IN RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION – S/S	*	BEFORE THE
Old Philadelphia Road, approx. 2,000' SW of Bradshaw Road	*	ZONING COMMISSIONER
(12301 Philadelphia Road)	*	OF BALTIMORE COUNTY
11th Election District		
5th Council District	*	Case No. 03-419-SPHX
RTP Partnership, Owners;	*	
Baltimore Blueclaws Baseball Club, Inc., Lessees		

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the owners of the subject property, RTP Partnership, and Baltimore Blueclaws Baseball Club, Inc., through their attorney, Robert D. Porter, Esquire. The Petitioners request a special exception to approve "a recreational athletic facility pursuant to Section 1A04.2.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.)." In addition, the Petitioners request a special hearing to approve a recreational athletic facility as a community building or other use of a civic, social, recreational or educational nature within the meaning of Section 1A04.2.B.4 of the B.C.Z.R. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 4.

Appearing at the requisite public hearing in support of the request were Joyce M. Willig and Marlene Freburger, on behalf of RTP Partnership, property owners; Randy Kail, President of the Baltimore Blueclaws Baseball Club, Inc., Contract Lessees; and Robert D. Porter, Esquire, attorney for the Petitioners. Also appearing were Kevin Small, on behalf of Frederick Ward & Associates, who prepared the site plan for this property, Rachel and Lewis Benson, Proprietors of the Dew Drop Inn, a business establishment located on the subject property, and Gregory Schroeder. Appearing as interested citizens were Patricia Barnes and Bill Boniarski, Michael Sayler, and Buckie and Gizelle Harrison, all adjacent property owners.

ORDER RECEIVED FOR FILING
Date 3/19/03
By

This unusual case relates to an irregular shaped parcel located on the south side of Philadelphia Road, not far from Bradshaw Road in eastern Baltimore County. The property contains a gross area of 3.551 acres, more or less, split zoned B.L.-C.R. and R.C.5. The front half of the property adjacent to Philadelphia Road is zoned B.L. (Business-Local) and is improved with a two-story building which features a bar, known as the Dew Drop Inn, and an apartment. Attached to the rear of the structure is a 32' x 36' garage with an open deck off the side. To the rear of that portion of the property is a one-story building that was previously used as a banquet hall, but is now not in use. In addition to these structures, the front portion of the site contains a large, asphalt parking area that accommodates patrons of the bar. The rear half of the property is zoned R.C.5 and is unimproved. As shown on the site plan, the R.C.5 zoned portion of the site is open field and of a flat grade. The instant Petitions were filed as the result of a complaint registered with the Code Enforcement Division of the Department of Permits and Development Management, relative to the construction of a baseball field/softball diamond to the rear of the Dew Drop Inn.

Mr. Kail testified on behalf of the Baltimore Blueclaws Baseball Club, Inc., a civic/ recreational association that was organized for the purpose of providing recreational opportunities for children. As the name obviously suggests, the Club sponsors baseball teams. It was indicated that the organization presently sponsors teams for boys, aged 9 to 12 years and that these are independent teams, not associated with recreation councils or other similar groups.

Mr. Kail indicated that the Blueclaws Club has been in search of a home field where the boys' games can be played. The open area behind the Dew Drop Inn was identified as a possible location and arrangements were made to use that area for a little league baseball field. There is no lease or written arrangement. The Club will spend its own money for the necessary grading and development of the space as a field. The Proprietors of the Dew Drop Inn and the owners of the property are donating the field without cost to the Club to provide children in the area with a recreational amenity. The field will be entirely located within the R.C.5 zoned portion of the site. In addition to the field, there will be two dugouts and a temporary batting cage. There are no lights

proposed for the field. Typically games will be held during evening hours and on weekends. The league in which the Blueclaws participate runs from March through July, and there is also a fall season.

As shown on the site plan, the property on the east side of the subject parcel is owned by Buckie L. and Gizelle Harrison. To the west, is a residential parcel owned by Michael J. and Patricia G. Saylor. Mr. Saylor and the Harrisons appeared at the hearing. They expressed a number of concerns regarding the Petitions. Indeed, it appears that most of the concerns expressed relate to the operation of the Dew Drop Inn. As might be expected from such a tavern operation, the neighbors complained about the noise, lights, etc. associated with that business. Although they do not oppose the proposed use for children, there is concern that the proposal might one day result in the expansion of the commercial activity associated with the tavern.

The above is but a summary of the testimony and evidence offered, all of which is contained within the record of this case. It is also to be noted that photographs were submitted by both sides depicting general conditions on the property and in the neighborhood.

This case presents an interesting legal issue. Section 101 of the B.C.Z.R. defines many of the uses found within the zoning regulations. One such use defined is a "commercial recreational facilities." A reading of that definition shows that the term includes areas for non-professional athletic activities, including baseball fields. Moreover, the B.C.Z.R. are written in the inclusive (see Kowalski v. Lamar, 25 Md. App. 493 (1975). That is, only the uses specifically identified as permitted in a given zone are allowed. When establishing the "commercial recreational facilities" use, the County Council intended to apply same to manufacturing zones. Indeed, a review of the B.C.Z.R. discloses that "commercial recreational facilities" are only permitted in the various manufacturing zones (i.e., M.R., M.L.R., M.L. and M.H.). It must therefore be concluded that the subject use does not fall within the commercial recreational facilities definition, as same is unduly restrictive and apparently only applicable to proposed operations in the M.L. zone.

ORDER RECEIVED/FOR FILING
Date 2/19/03
By

As noted above, the proposed field will be entirely located within that portion of the property zoned R.C.5. The R.C. zoning classification designation was intended for resource conservation. The R.C.5 regulations permit, as a special exception, "community buildings, swimming pools, or other uses of a civic, social, recreational, or educational nature..." (emphasis added). In the judgment of the undersigned Zoning Commissioner, the subject proposal falls within the nature of the uses identified in Section 1A04.2.B.4 of the B.C.Z.R. Thus, the Petitioner's proposal may be permitted in the R.C.5 zone, by special exception.

Based upon the testimony and evidence presented, I am persuaded that the special exception requested in this case should be granted. In my judgment, the proposed baseball field will not be detrimental to the health, safety or general welfare of the locale nor detrimentally impact adjacent properties. Indeed, it appears that the field will most often be used during non-peak hours of the tavern operation. Obviously, the tavern is typically busiest during evening hours. Given that there are no lights proposed for the field, it will not be in use during those times. In sum, I am persuaded that the Petitioners have satisfied the standards set forth in Section 502.1 of the B.C.Z.R. and that special exception relief should be granted.

The Petition for Special Hearing will likewise be approved. The relief requested under that Petition is for a finding that the proposed use falls within the community building, or other use of a civic, social, recreational or educational nature definition. For the reasons set forth above, I believe that the proposed use does fall within the description of the use provided for in Section 1A04.2.B.4 of the B.C.Z.R.

However, in granting the Petitions, I shall impose several conditions. First, there shall be no lighting of the field. That is, activities will be restricted to daylight hours. Secondly, the split zoning of the property presents a unique issue. The tavern operation, which is located on the B.L. zoned portion of the site, is not permitted in the R.C.5 zoned portion of the property. As set out in the decision of the undersigned in the matter of Beth Tfiloh Congregation, Case No. 02-463-SPHX, an accessory use cannot cross a zone line and is not permitted in a zone where the underlying use is prohibited. Thus, in that the tavern use is not permitted in the R.C.5 zone, the

field cannot be used for activities related to the tavern business. The field shall be restricted for use by the Baltimore Blueclaws Baseball Club, Inc., or other recreational teams. Obviously, this restriction will not prevent individuals from using the field for their pleasure; however, organized ballgames associated with the tavern business are not permitted.

Finally, Mr. & Mrs. Harrison raised a particular concern at the hearing regarding activities along their common property line. As shown in photographs submitted at the hearing, a portion of the parking lot for the Dew Drop Inn appears to cross over the common property line it shares with the Harrisons. The Harrisons are concerned about traffic, parking and the use of their property to gain access to the tavern and/or ball field. I suggested at the hearing that the parties come to some agreement regarding the construction of some barrier or other device that will clearly designate the property line between the Harrisons property and the subject parcel. The installation of poles, landscaping or other similar barrier would clearly mark the property. I decline to impose such a requirement in this case, given that I do not believe that the baseball field will generate traffic or parking on the Harrison's property. However, I nonetheless urge the parties to continue to seek a resolution to that ongoing issue.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of May 2003, the Petition for Special Exception to approve a recreational athletic facility pursuant to Section 1A04.2.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve a recreational athletic facility as a community building or other use of a civic, social, recreational or educational nature within the meaning of Section 1A04.2.B.4 of the B.C.Z.R., in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED, subject to the following restrictions:

ORDER RECEIVED FOR FILING
Date 5/19/03
By

1) The Petitioners may apply for their building/use permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) Use of the proposed recreational facility shall be limited to the Baltimore Blueclaws Baseball Club, Inc. and other similar recreational teams, not affiliated with the Dew Drop Inn. That is, organized ballgames associated with the tavern business are not permitted. Moreover, the use of the R.C.5 zoned portion of the property for activities accessory to the tavern operation shall not be permitted.

3) There shall be no lighting of the baseball field. All activities thereon will occur during daylight hours.

4) Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated May 6, 2003, a copy of which is attached hereto and made a part hereof.

5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

Baltimore County
Zoning Commissioner

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

May 19, 2003

Robert D. Porter, Esquire
Hodes, Ulman, Pessin & Katz
901 Dulaney Valley Road, Suite 400
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & SPECIAL EXCEPTION
S/S Old Philadelphia Road, approx. 2,000' SW of Bradshaw Road
(12301 Philadelphia Road)
11th Election District – 5th Council District
RTP Partnership, Owners; Baltimore Blueclaws Baseball Club, Inc., Lessees - Petitioners
Case No. 03-419-SPHX

Dear Mr. Porter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Joyce M. Willig & Ms. Marlene Freburger, RTP Partnership
6424 Frankford Avenue, Baltimore, Md. 21206
Mr. & Mrs. Lewis Benson, 12301 Philadelphia Road, Kingsville, Md. 21087
Mr. Randy Kail, 1717 Ross Road, Forest Hill, Md. 21050
Mr. Kevin Small, Frederick Ward & Assoc., 5 South Main Street, Bel Air, Md. 21014-0727
Mr. Gregory Schroeder, 2409 Cider Mill Road, Baltimore, Md. 21234
Ms. Patricia Barnes & Mr. Bill Boniarski, 12303 Philadelphia Road, Kingsville, Md. 21087
Mr. Michael Sayler, 12229 Philadelphia Road, Kingsville, Md. 21087
Mr. & Mrs. Buckie Harrison, 8545 Pulaski Highway, White Marsh, Md. 21162
Code Enforcement Division, DPDM; People's Counsel; Case File

Printed with Soybean Ink
on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 12301 Philadelphia Road
which is presently zoned RC-5/BL-CR

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

a recreational athletic facility as a community building or other use of a civic, social, recreational or educational nature within the meaning of Section 1A04.2B.4 of the Baltimore County Zoning Regulations.

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:

Baltimore Blueclaws Baseball Club, Inc.
Name - Type or Print

By: [signature]
Signature Randy Kall, President

1717 Ross Road 443-255-2530
Address Telephone No.

Forest Hill MD 21050
City State Zip Code

Legal Owner(s):

RTP Partnership
Name - Type or Print

By: [signature] Managing Partner
Signature

Joyce M. Willig, Managing Partner
Name - Type or Print

Signature

6424 Frankford Avenue
Address Telephone No.

Baltimore MD 21206
City State Zip Code

Attorney For Petitioner:

Robert D. Porter, Esquire
Name - Type or Print

[signature]
Signature

Hodes, Ulman, Pessin & Katz, P.A.
Company

901 Dulaney Valley Rd., Suite 400 410-339-5791
Address Telephone No.

Towson MD 21204
City State Zip Code

Representative to be Contacted:

Robert D. Porter, Esquire
Name

901 Dulaney Valley Rd. Ste. 400 410-339-5791
Address Telephone No.

Towson, MD 21204
City State Zip Code

ORDER RECEIVED FOR FILING
Date 3/19/03
By [signature]

938-8378

Case No. 03-419-SPHX

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 1/2 hrs

UNAVAILABLE FOR HEARING _____

Reviewed By [signature] **Date** 3-11-03

REV 9/15/98

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 12301 Philadelphia Road

which is presently zoned RC5

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

a recreational athletic facility pursuant to Section 1A04.2B.4 of the Baltimore County Zoning Regulations.

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:

Baltimore Blueclaws Baseball Club, Inc.
Name - Type or Print

By: [signature]
Signature Randy Kail, President

1717 Ross Road 443-255-2530
Address Telephone No.
Forest Hill MD 21050
City State Zip Code

Attorney For Petitioner:

Robert D. Porter, Esquire
Name - Type or Print

[signature]
Signature

Hodes, Ulman, Pessin & Katz, P.A.
Company

901 Dulaney Valley Rd., Ste 400
Address 410-339-5791 Telephone No.
Towson MD 21204
City State Zip Code

Legal Owner(s): RTP Partnership

JOYCE M WILLIG (MANAGING PARTNERS)
Name - Type or Print

[signature]
Signature

Name - Type or Print

Signature

6424 Frankford Avenue
Address Telephone No.
Baltimore MD 21206
City State Zip Code

Representative to be Contacted:

Robert D. Porter, Esquire
Name

901 Dulaney Valley Rd. Ste. 400
Address 410-339-5791 Telephone No.
Towson MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING See SPH

UNAVAILABLE FOR HEARING _____

Reviewed By [signature] **Date** 3-11-03

Case No. 03-419-SPHX

REV 09/15/98

FREDERICK WARD ASSOCIATES, INC.

ENGINEERS
ARCHITECTS
SURVEYORS

February 6, 2003

Zoning Description

3.5510 acre parcel of land located at 12301 Philadelphia Road in the Eleventh Election District, Baltimore County, Maryland.

BEGINNING for the same at a point in the centerline of Philadelphia Road (Maryland Route 7) said point of beginning being also 2,000 feet, more or less, in a northeasterly direction along the centerline of said Philadelphia Road from the intersection of Philadelphia Road and Jones Road, thence leaving the said centerline, with bearings based on the Maryland State Plain Coordinate System (NAD 83),

1) South 05°56'55" East, 446.06 feet to a 1/2" pipe heretofore set, thence

2) North 84°09'05" East, 391.59 feet to a 1/2" pipe heretofore set, thence

3) North 22°17'49" West, 538.71 feet to the abovementioned centerline of Philadelphia Road, thence binding on the said centerline

4) South 67°44'46" West, 250.01 feet to the place of beginning

CONTAINING 154680 square feet (3.5510 acres) of land more or less.

BEING the same property described in a deed dated April 19, 1990 from John W. Barnes and John W. Barnes, Jr. to R-T-P Partnership and recorded among the Land Records of Baltimore County, Maryland at Liber SM 8477, folio 568.

MARYLAND
BEL AIR
COLUMBIA

VIRGINIA
WARRENTON

#429

P.O. Box 727, 5 South Main Street, Bel Air, Maryland 21014-0727
Phone: 410-879-2090 · 410-838-7900 · Fax: 410-893-1243 · Toll Free Outside MD: 888-879-8599
Website: www.fredward.com

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: #03-419-SPHX
12301 Philadelphia Road
S/side Philadelphia Road 1,160 feet west of Bradshaw Road
11th Election District – 5th Councilmanic District
Legal Owner(s): RTP Partnership, Joyce M. Willig, Managing Partner

Special Hearing: to permit a recreational athletic facility as a community building or other use of a civic, social recreation or educational nature within the meaning of the BCZR. **Special Exception:** to permit a recreation athletic facility pursuant to the BCZR.

Hearing: Friday, April 25, 2003 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.

4/148 April 10 C596988

CERTIFICATE OF PUBLICATION

4/10/, 2003

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 4/10/, 2003.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 19316

DATE 5-11-03 ACCOUNT R-001-6150

AMOUNT $ 705.00

RECEIVED FROM: Falco Electronic Football Club Inc.

FOR: Compound Sports Exhibit & Sound Management Fees for 12301 Philadelphia Rd.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PAID RECEIPT

DISTRICT	ACTUAL	TIME	DATE
05/12/2003	V11/2003	10:30:45	2

REC FROM: WALLIN DOUL DAD
ITEM: 1 B 21696 5/11/2003 OFLH
DESC: 1 B29 ZONING VERIFICATION
JR NO. 019516

Recpt Tot $705.00
705.00 CK .00 CH
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 03-419-SPHX

Petitioner/Developer: RTP PARTNERSHIP,
JOYCE M. WILLIG

Date of Hearing/Closing: 4/25/03

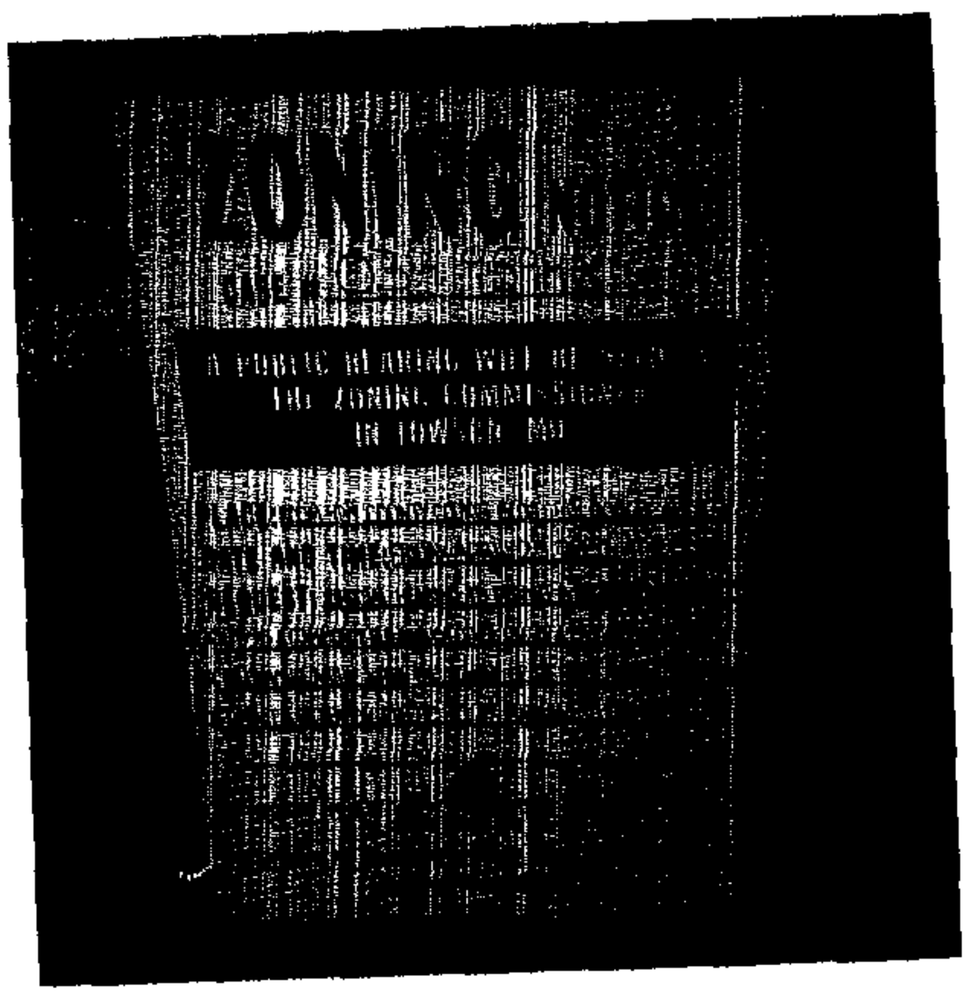
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

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 12301 PHILADELPHIA RD

The sign(s) were posted on 4/10/03
(Month, Day, Year)



Sincerely,

4/10/03
(Signature of Sign Poster and Date)

SSG ROBERT BLACK
(Printed Name)

1508 Leslie Rd
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

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 26, 2003

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: 03-419-SPHX
12301 Philadelphia Road
S/side Philadelphia Road 1,160 feet west of Bradshaw Road
11th Election District – 5th Councilmanic District
Legal Owner: RTP Partnership, Joyce M. Willig, Managing Partner

Special Hearing to permit a recreational athletic facility as a community building or other use of a civic, social recreation or educational nature within the meaning of the BCZR.
Special Exception to permit a recreation athletic facility pursuant to the BCZR.

Hearings: Friday, April 25, 2003 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

AJ:rlh

C: RTP Partnership, Joyce Willig, Managing Partner, 6424 Frankford Avenue, Baltimore 21206
Robert D. Porter, Hodes, Ulman, Pessin & Katz, 901 Dulaney Valley Road, Suite 400, Towson 21204
Baltimore Blueclaws Baseball Club, Inc., Randy Kail, President, 1717 Ross Road, Forest Hill 21050

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, APRIL 10, 2003.**
(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.

Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 10, 2003 Issue - Jeffersonian

Please forward billing to:
Baltimore Blueclaws Baseball Club, Inc. 410-893-1607
Randy Kail, President
1717 Ross Road
Forest Hill, MD 21050

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: 03-419-SPHX
12301 Philadelphia Road
S/side Philadelphia Road 1,160 feet west of Bradshaw Road
11th Election District – 5th Councilmanic District
Legal Owner: RTP Partnership, Joyce M. Willig, Managing Partner

Special Hearing to permit a recreational athletic facility as a community building or other use of a civic, social recreation or educational nature within the meaning of the BCZR. Special Exception to permit a recreation athletic facility pursuant to the BCZR.

Hearings: Friday, April 25, 2003 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 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.

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: 03-419-SPHX

Petitioner: RTP Partnership

Address or Location: 12301 Philadelphia Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: BALTIMORE BLUECLAWS BASEBALL CLUB, INC.

Address: ATTN: RANDY KALL, PRESIDENT

1717 ROSS ROAD

FOREST HILL, MD 21050

Telephone Number: 410.893.1607

Revised 2/20/98 - SCJ

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

April 18, 2003

Robert Porter, Esquire
Hodes, Ulman, Pessin & Katz
901 Dulaney Valley Road, Ste. 400
Towson, MD 21204

Dear Mr. Porter:

RE: Case Number: 03-419-SPHX, 12301 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 11, 2003.

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.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Joyce Willig, 6424 Frankford Avenue, Baltimore 21206
Baltimore Blueclaws Baseball Club, Inc., Randy Kail, Pres., 1717 Ross Rd., Forest Hill 21050

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on Recycled Paper

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

SHA
Driven to Excel
State Highway Administration

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 3·26·03

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

RE: Baltimore County
Item No. 419 JJS

Dear. Ms. Hart:

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

Baltimore County
Fire Department

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

March 26, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 24, 2003

Item No.: 419

Dear Ms. Hart:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code, (2000 edition of NFPA 1 & 101), prior to occupancy or beginning of operation.

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

cc: File

Rec 4/25

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS /TGT

DATE: May 6, 2003

SUBJECT: Zoning Item 419
Address 12301 Philadelphia Road

Zoning Advisory Committee Meeting of 3/24/03

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

__X__ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

The proposed ball field cannot interfere with the existing septic reserve area.

Reviewer: Sue Farinetti Date: 4/23/03

ORDER RECEIVED FOR FILING
Date 5/9/03
By

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 2, 2003

RECEIVED

APR 4 2003

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-419**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A Cunningham

Section Chief: Lynn Lochbaum

AFK/LL:MAC

RECEIVED
APR 25 2003
ZONING COMMISSIONER

4/25

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 15, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For March 31, 2003
Item Nos. 407, 408, 410, 411, 412,
414, 416, 417, 418, 419, 420, 421, 422,
423, 424, 425, 426, 427, 428, 429, and
430

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

RWB:CEN:jrb

cc: File

RE:	PETITION FOR SPECIAL HEARING AND SPECIAL EXCEPTION	*	BEFORE THE
	12301 Philadelphia Road; S/side Philadelphia Road, 1,160' W Bradshaw Rd	*	ZONING COMMISSIONER
	11th Election & 5th Councilmanic Districts	*	FOR
	Legal Owner(s): RTP Partnership, Joyce M Willig, Managing Partner	*	BALTIMORE COUNTY
	Contract Purchaser(s): Baltimore Blueclaws Baseball Club, Inc	*	03-419-SPHX
	Petitioner(s)		

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of March, 2003, a copy of the foregoing Entry of Appearance was mailed to Robert Porter, Esquire, Hodes, Ulman, Pessin & Katz, P.A., 901 Dulaney Valley Road, St. 400, Towson, MD 21204, Attorney for Petitioner(s).

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

12301 Philadelphia Rd
03-419-SPHX

March 10, 2003

VIA FACISIMILE 410-887-2824
Mr. Leonard Wasilewski
Baltimore County Zoning Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Wasilewski,

I just wanted to take the opportunity to bring you up to speed on the zoning issue for the proposed construction of a little league baseball diamond behind the Dew Drop Inn.

We have retained the legal services of Robert Porter of Hodes, Ulman, Pessin & Katx, P.A. and have completed the land survey per Frederick Ward & Associates. An initial meeting with John Sullivan recently to file the special exception petition was presented but a few changes were requested and completed by Frederick Ward. We now stand to file the petition on Tuesday, March 11.

Obviously, this has seriously hampered our ability to resolve this by the start of the little league season for these kids in early April. We are scrambling to find field space. We can only pray to the baseball gods that the hearing is scheduled for early to mid-April and that a favorable ruling occurs, thus allowing us to quickly finish the laying of the infield dirt, construction of the mound and plate area as well as the backstop. That would be the minimum requirements for us to use the field for playing standards.

I do have a request to make at this point. Upon the citation that you issued, I conveyed to you with complete honesty that no further construction of the diamond would take place until the hearing is held. With that agreement in place, we have not performed any additional work, but I would like to acknowledge some normal yard maintenance related activities that we would like to begin once the snow melts:

- Aerate
- Seed and fertilize
- Mow
- Strip the concrete overflow area behind the banquet hall and replace with soil and seed
- Drainage ditch/hole to help with drainage on the low areas

I do believe that the above would be considered normal maintenance in anyone's back yard and thus want to bring these to your attention so that the integrity that I have conveyed to you from the inception of this zoning issue will remain in place and to reiterate, no further construction of the baseball diamond will occur until zoning approval.

Please confirm that the proposed activities will not result in a violation of the correction notice that you issued. You can contact me at 443-255-2530 (cell) or 410-893-1607 (home).

Respectfully submitted,

Randy Kail
Baltimore Blueclaws

3/14/03
OK to do general maintenance

cc. Robert D. Porter, Esquire

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

Maryland Department of Planning

Audrey E. Scott
Secretary

Florence E. Burian
Deputy Secretary

March 25, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111, Mail Stop #1105
Towson MD 21204

Re: **Zoning Advisory Committee Agenda, 03/31/03 re: case numbers 03-407-SPH, 03-408-SPH, 03-409-A, 03-410-A, 03-411-A, 03-412-A, 03-413-A, 03-414-SPH, 03-415-A, 03-416-SPH, 03-417-SPH, 03-418-SPH, 03-419-SPHX, 03-420-A, 03-421-A, 03-422-A, 03-423-A, 03-424-SPH, 03-425-SPH, 03-426-SPH, 03-427-A, 03-428-SPHAHSA, 03-429-A, 03-430-A**

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 03/25/03. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

PETITIONER'S SIGN-IN SHEET

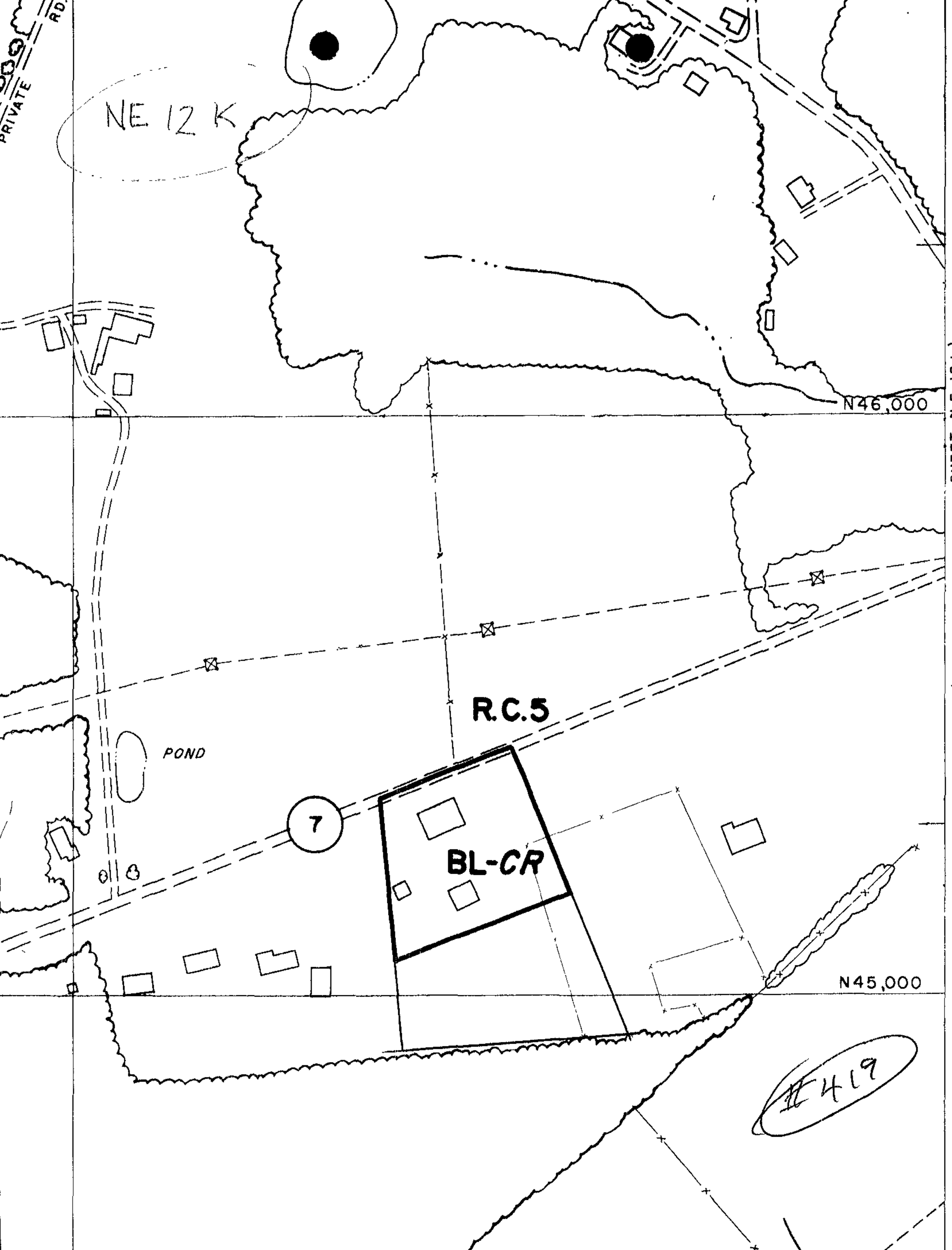
NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
RANDY KAIL	1717 ROSS ROAD	FOREST HILL MD 21050	OENERDIE@AOL.COM
MARLENE FREDERICKER	6424 FRANKFORD AVE	BALTIMORE MD 21206	
JOYCE WILLIG	" " "	" " "	
Rachel & Lewis Benson	(2301 Philadelphia Rd	Kingsville Md 21087	
[illegible]y SCHROEDER	2409 CIDER MILL Rd.	BALTIMORE, MD. 21234	
Robert D Porter Esq			
Town Small	w/ Frederick	Ward-	

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Michael Sayler	12229 Philadelphia Rd	Kingsville 21087	
Pat Barnes	12303 Philadelphia Rd	Kingsville 21087	
[illegible]EL BONIARSKI	" "	" " "	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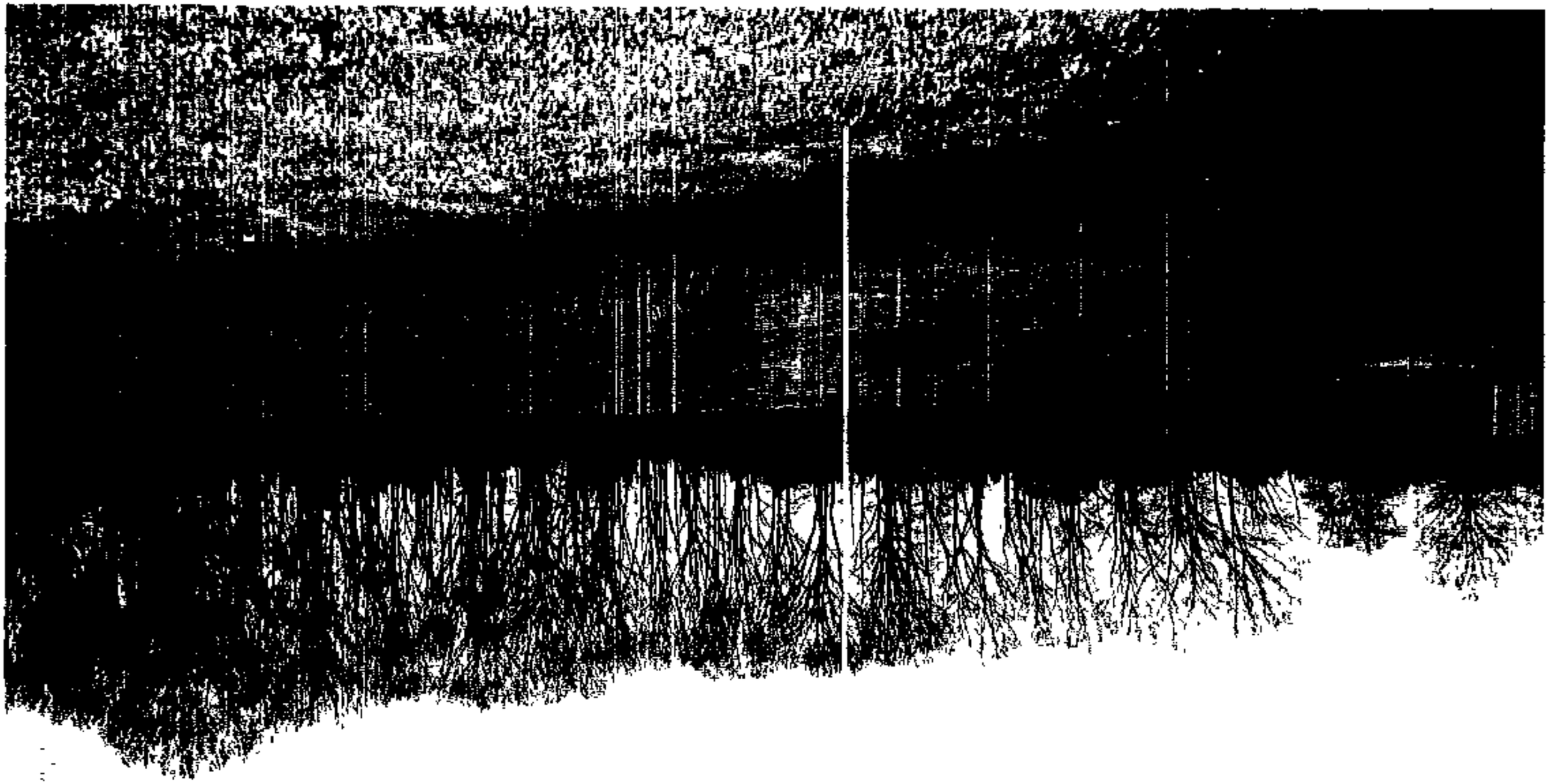

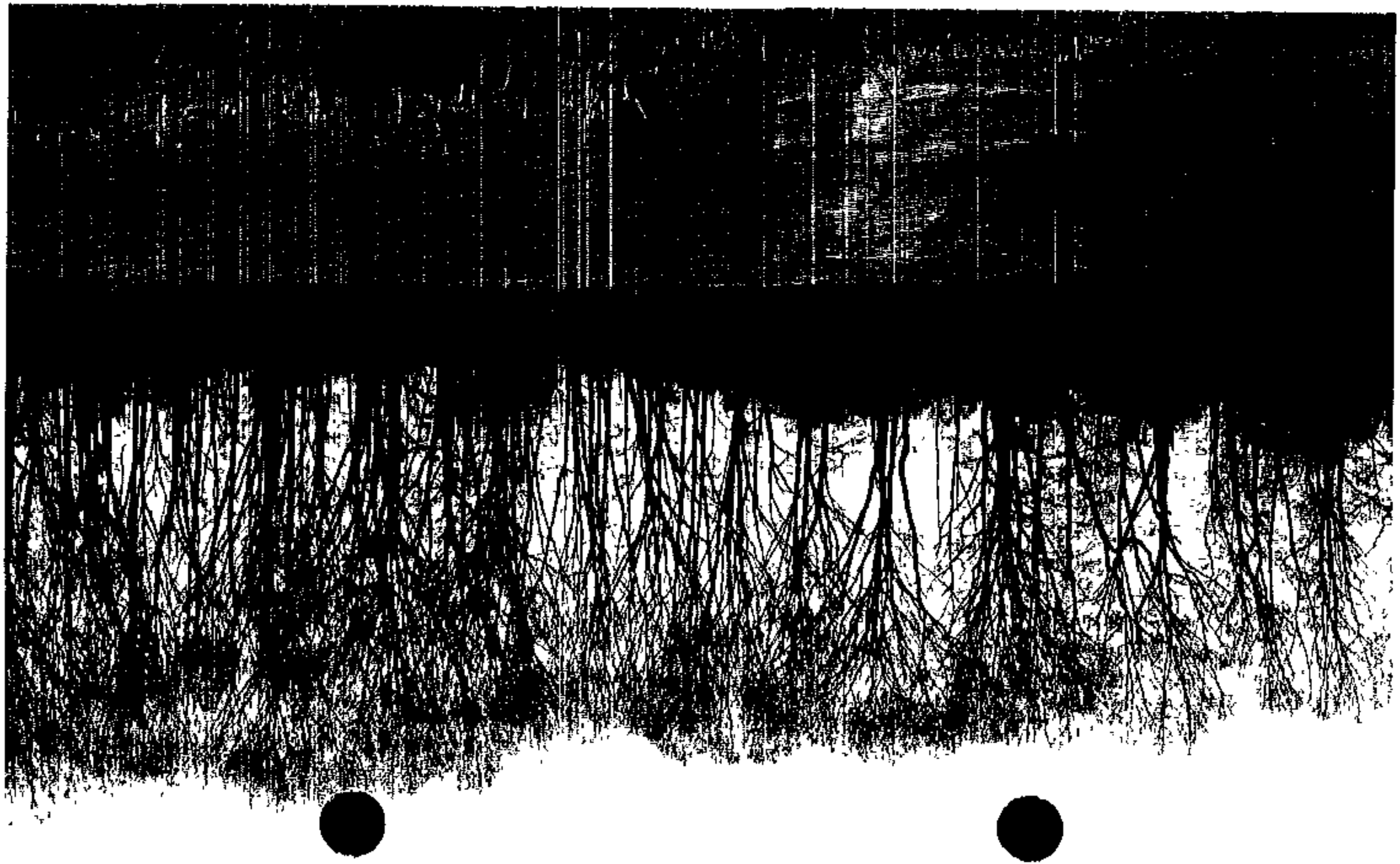

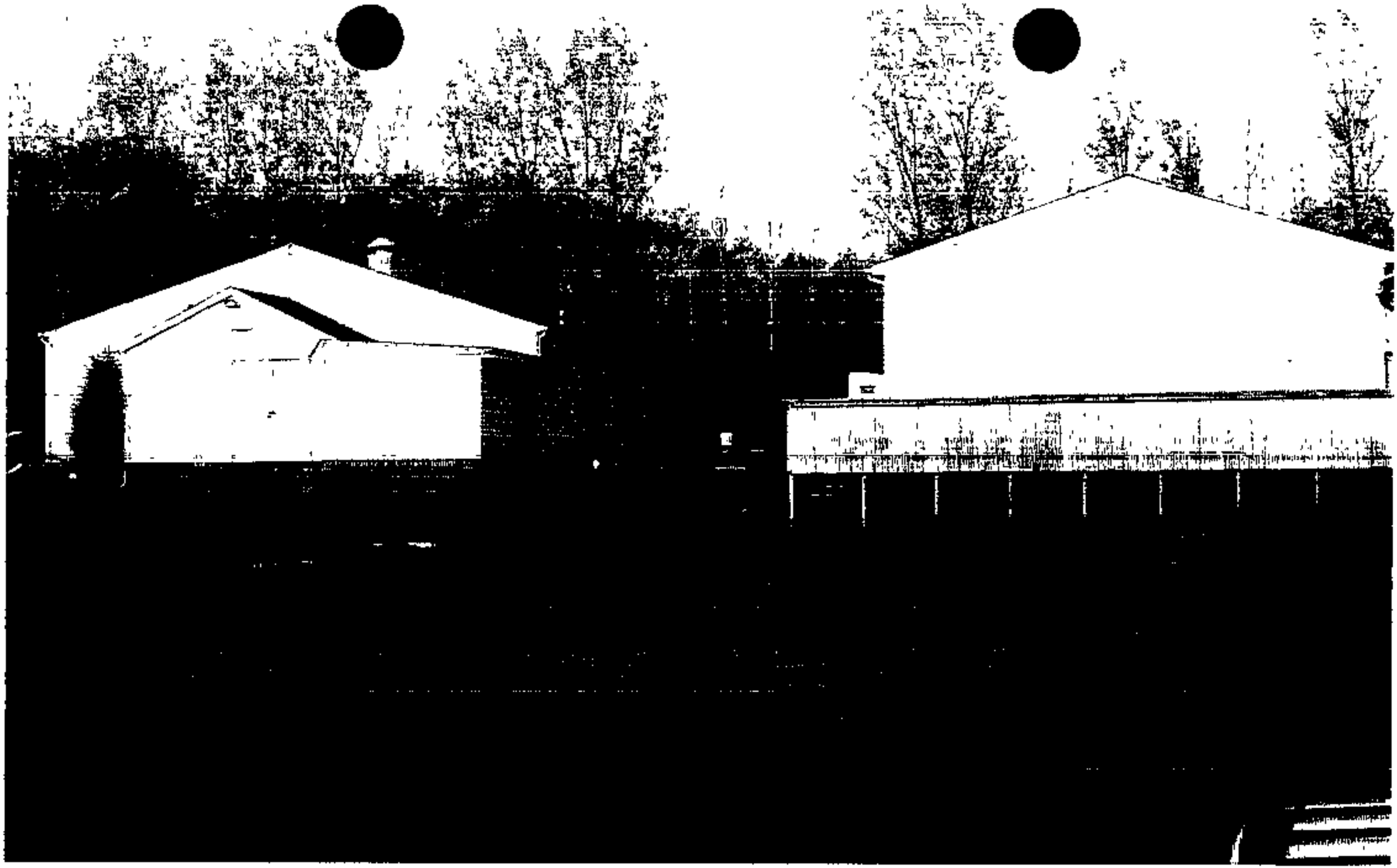

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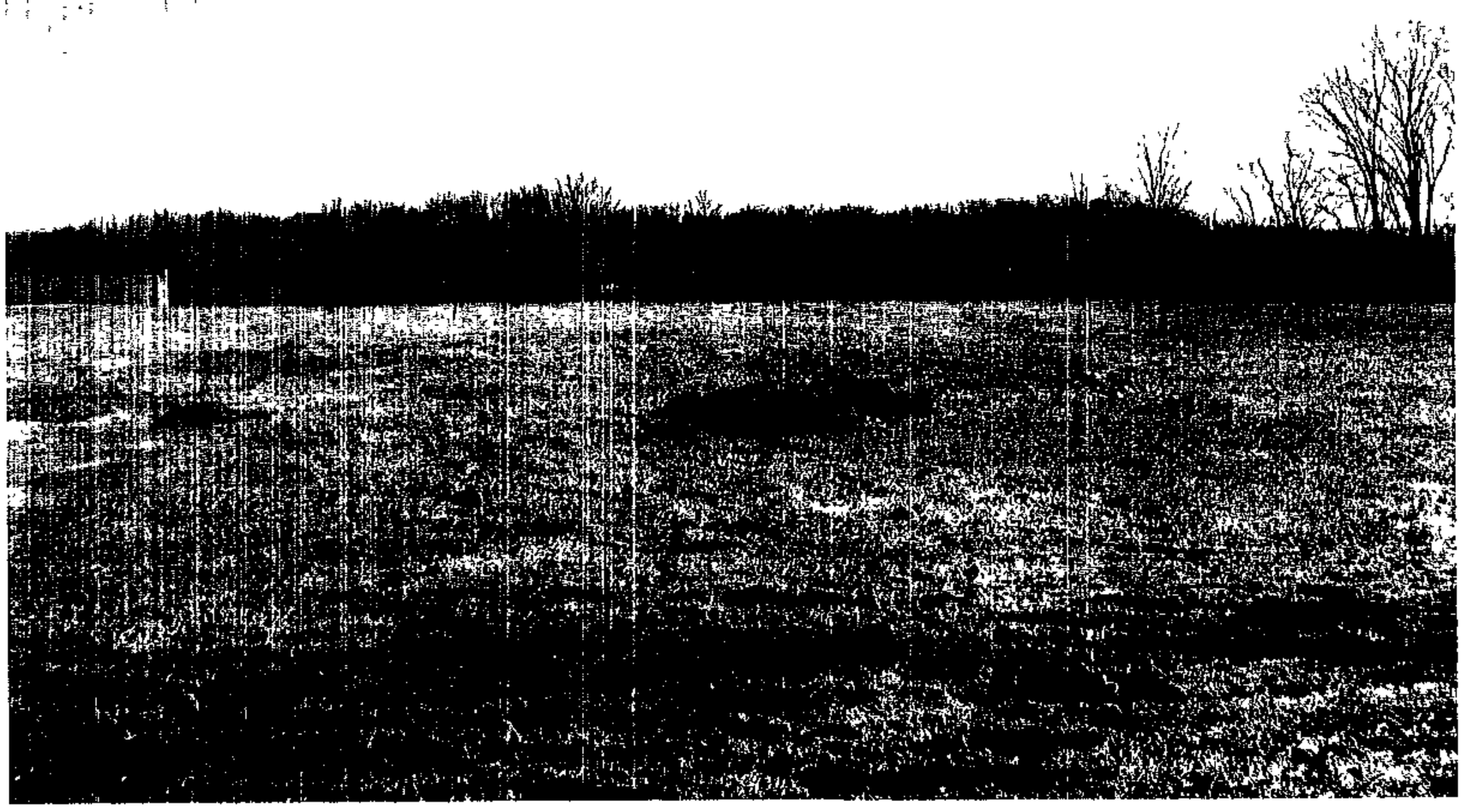
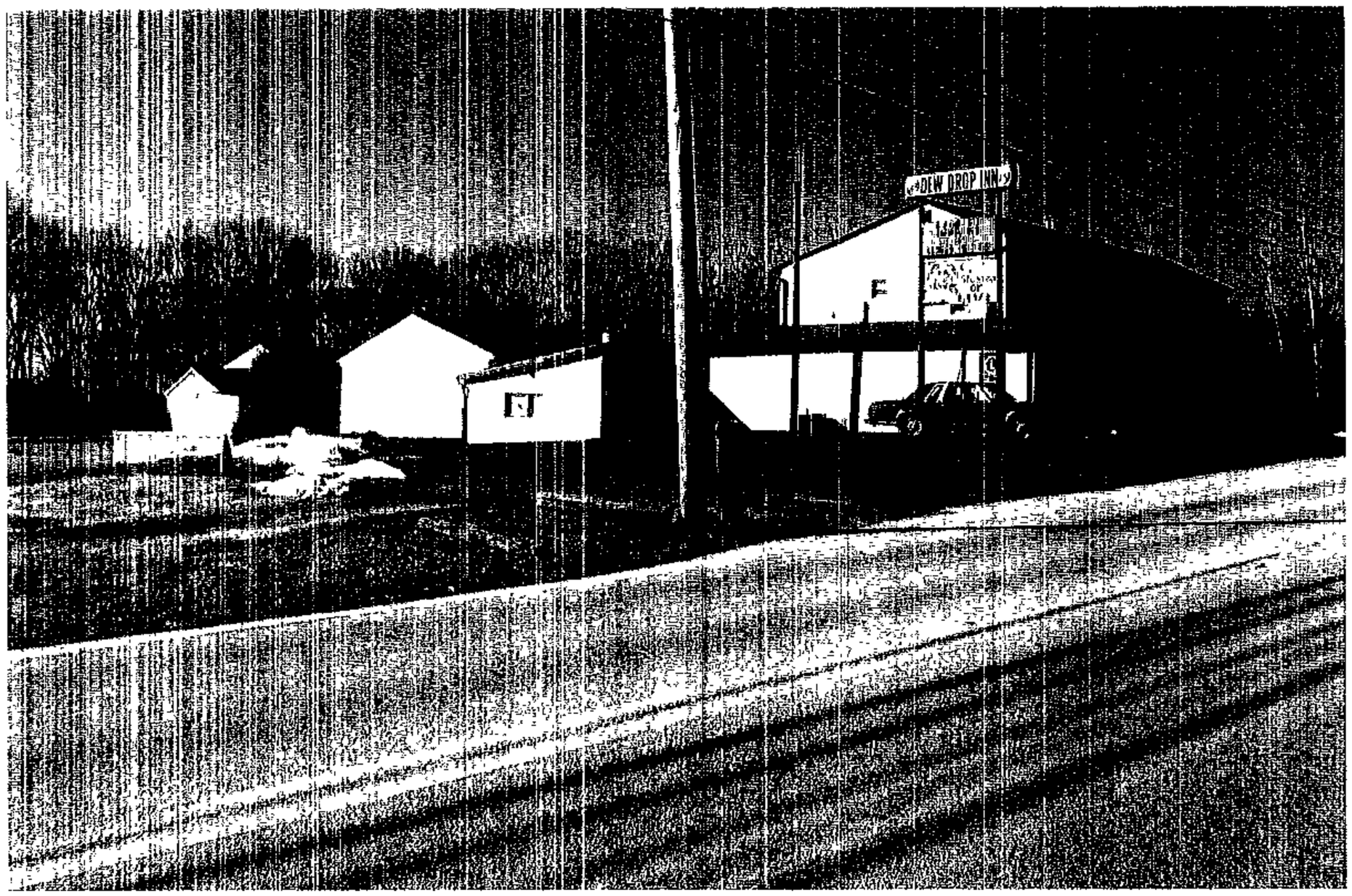
LIVE
WET T SHIRT
SATURDAY

DROP INN
SATURDAY



EXHIBIT

1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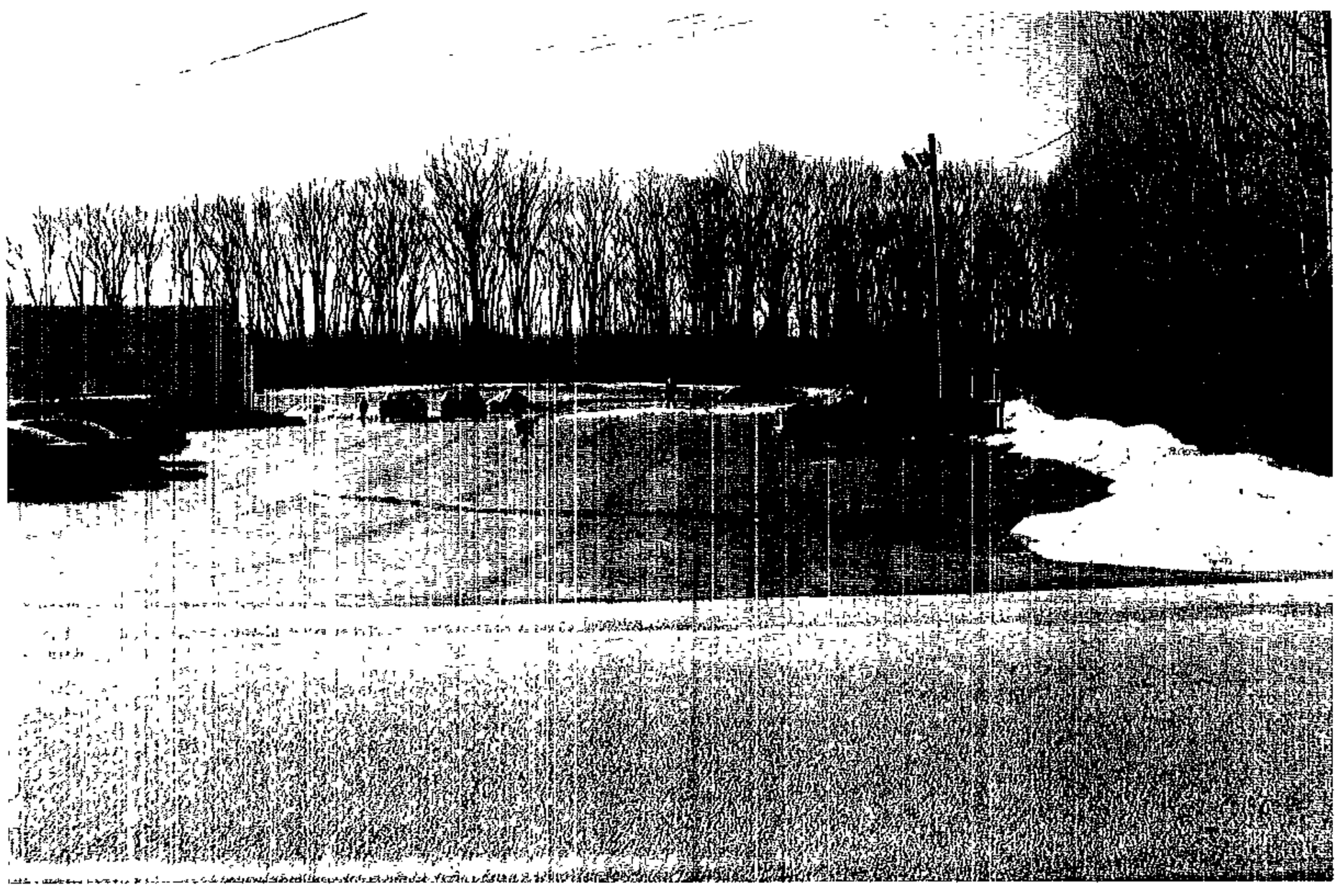


ARTICLES OF INCORPORATION

OF

BALTIMORE BLUECLAWS BASEBALL CLUB, INC.

FIRST: The undersigned Seannon Fallon Meeks whose address is 1400 L Street, NW, Washington, District of Columbia 20005, being at least eighteen years of age, does hereby form a corporation under the laws of the State of Maryland.

SECOND: The name of the corporation is Baltimore Blueclaws Baseball Club, Inc. ("Corporation").

THIRD: The Corporation is organized to operate exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law). The purposes for which the Corporation is organized are:

To engage in educational and charitable activities, including without limitation, providing clinics and programs focused on developing youth baseball skills and sportsmanship, acquiring or leasing facilities and equipment to be utilized for games, tournaments, practices and clinics for youth baseball, and to engage in other charitable and educational activities, provided that such purposes and activities of the Corporation are only as permitted an organization described in Section 501(c)(3) and Section 501(j) of the Internal Revenue Code of 1986, as amended (the "Code").

FOURTH: The street address of the principal place of business of the Corporation in Maryland shall be 1717 Ross Road, Forest Hill, Maryland 21050.

FIFTH: The address of the initial registered office of the Corporation is: 1717 Ross Road, Forest Hill, Maryland 21050. The name of the initial registered agent at the foregoing office is: Randy Kail.

SIXTH: The corporation has no authority to issue capital stock.

STATE OF MARYLAND
DEPT OF ASSESSMENTS AND TAXATION
CUST ID:0000955568
WORK ORDER:0000663917
DATE:11-14-2002 12:19 PM
AMT. PAID:$50.00

2002 NOV 14 PM 12:18

EXHIBIT
tabbies
2

SEVENTH: The number of directors constituting the initial Board of Directors shall be one (1) which number may be increased or decreased pursuant to the bylaws of the Corporation. The name and address of the person who is to serve as the initial director until the first annual meeting or until his successor has been elected and qualified are:

Name	Address
Randy Kail	1717 Ross Road, Forest Hill, Maryland 21050

EIGHTH:

(A) The Corporation shall not have or exercise any power or authority either expressly, by interpretation, or by operation of law, nor shall it directly or indirectly engage in any activity that would prevent it from qualifying (and continuing to qualify) as a Corporation described in Section 501(c)(3) and Section 501(j) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law), contributions to which are deductible for federal income tax purposes.

(B) No part of the net earnings of the Corporation shall inure to the benefit of or be distributable to its incorporators, members of its board of directors, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article THIRD hereof.

(C) No substantial part of the activities of the Corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, except that such activities may be carried on to the extent permitted by Section 501(h) without loss of exemption under Section 501(a) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue law); nor shall the Corporation participate in, or

intervene in (including the publishing or distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office.

(D) Neither the whole, nor any part or portion, of the assets or net earnings of the Corporation shall be used, nor shall the Corporation ever be organized or operated, for purposes or objects other than those stated in Article THIRD hereof.

(E) In the event of termination, dissolution or winding up of the Corporation in any manner or for any reason whatsoever, its remaining assets, if any, shall be distributed exclusively for the purposes stated in Article THIRD hereof in such manner, or to one or more organizations described in Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law), as the Board of Directors shall determine.

NINTH: A director of the Corporation shall not be personally liable to the Corporation for monetary damages for breach of fiduciary duty as a director, except for liability (i) for any breach of the director's duty of loyalty to the Corporation, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, or (iii) for any transaction from which the director derived any improper personal benefit. If the Maryland General Corporation Law is amended after the effective date of this article to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the Corporation shall be eliminated or limited to the fullest extent permitted by the Maryland General Corporation Law, as so amended.

Any repeal or modification of the foregoing paragraph shall not adversely affect any right or protection of a director of the Corporation existing at the time of such repeal or modification.

IN WITNESS WHEREOF, I have signed these articles and acknowledge the same to be my act.

INCORPORATOR

Seannon Fallon Meeks
Seannon Fallon Meeks

11/5/02
Date

I hereby consent to my designation in this document as resident agent for this corporation.

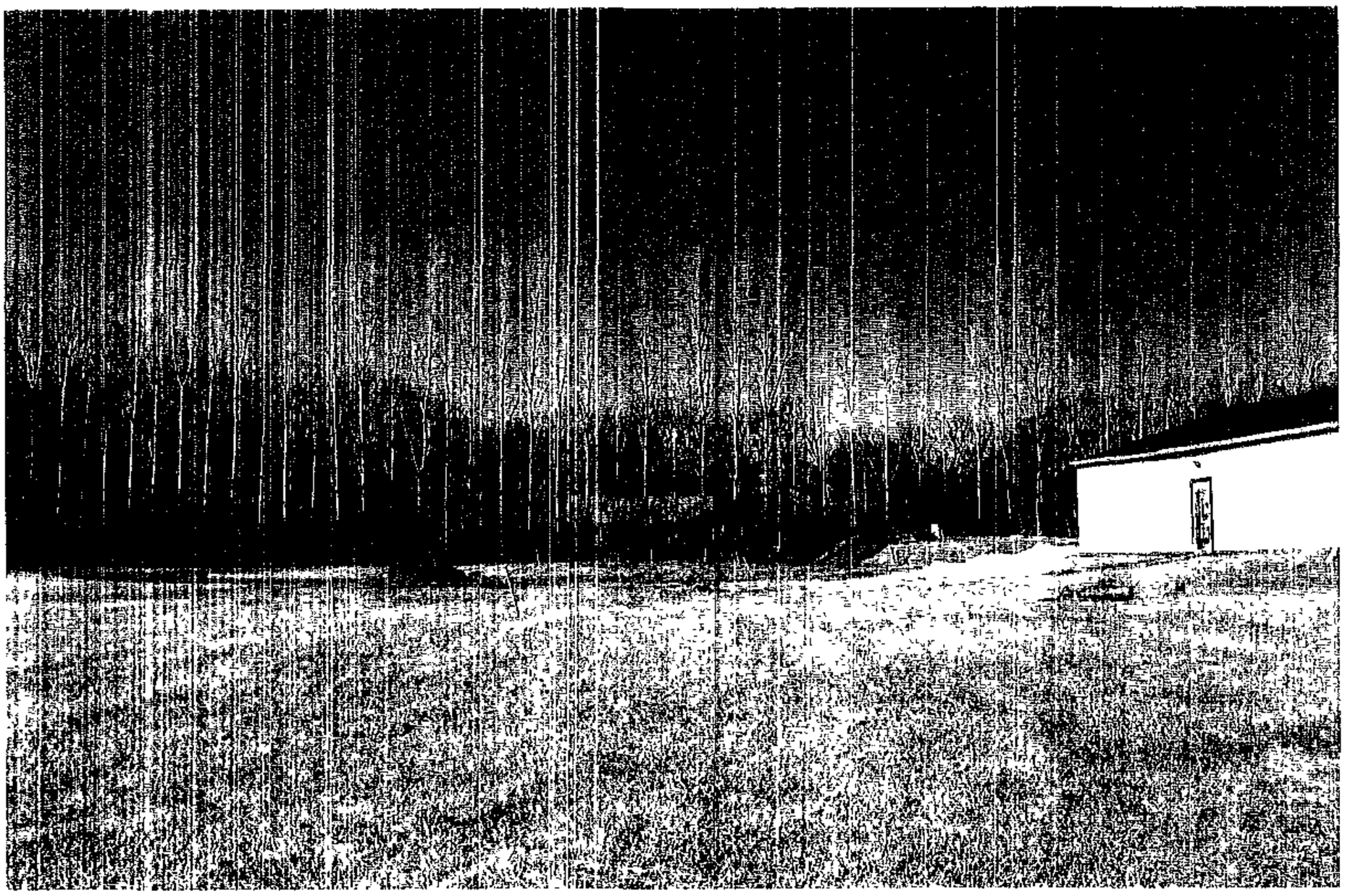
RESIDENT AGENT

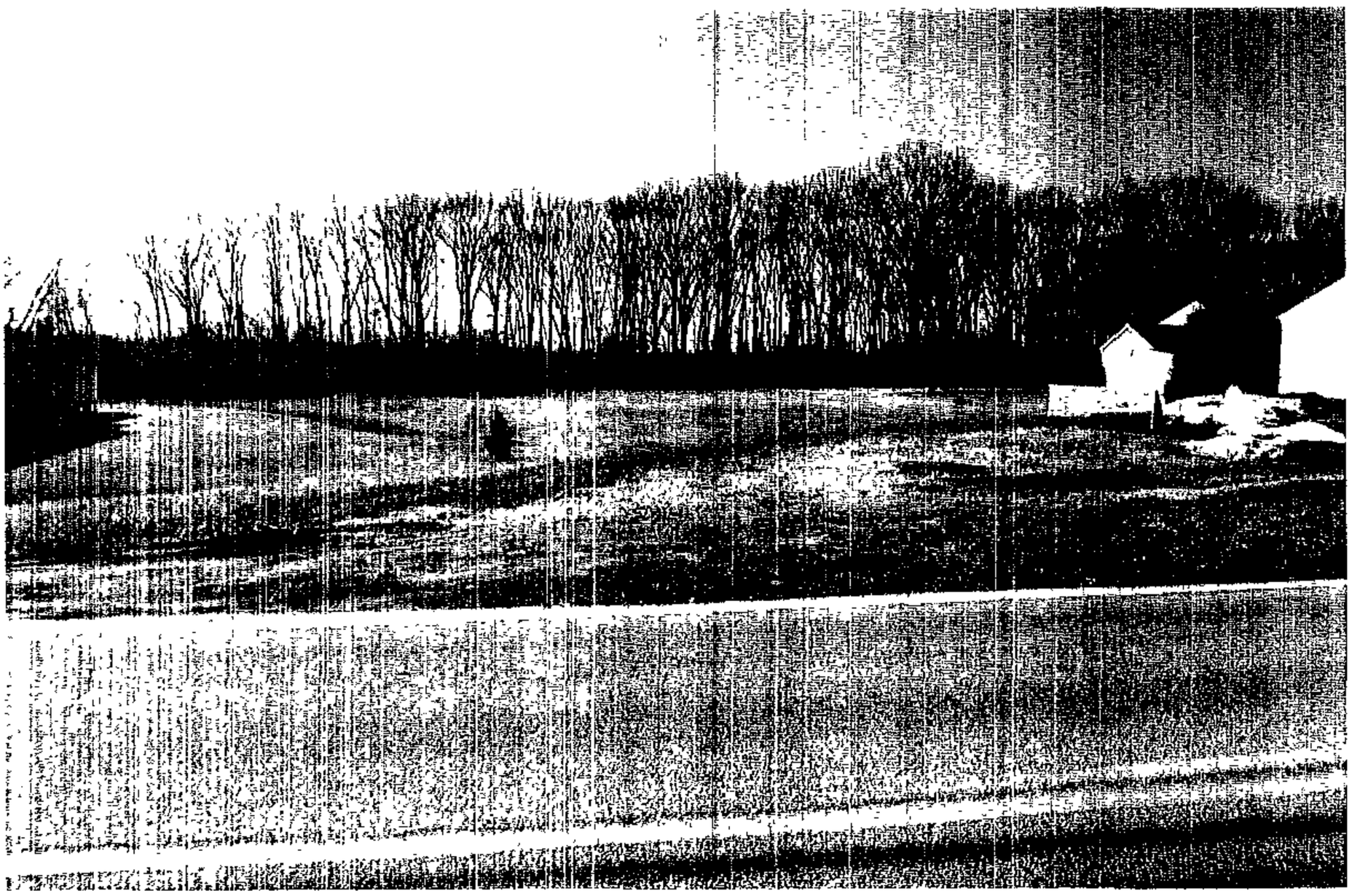
Randy Kaff

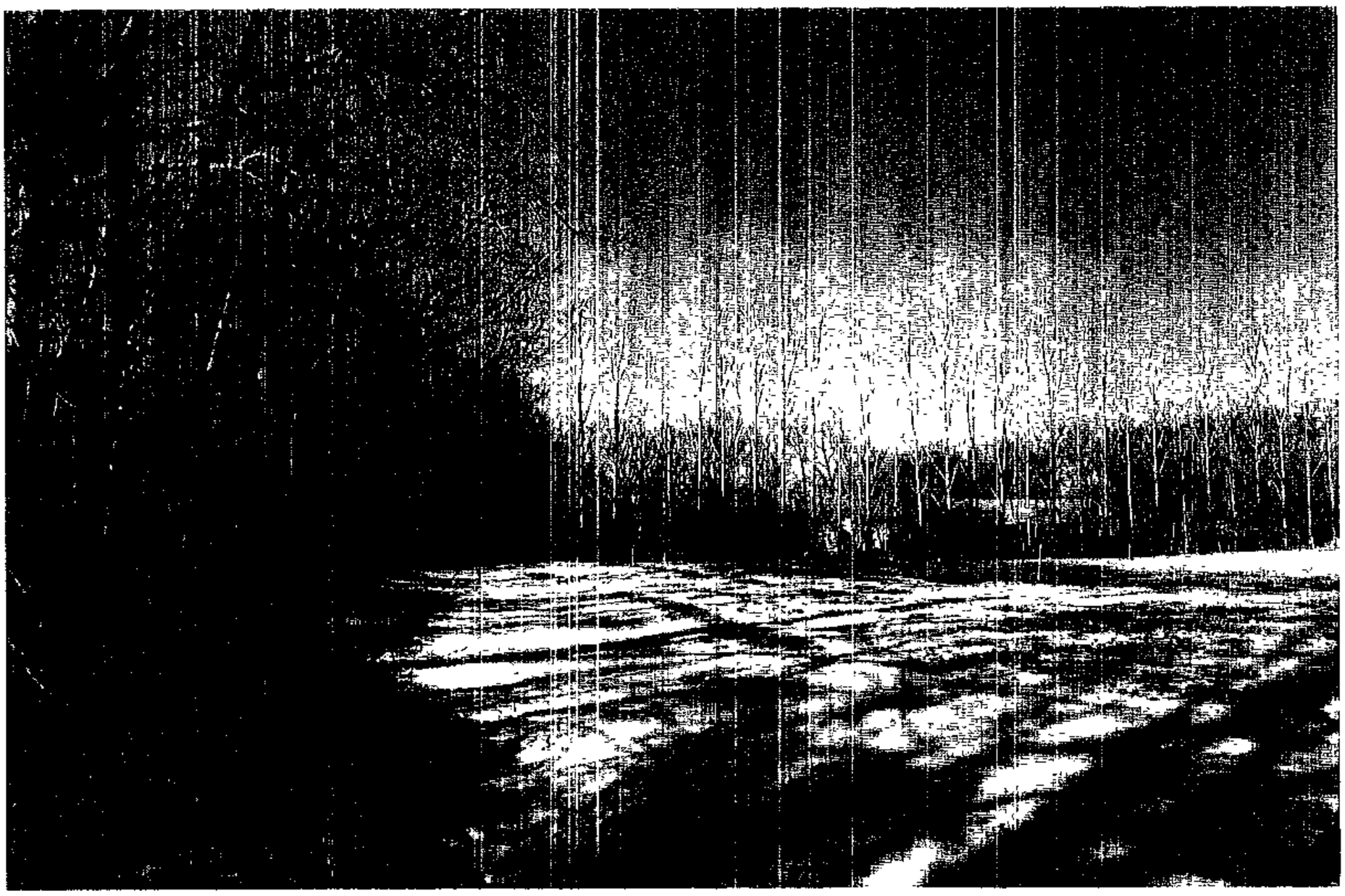
11/5/02
Date

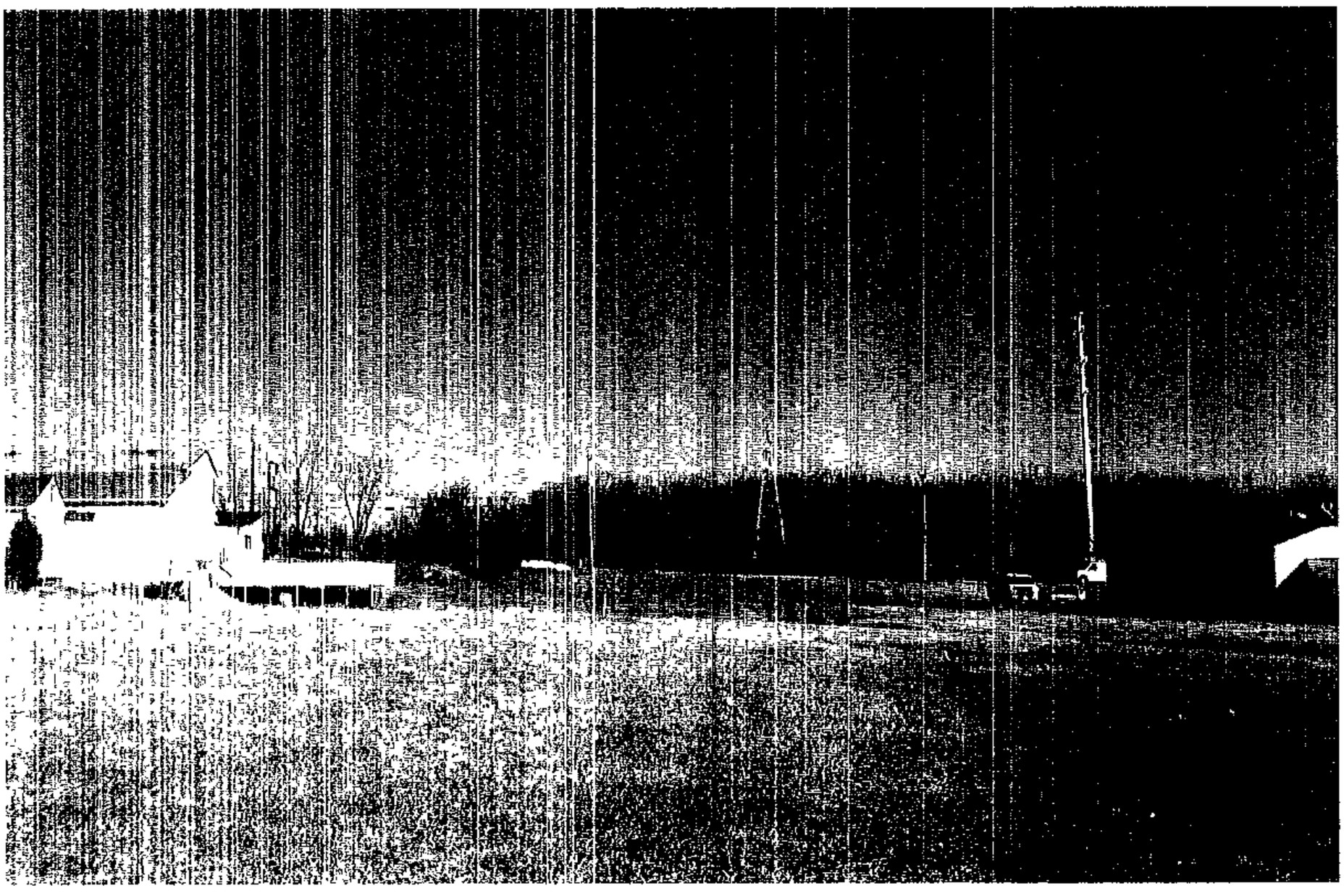
RETURN TO:

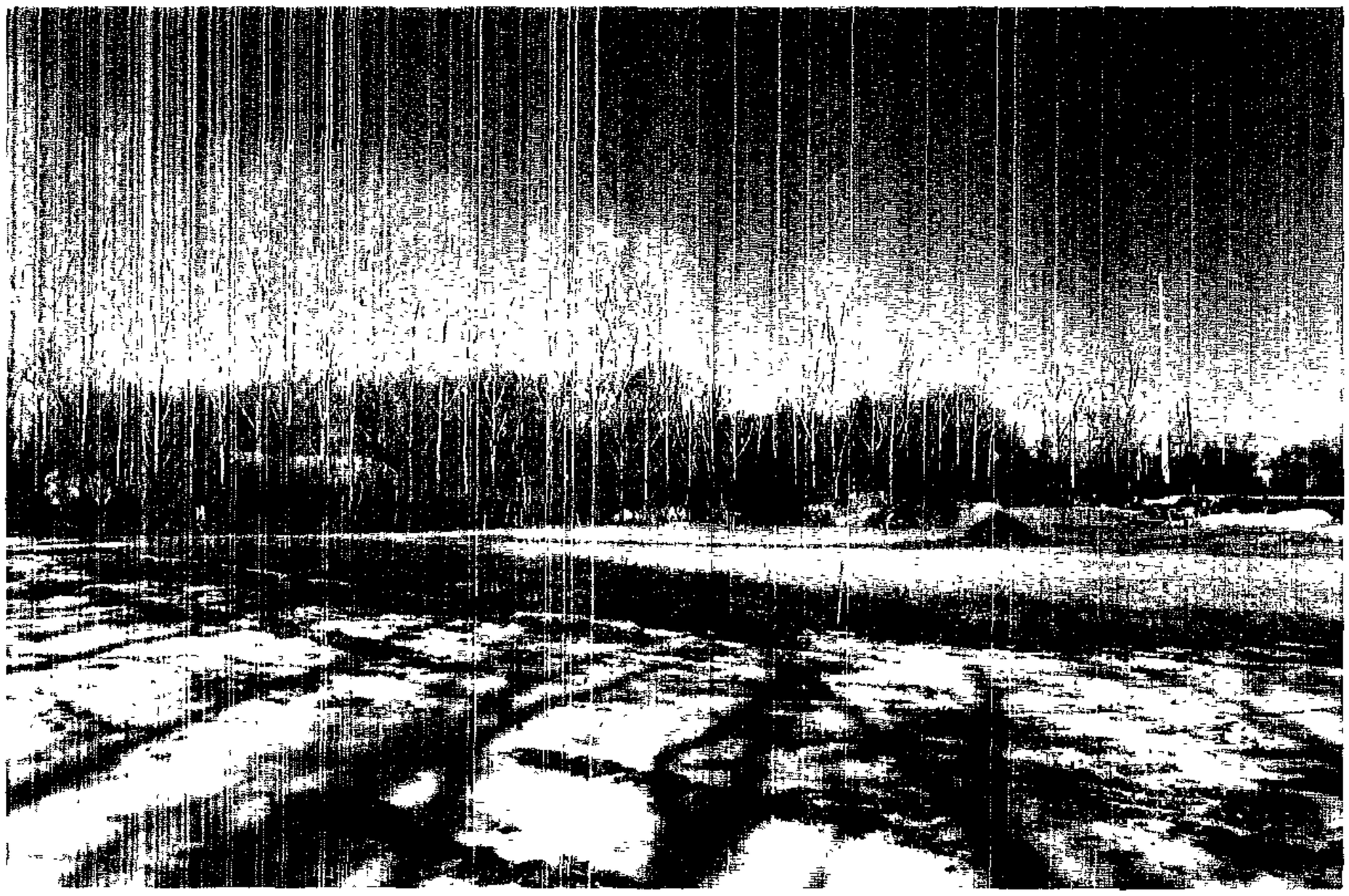
1717 Ross Road
Forest Hill, Maryland 21050

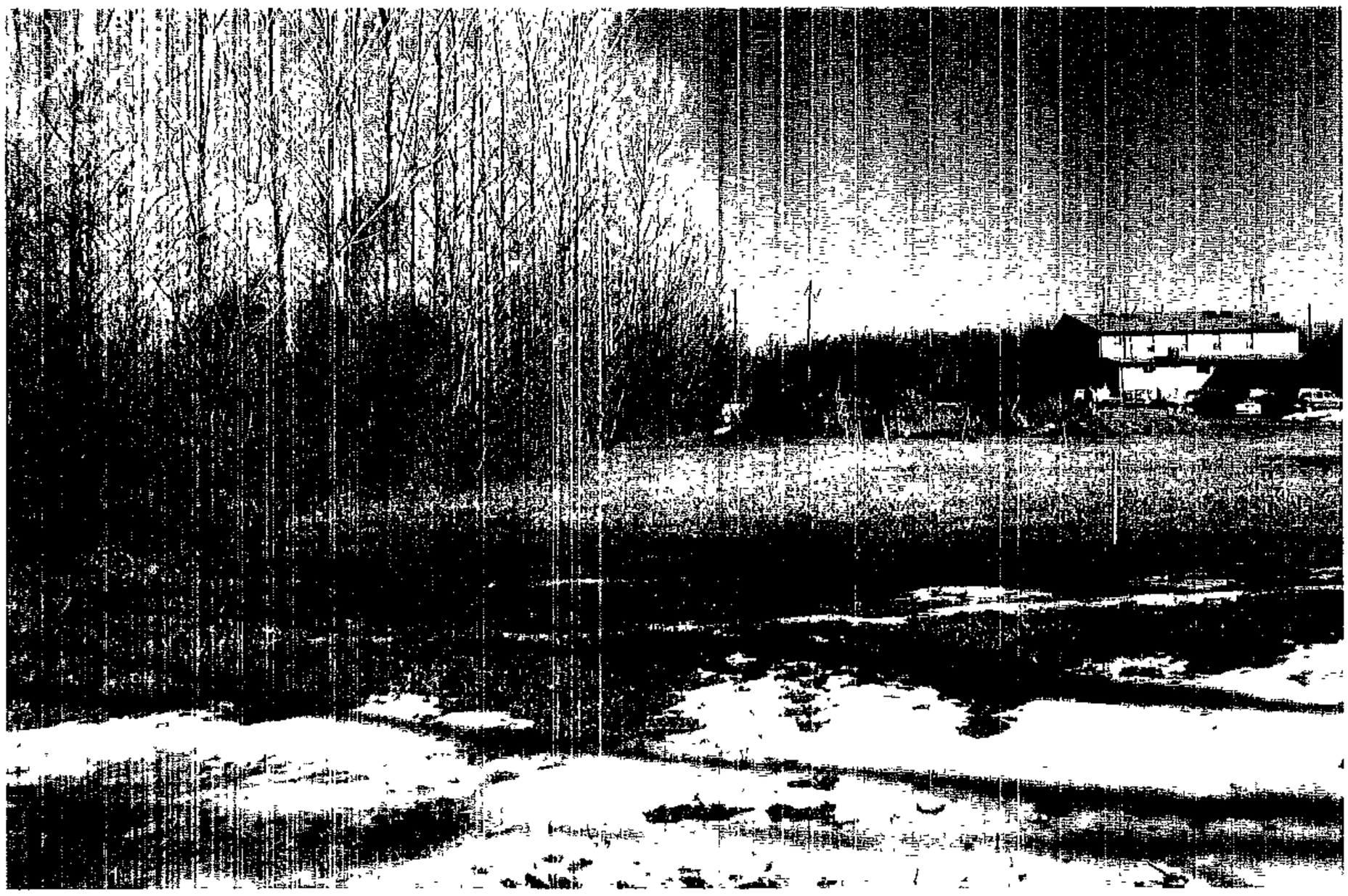


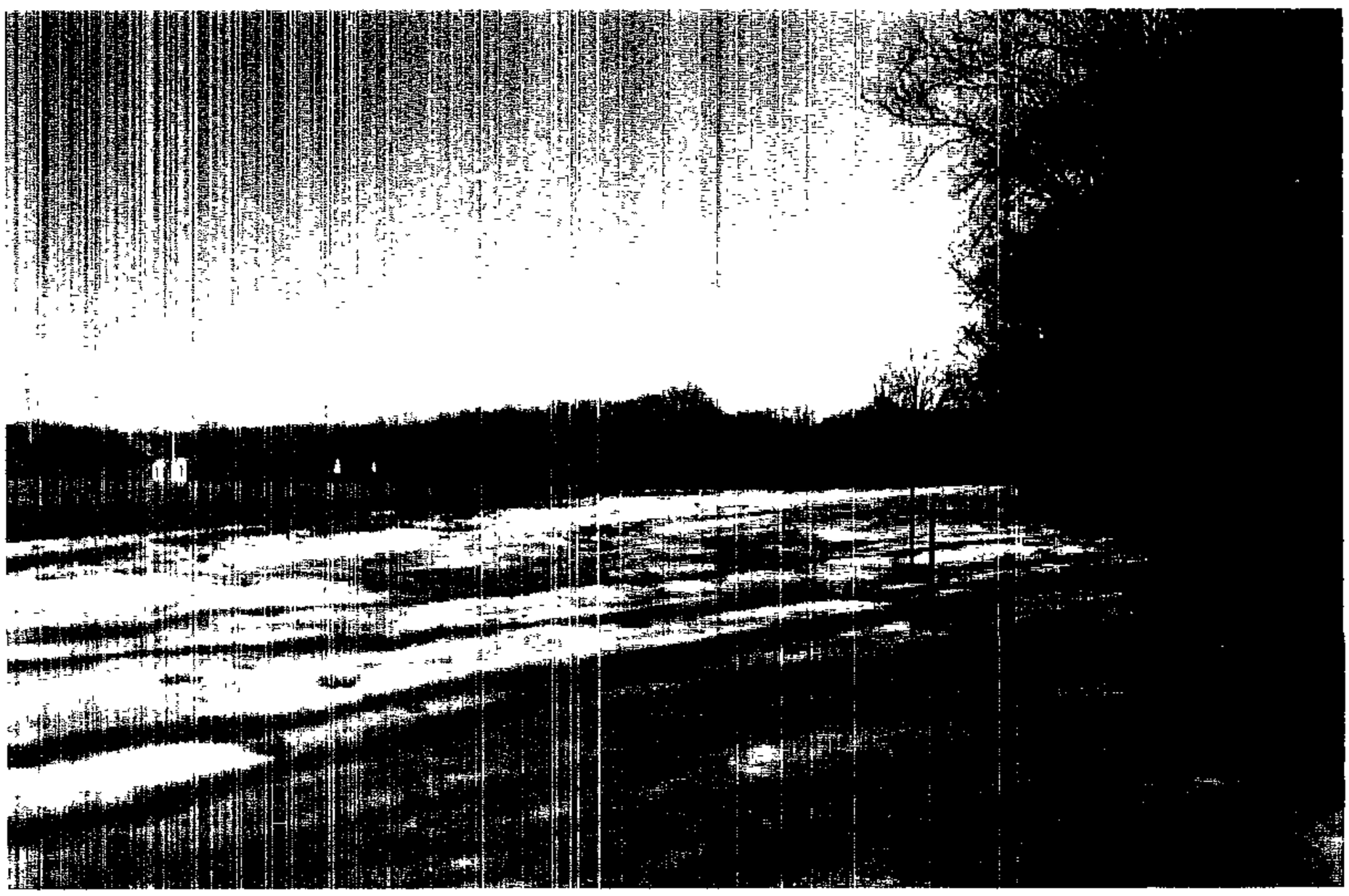












CORPORATE CHARTER APPROVAL SHEET

** EXPEDITED SERVICE ** ** KEEP WITH DOCUMENT **

DOCUMENT CODE 02 BUSINESS CODE 04

#

Close Stock Nonstock ✓

P.A. Religious

Merging (Transferor)

Surviving (Transferee)

1000361987676131

ID # D07083041 ACK # 1000361987676131
LIBER: B00445 FOLIO: 0740 PAGES: 0005
BALTIMORE BLUECLAWS BASEBALL CLUB, INC.

11/13/2002 AT 04:48 P WO # 0000663917

New Name

FEES REMITTED

Base Fee: 20
Org. & Cap. Fee: 20
Expedite Fee: 50
Penalty:
State Recordation Tax:
State Transfer Tax:
Certified Copies
Copy Fee:
Certificates
Certificate of Status Fee:
Personal Property Filings:
Other:
TOTAL FEES: 90

Change of Name
Change of Principal Office
Change of Resident Agent
Change of Resident Agent Address
Resignation of Resident Agent
Designation of Resident Agent and Resident Agent's Address
Change of Business Code
Adoption of Assumed Name
Other Change(s)

edit Card Check ✓ Cash

Code 194

Documents on Checks

Attention:

proved By: 11/13

yed By: C. Boulware

MMENT(S):

Mail to Address:

STATE OF MARYLAND
DEPT OF ASSESSMENTS AND TAXATION
CUST ID:0000995568
WORK ORDER:0000663917
DATE:11-14-2002 12:19 PM
AMT. PAID:$90.00

Stamp Work Order and Customer Number HERE

EXHIBIT 3

PETITION IN SUPPORT OF ZONING RELIEF
BALTIMORE BLUECLAWS BASEBALL CLUB, INC.
12301 PHILADELPHIA ROAD

The undersigned, who live and/or work in the area of 12301 Philadelphia Road, sign this Petition to show our support for approval of the Petition for Special Hearing and the Petition for Special Exception of Baltimore Blueclaws Baseball Club, Inc. (the "Blueclaws"). By signing this Petition, the undersigned certify that we have reviewed the Blueclaws' Petitions, that we support the Blueclaws' proposal to use a portion of the subject property as a little league baseball field and that the proposed use will be a valuable and beneficial addition to the neighborhood.

Signature	Name (printed)	Address	Date
Kelley Lagaz	Kelley Lagaz	204 Homberg Ave., 21221	04/24/03
James Matalavage	JAMES MATALAVAGE	3426 AUGUSTA RD. 21201	4-24-03
Greg Schroeder	GREG SCHROEDER	2409 CIDER Mill Rd. 21234	4/24/03
[illegible]	STANLEY G. KNIGHT	743 FRANKS DR Abingdon MD	4/24/03
Mike Simmons	MIKE SIMMONS	2919 NELSON LANE FALLSTON MD	4/24/03

PETITION IN SUPPORT OF ZONING RELIEF
BALTIMORE BLUECLAWS BASEBALL CLUB, INC.
12301 PHILADELPHIA ROAD

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Signature	Name (printed)	Address	Date
[illegible] McGlothlin	John McGlothlin	1213 MT Rd Joppa	4/12
Kenny McGlothlin	Kenny McGlothlin	1610 Shirley Ave Joppa MD	4/12
Michael R. Kloch	Michael Kloch	Joppa MD	4/12
[illegible]	ROBERT J GUERNOT	JOPPA MD	4/12
[illegible]	LARRY FORTNEY	2011 CHERRY RD EDGEWOOD MD	4-15-03
Kim Zaicko	Kim Zaicko	9142 Glen Mill Rd. Balto. Md. 21236	4-15-03
Mark Huselton	MARK Huselton	6513 Mayer Ave. Balto. Md. 21206	4-15-03
Lonnie McFadden	Lonnie McFadden	2028 Cherry Rd Edgewood Md. 21040	4-15-03
Debbie Foley	Debbie Foley	1320 Amherst Blvd Md 21005	4-15-03
Joseph F. Smith	Joseph F Smith	PO Box 381 Whitemarsh Md 21162	4 15 03
Philip Edwards			4-20-03

Signature	Name (printed)	Address	Date
	JP D'Agostino	916 Buckland Pl	4-16-03
	D LEBRUN	721 Glenville Rd	4-16-03
	WILLIAM L SAUNSON	3006 HAUSDALE CT	4/16/03
	EDGAR HARGRINS	4338 PENNABLE	4-16-03
	J. Smith	844 Woodward St.	4/16/03
	C. STAHL	2515 BAUERNSCHMIDT DR	
	Bruce Proescher	60 Surrey Lane	4-16-03
	BOB HEATER	Joppatowne	4-16-03
	B HARKE	4222 E Joppa	4-18-03
	Chantell Nelson	910 Propsedmill	4-17-03
	GLENN PERGO	12426 WOLFERTWAY	4/18/03
	DAVID FRANKENBERGER	8122 BRADSHAW RD	4/18/03
	TOM CLARK	23 ROYAL ANN CT.	4-20-03
	H. Colclough	305 Cagey	
	Nichole Rich	342 Laburnum Rd Edgewood MD 21040	4-20
	Lita C Rush		4-20

Signature	Name (printed)	Address	Date
WE Rush	WE Rush	342 Laburnum Edgewood MD	4-20
[illegible]	Patrick Rich	USS Saipan (LHA2) DC/Engineering FPO AE 09549	4-20
[illegible]	MICHAEL LEUHOFF	1206 HILLSBORO CT	4.20.
[illegible]	JOHN LOPUS	2010 WOODS END DR	4-20
[illegible]	RON KRISTIAN	7019 SUNSHINE AVE. KINGSVILLE MD,	4-20
Marie Smith	MARIE SMITH	4128 Kahlston Rd 21236	4/21

PETITION IN SUPPORT OF ZONING RELIEF
BALTIMORE BLUECLAWS BASEBALL CLUB, INC.
12301 PHILADELPHIA ROAD

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Signature	Name (printed)	Address	Date
Steven C Wolfe	Steven Wolfe	Lot 12 21085 578 Trimble Rd Joppand	4/3/03
Joyce Popp	Joyce Popp	1305 LAKE VISTA DR	4-3-03
LeRoy Popp	LeRoy Popp	1305 Lake Vista DR	4-3-03
[illegible]	JEFF THIELMAN	2913 CLAYTON RD	4-3-03
Jim Brown	JIM BROWN	1208 SANET DR	4-3-
Fred Laubach	FRED LAUBACH	1204 Old MTN RD JOPPA MD	21085
Dave Patton	DAVE PATTON	1202 JANET DR EDGEWOOD MD	21040 4-3-03
Larry King	LARRY KING	331 LABURNUM RD. EDGEWOOD	21040
Samuel Naylor	SAMUEL NAYLOR	4128 KARLSTON RD. BALTIMORE	21236
Les Nickler	4347 CHAPERO	PERRY HALL	
George Biles	GEORGE BILES	1977 CHIPPER DR.	21040 4/3/03

Signature	Name (printed)	Address	Date
Gary Howell	Gary Howell	314 Red Haven Ct	4/2/03
Alan	Alan	314 Red Haven Ct	4-2-03
Donald Aldrich	DONALD ALDRICH	11500 PAHLM, RD	4-3-03
Ralph A Barr	RALPH A BARR	119 TRIMBLE RD	4-3-03
David Teel	DAVID Teel	528 Trimble Rd Lot 05 Joppa md 21085	4/3-03
Dianne Wolfe	Dianne Wolfe	528 Trimble Rd Lot 12 Joppa md 21085	4/30/03
John R Adams	JOHN R ADAMS	2503 Willoughby Beach RD Edgewood MD 21040	4/03/03
John Hopkins	John Hopkins	710 Old Falston Rd Falston Md 21047	4-3-03
CHRIS REINGRUBER	Chris Reingruber	2200 HYDEN CRT FALLSTON MD 21047	4-3-03
Robert Vieaorkaski	Robert Vieaorkaski	2902 Carns Way	4/3/03
B.W. Gabrier	B.W. GABRIER	4021 Sharilyn Dr.	4/3/03
Lyle Carey			4/3/03
Richard Sligh	Richard Sligh	2043 Sue Ave Balto MD 21221	4/3/03
Joseph Gill	Joseph Gill	4 Mersey Ct Balto 21220	4/3/03
Greg Donnelly	Greg Donnelly	219 Foster Knoll Joppa 21085	4/3/03
John Paul Darney	John Paul Darney JR.	3032 Lochary rd Belair	4/3/03

Shawn Linkous	Shawn Linkous	2226 Old Emmerton Rd	4/03/03
Larry Winkler	Larry Winkler	1722 Henry Ave	4-03-03
Kelly Cottrill	Kelly Cottrill	169 Spruce Wds Ct	4-4-03
Robert George	Robert George	169 Spruce Wdct	4-4-03
Loretta Bencivenni	Lori Bencivenni	2502 Sinsko LA	4-4-03
Jimmy Ben	Jimmy Bencivenni	2502 Sinsko LA	4-4-03
Robert Thessar	Robert Thessar	614 Harbor Park	4/10/03
Kathy Nelkerson	Kathy Nelkerson	457 Dunbar Ct	4/10/03
Derek Saegesser	Derek Saegesser	1007 Emmerick Dr	4/10/03
Jeffrey J Alexander	Jeffrey J Alexander	1002 Old Joppa Rd	4/11/03
William D Boss	Bill Boss	924 Richwood	4/11/03
[redacted]	Tim Henning	2839 Beckon Dr	4/11/03
	Julio Duran	9900 Tailspin	4-11-03
	Henry McGuire	505 Compass	4-11-03
Henry McGuire			
	Thomas M Matthews	638 Yorkshire Dr	4-11-03

Signature	Name (printed)	Address	Date
Scotty Cabrera	Scotty Cabrera	218 Freemont Rd. Nottingham PA	4/3/03
Stewart Grant	STEWART GRANT		4/3/03
Rodney Carr	RODNEY CARR		4-3-03
Deon C Clark	DEON C CLARK		4-3-03
John Lafferty	JOHN LAFFERTY		4-3-03
Eric Schmidt	ERIC SCHMIDT		4/3/03
Eileen Garrison	Eileen Garrison	Hartland Pa	4-3-03
Wanda Waskiewicz	WANDA WASKIEWICZ	Edgewood	4-3-03
Randy Coffey	RANDY COFFEY	Jarrettsville, MD	4/3/03
Gerald S Dayton	GERALD DAYTON	Joppa MD	4/3/03
R. Plummer	R PLUMMER	Joppa Md	4/3/03
Denise Brooks	Denise Brooks	910 Prospect Mill Bel Air	4/3/03
Leslie Wisniewski	LES WISNIEWSKI	13303 Tyla La	4-3/03
Richard E Gessner	RICHARD E GESSNER	2409 WHITT RD.	4-3/03
Joe Gessner	JOE GESSNER	2207 Hyden CT	4/3/03
Joe Cadle	JOE CADLE	1139 RAPPEL R.D.	4/3/03

Signature	Print Name	Address	Date
[illegible]	Dan Draper	625 Shore Dr. 21085	4-3-03
[illegible]	DAVE ANDERSON	1304 OLDVERK WALLEY WAY	4-3-03
[illegible]	KEVIN FESER	1607 Gunpowder Ridge	4/3/03
[illegible]	C.J. Badowski	1502 Mandeville Rd	4/3/03
[illegible]	Lou McDonald	311 Roxbury CT	4/3/03
[illegible]	Muriel Emmons	104 Bissell Ave G.B.	4/4/03
[illegible]	Samuel Kilham	2303 McGuigan Dr	4/4/03
[illegible]	MICHELE ABRAMSKI	457 Buxton Ct	4/4/03
[illegible]	TIMOTHY MOLLETTE	457 Buxton Ct	4/4/03
[illegible]	KEVIN R. MACK	904 AVERILL RD. JOPPA, MD. 21085	4-4-03
[illegible]	Jon Bigos	4526 Golden Meadow	4-4-03
[illegible]	FRANK AUGUSTYNIAK	94 REEDS RUN RD	4-4-03
[illegible]	Bob Johnson	10531 Jones Rd	4-4-03
[illegible]	Mike Beale	Frankleville Rd	4-4-03
[illegible]	Greg Basil	Bradshaw Rd	4-4-03

Signature	Name (printed)	Address	Date
	ROBERT PEARR	502 ECKHART Ct.	4-3-2003
	ANTHONY BUCKLEW	45 LONGERON DR.	4/3/03
	Ed Johannes	209 Parkwood Rd	4/3/03
	Roy LOWIS	25 WEST CIRCLE	4/3/03
	Mark Gosewisch	1709 abelia Rd	4-3-03
	Chuck Decker	13830 Eck Rd	4/3/03
	JEFFREY REID	351 FULLERTON PI	4/3/03
	JOEL NICODEMUS	829 CHATFIELD RD	4/3/03
	Brandon Schafer	4508 Clermont Mill Rd	4/3/03
	Mike Billings		4/3/03
	Dawn Stowell	910 Averill Rd.	4/3/03
	Scott Fleischer	3206 SEITER LN. Jarretsville md. 21084	4/3/03
	MARK TOWDSON	10531 JONES RD. JOPPA MD 21085	4/3/03

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Signature	Name (Print)	Address	Date
	RAY Dougherty	1906 Harewood Rd.	4-3-03
	Chris Miller	12 Lynbrook Road	4-3-03
	SCOTT SAFCHUCK	923 ANGELVALLEY CT	4-3/03
	EDWARD L McCONNELL	403 MT Rd Fallston	4-3/02
	Gary Elbesund	513 Foster Branch Rd	4/3/03
	JONATHAN GWINN	5620 BELLBROOK RD	4/3/03
	Veronica Howell	401 MT. Rd. Fallston	4/3/03
	STEPHANIE KASPRZYK	1026 Baldwin Dr Joppa	4/3/03
	Daniel Boswell	309 Roxbury Ct. Joppa	4/3/03
	Jason Boswell	116 Doncaster Joppa	4/3/03
	Laura Gilbert	5330 Litany Lane	4/3/03
	MELVIN WARD	D.O.G 550 EAST MADISON ST	4 3/03
	JAMES PERRAFF	553 MacIntosh Cir	4/3/03
	Meg Krafft	30 FOX Briar Ln.	4/3/03
	ROB KRAFFT	639 MILFORD CT ABINGDON	4/3/03
	BARB KRAFFT	639 MILFORD CT. ABINGDON	4/03/03

Ba ore County
Department of Permits and
Development Management

Code Inspectio d Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953
Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 03-0182
Property No. 7600 007116
Zoning: BL

Name(s): RJT Partnership
R/A

Address: 6424 Frankford Ave Balto Md 21206

Violation Location: 12301 Philadelphia Rd 21162

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

1.) Remove prohibited portable changeable copy sign.
2.) Remove all banners that do not have a valid temporary use permits.

BCZR 230; 102.1 450.6.A.(6)(7)

Not 3 b

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 1/18/03
Date Issued: 1/13/03

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF $200, $500, OR $1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: N.A.J. Pawski

INSPECTOR: N Pawski

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than:
Date Issued:

INSPECTOR:

DEFENDANT

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 85472

DATE 4/25/03

ACCOUNT 001 R006 7120

AMOUNT $ $2.00

RECEIVED FROM:

FOR: 2 Copies @ $1.00 each

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	BY
4/25/2003	4/25/2003	12:50:17	6

MET 0500 WALKIN KMGM KXM
RECEIPT # 151030 4/25/2003 OHIN
DEPT 5 536 MISCELLANEOUS
CR NO. 085472
Recpt tot 12.00
.00 CK 2.00 CH
Baltimore County, Maryland

CASHIER'S VALIDATION

I nore County
Department of Permits and
Development Management

Code Inspectio nd Enforcement
County Offic lding
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement:	410-887-3351	Plumbing Inspection:	410-887-3620
Building Inspection:	410-887-3953	Electrical Inspection:	410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 03-0182

Property No. 1600007116

Zoning: BL-CR/RC

Name(s): RTP Partnership

Address: 6424 Frankford Ave
Batto. Md. 21206-0000

Violation Location: 12301 Philadelphia Rd 21085

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

1. Cease the construction and/or use of A Recreational Facility with out A special exception. (~~Community~~ Recreational) / (Sports Facility) ie. Softball diamond. Return all disturbed land back to its original condition

BCZR 230; 102.1; 230.13; 230.12

Note: All uses must be contained in A BL Zoned property.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 1/29/03

Date Issued: 1/16/03

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF $200, $500, OR $1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: WASIKOWSKY

INSPECTOR: [signature]

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than:

Date Issued:

INSPECTOR:

AGENCY

Section 101, Definitions [BCZR 1955]

Words used in the present tense include the future; words in the singular number include the plural number; the word "shall" is mandatory. For the purposes of these regulations, certain terms and words are defined below. [Bill No. 149-1987]

Any word or term not defined in this section shall have the ordinarily accepted definition as set forth in the most recent edition of Webster's Third New International Dictionary of the English Language, Unabridged. [Bill No. 149-1987]

ACCESSORY BUILDING -- One which is subordinate and customarily incidental to and on the same lot with a main building. A trailer shall not be considered an accessory building. A structure connected to a principal building by a covered passageway or with one wall in common shall not be considered an accessory building.

ACCESSORY USE OR STRUCTURE -- A use or structure which: (a) is customarily incident and subordinate to and serves a principal use or structure; (b) is subordinate in area, extent or purpose to the principal use or structure; (c) is located on the same lot as the principal use or structure served; and (d) contributes to the comfort, convenience or necessity of occupants, business or industry in the principal use or structure served; except that, where specifically provided in the applicable regulations, accessory off-street parking need not be located on the same lot. An accessory building, as defined above, shall be considered an accessory structure. A trailer may be an accessory use or structure if hereinafter so specified. An ancillary use shall be considered as an accessory use; however, a use of such a nature or extent as to be permitted as a "use in combination" (with a service station) shall be considered a principal use. [Bill Nos. 100-1970; 26-1988][EN(1)]

AGRICULTURE, COMMERCIAL -- The use of land, including ancillary structures and buildings, to cultivate plants or raise or keep animals for income, provided that the land also qualifies for farm or agricultural use assessment pursuant to § 8-209 of the Tax-Property Article of the Annotated Code of Maryland, as amended. Commercial agriculture includes the production of field crops, dairying, pasturage agriculture, horticulture, floriculture, aquiculture, apiculture, viticulture, forestry, animal and poultry husbandry, the operation of an equestrian center, horse breeding and horse training and also includes ancillary activities such as processing, packing, storing, financing, managing, marketing or distributing, provided that any such activity shall be secondary to the principal agricultural operations. [Bill Nos. 51-1993; 24-2002]

AIRPORT -- Any area of land or water designed and set aside for landing or taking off of aircraft.

ALLEY -- A right-of-way 20 feet or less in width, designated as an alley on either an unrecorded

EXHIBIT
tabbies
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or recorded plat or dedicated as such by deed, which provides service access for vehicles to the side or rear of abutting property.

AMBULATORY -- A roofed area, leading to but outside of the main entrance of a nonresidential building, which may be enclosed for purposes of energy conservation and which may be used only as a passageway. [Bill No. 85-1983][EN(2)]

AMENITY OPEN SPACE -- The available open space on a lot minus the area used for vehicular traffic, maneuvering and parking. In addition to uncovered ground area, the term includes such usable uncovered open area of buildings suitably improved as open space and designated by the owner for the use of occupants or the public and, in enclosed malls in designated town centers, such usable covered open area of buildings, other than parking areas, suitably improved as open space and designated by the owner for the use of occupants or the public.

Covered open space includes exterior space which is open on its sides to weather, but not open above, and which is not in excess of twice the total area of the clear, open and unobstructed portions of the open and partially open sides. The areas of roofed porches, covered exterior balconies and exterior spaces covered by portions of buildings supported on columns or cantilevers, such as porticoes, loggia, arcades, breezeways or galleries, may be considered as covered open space if meeting the above-stated limitations.

Open ground area less than 10 feet wide may not be designated amenity open space, except that a suitably planted area as little as seven feet wide may be so designated if that area is within a parking lot. [Bill Nos. 111-1968; 167-1980; 115-1982]

AMENITY OPEN SPACE RATIO -- The total amenity open space on a lot divided by the adjusted gross floor area of buildings on the lot. [Bill No. 111-1968]

AMUSEMENT DEVICES -- Pinball machines (with or without flippers), video games, electronic games and other similar player-operated amusement games, machines and devices, but excluding coin-operated pool tables, music boxes, children's rides and shuffleboards. [Bill No. 29-1982]

ANIMAL BOARDING PLACE -- Any building, other structure or land, or any portion thereof, that is used, intended to be used, or arranged for the boarding, breeding or other care of animals, except dogs, for profit. An animal boarding place does not include commercial agriculture, as defined in § 101, or a pet shop, veterinarian's office or veterinarium. [Bill Nos. 85-1967; 87-2001]

ANIMAL BOARDING PLACE, CLASS A -- An animal boarding place exclusively for cats, birds or other household pets, excluding dogs. [Bill Nos. 85-1967; 87-2001]

ANIMAL BOARDING PLACE, CLASS B -- Any other animal boarding place not excluded under the general definition of "animal boarding place" above. [Bill No. 85-1967][EN(3)]

ANTIQUE SHOP -- A retail establishment for the sale of goods of a type that are often purchased by collectors and that may include furniture, pottery, glassware, jewelry, linens, tools, artworks and books which were manufactured at least 20 years in the past. Antique shop includes the outside display of merchandise offered for sale in front of the establishment on the same lot within five feet of the front porch of front building facade. [Bill Nos. 73-2000; 74-2000]

ARCADE -- A building or part of a building in which five or more pinball machines, video games or other similar player-operated amusement devices are maintained. [Bill No. 29-1982]

AREA, NET -- Land area not including area of land in public streets or other fee-simple public rights-of-way. [Bill No. 40-1967]

ARTERIAL STREET -- A motorway or portion thereof which: is or is intended for travel to or from major employment centers, such as town centers; has or is intended to have, four or more lanes for moving traffic; is or is intended to be designed for traffic speeds of at least 40 miles per hour; has or is intended to have a right-of-way at least 66 feet wide; is not a freeway or an expressway; and has been designated as an arterial street (or as a boulevard or thoroughfare) by the Planning Board. [Bill No. 40-1967]

ASSISTED-LIVING FACILITY -- A building, or a section of a building, or a residence that provides: (1) a residential environment assisted by congregate meals, housekeeping and personal services for persons 62 years of age or older, who have temporary or periodic difficulties with one or more essential activities of daily living, such as feeding, bathing, dressing or mobility, and for persons, regardless of age, who have physical or developmental disabilities; or (2) three daily meals in a family setting, housekeeping and personal services such as assistance with bathing, dressing or laundry for no more than 15 persons 62 years of age or older and which satisfies and complies with Section 432 of these regulations. Such a facility must be certified or licensed by the Maryland Office on Aging as is otherwise required in COMAR, Title 14.11.07. [Bill No. 188-1993]

A. Where such services are located in a converted dwelling or other building that has not been enlarged to accommodate the facility by more than 25% of ground floor area within a period of five years prior to the date of application, it shall be referred to in these regulations as assisted-living facilities Class A. [Bill No. 188-1993]

B. Where such services are located in a new building constructed for that purpose or in a dwelling or other building that has been enlarged to accommodate the facility by 25% or more of ground floor area within a period of five years prior to the date of application, it shall be referred to in these regulations as assisted living facilities Class B. [Bill No. 188-1993]

For the purposes of these regulations, this definition does not include: (1) a room or dwelling unit containing a complete kitchen, including a stove, intended for the daily preparation of meals for the resident; or (2) the provision of personal, housekeeping and congregate meal services in housing for the elderly, in a multifamily building or in other dwellings designed with complete

kitchens in individual units. Density for such facilities shall be calculated at 0.25 for each bed. [Bill No. 188-1993]

Any such facility which is not covered by another chapter of the National Fire Protection Association Life Safety Code, 1991 Edition, shall comply with Chapter 22 of said code, entitled "Residential Board and Care Occupancies." However, a facility with less than four persons who are capable of self-preservation and prompt evacuation is exempt. [Bill Nos. 36-1988; 188-1993]

BANK -- The term "bank" includes bank station, building and loan association, savings and loan association, credit union and similar chartered financial institutions. The term also includes automatic teller machines or banking devices and drive-through banking facilities, except as limited by the use listing in any zone where a bank is permitted. [Bill Nos. 13-1980; 191-1990]

BASEMENT -- That portion of a building below the first floor, the floor of which is less than one-half of the height of the room below the average grade of the adjoining ground (see definitions of "cellar" and "story").

BED-AND-BREAKFAST HOME -- A home occupation that provides one to three rooms (limited to two persons or one family per unit/room) for occasional paying guests on an overnight basis for periods not to exceed 14 days with breakfast being available on premises at no additional cost. A bed-and-breakfast home is allowable only in a building originally constructed as a one-family dwelling pursuant to the provisions and procedures prescribed in Section 402D of these regulations. [Bill No. 113-1988]

BED-AND-BREAKFAST INN -- A tourist home that provides four to 12 rooms (limited to a maximum of 16 persons) for paying guests on an overnight basis for periods not to exceed 14 days with breakfast being available on premises at no additional cost. A bed-and-breakfast inn is allowable only in a building originally constructed as a one-family dwelling pursuant to the provisions and procedures prescribed in Section 402D of these regulations. [Bill No. 113-1988]

BEDROOM -- The term "bedroom" includes a bedroom, any other room used principally for sleeping purposes, an "all-purpose room," a study or a den, provided that no room having less than 100 square feet of floor area shall be considered a bedroom. [Bill No. 100-1970]

BILLIARD OR POOL ROOM -- A business establishment where the principal use is the playing of pool or billiards and at least 75% of the net floor area of the establishment's interior space is devoted exclusively to this use. The net floor area does not include space that is not available for use by the public. [Bill No. 30-1983]

BOARDING- OR ROOMING HOUSE [Bill Nos. 44-1982; 124-1993; 86-2001; 102-2001]:

A. A building:

1. Which is the domicile of the owner and in which rooms with or without meals are provided, for compensation, to three or more adult persons not related by blood,

marriage or adoption to the owner; or

2. Which is not the owner's domicile and which is occupied in its entirety, for compensation, by three or more adult persons not related to each other by blood, marriage or adoption.

B. The term does not include a hotel, motel, apartment building or a facility for foster care (as defined in the Family Law Article, Section 5-501(f) of the Annotated Code of Maryland and COMAR 07.02.17). The term does include a care home (as defined in the Health General Article, Section 19-307(b) of the Annotated Code of Maryland.)

C. For purposes of this definition only, "owner" means a person who:

1. Has more than a 25% legal or equitable interest in the property; and

2. Shares in more than 25% of the profits or losses derived from the compensation paid under Paragraph A. of this definition.

BOATYARD -- A commercial or nonprofit boat basin with facilities for one or more of the following: sale, construction, repair, storage, launching, berthing, securing, fueling and general servicing of marine craft of all types. [Bill No. 64-1963]

BREWERY -- An establishment with a valid alcoholic beverage manufacturer's license Class 5, 6 or 7 issued in accordance with the Annotated Code of Maryland, Article 2B, Section 2-206, 2-207 or 2-208. [Bill No. 185-1995]

BREWERY, CLASS 5A -- A brewery with a state Class 5 license which produces 100,000 or more barrels of malt beverage per year. [Bill No. 185-1995]

BREWERY, CLASS 5B -- A brewery with a state Class 5 license which produces less than 100,000 barrels of malt beverage per year. [Bill No. 185-1995]

BREWERY, CLASS 6 -- A brewery with a state Class 6 (pub-brewery) license. A Class 6 brewery is accessory to a standard restaurant and produces no more than 2,000 barrels of malt beverage per year. [Bill No. 185-1995]

BREWERY, CLASS 7 -- A brewery with a state Class 7 (micro-brewery) license. A Class 7 brewery is established in conjunction with a standard restaurant and produces no more than 10,000 barrels of malt beverage per year. For the purposes of these regulations, a standard restaurant with a state Class 7 license shall be defined as a Class 7 brewery. [Bill No. 185-1995]

BUILDING -- A structure enclosed within exterior walls or fire walls for the shelter, support or enclosure of persons, animals or property of any kind.

BUILDING HEIGHT -- The height of the highest point on a building or other structure as measured by the vertical distance from the highest point on the structure to the horizontal

projection of the closest point at exterior grade. In instances where it is obvious that the exterior grade has been artificially built up above natural or surrounding finished grade, the vertical distance will be measured by projecting the natural or surrounding finished exterior grade to the closest point (foundation wall). [Bill No. 151-1988]

BUILDING LINE -- The line established by law beyond which a building shall not extend.

BUILDING MATERIALS STORAGE AND SALES YARD -- The use of any space, whether inside or outside a building used principally for the storage or sale of building materials or supplies. [Bill No. 149-1987]

BUS TERMINAL -- A station for common carrier vehicles having a carrying capacity of 10 or more passengers. In addition to providing passenger services such as ticket sales, boarding and alighting, a bus terminal has areas for short-term storage of busses during layover periods not exceeding one night. This definition does not include mass transit administration vehicles or Baltimore County public school busses. [Bill No. 91-1990]

CAMPGROUND -- A tract of land upon which two or more campsites are located, established or maintained for occupancy by camping units as temporary living quarters for recreation, education or vacation purposes. [Bill Nos. 73-2000; 74-2000]

CAMPING UNIT -- A tent, cabin, lean-to, recreational vehicle or similar structure established or maintained and operated in a campground as temporary living quarters for recreation, education or vacation purposes. [Bill Nos. 73-2000; 74-2000]

CAMPSITE -- Any plot of land within a campground intended for exclusive occupancy by a camping unit or units, occupied by a camper. [Bill Nos. 73-2000; 74-2000]

CAR WASH -- An area of land and/or a structure with machine or hand-operated facilities used for the cleaning, washing, polishing or waxing of motor vehicles as a principal or accessory use. [Bill Nos. 108-1964; 172-1993]

CAR WASH, FULL-SERVICE -- A car wash providing automated exterior washing or waxing services, or which provides cleaning, washing, waxing, drying or interior cleaning by hand. For the purpose of these regulations, a facility which provides complete interior and exterior detail cleaning that takes more than approximately two hours per car shall not be considered a full-service car wash. [Bill No. 172-1993]

CAR WASH, ROLL-OVER -- A car wash where exterior-only cleaning, washing or waxing services are provided on a roll-over basis with the vehicle in a stationary position during the servicing. [Bill No. 172-1993]

CAR WASH, SELF-SERVICE -- A car wash where equipment or facilities are provided for the self-service cleaning and washing of motor vehicles. [Bill No. 172-1993]

CATERING HALL -- A facility or part of a facility used regularly for serving beverages and food to groups which reserve the facility for banquets or gatherings before the day of the event. A catering hall is not a standard restaurant. [Bill No. 110-1993]

CELLAR -- That portion of a building below the first floor, the floor of which is more than one-half the height of the room below the average grade of the adjoining ground (see definition of "basement").

COLLECTION TRAILER -- A trailer whose express purpose is to accommodate the collection of recyclable items for the good of the general public by:

Reducing the amount of waste to be picked up and disposed of by the county;

Reducing roadside litter, and;

Encouraging the conservation of energy (see Section 415B). [Bill No. 154-1982]

COLLECTOR STREET, MAJOR -- A street, or a part of one, that: is intended for travel between neighborhoods or between neighborhoods and other places, but not for travel within neighborhoods; is not an arterial street; and has been designated as a major collector street by the Planning Board by the same method used to designate freeways, expressways and arterial streets. [Bill No. 18-1976]

COMMERCIAL FILM PRODUCTION -- The shooting of film or videotape on location in a natural setting for the purpose of producing a feature-length movie, made-for-television movie, television series, documentary, commercial advertisement, industrial film or commercial still photograph. This term shall not include the shooting of current news events or filming, videotaping or photography in a studio. [Bill No. 57-1990][EN(4)]

COMMERCIAL KENNEL -- Any establishment where the commercial breeding of dogs or the boarding, grooming, sale, or training of dogs takes place and for which a fee is charged. A commercial kennel does not include a private kennel, pet shop, veterinarian's office, or veterinarium. [Bill No. 87-2001]

COMMERCIAL RECREATIONAL FACILITIES -- Facilities whose principal purpose is to provide space and equipment for nonprofessional athletic activities. A commercial recreational facility includes, but is not limited to, a baseball-batting range or cage; golf-driving range; putting green; miniature golf; athletic field; swimming pool; skating rink or course; baseball, racquetball, tennis or squash court; archery range or similar facility; or any combination of the above. For the purpose of these regulations, a commercial recreational facility shall not include a rifle, pistol, skeet or trap range; go-cart course; amusement park; or similar use. [Bill Nos. 176-1994; 21-1996]

COMMERCIAL VEHICLE -- Any vehicle with a gross vehicle weight or gross combination

weight over 10,000

Endnotes

1 (Popup)
Editor's Note: The definition of "acreage, gross residential" which originally followed this definition was repealed by Bill No. 100-1970. The definition of "after-hours club," which followed thereafter, was repealed by Bill No. 36-2000.

2 (Popup)
Editor's Note: The former definition of "ambulatory surgical facility (or center)," which immediately followed this definition, was repealed by Bill No. 39-2002.

3 (Popup)
Editor's Note: The following definitions, which originally followed this definition, were repealed as indicated: "antenna, long-wire" and "antenna, rigid-structure" were repealed by Bill No. 30-1998; "apartment building" and "apartment, group-house" were repealed by Bill No. 2-1992; "apartment house" was repealed by Bill No. 111-1968.

4 (Popup)
Editor's Note: The following definitions, which originally followed this definition, were repealed as indicated: "commercial fishing, crabbing and shellfishing operation" was repealed by Bill No. 98-1975; "primary and secondary... "was repealed by Bill No. 30-1978 (see "fishing and shellfishing facility" below); and "commercial motorway, Class I" and "commercial motorway, Class II" were repealed by Bill No. 172-1993.

5 (Popup)
Editor's Note: The definition of "community..." which followed this definition was repealed by Bill No. 3-1992.

BALTIMORE COUNTY ZONING REGULATIONS
1998 Edition
As updated through August 2002

BALTIMORE COUNTY OFFICIALS

County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

2000

County Executive
C.A. DUTCH RUPPERSBERGER, III

Baltimore County Council

STEPHEN G. SAMUEL MOXLEY	**First District**
KEVIN KAMENETZ	**Second District**
T. BRYAN McINTIRE	**Third District**
WAYNE M. SKINNER	**Fourth District**
VINCENT J. GARDINA	**Fifth District**
JOSEPH BARTENFELDER	**Sixth District**
JOHN OLSZEWSKI	**Seventh District**

ARNOLD JABLON
Director, Department of Permits and Development Management

LAWRENCE E. SCHMIDT
Zoning Commissioner

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner

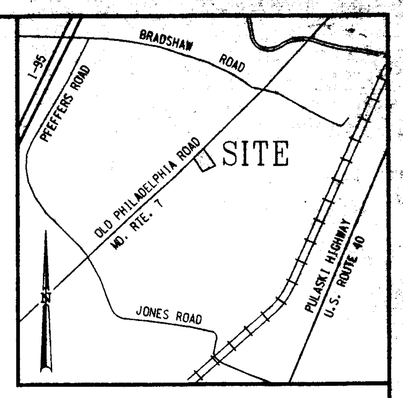
GENERAL NOTES

1. PRIOR ZONING CASES: 75-230-X GRANTED (TURKEY SHOOT)
   80-193-SPH GRANTED (TURKEY SHOOT)
   86-102-SPH DENIED (TURKEY SHOOT)
2. THIS LOT APPEARS ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NUMBER 240010 0295 B (EFFECTIVE DATE MARCH 2, 1981) AND IS SITUATED IN ZONE C (AREAS OF MINIMAL FLOODING) ACCORDING TO SAID MAP.
3. THIS LOT LIES OUTSIDE THE CHESAPEAKE BAY CRITICAL AREA.
4. HOURS OF BAR OPERATION: 6:00 A.M. - 2:00 A.M.
5. PROPOSED HOURS OF ATHLETIC FIELD OPERATION: M-F 6:00 P.M. - 8:30 P.M.
   S-S 9:00 A.M. - 6:00 P.M.

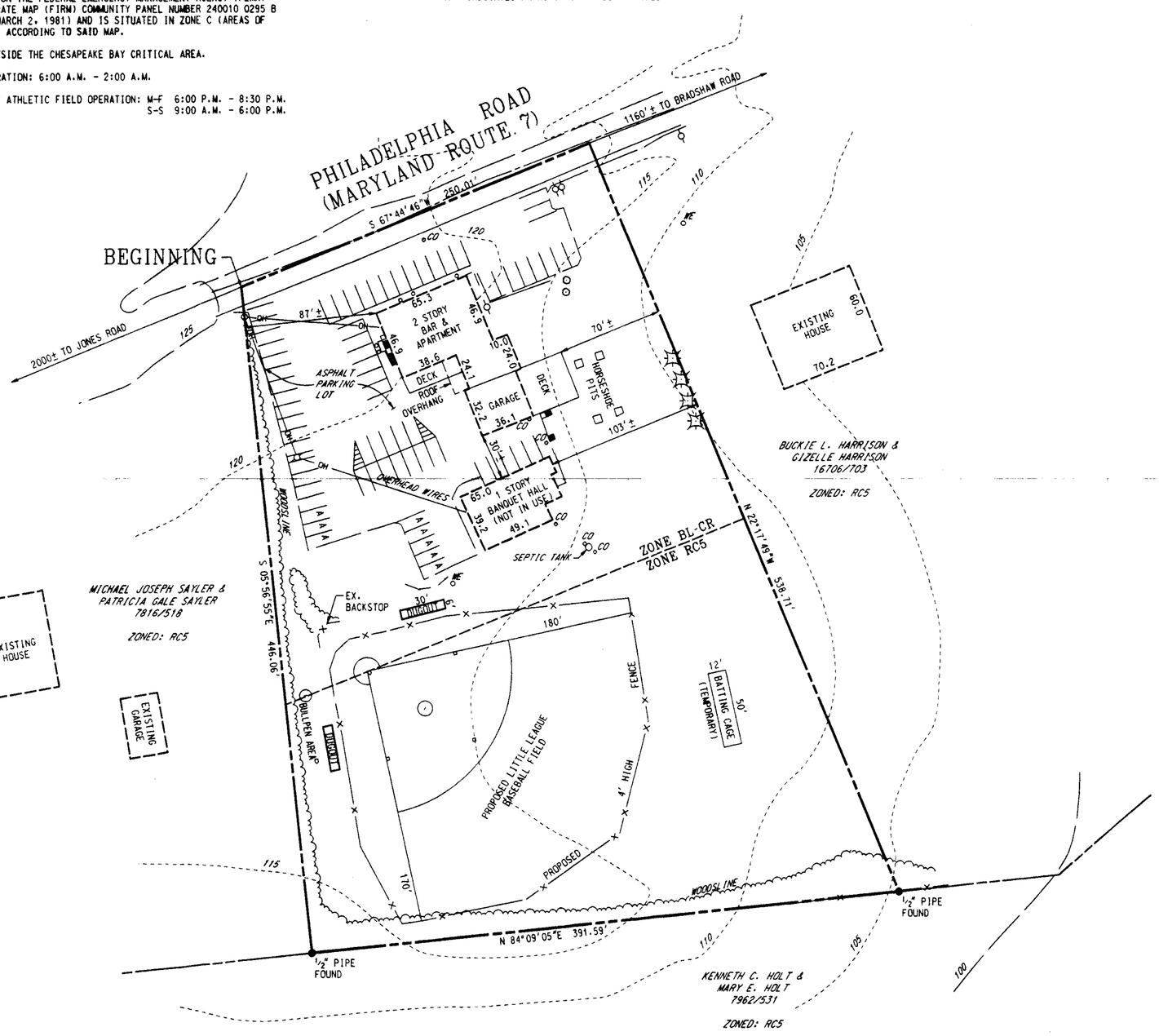
PARKING NOTES

SPACES REQUIRED: 60
SPACES FOR RESIDENCE: 2
SPACES AVAILABLE: 70

A - INDICATES PARKING FOR ATHLETIC FIELD



VICINITY MAP
1"=2000'



GRID NORTH MD COORDINATE SYSTEM (NAD83)

Rev No 4

419

LEGEND

- BARRIER POST
- UTILITY POLE
- PROPERTY CORNER
- SHRUB
- EVERGREEN TREE
- SANITARY CLEANOUT
- WELL

PROPERTY INFORMATION

TAX MAP: 64 GRID: 22 PARCEL: 594
TAX ACCOUNT No.: 11-1600007116
DEED REFERENCE: SM 8477/568
PRESENT OWNER: R-T-P PARTNERSHIP
6424 FRANKFORD AVENUE
BALTIMORE, MARYLAND 21206
PROPERTY ADDRESS: 12301 PHILADELPHIA ROAD
PRESENT ZONING: BL-CR & RC-5
AREA: 154680 SQUARE FEET (3.5510 ACRES±)

50' 0 50' 100' 150'

REVISIONS			
2/19/03	ADD PRIOR ZONING CASES,	2/26/03	ADD HOURS OF OPERATION,
	PARKING SPACE COUNT, ZONING		PARKING SPACE CALCULATION,
	DESIGNATIONS OF LOTS AND		PARKING SPACES, RELOCATE
	STRUCTURE LOCATION ON		BATTING CAGE AND LABEL
	ADJOINING LOT		BUILDING USE

PLAN TO ACCOMPANY
ZONING HEARING
FIFTH COUNCILMANIC DISTRICT
11TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

FREDERICK WARD ASSOCIATES, INC.
ENGINEERS ARCHITECTS SURVEYORS
P.O. Box 727, 8 South Main Street Bel Air, Maryland 21014-0727
Phone: 410-879-3900 or 410-539-7950 Fax: 410-879-1243
Columbia, Maryland Winchester, Virginia

SCALE:	DATE:	DRWN BY:	CHKD BY:	JOB NO.:
1"= 50'	02/26/03	JMS		2031084

M:/PROJECTS/2031084/SURV/PBTREV2.DGN