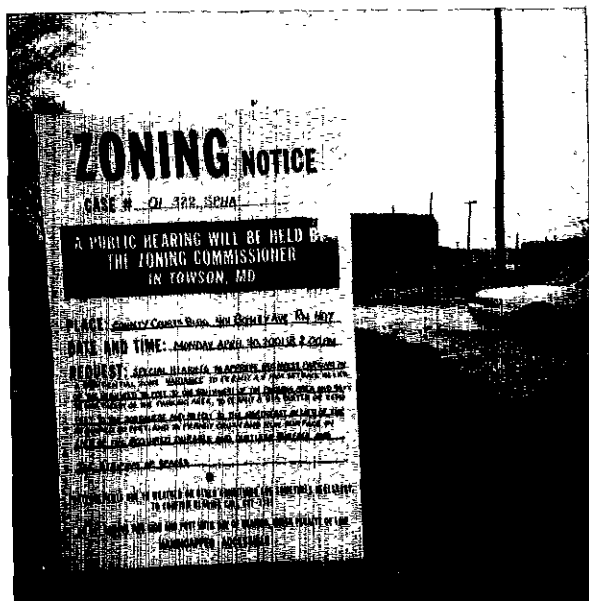
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

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 8105 McDaniel Avenue
Rosedale, MD 21237

The sign(s) were posted on April 6, 2001
(Month, Day, Year)



Sincerely,

Stacy Gardner 4/6/01
(Signature of Sign Poster and Date)

Stacy Gardner
(Printed Name)

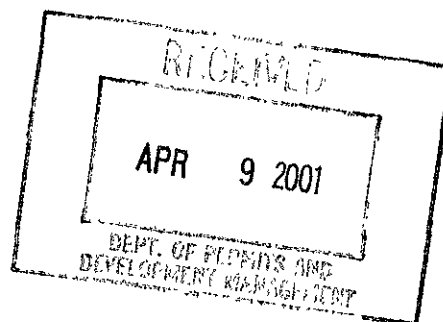
SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784

(City, State, Zip Code)

410-781-4066

(Telephone Number)

SECRET MURK-KONKANS
J. L. G. BENTLEY
1991



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: 01-322-SPHA
Petitioner: Timothy Brown
Address or Location: 8105 McDaniel Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL PAUL SMITH
Address: 143 MAIN ST
REISTERSTOWN, MD 21136
Telephone Number: 410-833-1221

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 5, 2001 Issue – Jeffersonian

Please forward billing to:

Michael P Smith
143 Main Street
Reisterstown MD 21136

410 833-1221

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: 01-322-SPHA
8105 McDaniel Avenue
SE/S McDaniel Avenue, 230' NE of centerline Golden Ring Road
15th Election District – 7th Councilmanic District
Legal Owner: Timothy C. Brown

Special Hearing to approve business parking in a residential zone. Variance to permit a 5-foot setback in lieu of the required 75 feet to the southwest of the parking area and 45 feet to northeast of the parking area; to permit a RTA buffer of zero feet to the southwest and 45 feet to the northeast in lieu of the required 50 feet; and to permit crush and run surface in lieu of the required durable and dustless surface and the striping of spaces.

HEARING: Monday, April 23, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

GDL

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.



Baltimore County
Department of Permits and
Development Management

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

March 20, 2001

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: 01-322-SPHA
8105 McDaniel Avenue
SE/S McDaniel Avenue, 230' NE of centerline Golden Ring Road
15th Election District – 7th Councilmanic District
Legal Owner: Timothy C. Brown

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HEARING: Monday, April 23, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

GDZ

Arnold Jablon
Director

C: Michael P Smith, Bodie Nagle Dolina Smith & Hobbs PA, 143 Main Street, Reisterstown 21136
Timothy C Brown, P O Box 70048, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 7, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS 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.





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

March 22, 2001

**CHANGE OF HEARING DATE AND TIME
NOTICE OF ZONING HEARING**

Due to over scheduling for the day of April 23, I had to move the Case 01-322-SPHA to another date, sorry for the inconvenience. 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: 01-322-SPHA
8105 McDaniel Avenue
SE/S McDaniel Avenue, 230' NE of centerline Golden Ring Road
15th Election District – 7th Councilmanic District
Legal Owner: Timothy C. Brown

Special Hearing to approve business parking in a residential zone. Variance to permit a 5-foot setback in lieu of the required 75 feet to the southwest of the parking area and 45 feet to northeast of the parking area; to permit a RTA buffer of zero feet to the southwest and 45 feet to the northeast in lieu of the required 50 feet; and to permit crush and run surface in lieu of the required durable and dustless surface and the striping of spaces.

HEARING: Monday, April 30, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Michael P Smith, Bodie Nagle Dolina Smith & Hobbs PA, 143 Main Street, Reisterstown 21136
Timothy C Brown, P O Box 70048, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 14, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 12, 2001 Issue – Jeffersonian

Please forward billing to:

Michael P Smith
143 Main Street
Reisterstown MD 21136

410 833-1221

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: 01-322-SPHA

8105 McDaniel Avenue

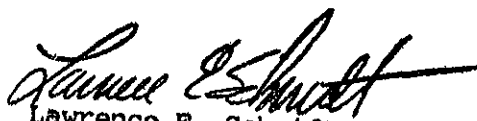
SE/S McDaniel Avenue, 230' NE of centerline Golden Ring Road

15th Election District – 7th Councilmanic District

Legal Owner: Timothy C. Brown

Special Hearing to approve business parking in a residential zone. Variance to permit a 5-foot setback in lieu of the required 75 feet to the southwest of the parking area and 45 feet to northeast of the parking area; to permit a RTA buffer of zero feet to the southwest and 45 feet to the northeast in lieu of the required 50 feet; and to permit crush and run surface in lieu of the required durable and dustless surface and the striping of spaces.

HEARING: Monday, April 30, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue


Lawrence E. Schmidt

GDZ

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.



Baltimore County
Department of Permits and
Development Management

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

April 27, 2001

Michael P Smith
Bodie Nagle Dolina Smith & Hobbs, PA
143 Main Street
Reisterstown MD 21136

Dear Mr. Smith:

RE: Case Number: 01-322-SPHA, 8105 McDaniel Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 1, 2001.

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. c 02
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Timothy C Brown, P O Box 70048, Baltimore 21237
People's Counsel



Sim
4/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 26, 2001

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

SUBJECT: 8105 McDaniel Avenue

FEB 28

INFORMATION:

Item Number: 01-322

Petitioner: Timothy C. Brown

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

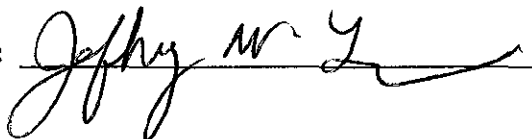
The use for which the petitioner seeks relief already exists, as determined by a site visit. A fenced area used for the storage of utility vehicles, is situated at the southeast edge of the parking area. The parking area is surrounded on three sides by residential uses along a primarily residential street. Based on the information provided with this application, the Office of Planning does not support this request.

Prepared by:



Section Chief:

AFK:MAC:



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 26, 2001

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

SUBJECT: 8105 McDaniel Avenue

INFORMATION:

Item Number: 01-322

Petitioner: Timothy C. Brown

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The use for which the petitioner seeks relief already exists, as determined by a site visit. A fenced area used for the storage of utility vehicles, is situated at the southeast edge of the parking area. The parking area is surrounded on three sides by residential uses along a primarily residential street. Based on the information provided with this application, the Office of Planning does not support this request.

Prepared by: Maeda Cumber

Section Chief: Jeffrey W. L.
AFK:MAC:



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

February 22, 2001

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 FEBRUARY 20, 2001

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

315, 317, 318, 319, 320, 322, 323, 324 and 325

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

cc: File





Baltimore County
Fire Department

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

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 March 19, 2001

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

346, 347, 348, 349, 351, 352, 353, 354, 355, 356, and 01-322-SPHA

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

cc: File

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



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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 28, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For March 26, 2001
Case No. 01-322-SPHA
8105 McDaniel Avenue
(Revised plans and variance)

The Bureau of Development Plans Review did not receive plans for the subject zoning item.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** March 7, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For February 26, 2001
Item No. 322

The Bureau of Development Plans Review has reviewed the subject zoning item.

The proposed entrance to the parking lot should be moved an additional 10 feet east of its location and constructed at the owner's expense per the Department of Public Works' Standard Plate R-32A, "Rural Commercial Entrance".

RWB:HJO:jrb

cc: File



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2-21-01

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

RE: Baltimore County
Item No. 322 TAG

Dear Ms. Jackson:

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.

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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.15.01

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

RE: Baltimore County TAG
Item No. 071-322-SPHA

Dear Ms. Jackson:

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.

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,

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

My telephone number is _____

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: March 19, 2001

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of February 20, 2001

DEPRM has no comments for the following zoning petitions:

Item #	Address
315	408 Thackery Avenue
317	15341 Old York Road
318	9700 Bernard Lewis Court
319	8 and 14 Hillside Avenue
321	1800 Sulphur Spring Road
322	8105 McDaniel Avenue
324	1534 York Road

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *MB/RS*

DATE: March 28, 2001

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of March 19, 2001

DEPRM has no comments for the following zoning petitions:

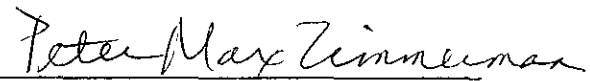
Item #	Address
346	13800 Princess Anne Way
348	1 Glencliffe Circle
351	3704 Valley Hill Drive
352	5 Wildon Court
354	324 Fox Lair Drive
355	7817 Ellenham Avenue
356	1919 Calais Court
322 Revised	8105 McDaniel Avenue

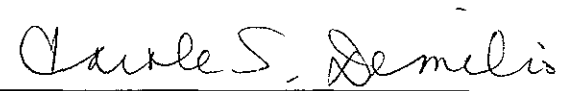
RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR VARIANCE *
8105 McDaniel Avenue, SE/S McDaniel Ave, 230' NE of * ZONING COMMISSIONER
c/l Golden Ring Rd *
15th Election District, 7th Councilmanic * FOR
Legal Owner: Timothy C. Brown * BALTIMORE COUNTY
Petitioner(s) *
Case No. 01-322-SPHA

* * * * *

ENTRY OF APPEARANCE

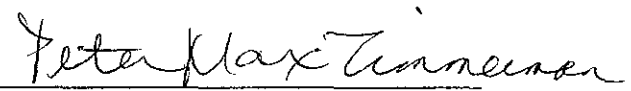
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed 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 27th day of February, 2001 a copy of the foregoing Entry of Appearance was mailed to Michael Paul Smith, Esq., Bodie, Nagle, Dolina, 143 Main Street, Reisterstown, MD 21136, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

Citizen

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

STEVEN L. ARMSTRONG

8607 McDANIEL Rd 21237



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on Recycled Paper

Case Number _____

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Michael Paul Smith ATTY

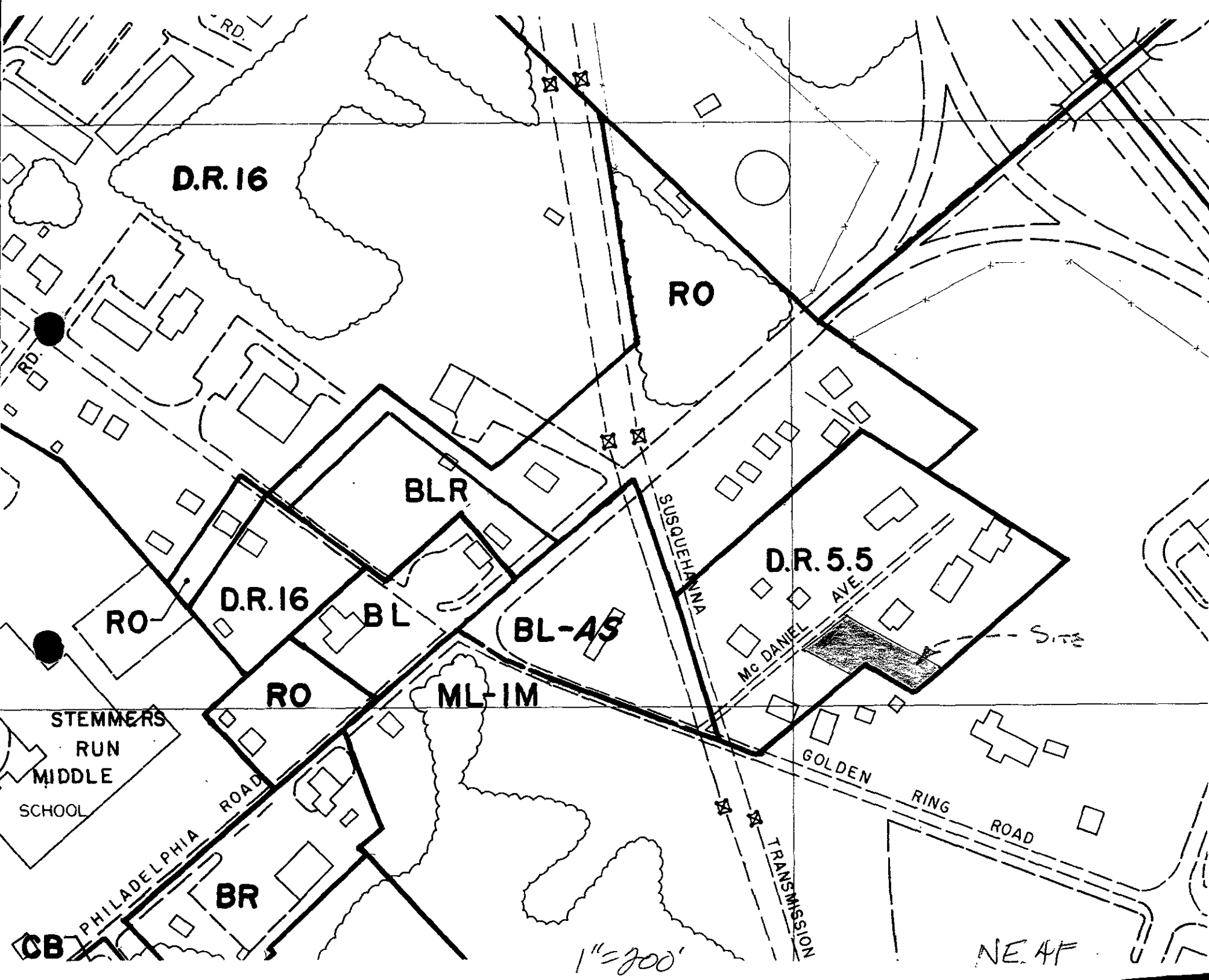
Timothy Christopher Brown

ADDRESS

143 MAIN ST
BELTERSTOWN, MD 21136
6914 Golden Ring Rd.
Rosedale, MD 21237

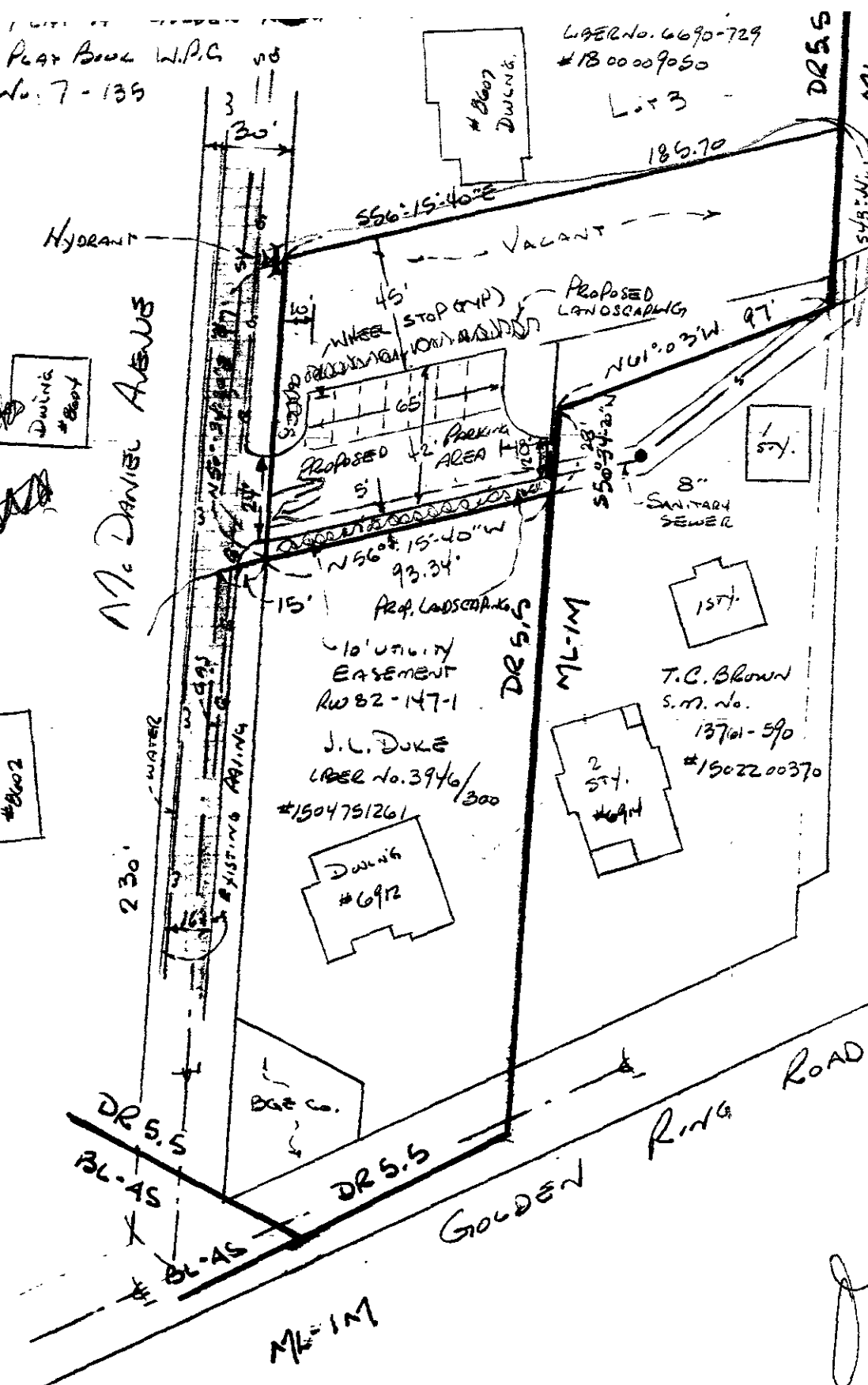


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on Recycled Paper



ANDS-202-10
01-322-50114

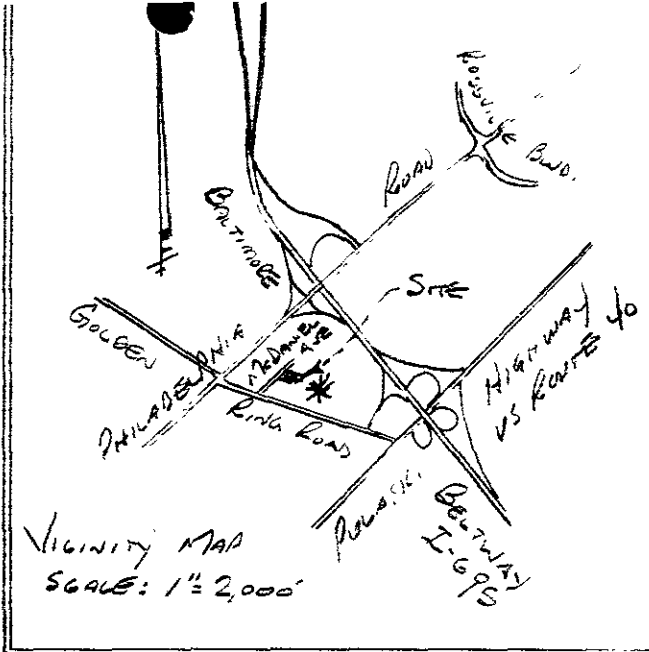
01-322-SPHA



PLAT OF GOLDEN RING PARK
 PLAT BOOK W.P.C. NO
 No. 7-139

S. ARMSTRONG
 L&ER No. 6690-729
 #1800009050
 Lot 3

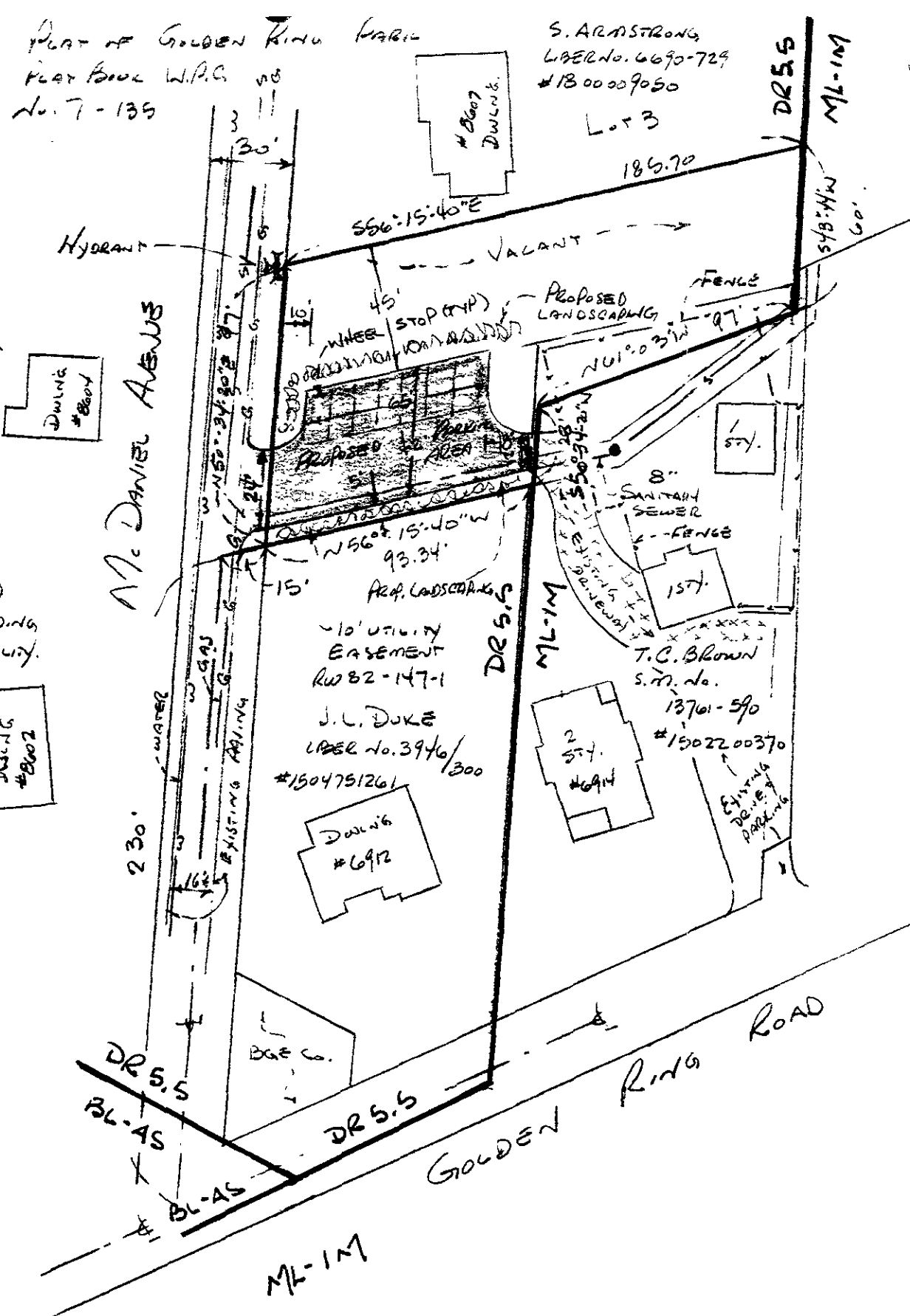
GOLDEN RING BUSINESS
 PARK
 PLATBOOK ERIK No. 46-125



REVISED
 3/1/01

NOTES FOR PARKING SECTION 409 B.2 BC2R

- PARKING AREA ADJOINS BUSINESS INVOLVED (#6914 GOLDEN RING ROAD)
- ONLY PASSENGER VEHICLES, EXCLUDING BUSES, MAY USE THE PARKING FACILITY.
- NO LOADING, SERVICE OR USE OTHER THAN PARKING IS PERMITTED.
- LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLARE AND INTENSITY, AS REQUIRED.
- PARKING ARRANGEMENT & ACCESS AS SHOWN HEREON
- METHOD & AREA OF OPERATION:
 NORMAL BUSINESS HOURS
- FACILITY ALSO SUBJECT TO CONDITIONS SET FORTH BY ZONING COMMISSIONER IN ZONING ORDER.



U.S. POSTAL SERVICE
 ROSEDALE POST OFFICE

NOTES

15TH ELECTION DISTRICT
 7TH COUNCILMANIC DISTRICT
 TAX ACCOUNT #1502200370
 AREA OF DR 5.5 LOT SHOWN - 0.332 AC.
 ZONING MAP NE4F
 OWNER: TIMOTHY C. BROWN
 P.O. Box 70048
 BALTIMORE MD 21237-6048
 DEED REF: S.M. No. 13761-590
 FOR PROPOSED PARKING AREA:
 - 7 SPACES SHOWN 8.5' x 12' EACH MIN.
 - DURABLE & DUSTLESS SURFACE

PLAT TO ACCOMPANY PETITION
 FOR VARIANCE & SPECIAL HEARING

FEBRUARY 27, 2001
 FEBRUARY 21, 2001
 FEBRUARY 5, 2001
 JANUARY 15, 2001

SCALE: 1"=50'



David Ransone
 Land Surveyor
 P.O. Box 10007
 Baltimore, MD 21285-0007

01-332-5PHA