

Department of Permits and
Development Management



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Katrova, Director

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

October 15, 2003

Frank J. Pollack
274 Montrose Avenue
Baltimore, MD 21221

Dear Mr. Pollack:

RE: Verification-Dog Grooming Facility, Case # 02-323-SPH, Frank J. Pollack 1/4 Bark "N" Bubbles,
810A Back River Neck Road (aka 838 Back River Neck Road), Baltimore, MD 21221, 15th Election
District

Your recent letter to Councilman Bartenfelder was forwarded to me for reply. Based on the information
provided therein, my review of the available zoning records and after consultation with Zoning
Commissioner Lawrence E. Schmidt and Zoning Review Supervisor Carl Richards, the following has been
determined:

1. A petition for special hearing under Case # 02-323-SPH requested approval to continue a dog
grooming facility use pursuant to Section 600.7 of the Baltimore County Zoning Regulations
(BCZR).
2. The subject petition did not reference Section 103.1 (BCZR) nor Section 103.1.B of the Zoning
Commissioner's Policy Manual (ZCPM) that set the standards for "Grandfathering in the ML
Zone" (see enclosed standards). Therefore, relief was not requested pursuant to those
sections. Thus, Section 103.1 (BCZR) and Section 103.1.B (ZCPM) were not considered by
the Zoning Commissioner prior to his decision in the above referenced case.
3. Upon further review of the subject property's history, it was discovered that retail uses did occur
on the site prior to 1970 (see attached permit plan from 1968), which would permit a dog
grooming facility on the subject property pursuant to those sections as referenced above.
4. To document the property for approval under the grandfathering sections of the BCZR and
ZCPM, a "Grandfathering in the ML Zone" plan for the subject property must be submitted for
approval by this office prior to any use approvals. The grandfathering plan details must show a
history of the subject property, including the 1968 permit information that confirms retail uses, a
verbatim copy of the order in Case # 02-323-SPH and a verbatim copy of this response letter.
Due to the complicated nature of this type of review/approval, it is highly recommended that
your engineer or surveyor review the microfilm file of "Grandfathering in the ML" plans that were
previously approved by this office. If our review confirms compliance with the grandfathering
sections, then the use of the property for a dog grooming facility would be approved as being in
compliance with the Baltimore County Zoning Regulations (BCZR).
5. To eliminate any confusion or misconceptions regarding the approval, the "Grandfathering in
the ML Zone" plan, if approved, will be made a permanent part of the zoning file in Case # 02-
323-SPH and made part of the aforementioned microfilm file that is maintained for all
grandfathered properties.
6. This response applies to the zoning regulations (BCZR) and policies (ZCPM) only, and does
not apply to regulations enforced by other County and State regulations agencies.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If
you need further information or have any questions, please do not hesitate to contact me at 410-887-
3391.

Sincerely,
Jeffrey M. Perlow
Jeffrey M. Perlow
Planner II

Enclosures

c: Councilman Joseph Bartenfelder, Sixth District
Zoning Hearing File 02-323-SPH
File-Verification Letters
File-Grandfathering in the ML

BALTIMORE COUNTY MARYLAND		2455		73	
OFFICE OF THE BUILDINGS ENGINEER COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204					
PROJECT NO.	101	DATE	10/15/03	APPROVED BY	
OWNER	MICHAEL LUCIANO ETAL 308 W. HOLLY NECK RD. 21221	CONTRACTOR	OWNER	ENGINEER OR ARCHITECT	
EXISTING AND PROPOSED STRUCTURE USE (SEE SPECIFIC)	EXISTING: RETAIL, PROPOSED: DOG GROOMING				
CHARACTER OF CONSTRUCTION	NEW BUILDING, FULL, PERMANENT, EXTERIOR				
DESCRIPTION OF WORK (SEE SPECIFIC)	CONSTRUCT TWO ADDITIONS ON EXISTING BLDG. CONSTRUCTION PLANS W/REVISED 8 P.P. NO PLUMBING				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX	781-1111				
APPLICANT'S E-MAIL	MICHAEL.LUCIANO@GMAIL.COM				
APPLICANT'S SIGNATURE	<i>Michael Luciano</i>				
APPLICANT'S TITLE	OWNER				
APPLICANT'S ADDRESS	308 W. HOLLY NECK RD. BALTO., MD. 21221				
APPLICANT'S PHONE	781-1111				
APPLICANT'S FAX					

Department of Permits and
Development Management



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 15, 2003

Frank J. Pollock
274 Montrose Avenue
Baltimore, MD 21221

Dear Mr. Pollock:

RE: Verification-Dog Grooming Facility, Case # 02-323-SPH, Frank J. Pollock 1/4 Bark "N" Bubbles,
810A Back River Neck Road (aka 838 Back River Neck Road), Baltimore, MD 21221, 15th Election
District

Your recent letter to Councilman Bartenfelder was forwarded to me for reply. Based on the information
provided therein, my review of the available zoning records and after consultation with Zoning
Commissioner Lawrence E. Schmidt and Zoning Review Supervisor Carl Richards, the following has been
determined:

1. A petition for special hearing under Case # 02-323-SPH requested approval to continue a dog grooming facility use pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR).
2. The subject petition did not reference Section 103.1 (BCZR) nor Section 103.1.B of the Zoning Commissioner's Policy Manual (ZCPM) that set the standards for "Grandfathering in the ML Zone" (see enclosed standards). Therefore, relief was not requested pursuant to those sections. Thus, Section 103.1 (BCZR) and Section 103.1.B (ZCPM) were not considered by the Zoning Commissioner prior to his decision in the above referenced case.
3. Upon further review of the subject property's history, it was discovered that retail uses did occur on the site prior to 1970 (see attached permit plan from 1968), which would permit a dog grooming facility on the subject property pursuant to those sections as referenced above.
4. To document the property for approval under the grandfathering sections of the BCZR and ZCPM, a "Grandfathering in the ML Zone" plan for the subject property must be submitted for approval by this office prior to any use approvals. The grandfathering plan details must show a history of the subject property, including the 1968 permit information that confirms retail uses, a verbatim copy of the order in Case # 02-323-SPH and a verbatim copy of this response letter. Due to the complicated nature of this type of review/approval, it is highly recommended that your engineer or surveyor review the microfilm file of "Grandfathering in the ML" plans that were previously approved by this office. If our review confirms compliance with the grandfathering sections, then the use of the property for a dog grooming facility would be approved as being in compliance with the Baltimore County Zoning Regulations (BCZR).
5. To eliminate any confusion or misconceptions regarding the approval, the "Grandfathering in the ML Zone" plan, if approved, will be made a permanent part of the zoning file in Case # 02-323-SPH and made part of the aforementioned microfilm file that is maintained for all grandfathered properties.
6. This response applies to the zoning regulations (BCZR) and policies (ZCPM) only, and does not apply to regulations enforced by other County and State regulatory agencies.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-687-3381.

Sincerely,

Jeffrey N. Perlow
Jeffrey N. Perlow
Planner II

Enclosures

c: Councilman Joseph Bartenfelder, Sixth District
Zoning Hearing File 02-323-SPH
File-Verification Letters
File-Grandfathering in the ML

BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDINGS ENGINEER
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

2455 15

HAS DEED FOR THIS LOT BEEN RECORDED? YES NO
IF NO APPROVAL BY THE OFFICE OF PLANNING IS NECESSARY BEFORE IT CAN BE RECORDED.

IDENTIFICATION NAME ADDRESS CITY STATE ZIP PRIN. NUMBER LICENSE NO.

OWNER MICHAEL LUCIANO ETAL 300 W. HOLLY NECK RD. 21221

CONTRACTOR OWNER

ENGINEER ON

IF WORK CONTRACTED BY OWNER

QUALIFIED SUPERVISOR

EXISTING AND PROPOSED STRUCTURE USE (SEE SPECIFIC)

CHARACTER OF CONSTRUCTION

DESCRIPTION OF WORK IN PROGRESS

CONSTRUCTION PLANS VALUED \$ P.T. NO PLUMBING

DATE 10-15-03

7-82 AC.

4565

18550

23115

BLK. FACTORY & STORE
ICE HOUSE

DO NOT WRITE BELOW THIS AREA USED FOR OFFICE INFORMATION.

LOCATION DESCRIBED IS THE BACK RIVER NECK RD. OFF. BACK RIVER NECK SCHOOL.

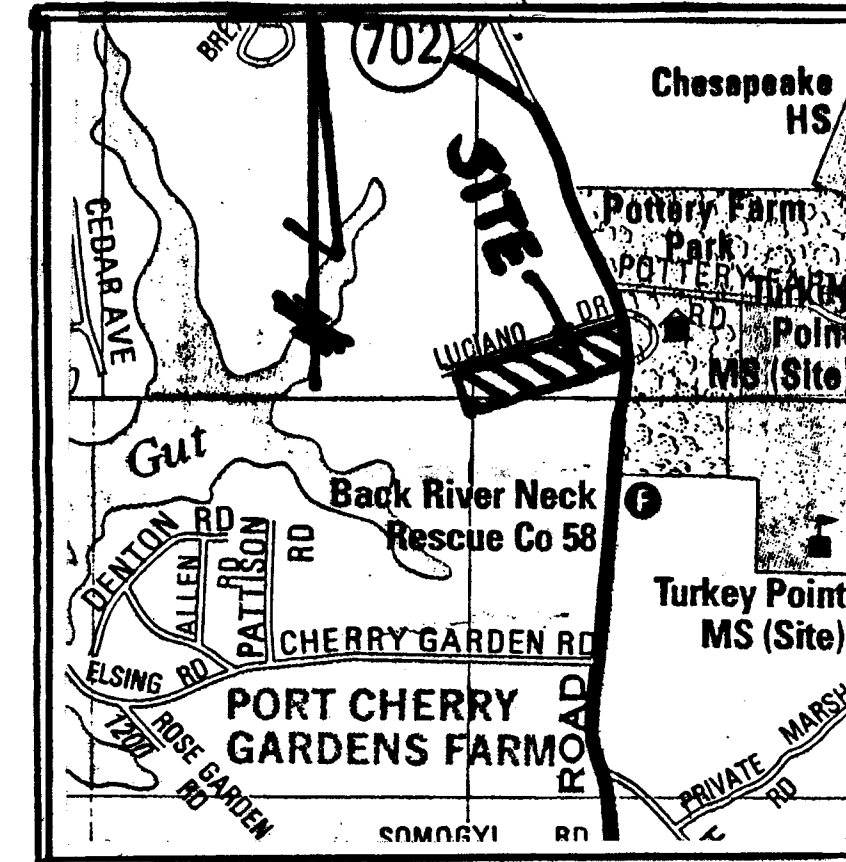
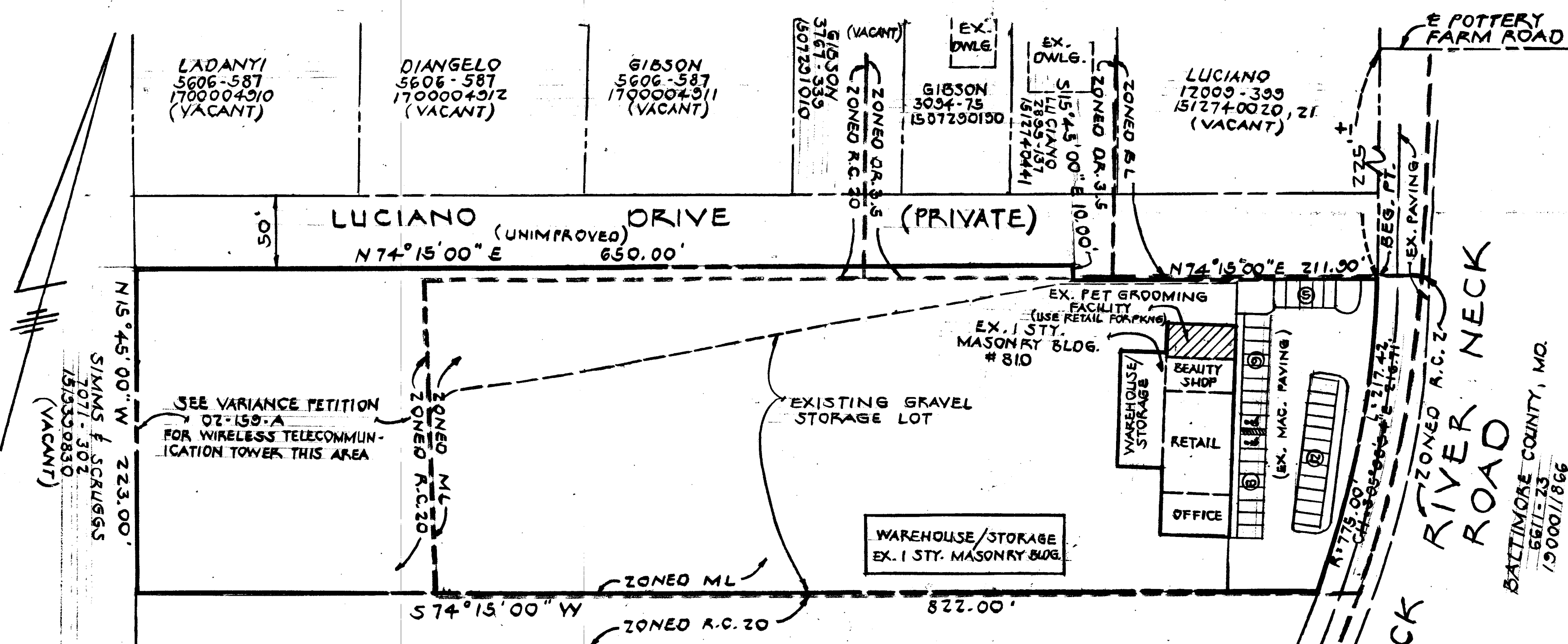
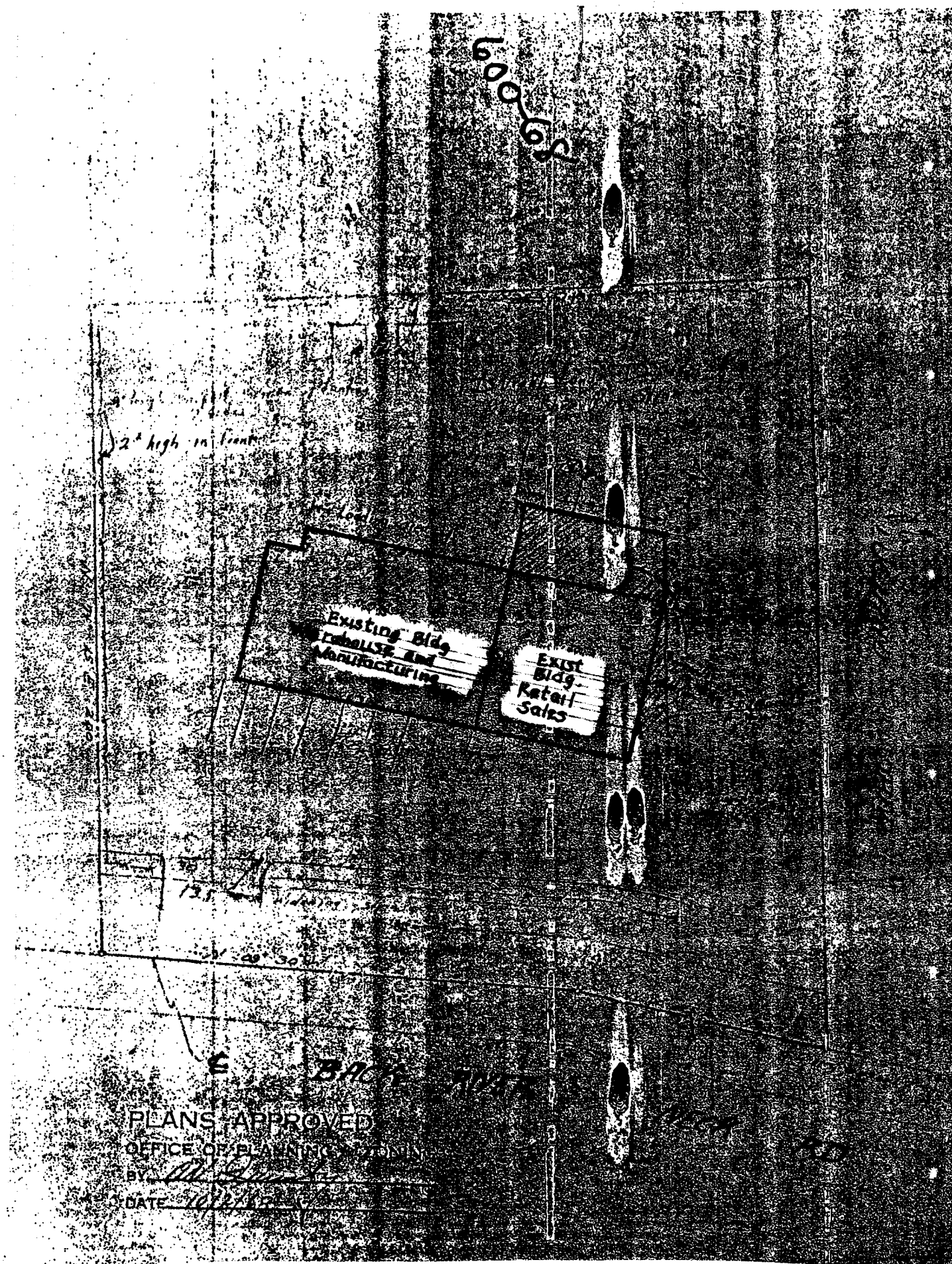
TOTAL VOLUME (CUBIC FEET) 17570

TOTAL COST OF IMPROVEMENTS \$2000

PERMIT FEE \$20.00

OWNER 2212 9-30-68

COPY OF BUILDING PERMIT & SITE PLAN
NO. 2455 C 600-68



NOTES

1. EXISTING ZONING.....ML, R.C.20, AND DR3.5
2. AREA OF SITE.....4.31 ACRES
3. BUILDING AREA.....15,510 S.F. F.A.R.....0.08
4. PARKING DATA
OFFICE...1450 SF @ 3.3 SP / 1000 SF = 5 SPACES
BEAUTY SHOP...1200 SF @ 3.3 SP / 1000 SF = 4 SPACES
RETAIL...4600 SF @ 5 SP / 1000 SF = 23 SPACES
STORAGE / WAREHOUSE...8260 SF
2 EMP @ 1 SP / EMP = 2 SPACES
TOTAL NO. OF SPACES REQUIRED = 34 SPACES
TOTAL NO. OF SPACES PROVIDED = 34 SPACES
ALL SPACES MIN. 8.5 FT X 18 FT
5. FOR ADDITIONAL INFORMATION AND DEVELOPMENT HISTORY SEE:
A. ZONING CASE NO. 3715. RECLASSIFIED FROM R-6 AND BL TO ML
B. BUILDING PERMIT NO. 2455 (C-600-68) ISSUED OCTOBER, 1968 (COPY ATTACHED)
C. TOWER REVIEW COMMITTEE LETTER DATED APRIL 25, 2001
D. DRC APPROVAL DATED MAY 14, 2001 FOR TOWER APPROVAL (A)(7) LIMITED EXEMPTION (DRC 0312015)
E. VARIANCE PETITION 02-159-A GRANTING SETBACK VARIANCES FOR PROPOSED TOWER
F. SPECIAL HEARING PETITION 02-323 SPH (COPY ATTACHED)

PLANS APPROVED
DEPT. OF PERMITS & DEV. MGNT.
BY: Jeffrey N. Perlow
DATE: 11/8/03

"SITE PLAN FOR GRANDFATHERING
IN THE ML ZONE"
810 BACK RIVER NECK ROAD
ELECTION DISTRICT 15, C5
BALTIMORE COUNTY, MD.
SCALE: 1" = 60'
NOVEMBER 1, 2003 KEY: 11/8/03 PER JNP
COMMENTS

ZONING COMMISSIONER'S ORDER
CASE # 02-323 SPH

WHEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County
this 14th day of April, 2002 that the Petition for Special Hearing to approve the continued use of
a portion of the subject site for a dog grooming facility, same having originally been approved by
Baltimore County in 2001, and disapproved for a renewed permit in 2002, in accordance with
Petitioner's Exhibit 1, be and is hereby DENIED;

IT IS FURTHER ORDERED that the Petitioner shall vacate the premises by no later
than February 28, 2003, the expiration date of his current lease.

Any appeal of this Order must be filed within thirty (30) days of the date hereof.

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

November 1, 2003
Mr. Timothy M. Kotroco, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204
ATTN: Mr. Jeffrey N. Perlow
Zoning Review

RE: BARN N BUBBLES
810 A BACK RIVER NECK ROAD

Dear Mr. Perlow:

Reference is made to your letter dated October 15, 2003 relative to allowing a dog grooming facility
on the subject property.

After reviewing Section 103.1 of the Baltimore County Zoning Regulations and Section 103.1.B of
the Zoning Commissioner's Policy Manual, it does appear that the use can be grandfathered.

- To document the property for approval, I am submitting the following information:
- (1) A copy of building permit no. 2455, Control No. C600-68 which clearly demonstrates the existence of the retail use prior to 1970.
 - (2) A "Grandfathering in the ML Zone" site plan which includes the following:
(a) A copy of your letter of October 15, 2003
(b) A copy of the Zoning Commissioner's Order for Case # 02-323SPH
(c) Site data which confirms that adequate parking exists for the uses on the site
(d) A copy of the referenced building permit

After your review of the enclosed, should you need any additional information, please do not
hesitate to contact this office.

Thank you for your cooperation in this matter.

Very truly yours,
David W. Billingsley
David W. Billingsley

Enclosures
cc: Frank J. Pollock

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719



OWNER
BACK RIVER LLC
300 YOGTS LANE
BALTO., MD. 21221
DEED REF. 13577-535
PROP. NO. 2300004470

APPLICANT / LESSEE
FRANK J. POLLACK
274 MONTROSE AVE.
BALTO., MD. 21221

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

October 15, 2003

Frank J. Pollock
274 Montrose Avenue
Baltimore, MD 21221

Dear Mr. Pollock:

RE: Verification-Dog Grooming Facility Case # 02-323-SPH, Frank J. Pollock t/a Bark "N" Bubbles, 810A Back River Neck Road (fka 838 Back River Neck Road), Baltimore, MD 21221, 15th Election District

Your recent letter to Councilman Bartenfelder was forwarded to me for reply. Based on the information provided therein, my review of the available zoning records and after consultation with Zoning Commissioner Lawrence E. Schmidt and Zoning Review Supervisor Carl Richards, the following has been determined:

1. A petition for special hearing under Case # 02-323-SPH requested approval to continue a dog grooming facility use pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR).
2. The subject petition did not reference Section 103.1 (BCZR) nor Section 103.1.B of the Zoning Commissioner's Policy Manual (ZCPM) that set the standards for "Grandfathering in the ML Zone" (see enclosed standards). Therefore, relief was not requested pursuant to those sections. Thus, Section 103.1 (BCZR) and Section 103.1.B (ZCPM) were not considered by the Zoning Commissioner prior to his decision in the above referenced case.
3. Upon further review of the subject property's history, it was discovered that retail uses did occur on the site prior to 1970 (see attached permit plan from 1968), which would permit a dog grooming facility on the subject property pursuant to those sections as referenced above.
4. To document the property for approval under the grandfathering sections of the BCZR and ZCPM, a "Grandfathering in the ML Zone" plan for the subject property must be submitted for approval by this office prior to any use approvals. The grandfathering plan details must show a history of the subject property, including the 1968 permit information that confirms retail uses, a verbatim copy of the order in Case # 02-323-SPH and a verbatim copy of this response letter. Due to the complicated nature of this type of review/approval, it is highly recommended that your engineer or surveyor review the microfilm file of "Grandfathering in the ML" plans that were previously approved by this office. If our review confirms compliance with the grandfathering sections, then the use of the property for a dog grooming facility would be approved as being in compliance with the Baltimore County Zoning Regulations (BCZR).
5. To eliminate any confusion or misconceptions regarding the approval, the "Grandfathering in the ML Zone" plan, if approved, will be made a permanent part of the zoning file in Case # 02-323-SPH and made part of the aforementioned microfilm file that is maintained for all grandfathered properties.

Visit the County's Website at www.baltimorecountyonline.info



6. This response applies to the zoning regulations (BCZR) and policies (ZCPM) only, and does not apply to regulations enforced by other County and State regulations agencies.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,



Jeffrey N. Perlow
Planner II
Zoning Review

JNP

Enclosures

c: Councilman Joseph Bartenfelder, Sixth District
Zoning Hearing File 02-323-SPH¹
File-Verification Letters
File-Grandfathering in the ML

Section 103
Application of Zoning Regulations
[BCZR 1955]

103.1 These regulations shall apply as of the date of their adoption but the provisions pertaining to use, height, area and density of population shall not apply to any development, subdivision or parcel of land, the preliminary plan for which was originally submitted to the (then) Baltimore County Planning Commission (now Planning Board) and approved or tentatively approved (including any approval made subject to any condition or conditions) under the then existing official procedure in Baltimore County, prior to the adoption of these regulations.⁵ The Zoning Regulations applicable to any such development, subdivision or parcel of land as aforesaid shall be the Zoning Regulations in effect at the time such plan, as aforesaid, was originally submitted to the Baltimore County Planning Commission.

Provided further, however, that the use and development of land in M.L. Zones shall not be affected by the foregoing provision, but development is permitted in accordance with any preliminary development plan approved by the Office of Planning before the effective date of this further proviso, even though such development may be counter to then-current regulations for M.L. Zones, if, on the fifth anniversary of such effective date, construction either is completed or is substantially commenced and diligently being pursued to completion; otherwise, the regulations generally in effect at the time such use or development is to be established shall control.⁶ [Resolution, November 21, 1956; Bill No. 100-1970]

⁶ Editor's Note: M.L. Grandfather Clause. This provision (second paragraph) was added by Bill No. 100-1970, which provided (Section 20) that "any amendments herein...shall be effective only upon the adoption by the County Council of any new Zoning Maps on or before March 31, 1971." The subsequent Zoning Maps were passed by the County Council on March 24, 1971. However, the bill also states (Section 21) that "this act shall take effect forty-five days after its enactment." The bill was enacted on August 5, 1970, and the forty-fifth day thereafter was September 19, 1970.

103.1.B GRANDFATHERING IN M.L. zone shall be determined in a case by case review.

1. **Background:** When Bill 100 was adopted in 1970, it established a separate category of 'grandfathering' under Section 103.1. It is somewhat akin to the nonconforming use concept in Section 104, but clearly different in both scope and implementation. The two concepts (nonconforming uses and grandfathering) are very different and this policy statement establishes the proper form of review for this unusual concept.
2. **Eligibility:** The specific intent of Section 103.1 was to grandfather the B.L., B.R., & B.M. uses allowed under the then Section 253.1 (1963 edition B.C.Z.R.). The right to use property in the M.L. zones for these commercial uses permitted in the M.L. zone prior to its amendment by Bill 100 is contingent on the applicant providing documentation of either of the following:
 - a. that said use existed prior to September 19, 1970; or
 - b. a preliminary development plan was approved by the Office of Planning and Zoning for commercial use before September 19, 1970; and that construction either was completed or was substantially commenced and diligently being pursued to completion prior to September 19, 1975.
 - c. The determination of eligibility for a grandfathered use may be subject to a special hearing at the discretion of the Zoning Commissioner.
3. **Conditions:** If the eligibility criteria above is met the applicant may as either of the following:
 - a. Expansion of Existing Use - if the same exact use is to remain and is to be intensified, no floor area restrictions as long as the parking requirements in effect at the time of expansion can be met; or
 - b. Conversion to a New Use - if the use is to be changed and/or converted the property is subject to the following:
 - c. Uses Allowed - all the uses allowed as of right in the B.L., B.M., & B.R. zones except, but not necessarily limited to, the following:
 - Amusement Devices
 - Duplicating Service Business
 - Fortune Telling Establishment
 - Temporary or Occasional Sales of Cut Flowers or Live Plants (these were not permitted uses in B.L., B.M., B.R. zones as of the effective date of Bill 100)
 - d. Floor Area Expansion - all new construction of either separate buildings or additions must be incidental to the gross floor area of the building(s) which had County approval as of September 19, 1970. The determination of what is considered incidental may be subject to a special hearing at the discretion of the Zoning Commissioner.
 - e. Parking Requirements - when a change of use is proposed, the entire site must meet the parking requirements of Section 409 as they exist at the time of conversion.
4. **Interpretation:** The Zoning Commissioner retains the right under Section 500.6 B.C.Z.R. to interpret whether the spirit and intent of these regulations are being adhered to on a case by case basis; ie, (if a Drive-In which is a grandfathered M.L. wanted to convert to a shopping center, this may be more than this office could approve).

APPLICATION IS HEREBY MADE TO THE BUILDINGS ENGINEER TO:		BALTIMORE COUNTY MARYLAND OFFICE OF THE BUILDINGS ENGINEER COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204		PERMIT NUMBER 2455	DATE ISSUED 15
☒ ERECT ☐ USE ☐ ALTER ☐ EXTEND ☐ STRUCTURE DESCRIBED	☐ REPAIR ☐ MOVE THE ☐ TEMPORARY ☐ PERMANENT				

HAS DEFED FOR THIS LOT BEEN RECORDED	YES ☐ NO ☐	IF NO APPROVAL BY THE OFFICE OF PLANNING IS NECESSARY BEFORE IT CAN BE RECORDED.
--------------------------------------	--	--

IDENTIFICATION	NAME	ADDRESS	CITY	STATE	ZIP	PHONE NUMBER	LICENSE NO.
OWNER	MICHAEL LUCIANO ETAL 300 W. HOLLY NECK RD. 21221						
CONTRACTOR	OWNER						
ENGINEER OR ARCHITECT							
IF UNDER CONTRACT OF SALE GIVE OWNER							
QUALIFIED SUPERVISOR							

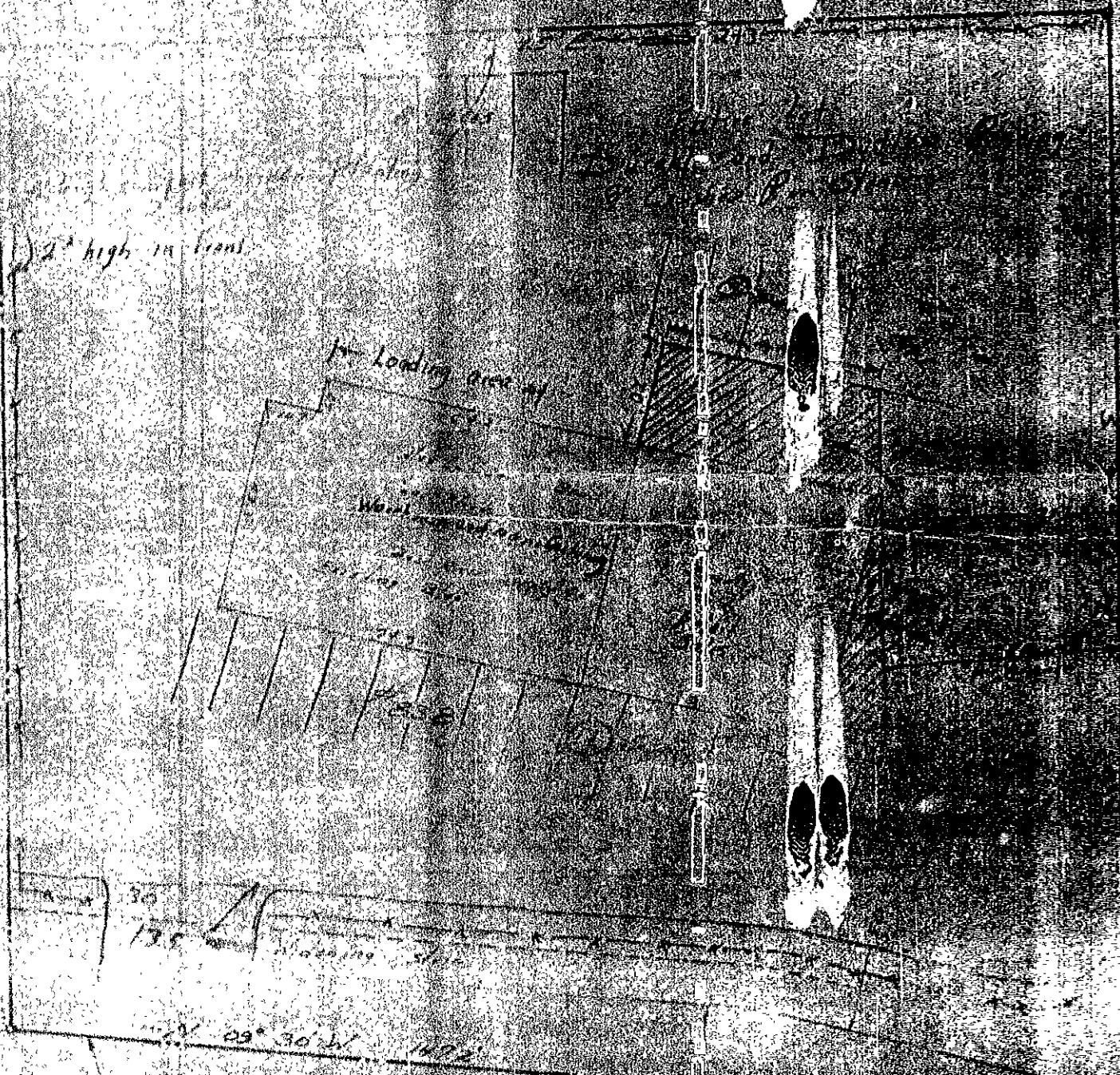
BUILDING ADDRESS	SUBDIVISION
------------------	-------------

EXISTING AND PROPOSED STRUCTURE USE (BE SPECIFIC) EXIST - WAREHOUSE - ADD.	CHARACTER OF CONSTRUCTION NEW BUILDING ☐ ALTERATION ☒ FULL ☐ PARTIAL ☐
DESCRIPTION OF WORK (BE SPECIFIC) CONSTRUCT TWO ADDITIONS ON EXISTING BLDG. CONSTRUCTION PLANS WAIVED S.P.P. NO PLUMBING	FOOTING ☐ FOUNDATION ☐ SIDEWALLS ☐
	BATHROOMS ☐ POWDER ROOMS ☐ BEDROOMS ☐ GARAGE DISPOSALS ☐
	UTILITIES ☒ EXISTING ☐ PROPOSED ☐
	PUBLIC WATER ☒ PRIVATE WELLS ☐ PUBLIC SEWER ☒ PRIVATE ☐ TYPE OF HEATING OIL

BUILDING SIZE - LARGEST OVERALL DIMENSIONS 70' x 14' x 17570'	ZONING INFORMATION MC-V 15WC 63-132-44 11-15-63
PROPERTY LINE SETBACKS 57'5" 45' SIDE 37' REAR YARD	APPLICANT'S AFFIDAVIT I HAVE CAREFULLY READ THE ABOVE APPLICATION AND KNOW THE SAME IS TRUE A CORRECT AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH.
IN LINE WITH EXISTING BUILDING ☐ YES ☐ NO	SIGNATURE VERNON G. SMITH
CENTER LINE 31' BACKS FROM SIDE STREET TO SIDE STREET	ADDRESS 836 BACK RIVER NECK RD. BALY. MD. 21221
	PHONE ☐ OWNER ☐ AGENT
MAKE CHECK PAYABLE TO: BALTIMORE COUNTY, MARYLAND	

DO NOT WRITE BELOW. THIS AREA USED FOR OFFICE INFORMATION.	
LOCATION DESCRIBED IS THE BACK RIVER NECK RD. OPP. BACK RIVER NECK SCHOOL.	TOTAL VOLUME (CUBIC FEET) 17570
	TOTAL COST OF IMPROVEMENTS \$2000
	PERMIT FEE \$20.00
7.82 AC.	PAID BY OWNER
4565	RECEIVED 2212 9-30-68
18550	AGENCY OWNER
23115	APPROVED 210015 740730
BLK. FACTORY & STORE ICE HOUSE	SIGNATURE

6000



BACK RIVER

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY W. D. Smith
DATE 10/2/68