IN RE: PETITION FOR SPECIAL EXCEPTION N/S of Trenton Road, 460 ft. +/- NE centerline of Old Quarter Road 5th Election District 3rd Election District **(16122 Trenton Road)** Amy O. & Randy J. Hart *Petitioners*	* * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 05-609-X

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Amy O. and Randy J. Hart. The Petitioners are requesting a special exception for property located at 16122 Trenton Road in northern Baltimore County. The special exception request is to allow an antique shop pursuant to Sections 1A01.2.C.3 and 402.B of the Baltimore County Zoning Regulations (B.C.Z.R.).

The property was posted with Notice of Hearing on June 6, 2005, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on June 28, 2005 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 502.1 of the B.C.Z.R. - *Special Exceptions*

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

A. Be detrimental to the health, safety or general welfare of the locality involved;
B. Tend to create congestion in roads, streets or alleys therein;
C. Create a potential hazard from fire, panic or other danger;
D. Tend to overcrowd land and cause undue concentration of population;
E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
F. Interfere with adequate light and air; [Bill No. 45-1982]
G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]

ORDER RECEIVED FOR FILING
Date 7/27/05
By

H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]

I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Bureau of Development Plans Review dated July 6, 2005, a copy of which is attached hereto and made a part hereof. In addition, a ZAC comment was received from the Office of Planning dated July 8, 2005, a copy of which is attached hereto. Finally, a ZAC comment was received from the Department of Environmental Protection & Resource Management (DEPRM) dated June 28, 2005, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the special exception request were Bruce Doak, from the firm of Gerhold, Cross & Etzel and Randy Hart, the Petitioner. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Mr. Doak proffered that this property is approximately 11 acres and zoned RC 2. This property was purchased last year by the Petitioner and at the time contained an existing home and outbuildings. The Petitioner is now building a new home in a different location on the property. See Petitioner's Exhibit 1. His intention was to raze the existing home but in doing so he discovered that there was a log on log portion of the existing home which was remarkably preserved. This log structure is estimated to have been built approximately 1820 and according to all accounts has some significant historical value. Even though the structure is not listed on the various historical lists or inventories, the Petitioner volunteered to try to preserve the

RECEIVED FOR FILING
7/27/05

structure. His proposal is to use the log on log structure as an antique shop. The antique shop/log structure would be located at the same location as the existing home.

Mr. Hart indicated that if the zoning request is approved, he planned to work at the antique shop part time and that there would be little or no traffic generated by the business. Mr. Doak presented an aerial photograph of the area, which showed the rural nature of the area. The antique shop would be accessed by customers via the existing driveway, which has at least 350 ft. of sight distance along lightly traveled Trenton Road. As such, he opined that the plan meets all the criteria of Section 502.1 of the B.C.Z.R. and would have no adverse impact on the neighborhood. In fact, the log structure is nearly invisible from Trenton Road. Regarding spirit and intent, the Petitioner indicated that the antique shop would be located in an area that has not been farmed due to wet conditions at the bottom of a hill. The Petitioner testified that he cut hay on the agricultural portion of the farm recently.

Seven parking spaces will be provided but will consist of crusher run stone. Apparently because of the rural nature of the property, the County will not require striped asphalt.

In regard to agency comments, Mr. Doak indicated that no variance was triggered by the Plans Review comments and the Petitioner accepts the recommendations of both the Planning Office and DEPRM. Finally, he noted that comments from the Bureau of Development Plans Review did not affect this Petition.

Findings of Fact and Conclusions of Law

I find that the special exception request for an antique shop at this location, as shown on Petitioners' Exhibit No. 1, meets each criteria of Section 502.1 of the B.C.Z.R. and will not have any adverse impact on the community. This area of the County is quite rural with little traffic on Trenton Road. Sufficient sight distance is provided so that customers can safely exit the driveway. I further find that Petitioners' Exhibit No. 1 meets all the criteria of Section 402.B of the B.C.Z.R. I will approve the special exception with conditions

ORDER RECEIVED FOR FILING
1/23/05

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' request for special exception should be granted.

THEREFORE, IT IS ORDERED, this 27 day of July, 2005, by the Deputy Zoning Commissioner, that the Petitioners' special exception request to allow an antique shop pursuant to Sections 1A01.2.C.3 and 402.B of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein.

1. The Petitioners may apply for their 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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;

2. Compliance with the ZAC comment received from the Office of Planning dated July 8, 2005, a copy of which is attached hereto and made a part hereof;

3. Compliance with the ZAC comment received from DEPRM dated June 28, 2005, a copy of which is attached hereto and made a part hereof;

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 7/27/05
By

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

July 26, 2005

Mr. & Mrs. Randy J. Hart
16025 Trenton Road
Upperco, Maryland 21155-9522

Re: Petition for Special Exception
Case No. 05-609-X
Property: 16122 Trenton Road

Dear Mr. & Mrs. Hart:

Enclosed please find the decision rendered in the above-captioned case. The petition for special exception has been granted in accordance with the enclosed Order.

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

Very truly yours,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Bruce Doak
Gerhold, Cross & Etzel, Ltd.
320 E. Towsontown Blvd.
Towson, Md 21286

Printed on Recycled Paper

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 16122 Trenton Road

which is presently zoned R.C. 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

An Antique shop per sections 1A01.2.C.3 and 402 B of the B.C.Z.R.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Randy J. Hart
Name - Type or Print

Randy J Hart
Signature

Amy O. Hart
Name - Type or Print

Amy O. Hart
Signature

16025 Trenton Road (410) - 239 - 2130
Address Telephone No.

Upperco Maryland 21155-9522
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Gerhold, Cross & Etzel, Ltd. - Mike Alexander
Name

320 E. Towsontown Boulevard Suite 100 (410) 823-4470
Address Telephone No.

Towson Maryland 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date 5.20.0

Case No. 05-609X

REV 09/15/98

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

May 5, 2005

Zoning Description
16122 Trenton Road

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

Beginning for the same at a point in Trenton Road at a distance of 460 feet more or less northeasterly along Trenton Road from its intersection with Old Quarter Road and running thence 1) South 08 degrees 20 minutes East 120.50 feet, 2) South 63 degrees 40 minutes 52 seconds East 15.25 feet, 3) North 60 degrees 23 minutes 08 seconds East 216.00 feet, 4) North 42 degrees 23 minutes 33 seconds East 826.59 feet, 5) North 53 degrees 41 minutes 45 seconds West 602.00 feet, 6) South 43 degrees 18 minutes 50 seconds West 506.17 feet, and 7) South 05 degrees 32 minutes 30 seconds East 582.40 feet to the place of beginning.

Containing 479,214 sq. ft. or 11.001 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

STATE OF MARYLAND
BRUCE EDWIN DAY
No. 531
REGISTERED
PROPERTY LINE SURVEYOR

5/12/05

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: #05-609-X
16122 Trenton Road
N/side of Trenton Road, 460 feet +/- n/east from Old Quarter Road
5th Election District
3rd Councilmanic District
Legal Owner(s): Randy & Amy O. Hart
Special Exception: to allow an antique shop.
Hearing: Thursday, July 14, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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.

JT 6/755 June 28 56878

CERTIFICATE OF PUBLICATION

7/1/, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/28/, 2005.

- [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

609

No. 445392

DATE 5-20-05 ACCOUNT Rec1-006-6150

AMOUNT $ 350.00

RECEIVED FROM: R. HALT — 16122 TRENTON Rd.

FOR: SALE X

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
5/20/2005	5/20/2005	07:28:46	1

ED MODE MAILIN TRAN TYPE
RECEIPT # 235715 5/20/2005 DRAW
Rept 5 326 PAYMENT VERIFICATION
F NO. 445392
Recpt Tot $350.00
$350.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE# 05-609-X
PETITIONER/DEVELOPER:
Randy J. & Amy O. Hart
DATE OF HEARING: July 14, 2005

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

ATTENTION: KRISTEN MATTHEWS

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

LOCATION:
16122 Trenton Road

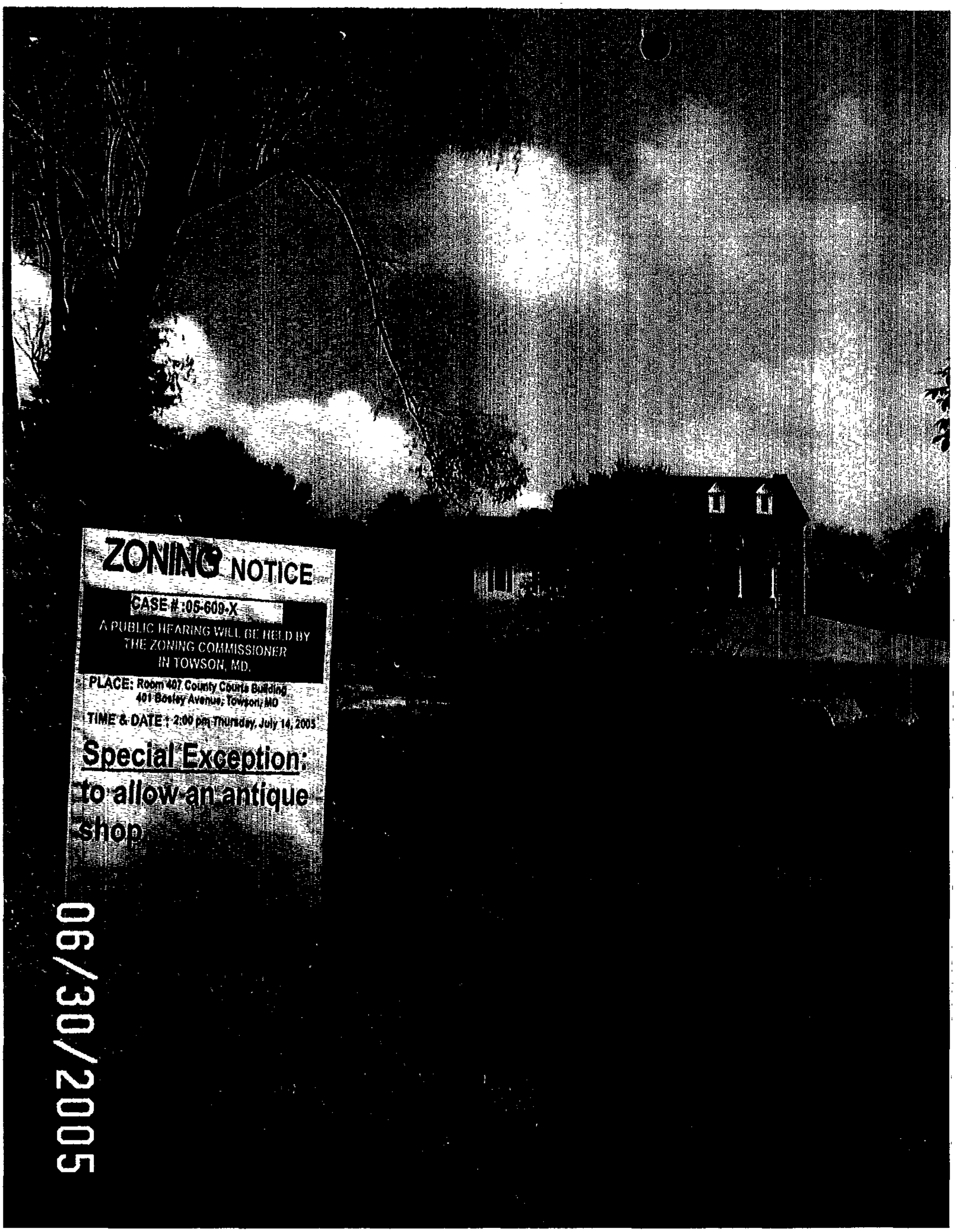
(see page 2 for full size photo)

POSTED ON: 06/06/23/2005, photo taken 06/30/2005

SIGNATURE OF SIGN POSTER

John Dill

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX


ZONING NOTICE
CASE # :05-609-X
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.
PLACE: Room 407, County Courts Building
401 Bosley Avenue, Towson, MD
TIME & DATE : 2:00 pm Thursday, July 14, 2005
Special Exception:
to allow an antique
shop

06/30/2005

Department of Permits and Development Management

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

Baltimore County

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

May 31, 2005

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: 05-609-X
16122 Trenton Road
N/side of Trenton Road, 460 feet +/- n/east from Old Quarter Road
5th Election District – 3rd Councilmanic District
Legal Owners: Randy J. & Amy O. Hart

Special Exception to allow an antique shop.

Hearing: Thursday, July 14, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Randy & Amy Hart, 16025 Trenton Road, Upperco 21155-9522
Mike Alexander, Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Ste. 100, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 29, 2005.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 28, 2005 Issue - Jeffersonian

Please forward billing to:
Randy & Amy Hart
16025 Trenton Road
Upperco, MD 21155

410-239-2130

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: 05-609-X
16122 Trenton Road
N/side of Trenton Road, 460 feet +/- n/east from Old Quarter Road
5th Election District – 3rd Councilmanic District
Legal Owners: Randy J. & Amy O. Hart

Special Exception to allow an antique shop.

Hearing: Thursday, July 14, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III
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: 05-609-X

Petitioner: Amy and Randy Hart

Address or Location: 16122 Trenton Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Randy and Amy Hart

Address: 16025 Trenton Road
Upperco, Maryland 21155

Telephone Number: (410) -239-2130

Revised 2/20/98 - SCJ

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

July 5, 2005

Randy J. Hart
Amy O. Hart
16025 Trenton Road
Upperco, Maryland 21155

Dear Mr. and Mrs. Hart:

RE: Case Number: 05-609-X, 16122 Trenton Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 20, 2005.

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.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Gerhold, Cross & Etzel Mike Alexander 320 E. Towsontown Blvd, Ste. 100 Towson 21286

Printed on Recycled Paper

JM 7/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: July 8, 2005

RECEIVED

JUL 07 2005

ZONING COMMISSIONER

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

SUBJECT: 16122 Trenton Road

INFORMATION:

Item Number: 5-609

Petitioner: Randy J. Hart

Zoning: RC 2

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to permit an antique shop in a RC 2 zone. If the antique shop should ever require signage, the sign(s) shall be reviewed and approved by the Office of Planning, as Trenton Road is a designated scenic route and located within the Piney Run Rural Legacy area.

For further information concerning the matters stated here in, please contact Bill Hughey at 410-887-3480.

Prepared by: Curtis Murray

Division Chief: Lyn Lanham

AFK/LL: CM

W:\DEVREV\ZAC\5-609.doc

ORDER RECEIVED FOR FILING
7/22/05

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED
JUN 28 2005
ZONING COMMISSIONER

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr JDO
DEPRM

DATE: June 28, 2005

SUBJECT: Zoning Item # 05-609
Address 16122 Trenton Road

Zoning Advisory Committee Meeting of June 6, 2005

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

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

__X__ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

__X__ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Glenn Shaffer Date: June 28, 2005

ORDER RECEIVED FOR FILING
Date 7/27/05
By

n/14

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: July 6, 2005

RECEIVED

JUL 0 8 2005

ZONING COMMISSIONER

FROM: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2005
Item No. 609

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s). Please disregard our previous comments, dated on June 6, 2005.

The minimum right of way for all public roads in Baltimore County is 40-foot. Setback shall be modified accordingly.

DAK:CEN:clw
cc: File
ZAC-ITEM NO 609-06062005.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: June 6, 2005

FROM: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2005
Item No. 609

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right of way for all public roads in Baltimore County is 40-foot. Setback shall be modified accordingly.

The flood protection elevation for this site is 10.4.

In conformance with *Federal Flood insurance* Requirements, the first floor or basement floor must be at least 1-foot above the flood plain elevation in all construction.

The property to be developed is located to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (including *basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse or lateral movement of structure with materials resistant to flood damage.

Flood resistant construction shall be in accordance with requirement of B.O.C.A. International Building Code adopted by the county.

DAK:CEN:clw
cc: File
ZAC-ITEM NO 609-06062005.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: June 6, 2005

FROM: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2005
Item No. 609

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right of way for all public roads in Baltimore County is 40-foot. Setback shall be modified accordingly.

The flood protection elevation for this site is 10.4.

In conformance with *Federal Flood insurance* Requirements, the first floor or basement floor must be at least 1-foot above the flood plain elevation in all construction.

The property to be developed is located to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (including *basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse or lateral movement of structure with materials resistant to flood damage.

Flood resistant construction shall be in accordance with requirement of B.O.C.A. International Building Code adopted by the county.

DAK:CEN:clw
cc: File
ZAC-ITEM NO 609-06062005.doc

Fire Department

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

Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

June 2, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: **June 6**, 2005

609

Item No.: **595, 608-632**

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant J.D.Mezick
Fire Marshal's Office
(O)410-887-4881 (C)443-829-2946
MS-1102F

cc: File

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

SHA
State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 6.3.05

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

RE: Baltimore County
Item No. 609 (JCM)

Dear. Ms. Matthews:

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

RE:	PETITION FOR SPECIAL EXCEPTION 16122 Trenton Road; N/side Trenton Road, 460' NE from Old Quarter Road 5th Election & 3rd Councilmanic Districts L.O.: Randy J & Amy O. Hart Petitioner(s)	* * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 05-609-X

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

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 and 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

RECEIVED
JUN - 2 2005
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of June, 2005, a copy of the foregoing Entry of Appearance was mailed Mike Alexander, Gerhold, Cross, & Etzel, Ltd., 320 E. Towsontowne Blvd, Suite 100, Towson, Md 21286, Representative for Petitioner(s).

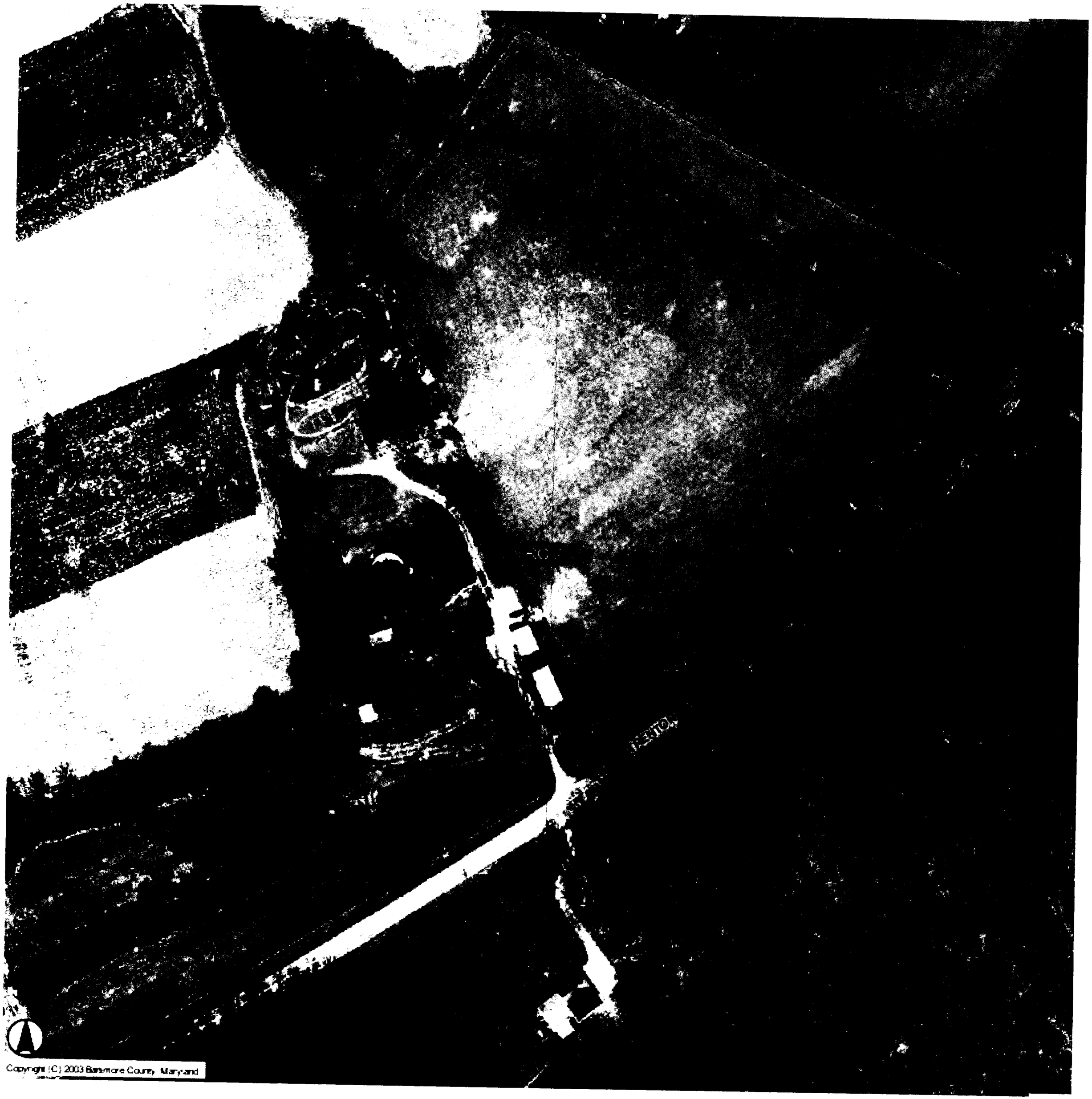
Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

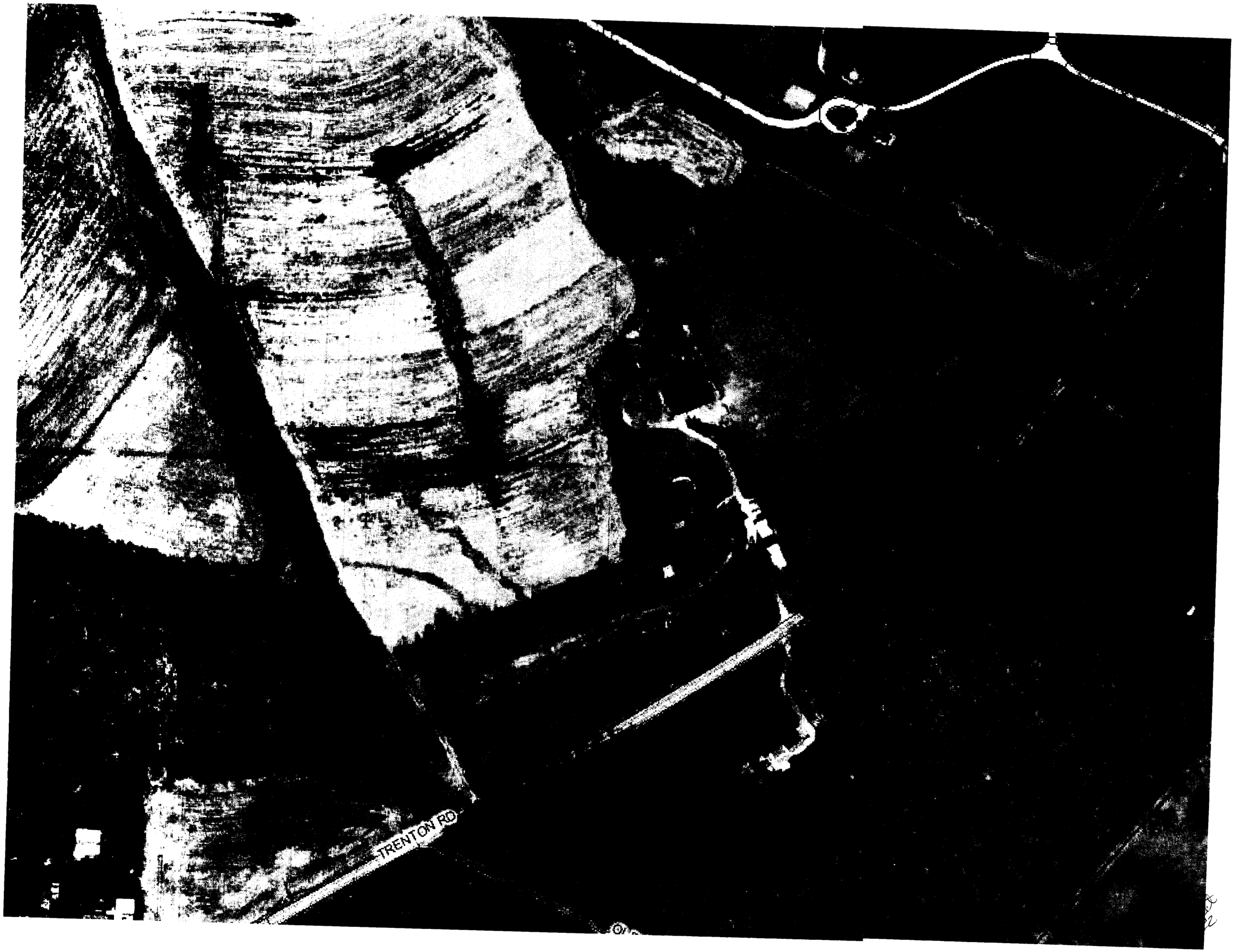
PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 05-609 X
DATE

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
BRUCE E. DOAK	320 E. TOWSONTOWN BLVD.	TOWSON, MD 21286	
GERWOLD, CROSS & ETZEL			
RANDY J. HART	16122 Trenton Rd	Upperco, MD 21155	RJH80@direcway.com

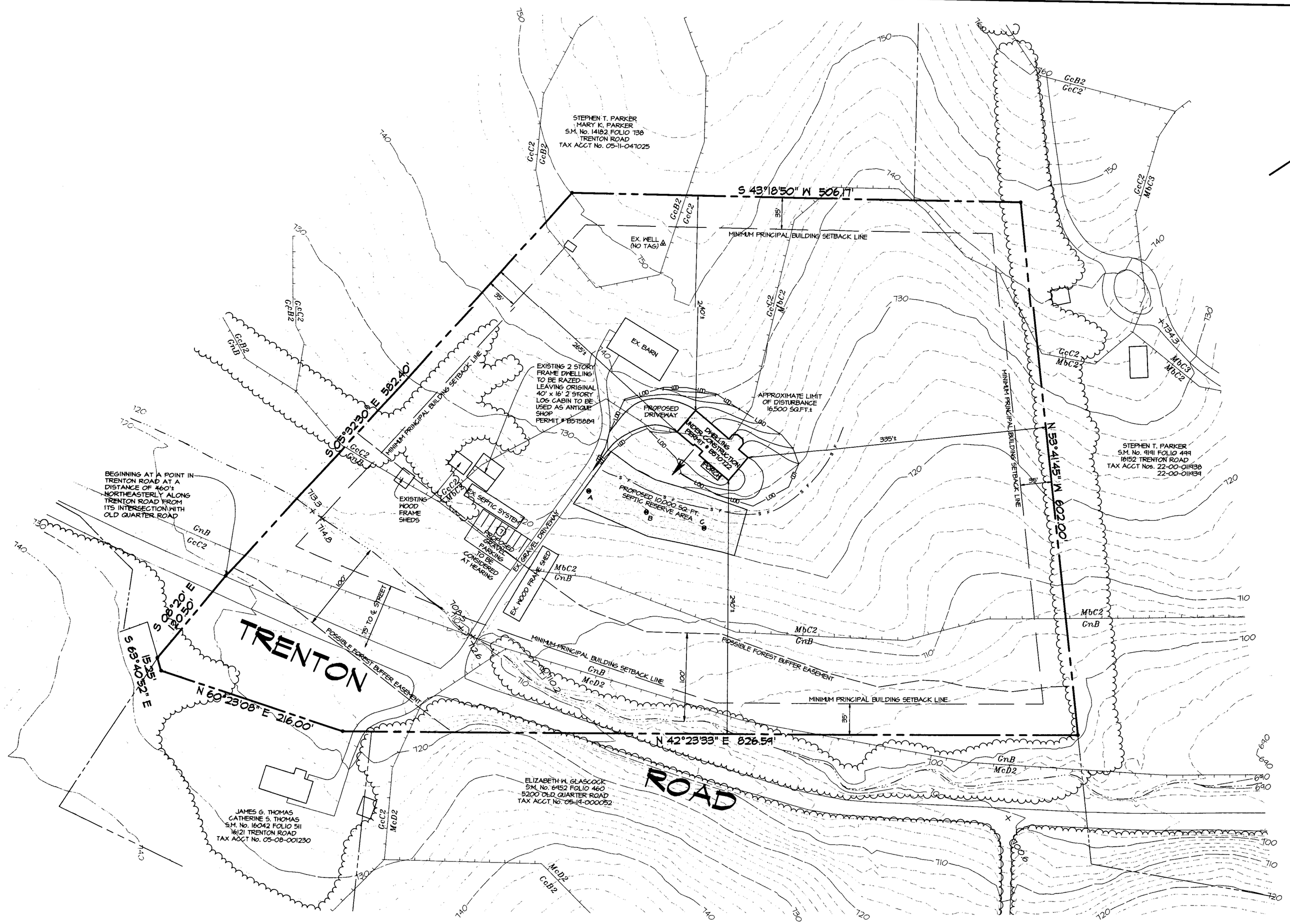

Copyright (C) 2003 Baltimore County, Maryland

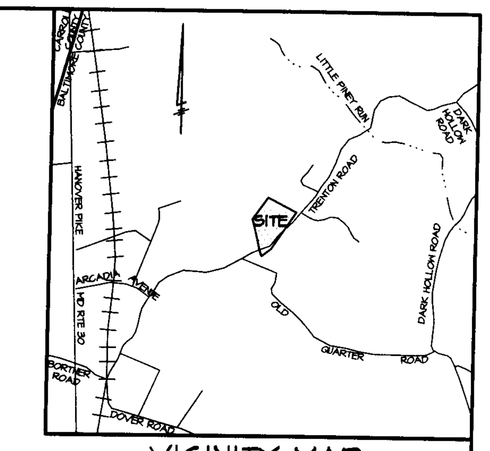

TRENTON RD

ZONING MAP

GIS Tile: 025C2

Scale: 1" = 200'





VICINITY MAP

1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM THE TITLE DEED, A BOUNDARY WAS NOT PERFORMED BY GERHOLD CROSS & ETZEL, LTD.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 25C2
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 11.
4. CENSUS TRACT 4050.002 REGIONAL PLANNING DISTRICT 302
   WATERSHED LOCH RAVEN SUBWATERSHED NONE
   SCHOOL DISTRICT; ELEMENTARY - FRANKLIN E.S.; MIDDLE - FRANKLIN M.S.; HIGH - FRANKLIN H.S.
   A.D.C. MAP & GRID 10 A2
5. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
7. THERE ARE NO KNOWN WELLS AND SEPTIC SYSTEMS WITHIN 100' OF THE SUBJECT PROPERTY.
8. THERE ARE NO ZONING LINES WITHIN 200' OF THE PROPERTY.
9. THE SUBJECT PROPERTY IS SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
10. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
11. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
12. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.

DENSITY CALCULATIONS

GROSS AREA	11.001 Ac.±
HIGHWAY WIDENING	0.000 Ac.±
NET AREA	11.001 Ac.±
LOTS PERMITTED	2-144.99 Ac.± = 2 Lots
LOTS PROPOSED	1

PARKING CALCULATIONS

MINIMUM NUMBER OF PARKING SPACES REQUIRED

5 PER 1,000 SQ. FT. OF GROSS FLOOR AREA
(1280 x 0.005 = 6.4)

TOTAL PARKING SPACES REQUIRED = 7

PARKING SPACES PROVIDED = 7

OWNER

RANDY J. HART
AMY O. HART
16025 TRENTON ROAD
UPPERCO, MARYLAND 21155-9523

DEVELOPER

AMY HART
16025 TRENTON ROAD
UPPERCO, MARYLAND 21155
(410)-239-2130

PETITION

FOR A SPECIAL EXCEPTION AS PER SECTIONS 1A01.2.C.3. AND 402B OF THE B.C.Z.R. TO PERMIT AN ANTIQUE SHOP

LEGEND

- EXISTING WELL
- PASSED PERC TEST
- PROPOSED DWELLING
- EXISTING BUILDING
- SOIL LINE
- WOODS LINE
- EXISTING PAVING
- SILT FENCE
- PROPERTY LINE
- CONTOURS

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
GcB2, GcB2	Slight	Slight	Moderate: slope
GcC2, MbC2 MbC3	Moderate: slope	Moderate: slope	Severe: slope
GnB	Severe: high water table; moderately slow permeability.	Severe: high water table	Severe: high water table
McD2	Severe: slope	Severe: slope	Severe: slope

STATE OF MARYLAND BRUCE EDWIN DUNN No. 551 REGISTERED PROPERTY LINE SURVEYOR 5/16/05

PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION OF THE HART PROPERTY

16122 TRENTON ROAD
Deed Ref: S.M. No. 20633 folio 22
Tax Account No.: 1600012096
Zoned R.C. 2; GIS Tile 25C2
Tax Map 25; Grid 11; Parcel 239
5th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=60' Date: MAY 03, 2005

REVISION	DATE

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

COMPUTED: | DRAWN: M.E.A. | CHECKED: | FILE:X:\Hart\Trenton\Zone.pro

Pet Ex #1