

IN RE: DEVELOPMENT PLAN HEARING
S/S Dogwood Road, N Fairbrook Road
1st Election District
1st Councilmanic District
(George Helfrich Property)

Security Development Corporation
Petitioner/Developer

* BEFORE THE
* HEARING OFFICER
* OF BALTIMORE COUNTY

* Case Nos. I-489 & 02-520-SPHX **A**

* * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Deputy Zoning Commissioner and Hearing Officer for Baltimore County as a requested approval of a Development Plan prepared by D. S. Thaler & Associates, Inc., proposing the development of the subject property into eight-four (84) townhouse dwellings. The subject property comprises 28.47 acres, more or less, and is predominantly zoned D.R.5.5 with a small area of D.R.16 and R.C.6 zoning. The property is located on the south side of Dogwood Road, north of the termination point of Fairbrook Road in Catonsville.

Appearing at the hearing on behalf of the Development Plan approval request were Steve Breeden, Rob Moxley and Mark Moxley, appearing on behalf of the Dogwood Road Limited Partnership, the Developers of the site, David Thaler, Alan Scoll and Mark Vaszil, appearing on behalf of D. S. Thaler & Associates, Inc., the engineers who prepared the Development Plan of the property, and Ben Bronstein, attorney at law, representing the Developer. Appearing as interested citizens were James Markle and G. W. Helfrich, the owner of the property. Mr. Mike Marino, attorney at law, appeared representing the Fairbrook Apartments, the adjacent property owners. As is usual and customary, representatives of the various Baltimore County reviewing agencies also attended the hearing; namely, John Sullivan (Zoning Review) and Don Rascoe (Development Management) from the Office of Permits & Development Management; R. Bruce Seeley from the Department of Environmental Protection and Resource Management (DEPRM); Mark Cunningham from the Office of Planning; and Jan Cook from the Department of Recreation & Parks. Ms. Joanne Wieber, who appeared on behalf of the Homeowners of

ORDER REVIEWED
Date 4/2/03
By R. J. Janson

Parkview Trail, appeared in opposition to the request. There were no others in attendance.

In addition to the requested approval of the Development Plan, the Petitioner is also requesting variance relief regarding the development of the site. Originally, the Petitioner requested a special exception approval for the adult day care center which is operated by "The Easter Seals" located on the northern end of the site. The Petitioner withdrew the special exception request based on a letter issued by the Department of Permits & Development Management. Therefore, at issue in the case is the requested approval of the Development Plan, along with variance relief to allow two 7-unit buildings in lieu of the permitted 6, a variance to permit 11 parking spaces in a row in lieu of the 10 permitted, and an open projection setback of 17.5 ft. for a 12 ft. deck to be constructed on the rear of each of these townhouses in lieu of the required setback of 22 ft. The third variance request, which involved "The Easter Seals" property, was withdrawn at the hearing.

Testimony and evidence indicated that the property to be developed comprises 28.47 acres. The property can be developed with as many as 157 dwelling units. However, the Developer, pursuant to this Development Plan, is requesting approval of the development of the property with 84 townhouse dwellings as depicted on Developer's Exhibit "1A", the Development Plan which was submitted into evidence. The development of the property occurs on the southern end of the site with the northern end continuing to be occupied by "The Easter Seals" as an adult day care center. The center of the site comprises environmental features such as a lake, stream valley and passive and active open space, all of which is depicted on the Development Plan.

As to the history of this project, a Concept Plan Conference was held on July 23, 2001. As required, a Community Input Meeting was held on August 20, 2001 at the Woodlawn Library. Subsequently, a Development Plan Conference was held on June 5, 2002 and the first Hearing Officer's Hearing was held on June 28, 2002 and continued to August 8, 2002 at the request of DEPRM and the Developer. A second Development Plan Conference was held on February 26, 2003 and a final hearing on the matter held on April 10, 2003.

At the Hearing Officer's hearing, I attempt to determine what, if any, issues or comments remain unresolved as of the date of the hearing before me. No issues were raised by either the Developer or the County representatives who were in attendance. The County representatives indicated that the plan as submitted meets and satisfies the Development Regulations of their respective agencies.

Issues were raised by Ms. Joanne Wieber who appeared on behalf of the Homeowners of Parkview Trail. Ms. Wieber testified that members of her association met and agreed to oppose the development of this site. The reasons for their opposition were stated in a written letter submitted into evidence as Protestant's Exhibit No. 1. Much of the testimony that Ms. Wieber provided in opposition to this Development Plan was inaccurate. Ms. Wieber indicated that her community objects to the development of the property, given that it lies adjacent to the Patapsco State Park. However, in actuality, the property proposed to be developed is situated approximately 2 miles from the Patapsco State Park property. Ms. Wieber further objected to traffic on Johnnycake and Dogwood Roads. However, the property to be developed is serviced by Fairbrook Road and has no direct access to Dogwood Road. Mr. Thaler testified that the preferred method of travel for residents of this subdivision would be over Fairbrook Road and out to other main travel ways. Ms. Wieber also was opposed to any commercial development on the property. However, none is proposed. Finally, Ms. Wieber indicated that her association would prefer that the subject property be developed with a community center such as a boys and girls club or a YMCA. It should be noted that "The Easter Seals" intends to continue to operate their adult day care facility on the property as they have in the past. Furthermore, Mr. Thaler testified that the central 1/3 of the subject development will be maintained as public lands and will include a large pond, a public beach area associated with that pond and also fishing. There are hiking trails proposed to be installed along with active and passive open space. Therefore, the center of the property to be developed will, in essence, be set aside as public park land.

It should also be noted that Parkview Trail is a residential community that is situated approximately 2 miles from the property to be developed. Most of the information provided in

the letter submitted as Protestant's Exhibit No. 1 did not apply to this property. The concerns raised in that letter are not sufficient to warrant that the Development Plan be denied. I am satisfied, based on the testimony and evidence presented at the hearing, that the Development Plan as submitted meets and satisfies all of the Development Regulations contained within the Baltimore County Code and the Baltimore County Zoning Regulations. Accordingly, the Development Plan shall be approved.

As stated previously, the Developer, in conjunction with their Development Plan approval request, has also asked that certain variances be considered in conjunction with the development of this property. Two of the townhouse buildings proposed for the property, that being Building Nos. 2 and 7, each contain 7 townhouse dwellings in lieu of the permitted 6. In addition, there are some parking areas that provide for 11 parking spaces in a row in lieu of the permitted 10. Finally, all of the townhouse dwellings to be constructed are proposed to have 12 ft. decks extending from the rear of the homes. In order for the property to be developed in the fashion depicted on Developer's Exhibit No. 1A, these variance requests are necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

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

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

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 Baltimore County Zoning Regulations.

The final relief requested by the Petitioner involves accessory structures/fences in non-density portions of lots in a D.R.16 zone sharing lot area in a D.R.5.5 zone and to amend area of special exception and special hearing in Case No. 86-354-XSPH. After considering the testimony and evidence offered, I find that the special hearing request should be granted to approve the location of the accessory structures and fences as requested.

Pursuant to the Zoning and Development Plan Regulations of Baltimore County as contained within the Baltimore County Zoning Regulations and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the Development Plan shall be approved consistent with the comments contained herein.

THEREFORE, IT IS ORDERED by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 21st day of April, 2003, that the Development Plan prepared by D. S. Thaler & Associates, proposing the development of the subject property known as the "George Helfrich Property", be and is hereby APPROVED.

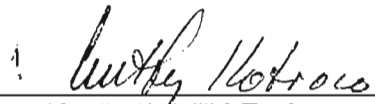
IT IS FURTHER ORDERED, that the variance relief to allow two 7-unit buildings in lieu of the permitted 6, 11 parking spaces in a row in lieu of the permitted 10, and rear yard setbacks of 17.5 ft. in lieu of the permitted 22 ft., be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the special exception request, as well as the variance to allow the existing parking area to remain as indicated on that portion of the property occupied by The Easter Seals, be and are hereby DISMISSED as not being necessary.

IT IS FURTHER ORDERED, that the special hearing relief to permit accessory structures/fences in non-density portions of lots in a D.R.16 zone sharing lot area in a D.R.5.5 zone and to amend the previously approved special exception and special hearing in Case No.

86-354-XSPH, be and is hereby GRANTED.

Any appeal from this decision must be taken in accordance with Section 26-209 of the
Baltimore County Code.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER/
HEARING OFFICER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 4/21/03
By R. J. Jenson



Baltimore County
Zoning Commissioner

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

April 21, 2003

Benjamin Bronstein, Esquire
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

Re: Hearing Officer's Hearing No. I-489 & Case No. 02-520-SPHXA
Property: S/S Dogwood Road, N Fairbrook Road
1st Election District, 1st Councilmanic District
(George Helfrich Property)

Dear Mr. Bronstein:

Enclosed please find the decision rendered in the above-captioned case. The Development Plan and variance requests 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 & 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,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper

Copies to:

Steve Breeden, Rob Moxley & Mark Moxley
Dogwood Road Limited Partnership
P. O. Box 417
Ellicott City, MD 21041

David S. Thaler, Alan E. Scoll & Mark Vaszil
David S. Thaler & Associates, Inc.
7115 Ambassador Road
Baltimore, MD 21244

Michael Marino, Esquire
609 Bosley Avenue
Towson, MD 21204

James Markle
G. W. Stephens & Associates
1020 Cromwell Bridge Road
Towson, MD 21286

G. W. Helfrich
2516 Maryland Avenue
Baltimore, MD 21218

Joanne R. Wieber
MRA Property Mgmt. Inc.
3445-C Box Hill Corporate Center Dr
Abingdon, MD 21009



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Dogwood Road 1872' ± West of Rolling Run Drive
which is presently zoned DR 5.5, DR 16 & RC 6

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

accessory structures/fences in non-density portions of lots in a DR 16 zone sharing lot area in a DR 5.5 zone and to amend area of special exception and special hearing in Case # 86-354-XSPH.

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:

Benjamin Bronstein
Name - Type or Print _____
Signature _____
George & Bronstein, LLP
Company _____
29 West Susquehanna Avenue, Suite 205 410-296-0200
Address _____ Telephone No. _____
Towson Maryland 21204
City State Zip Code

Legal Owner(s):

George W. Helfrich
Name - Type or Print _____
Signature _____
George W. Helfrich
Name - Type or Print _____
Signature _____

2516 Maryland Avenue 410-366-1200
Address Telephone No.
Baltimore Maryland 21218
City State Zip Code

Representative to be Contacted:

D.S. Thaler & Associates, Inc.
Name _____
P.O. Box 47428, 7115 Ambassador Road 410-944-3647
Address Telephone No.
Baltimore Maryland 21244
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By WCR/SMA Date 05-21-07

DROP OFF

Case No. 02-520-SPH

RECEIVED FOR
Date 4/11/03
By P. Peniston
R2U 9/15/98



REVISED 6/3/02
and Variance

Petition for Special Exception

AND VARIANCE

to the Zoning Commissioner of Baltimore County

for the property located at Dogwood Road 1872'± West of
Rolling Run Drive

which is presently zoned DR5.5, DR16 & RC6

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

an existing daycare building and a variance from Section 1B01.1.B.1.e.(2) to permit a parking setback of 10 ft in lieu of the required 75 ft; Section 1B01.1.B.1.e.(3) to permit a 10 ft unplanted buffer in lieu of the ~~petal~~ 50 ft.
minimum required

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:

Benjamin Bronstein
Name - Type or Print

Signature

Company

29 W. Susquehanna Ave., Suite 205

Address 410-296-0200

Telephone No.

Towson

Maryland

21204

City

State

Zip Code

Legal Owner(s):

George W. Helfrich

Name - Type or Print

Signature

Name - Type or Print

Signature

2516 Maryland Avenue

410-366-1200

Address

Telephone No.

Baltimore

Maryland

21218

City

State

Zip Code

Representative to be Contacted:

D.S. Thaler & Associates, Inc.

Name

PO Box 47428, 7115 Ambassador Rd 410-944-3647

Address

Telephone No.

Baltimore

Maryland

21244-7428

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING See SPHA
UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 6-5-02

Case No. 02-SPHX-A

REV 09/15/98



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Dogwood Road 1872' ± West of Rolling Run Drive
which is presently zoned DR 5.5, DR 16 & RC 6

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)

See Attached

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

1. Topography of property..
2. Configuration of property.
3. And such other and further reasons as may be demonstrated at the hearing.

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:

Benjamin Bronstein
Name - Type or Print _____
Signature _____
George & Bronstein, LLP
Company _____
29 West Susquehanna Avenue, Suite 205 410-296-0200
Address _____ Telephone No. _____
Towson Maryland 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

George W. Helfrich
Name - Type or Print _____
Signature _____
GEORGE W. HELFRICH
Name - Type or Print _____
Signature _____
2516 Maryland Avenue 410-366-1200
Address _____ Telephone No. _____
Baltimore Maryland 21218
City _____ State _____ Zip Code _____

Representative to be Contacted:

D.S. Thaler & Associates, Inc.
Name _____
P.O. Box 47428, 7115 Ambassador Road 410-944-3647
Address _____ Telephone No. _____
Baltimore Maryland 21244
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By WCR/SPH Date 05-21-07

DROP OFF

Case No. 02-520-SP4A

RECV 9/15/98

ATTACHMENT TO PETITION FOR VARIANCE

- V-1 Variance from Section 504.2 BCZR and P.21 of Part III, Division II, Section A of the CMDP to allow a 7 unit building in lieu of the permitted 6 unit building; and
- V-2 P.21 of Part III, Division II, Section A of the CMDP to allow a row of 11 parking spaces in lieu of the permitted 10 spaces; and
- V-3 Section 409.8.A.1 BCZR to allow existing parking area to remain as indicated; and
- V-4 Section 301.1A BCZR to allow a 17.5 foot open projection setback (12.5' deck) in lieu of the required 22.5 foot setback (7.5' deck) for Lots # 1 - 87.

gwh

02-520-SP4A

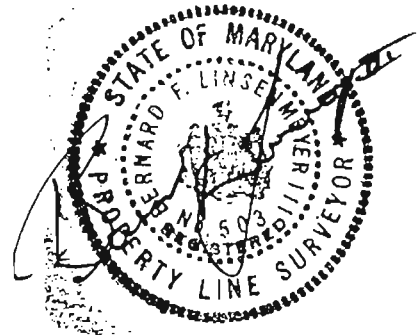
April 1, 2002

George Helfrich Property
Description to Accompany Zoning Petition
(for Zoning purposes only)

Beginning at a point located approximately 1,872 feet Northwest of the intersection of Rolling Run Drive and Dogwood Road, said point having Baltimore County coordinates of N 8,634, W 42,648 and running for the following seven courses and distances:

1. South 19°11'42" West 875.93 feet, more or less to a point; thence,
2. South 18°59'59" West 670.87 feet, more or less, to a point; thence,
3. North 72°53'52" West 495.51 feet to, more or less, a point; thence,
4. North 03°03'48" West 353.27 feet, more or less, to a point; thence
5. North 10°27'47" West 1,036.69 feet, more or less, to a point; thence,
6. North 77°00'57" East 440.55 feet, more or less, to a point; thence,
7. South 78°24'54" East 773.62 feet, more or less, to the point of
beginning.

Containing approximately 28.42 acres located in the First Election District
and First Councilmanic District of Baltimore County.



**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. 10200

DATE 05-21-02

ACCOUNT REC'D COLLEGE

AMOUNT \$ 650.00

RECEIVED
FROM: Security Products, Inc.

FOR: CLARK'S SPEC. HANDLING CHARGE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

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: #02-520-SPHA

Dogwood Road

SW/S of Dogwood Road, 2250' W of Rolling Road

1st Election District - 1st Councilmanic District

Legal Owner(s): George W. Helfrich, 3516 Maryland Avenue, Baltimore 21218

Special Hearing: to approve an existing daycare building.
Variance: to permit a parking setback of 10 feet in lieu of the required 75 feet and to permit a 10 feet unplanted buffer in lieu of the minimum required 50 feet.

Hearing: Friday, June 28, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake 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.

6/113 June 13 C544341

CERTIFICATE OF PUBLICATION

6/13/, 2002

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 6/13/, 2002.

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

J. Wilkinson

LEGAL ADVERTISING

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: #02-520-SPHXA

Dogwood Road

SW/S of Dogwood Road, 2250' W of Rolling Road

1st Election District - 1st Councilmanic District

Legal Owner(s): George W. Helfrich, 3516 Maryland Avenue, Baltimore 21218

Special Exception: to approve an existing daycare building. **Variance:** to permit a parking setback of 10 feet in lieu of the required 75 feet and to permit a 10 feet unplanted buffer in lieu of the minimum required 50 feet.

Special Hearing: to allow a 7 unit building in lieu of the permitted 6 unit building, to allow a row of 11 parking spaces in lieu of the permitted 10 spaces, and to allow existing parking area to remain as indicated and to allow a 17.5 foot open projection setback (12.5 feet deck) in lieu of the required 22.5 foot setback (7.5 feet deck for lots #1-87).

Hearing: Friday, June 28, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake 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.

LT/5/755 June 18

C545978

CERTIFICATE OF PUBLICATION

6/20/2002

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 6/18/2002.

- ☒ 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.: 02-520-SPHXA

Petitioner/Developer: Security

Development Corp.

Date of Hearing/Closing: 6-28-02

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 (1) sign on Dogwood Rd.
+ (1) sign on Fairbrook Rd. Baltimore, MD 21244

The sign(s) were posted on June 12, 2002
(Month, Day, Year)

Sincerely,

Stacy Gardner 6/12/02
(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)

410-781-4000

(Telephone Number)

[illegible]

CASE # 02-520-12400

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

PLACE: WILLIAMSBURG, VIRGINIA, 1862

DATE AND TIME: 10/10/2000 10:00 AM

REQUEST: URGENT REQUEST FOR ASSISTANCE IN OBTAINING PERSONAL RECORDS
REGARDING THE DEATH OF A PERSON WHOSE NAME IS [REDACTED] [REDACTED] [REDACTED]
AND WHOSE LAST KNOWN RESIDENCE WAS [REDACTED] [REDACTED] [REDACTED]
AND WHOSE LAST KNOWN RESIDENCE WAS [REDACTED] [REDACTED] [REDACTED]

Signature: [Signature]

[illegible]

PLEASE PRINT NAME AND ADDRESS ON OTHER CONDITIONS ARE SUBJECT TO INSURANCE
IN COMPANY POLICY NO. 1000

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

ZONING NOTICE

CASE # 02 520 0910A

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

PLACE: Real Estate County Commission, 10000 York Road, 2nd Floor

DATE AND TIME: January, 30th, 7:00 PM in Courtroom

REQUEST: Request to change the zoning from R-1 to R-2 for the property located at 10000 York Road, 2nd Floor, Towson, MD 21204. The property is currently zoned R-1 and the owner is requesting a change to R-2 for the purpose of operating a business from the property.

NOTICE: (Print Name and Address #4-4)

PREPAREMENTS FOR TO BE HELD OR SUCH CONDITIONS ARE OTHERWISE NECESSARY,
NO OTHER HEARING WILL BE HELD.

DO NOT REMOVE THIS SIGN AND POST HERE ON BY HEARING, UNDER PENALTY OF LAW

CASE # 07 520 SPINA

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

PLACE: 1000 10th St. N. W. Washington, D. C.

DATE AND TIME: 120000Z June 78 FM 780707 TO 912100

REQUEST: Special Agent to attend to existing pending cases
and to be placed in a pending status if they are not
able to be placed in a pending status in the pending status

1. State of New York

SECTION 1 (First Name and Last Name)

PROTECTOR'S BUN IN BLAZER OR COAT'S SLEEVES ARE SOMETIMES NECESSARY
TO CONTROL WEAVING. CALL 811-1234

DO NOT REMOVE THIS TAP AND PULL FROM OUT OF HOLE. WHEN READY TO USE

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 13, 2002 Issue – Jeffersonian

Please forward billing to:

Ben Bronstein
George & Bronstein
29 W Susquehanna Avenue
Suite 205
Towson MD 21204

410 296-0200

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: 02-520-SPHXA

Dogwood Road

SW/S of Dogwood Road, 2250' W of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owner: George W Helfrich, 3516 Maryland Avenue, Baltimore 21218

Special Exception to approve an existing daycare building, and a variance to permit a parking setback of 10 feet in lieu of the required 75 feet and to permit a 10 feet unplanted buffer in lieu of the minimum required 50 feet. Variance to allow a 7 unit building in lieu of the permitted 6 unit building, to allow a row of 11 parking spaces in lieu of the permitted 10 spaces, and to allow existing parking area to remain as indicated and to allow a 17.5 foot open projection setback (12.5 feet deck) in lieu of the required 22.5 foot setback (7.5 feet deck for lots # 1 – 87. Special Hearing to approve accessory structures/fences in non-density portions of lots in a DR 16 zone sharing lot area in a DR 5.5 zone and to amend area of special exception and special hearing in Case # 86-354-XSPH.

HEARING: Friday, June 28, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue



Lawrence E. Schmidt

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

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

May 30, 2002

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: 02-520-SPHA
Dogwood Road
SW/S of Dogwood Road, 2250' W of Rolling Road
1st Election District – 1st Councilmanic District
Legal Owner: George W Helfrich, 3516 Maryland Avenue, Baltimore 21218

Special Hearing to approve accessory structures/fences in non-density portions of lots in a DR 16 zone sharing lot area in DR 5.5 zone and to amend area of special exception and special hearing in Case # 86-354-XSPH. Variance to allow a 7-unit building in lieu of the permitted 6-unit building; and to allow a row of 14 parking spaces in lieu of the permitted 10 spaces; and to allow a 17.5 foot open projection setback (12.5' deck) in lieu of the required 22.5 foot setback (7.5 foot deck) Lots # 1-87.

HEARING: Friday, June 28, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

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

Arnold Jablon GDL
Director

C: Benjamin Bronstein, George & Bronstein, 20 W Susquehanna Avenue, Ste 205,
Towson 21204
George W Helfrich, 2516 Maryland Avenue, Baltimore 21218
D. S. Thaler & Associates Inc, P O Box 47428, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 13, 2002**
- (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

June 6, 2002

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: 02-520-SPHXA

Dogwood Road

SW/S of Dogwood Road, 2250' W of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owner: George W Helfrich, 3516 Maryland Avenue, Baltimore 21218

Special Exception to approve an existing daycare building, and a variance to permit a parking setback of 10 feet in lieu of the required 75 feet and to permit a 10 feet unplanted buffer in lieu of the minimum required 50 feet. Variance to allow a 7 unit building in lieu of the permitted 6 unit building, to allow a row of 11 parking spaces in lieu of the permitted 10 spaces, and to allow existing parking area to remain as indicated and to allow a 17.5 foot open projection setback (12.5 feet deck) in lieu of the required 22.5 foot setback (7.5 feet deck for lots # 1 – 87). Special Hearing to approve accessory structures/fences in non-density portions of lots in a DR 16 zone sharing lot area in a DR 5.5 zone and to amend area of special exception and special hearing in Case # 86-354-XSPH.

HEARING: Friday, June 28, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

Arnold Jablon
Director

C: Benjamin Bronstein, George & Bronstein, 20 W Susquehanna Avenue, Ste 205,
Towson 21204

George W Helfrich, 2516 Maryland Avenue, Baltimore 21218

D. S. Thaler & Associates Inc, P O Box 47428, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 13, 2002**
- (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

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

June 21, 2002

Benjamin Bronstein
George & Bronstein
29 W Susquehanna Avenue
Suite 205
Towson MD 21204

Dear Mr. Bronstein:

RE: Case Number: 02-520-SPHA, Dogwood Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 21, 2002.

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 Helfrich, 2516 Maryland Avenue, Baltimore 21218
D. S. Thaler & Associates Inc, 6115 Ambassador Road, Baltimore 21244
People's Counsel

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





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

May 30, 2002

ATTENTION: George Zahner

RE: Property Owner: George Helfrich
Location: DISTRIBUTION MEETING OF June 3, 2002

Item No.: 520

Dear Mr. Zahner:

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 site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 10, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 10, 2002
Item Nos. 511, 512, 513, 514, 516, 517,
518, 519, 520, 521, 522, and 523

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

RB Seeley

DATE: July 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of June 3, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

511-514, 516, 517, 519-525, 527, 529-531, 533



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.28.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 520 JRA

Dear Mr. Zahner:

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,

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

RE: PETITION FOR SPECIAL ESCEPTION
Dogwood Rd 1872 ft+/- west of Rolling Run Dr.

1st Election District 1st Councilmanic District

Legal Owner: George W. Helfrich
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No 02-520-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 of other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of June, 2002 a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, 29 W. Susquehanna Ave. Towson, Md 21204.
Attorney for Petitioner(s)


PETER MAX ZIMMERMAN

JUN 26 2002

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
Dogwood Road, West of Rolling Run Drive,
SW/S Dogwood Rd, appx. 2250' W of Rolling Rd
1st Election District, 1st Councilmanic

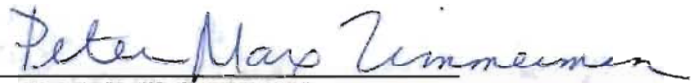
Legal Owner: George W. Helfrich
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-520-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 3rd day of June, 2002 a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esq., George & Bronstein, 29 W. Susquehanna Avenue, Suite 205, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

JRA

Intake Planner

5/20/02

Date Assigned

**DROP-OFF PETITIONS
PROCESSING CHECK-OFF**

☐

Two Questions Answered on Cover Sheet:

Any previous reviews in the zoning office?

Any current building or zoning violations on site?

☐

Petition Form Matches Plat in these areas:

Address

Zoning

Legal Owner(s)

Contract Purchaser(s)

Request (if listed on plat)

☐

Petition Form (must be current PDM form) is Complete:

Request:

Section Numbers

Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities.

Hardship/Practical Difficulty Reasons

Legal Owner/Contract Purchaser:

Signatures (originals)

Printed/Typed Name and Title (if company)

Attorney (if incorporated)

Signature/Address/Telephone Number of Attorney

☐

Correct Number of Petition Forms, Descriptions and Plats

☐

200 Scale Zoning Map

☐

Check: Amount Correct? Signed?

☐

ZAC Plat Information:

✓ Location (by Carl) Su/S Dogwood Rd. approx. 2250 ft. W. Rolling Rd.

Zoning: _____

Acreage: _____

Previous Hearing Listed With Decision

Election District _____

Councilmanic District _____

Case # _____

Check to See if the Subject Site or Request is:

CBCA

Floodplain

Elderly

Historical

Pawn Shop

Helicopter

*If Yes, Print Special Handling Category Here

*If No, Print No

Item Number Assigned

Date Accepted for Filing

WCR/SCL - 01/5/00

62

BENJAMIN BRONSTEIN

ATTORNEY AT LAW
SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719
georghron@aol.com

June 28, 2002

Mr. George W. Helfrich
2516 Maryland Avenue
Baltimore, Maryland 21218

Ms. Marie Rozek
c/o Easter Seals
7301 Dogwood Road
Baltimore, Maryland 21244

Michael Marino, Esquire
609 Bosley Avenue
Towson, Maryland 21204

James Markle, P.E.
G.W. Stephens Jr. & Associates
1020 Cromwell Bridge Road
Towson, Maryland 21286

Mr. Steve Breeden
SDC Group, Inc.
P.O. Box 417
Ellicott City, Maryland 21041

James R. Moxley, III, Principal
Dogwood Limited Partnership
P.O. Box 417
Ellicott City, Maryland 21141

RE: Helfrich Property
Dogwood Road 1872' $\pm$ West of Rolling Run Drive
7301 Dogwood Road, 1st Election Dist., 1st Councilmanic Dist.
PDM Project # I 489
Zoning Case # 02-520-SPHA

Dear Addressee:

Please be advised that the continued combined zoning and Hearing Officer's Hearing on the Development Plan is scheduled for August 8, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204.

Very truly yours,


Benjamin Bronstein



BB/mlh

cc: Donald Rascoe, Development Manager
Department of Permits & Development Management

David S. Thaler, P.E.
D.S. Thaler & Associates, Inc.

✓ Mr. George Zahner
Zoning Office

LAW OFFICES

GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719
georgbron@aol.com

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

May 14, 2002

Arnold Jablon, Director
Dept of Permits & Development Mgt
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Dogwood Road 1872' $\pm$ West of Rolling Run Drive

Dear Mr. Jablon:

In reference to the above entitled property I am hereby enclosing the following:

1. Petition for Variance in triplicate;
2. Petition for Special Hearing in triplicate;
3. Twelve (12) copies of the Plat to Accompany Petitions;
4. Three copies of the description under seal;
5. Copy of the 200 Scale Zoning Map; and
6. My check to cover costs.

There are no violations.

Pursuant to Title 26-206-1 Baltimore County Code, please combine the hearing for the enclosed Petitions with the Hearing Officer Hearing for development plan approval PDM #1-489.

Please enter my appearance on behalf of the Petitioner and advise me as to the hearing date.

Very truly yours,

GEORGE & BRONSTEIN, LLP


Benjamin Bronstein

BB/mlh
Enclosures
cc: James R. Moxley, III
Stacey McArthur

BENJAMIN BRONSTEIN

ATTORNEY AT LAW
SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719
georgbron@aol.com

June 17, 2002

via fax - 410-887-5708

Mr. George Zaner
Baltimore County Zoning Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No.: 02-520-SPHXA

Dear George:

The revised Notice faxed to me today appears to be correct.

Very truly yours,

GEORGE & BRONSTEIN, LLP


Benjamin Bronstein

BB/mlh

cc: Stacey McArthur, PE (via fax)

