



ROSENBUSH REALTY

21449

GABE ROSENBUSH, Jr. / P.O. BOX PIKESVILLE, MD. 21208
(301) 358 7696

Commercial Sales and Leasing
Appraisals
Counseling
Financing

Gabe D. Rosenbush Jr.
9-18-84 *Case File*

September 18, 1984

Mr. Jim Dwyer
Zoning Department
Baltimore County Office Bldg.
Towson, Md. 21204

Re: 1133 Greenwood Road
Lot 3 portion thereof
E.D. 3

Dear Jim:

Enclosed please find plats of the above mentioned site along with a plat of the adjacent portion of the Lot.

Our question; Can the undeveloped portion of this lot be developed as per the attached plan?

I thank you in advance for your valued assistance in this matter.

Warmest regards,

Gabe

Gabriel W. Rosenbush Jr.

September 24, 1984

asf: gwr
Enclosure
cc: Ferd Hahn

I have reviewed the zoning files relative to the above site and can see no reason why the site could not be developed as proposed on the Plat which accompanied this request. Final approval will, however, be subject to review and approval of more detailed site plans, specifically, entrance locations.

* cc: Case File No.
79-139-XSPHA

JED:mr

James E. Dyer
JAMES E. DYER
Zoning Supervisor
Baltimore County, Maryland

77-139-XSPHA #81 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, LEN-JER, INC., legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

herby petition for a Variance from Sections 250.2 to permit a zero side yard by means of a party wall in place of the required 30 feet; and a sum of 42.5 feet for side yards in place of the required 50 feet; and from Section 250.3 to permit a rear yard of zero feet in lieu of the required 40 feet adjoining the Western Maryland Railroad, and from Section 250.4 to permit a structure within 50 feet of a residential zone line (along the Western Maryland Railroad) in lieu of the required 100 feet.

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

1. In order to build a racquetball facility as a community building within the available area of the lot, the above variances are required.
2. That to require the setbacks as established under the area regulations of the M.L.R. zone would be arbitrary and confiscatory.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Neil Venger
Contract purchaser
1051 Playtree Lane
Baltimore, Maryland 21208
James F. Offutt, Jr.
Petitioner's Attorney
300 Jefferson Building
Towson, Md. 21204

Address: 1123 Greenwood Road
Baltimore, Maryland 21208

Address: 1123 Greenwood Road
Pikesville, Maryland 21208

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Address: 1123 Greenwood Road
Pikesville, Maryland 21208

77-139-XSPHA #81 **PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, LEN-JER, INC., legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

herby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone; for the following reasons:

77-139-XSPHA #81 **PETITION FOR SPECIAL HEARING**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, LEN-JER, INC., legal owner... 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 and/or Deputy Zoning Commissioner should approve a community building for a racquet club and other like sports use, together with a lounge, locker room in an M.L.R. zone, pursuant to Section 270.1 (1959 Baltimore County Zoning Regulations).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY
PETITION FOR VARIANCES :
1425 of Greenwood Rd., 760
SE of Church Lane, 3rd District

LEN-JER, INC., Petitioner : Case No. 77-139-XSPHA

111111

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 5th day of December, 1978, a copy of the foregoing Order was mailed to James F. Offutt, Jr., Esquire, 300 Jefferson Building, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dinenna
Zoning Commissioner
TO: Leif H. Gisel Date: December 18, 1978

FROM: Director, Office of Planning and Zoning

SUBJECT: Petition 77-139XSPHA Item B1.

Petition for Special Exception for community building, Special Hearing for racquet club and Variance for side and rear yard setbacks.

Northeast side of Greenwood Road, 760 feet Southeast of Church Lane

Petitioner - Len-Jer, Inc.

3rd District

HEARING: Monday, December 18, 1978 (1:00 P.M.)

This office is of the opinion that the proposed facility is not permitted in an M.L.R. zone.

Very truly yours,
Leif H. Gisel
Leif H. Gisel
Director of Planning

LHGJGH:wh

MEMORANDUM

RE: Venger Zoning Case

The M.L.R. Zone was established as a part of the zoning regulation of Baltimore County by Bill 56, enacted in May of 1961. At the time of enactment, Section 248.2 provided for uses permitted and as limited in the R40 Zone by Section 200.6 and 200.11. The use referred to in Section 200.6 is a Community Building and at that time it was permitted as a matter of right.

In 1963, by Bill 114, repealed subsection 200.6 of the regulation in the R40 Zone and further amended and changed Community Buildings to make them special exceptions in other zones. Nothing in this Bill, however, made any reference to or change in the M.L.R. Zone.

The reference to Section 200.6 would indicate an adoption of that language as set forth therein as a part of the ordinance in Bill 56 (1961). The subsequent repeal of Section 200.6 by Bill 114 (1963) without reference to the M.L.R. Zone certainly creates a reasonable assumption that there was no intention to change the M.L.R. Zone. Certainly at best, there is an area here that needs clarification as to the proper interpretation of the legislation on which the permitted uses in the M.L.R. Zone are based.



SPELLMAN, LARSON & ASSOCIATES, INC.

SUITE 110 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
822-3525

ROBERT E. SPELLMAN, P.L.C.

ROBERT L. LARSON

LOUIS A. PARRILLA, P.E.

DESCRIPTION FOR ZONING, NORTHEAST SIDE OF GREENWOOD ROAD, SOUTHEAST OF CHURCH LANE, 3RD DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the northeast side of Greenwood Road, 60 feet wide, at the distance of 760 feet, more or less measured south-easterly along the northeast side of Greenwood Road from the centerline of Church Lane and running thence and binding on the northeast side of Greenwood Road South 58 Degrees 30 Minutes 40 Seconds East 84.68 feet and southeasterly by a curve to the left with a radius of 970.00 feet the distance of 53.74 feet (The chord of the arc bears South 60 Degrees 47 Minutes 10 Seconds East 77.01 feet) thence leaving the northeast side of Greenwood Road and running North 33 Degrees 57 Minutes 50 Seconds East 231.07 feet to the southwest side of the Western Maryland Railroad right of way and running thence and binding on said right of way North 56 Degrees 02 Minutes 10 Seconds West 138.50 feet thence leaving said railroad right of way and running South 33 Degrees 57 Minutes 50 Seconds West 236.56 feet to the place of beginning.

Containing 0.76 acres of land, more or less.

7-7-78



NOV 17 78 PM



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
DRAWING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

DATE Jan 8 1979
ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance is granted a side yard setback of 25.0 feet, the means of a party wall in lieu of the required 30 feet and a sum of the side yards of 44.2 feet in lieu of the required 80 feet, a rear yard setback of zero feet adjoining the Western Maryland Railroad in lieu of the required 40 feet, and a structure to be located within 45 feet of a residential zone line along the Western Maryland Railroad in lieu of the required 100 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 8th day of February, 1979, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance is granted a side yard setback of 25.0 feet, the means of a party wall in lieu of the required 30 feet and a sum of the side yards of 44.2 feet in lieu of the required 80 feet, a rear yard setback of zero feet adjoining the Western Maryland Railroad in lieu of the required 40 feet, and a structure to be located within 45 feet of a residential zone line along the Western Maryland Railroad in lieu of the required 100 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 8th day of February, 1979, that the above Variance be and the same is hereby DENIED.

[Signature]
Zoning Commissioner of Baltimore County

PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY
PETITION FOR VARIANCES :
NE/5 of Greenwood Rd., 760'
SE of Church Lane, 3rd District :
LEN-JER, INC., Petitioner : Case No. 79-139-XSPHA

MEMORANDUM
Mr. Commissioner:

The Petitioner in this case simultaneously requested a Special hearing and a Special Exception with certain variances in an M.L.R. Zone. The necessity of filing a Petition for a Special Hearing is caused by an error in the attempted codification of the Baltimore County Zoning Ordinances.

The M.L.R. Zone was established by Bill No. 56 in 1961. As a part of that statute, Section 248.2 stated: "Uses permitted and so limited in the R-40 Zone by Sections 200.6 and 200.11", at that point of time, Section 200.6 of the R-40 Zone was "community building, swimming pool or other structural or land use devoted to civic, social, recreational and educational activities of the community".

In 1963 Section 200.6 of the R-40 Zone was repealed and changed to make buildings a Special Exception. Nothing in this statute specifically applied to M.L.R. zoning. When the Zoning Regulations dated December 1963 were compiled, the reference to Section 200.6 was omitted from the M.L.R. zoning, however, Section 270 entitled "Schedule of Special Exceptions" indicated that a community building was a permitted use in a M.L.R. Zone in the same manner as it had been prior to the adoption of Bill No. 64 in 1963.

The revisions compiled entitled "Baltimore County Zoning Regulations of 1969" again omitted any reference to Section 200.6 but continued the reference to 200.11. However, the "Schedule of Special Exceptions" (Section 270) again indicates that a community building is permitted within a M.L.R. Zone.

The current Zoning Regulations, 1975 edition, again continue with the same reference to Section 200.11 and are completely silent as to community buildings. Section 270, however, indicates that a community building is permitted as a Special Exception in zones R-40, R-20, R-10 and R-6 and prohibited in a R-6 Zone, permitted by Special Exception in R.A. Zone and B.L. Zone, and are a permitted use without Special Exception in a B.W. Zone, B.R. Zone, M.L. Zone and M.H. Zone. There is absolutely nothing indicated under the M.L.R. Zone. This must lead me to the conclusion that the author of the book simply did not know what to put in here so he indicated nothing.

It becomes very clear by considering the chart in Section 270, that the legislative authorities in Baltimore County intended that a community building could be constructed in any zone except R-6. The only distinctions between zonings being that in certain instances Special Exceptions are required which would grant to the zoning authorities more control in these instances. The statutory history of a M.L.R. Zone is certainly clear that in its inception a community building was permitted as of right. At the point of time when Section 200.6 of the R-40 Zone was changed in order to make a community building a Special Exception in the R-40 Zone, the question was raised as to whether this may have also automatically created the same condition in a M.L.R. Zone.

ORDER RECEIVED FOR FILING
DATE Jan 8 1979
JFO/jcf

PETITION FOR SPECIAL EXCEPTION
PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCES
NE/5 of Greenwood Rd., 760'
SE of Church Lane, 3rd District :
LEN-JER, INC., Petitioner : Case No. 79-139-XSPHA

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance is granted a side yard setback of 25.0 feet, the means of a party wall in lieu of the required 30 feet and a sum of the side yards of 44.2 feet in lieu of the required 80 feet, a rear yard setback of zero feet adjoining the Western Maryland Railroad in lieu of the required 40 feet, and a structure to be located within 45 feet of a residential zone line along the Western Maryland Railroad in lieu of the required 100 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 8th day of February, 1979, that the herein Petition for the aforementioned Special Exception should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning. Said Special Exception must be utilized within five years or become null and void.

[Signature]
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance is granted a side yard setback of 25.0 feet, the means of a party wall in lieu of the required 30 feet and a sum of the side yards of 44.2 feet in lieu of the required 80 feet, a rear yard setback of zero feet adjoining the Western Maryland Railroad in lieu of the required 40 feet, and a structure to be located within 45 feet of a residential zone line along the Western Maryland Railroad in lieu of the required 100 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 8th day of February, 1979, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a zone; and/or the Special Exception for zone be and the same is hereby DENIED.

[Signature]
Zoning Commissioner of Baltimore County

The statutory change certainly did not by its terms, prohibit the community building in a M.L.R. Zone.

The Hearing Officer in the Zoning Department, in at least two other cases, agreed with the proposition that a community building may be had in a M.L.R. zone as a Special Exception. The first case was the Middle River Forest 8849 (V.F.W.), case number 75-233-XSPH, and the second was owned by Leroy Merritt, on the north side of Joppa Road opposite end, case number 77-41-X.

It is your Petitioner's position that a community building is permitted by a Special Exception in a M.L.R. Zone. Therefore, we respectfully request that you issue an Order for a Special Exception in this case.

Respectfully submitted,
[Signature]
James F. Offutt, Jr.
300 Jefferson Building
Towson, Maryland 21204
823-2393

The current Zoning Regulations, 1975 edition, again continue with the same reference to Section 200.11 and are completely silent as to community buildings. Section 270, however, indicates that a community building is permitted as a Special Exception in zones R-40, R-20, R-10 and R-6 and prohibited in a R-6 Zone, permitted by Special Exception in R.A. Zone and B.L. Zone, and are a permitted use without Special Exception in a B.W. Zone, B.R. Zone, M.L. Zone and M.H. Zone. There is absolutely nothing indicated under the M.L.R. Zone. This must lead me to the conclusion that the author of the book simply did not know what to put in here so he indicated nothing.

It becomes very clear by considering the chart in Section 270, that the legislative authorities in Baltimore County intended that a community building could be constructed in any zone except R-6. The only distinctions between zonings being that in certain instances Special Exceptions are required which would grant to the zoning authorities more control in these instances. The statutory history of a M.L.R. Zone is certainly clear that in its inception a community building was permitted as of right. At the point of time when Section 200.6 of the R-40 Zone was changed in order to make a community building a Special Exception in the R-40 Zone, the question was raised as to whether this may have also automatically created the same condition in a M.L.R. Zone.

ORDER RECEIVED FOR FILING
DATE Jan 8 1979
JFO/jcf

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance is granted a side yard setback of 25.0 feet, the means of a party wall in lieu of the required 30 feet and a sum of the side yards of 44.2 feet in lieu of the required 80 feet, a rear yard setback of zero feet adjoining the Western Maryland Railroad in lieu of the required 40 feet, and a structure to be located within 45 feet of a residential zone line along the Western Maryland Railroad in lieu of the required 100 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 8th day of February, 1979, that the herein Petition for the aforementioned Special Exception should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning. Said Special Exception must be utilized within five years or become null and void.

[Signature]
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance is granted a side yard setback of 25.0 feet, the means of a party wall in lieu of the required 30 feet and a sum of the side yards of 44.2 feet in lieu of the required 80 feet, a rear yard setback of zero feet adjoining the Western Maryland Railroad in lieu of the required 40 feet, and a structure to be located within 45 feet of a residential zone line along the Western Maryland Railroad in lieu of the required 100 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 8th day of February, 1979, that the above Special Hearing be and the same is hereby DENIED.

[Signature]
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance is granted a side yard setback of 25.0 feet, the means of a party wall in lieu of the required 30 feet and a sum of the side yards of 44.2 feet in lieu of the required 80 feet, a rear yard setback of zero feet adjoining the Western Maryland Railroad in lieu of the required 40 feet, and a structure to be located within 45 feet of a residential zone line along the Western Maryland Railroad in lieu of the required 100 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 8th day of February, 1979, that the above Special Hearing be and the same is hereby DENIED.

[Signature]
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE

[Seal]

PETITION AND SITE PLAN
EVALUATION COMMENTS

79-1
F-2

JAMES F. OFFUTT, JR.
ATTORNEY AT LAW
111 W. Chesapeake Ave.
TOWSON, MARYLAND 21204

January 8, 1979

Hand Delivered

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

I am enclosing a copy of a memorandum which you requested in the case of Len-Jer Inc., NO. 79-139-XSPHA. I believe it reasonably explains how the confusion was created in reference to community buildings.

The two cases which I refer to in the memorandum are, to the best of my knowledge, the only two applications made since 1963 for the use of a community building in a M.L.R. district.

I would like to have the opportunity to discuss this matter with you prior to your signing the final order. Please advise me what time would be convenient for a meeting.

Yours truly,
[Signature]
James F. Offutt, Jr.
James F. Offutt, Jr.

JFO, JR./jcf
Enc.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 17th day of October, 1978.

[Signature]
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Len-Jer, Inc.
Petitioner's Attorney: James Offutt

Reviewed by: *[Signature]*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

James F. Offutt, Jr., Esquire
300 Jefferson Building
Towson, Maryland 21204

cc: Spellman, Laram & Assoc., Inc.
105 W. Chesapeake Avenue
Towson, Maryland 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 11, 1978

Item No. 81
 Petitioner - Len-Jer, Inc.
 Page 2
 December 11, 1978

baltimore county
 department of public works
 TOWSON, MARYLAND 21204

CC: R. Norton
 J. Wimbley
 P-SE Key Sheet
 27 NW 23 Pos. Sheet
 NW 7 F Topo
 78 Tax Map

December 11, 1978

THORNTON M. MOURING, P.E.
 DIRECTOR

Mr. S. Eric DiNenna
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Particular attention should be afforded the comments of the Department of Permits and Licenses concerning the structural requirements of the facility, and if this petition is granted and at the time of application for the necessary building permits, all requirements of Section 252 must be satisfied.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
 NICHOLAS B. COMMODARI
 Chairman
 Zoning Plans Advisory Committee

NBC/sf
 Encl.

cc: Spielman, Larson & Associates, Inc.
 105 W. Chesapeake Avenue
 Towson, Maryland 21204

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The comments which were supplied in connection with the Zoning Advisory Committee review of this property for Item 167 (1973-1974), 74-257-A, are referred to for your consideration.

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit, is, therefore, necessary for all grading, including the striping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 81 (1978-1979).

Very truly yours,

Edmund H. Diver
 EDMUND H. DIVER, P.E.
 Chief, Bureau of Engineering

ED:HAN:WRB
 Attachment

Baltimore County, Maryland
 Department of Public Works
 COUNTY OFFICE BUILDING
 TOWSON, MARYLAND 21204
 May 17, 1978

Bureau of Engineering
 EDMUND H. DIVER, P.E., CHIEF
 Mr. S. Eric DiNenna
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #167 (1973-1974)
 Property Owner: Len-Jer, Inc.
 N/SE Greenwood Rd., 75' S/E of Church Lane
 Existing Zoning: M.L.R.
 Proposed Zoning: Variance from Section 250.2 to allow a total for the sum of side yards of 60' instead of the required 80'
 No. of Acres: 1.5 Districts 3rd

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County utilities and highway improvements are existing or as secured by Public Works Agreement #2997, shown in connection with the plat entitled "Plat of Property on N.W. Corner of Greenwood Road and Church Lane" and the subsequent Public Works Agreement #3706.

The submitted plan should be revised to indicate the additional 10-foot drainage and utility easement shown on R/W 72-057-1.

Very truly yours,

Edmund H. Diver
 EDMUND H. DIVER, P.E.
 Chief, Bureau of Engineering

ED:HAN:WRB

cc: D. Ruter
 C. Parfield

P-SE Key Sheet
 27 NW 23 Pos. Sheet
 NW 7 F Topo
 78 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas B. Commodari
 Zoning Advisory Committee
 FROM: Rosellen J. Plant, Industrial
 Development Commission
 Date: October 17, 1978

SUBJECT: Item No. 81, Special Exception: Len-Jer, Inc.
 Location: NE/S Greenwood Rd., 715' SE Church Ln.
 Existing Zoning: M.L.R.
 Proposed Zoning: Special Exception for a community building (Racquet Club), Special Hearing to allow a community building in a M.L.R. zone and Variance to permit a side setback of 0' in lieu of the required 30' and a sum of the sideyards of 42.5' in lieu of the required 80' and a rear setback of 0' in lieu of the required 40' and to allow a structure to be located 50' from a residential zone in lieu of the required 100'.

The Industrial Development Commission is in agreement with the Baltimore County 1976 Comprehensive Zoning Maps, as adopted by the County Council, except in obvious cases of change of neighborhood or technical errors in the maps.

Rosellen J. Plant
 ROSELLEN J. PLANT

RJP:pk

baltimore county
 office of planning and zoning
 TOWSON, MARYLAND 21204
 (301) 494-3211

DESLER H. GRAFF
 DIRECTOR

December 11, 1978

Mr. S. Eric DiNenna, Zoning Commissioner
 Zoning Advisory Committee
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #81, Zoning Advisory Committee Meeting, October 17, 1978, are as follows:

Property Owner: Len-Jer, Inc.
 Location: NE/S Greenwood Road 715' SE Church Lane
 Existing Zoning: M.L.R.
 Proposed Zoning: Special Exception for a community building (Racquet Club), Special

Hearing to allow a community building in a M.L.R. zone and Variance to permit a side setback of 0' in lieu of the required 30' and a sum of the sideyards of 42.5' in lieu of the required 80' and a rear setback of 0' in lieu of the required 40' and to allow a structure to be located 50' from a residential zone in lieu of the required 100'.

Acres: 0.76
 District: 3rd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

No additional driveways will be allowed when the second part of the property is developed, therefore the site must be graded to provide for an interior driveway connection.

A detailed landscape plan should be provided.

Very truly yours,

John L. Wimbley
 JOHN L. WIMBLEY
 Planner III
 Current Planning and Development

baltimore county
 department of health
 TOWSON, MARYLAND 21204

DONALD L. ROOP, M.D., M.P.H.
 DEPUTY STATE AND COUNTY HEALTH OFFICER

November 15, 1978

Mr. S. Eric DiNenna, Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #81, Zoning Advisory Committee Meeting of October 17, 1978, are as follows:

Property Owner: Len-Jer, Inc.
 Location: NE/S Greenwood Rd. 715' SE Church Ln.
 Existing Zoning: M.L.R.
 Proposed Zoning: Special Exception for a community building (Racquet Club), Special Hearing to allow a community building in a M.L.R. zone and Variance to permit a side setback of 0' in lieu of the required 30' and a sum of the sideyards of 42.5' in lieu of the required 80' and a rear setback of 0' in lieu of the required 40' and to allow a structure to be located 50' from a residential zone in lieu of the required 100'.

Acres: 0.76
 District: 3rd

Metropolitan water and sewer are available. Therefore, no health hazards are anticipated.

Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 100-3775, to obtain requirements for such installation/s before work begins.

The parking area/s should be surfaced with a dustless, bonding material.

A Permit to Construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

Mr. S. Eric DiNenna

2

November 15, 1978

If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval prior to construction.

If proposed facilities in the community building are to include saunas, showers, whirlpools, steam bath, etc., complete plans and specifications must be submitted to the Division of Community Hygiene for review prior to approval of a building permit.

Very truly yours,

Thomas M. Devlin
 Thomas M. Devlin, Director
 BUREAU OF ENVIRONMENTAL SERVICES

TEH:JPE/TH

cc: W. L. Phillips
 J. J. Diester
 Mark McGinnis

PETITION FOR SPECIAL EXCEPTION, SPECIAL HEARING AND VARIANCE

ZONING: Petition for Special Exception for community building, Special Hearing for variance for side and rear yard setbacks.

LOCATION: Northeast side of Greenwood Road, 80 feet Southeast of Church Lane.

DATES: Monday, December 18, 1978 at 1:00 P.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Deputy Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

Petition for Special Exception for a community building or other structure of land use devoted to civic, social, recreational and educational activities is requested.

Section 250.2 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.3 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.4 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.5 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.6 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.7 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.8 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.9 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.10 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.11 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.12 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.13 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.14 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.

Section 250.15 of the Baltimore County Zoning Regulations requires that a petition for special exception be filed with the Zoning Deputy Zoning Commissioner.



TOWSON, MD. 21204 November 30 19 77

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR SPECIAL EXCEPTION, SPECIAL HEARING AND VARIANCE - Len-Jer, Inc. was inserted in the following:

- ☐ Catonsville Times
- ☐ Dundalk Times
- ☐ Essex Times
- ☐ Suburban Times East
- ☐ Towson Times
- ☐ Arbutus Times
- ☒ Community Times
- ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 1st day of December 1978, that is to say, the same was inserted in the issues of November 30, 1978

STROMBERG PUBLICATIONS, INC.

BY *Eric D. Dineen*

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 30 19 78

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md, once in each of one successive weeks before the 10th day of December 19 78, the first publication appearing on the 10th day of November 19 78.

THE JEFFERSONIAN,

L. Frank Shuster
Manager.

Cost of Advertisement, \$

79-139-XSPHA

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 2nd Date of Posting Dec. 3, 1978
 Posted for Petition for Special Exception, Special Hearing and Variance
 Petitioner: LEN-JER, INC.
 Location of property: NE/S. Greenwood Rd. 760' SE of Church Lane.
 Location of Signs: NE/S. Greenwood Rd. at W.D. Exp. of Emma Rd.
 Remarks:
 Posted by Thomas D. Rolan Date of return: Dec. 8, 1978
Signature 3-Signs

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 5 day of Dec 1978. Filing Fee \$ 50 Received ☒ Check ☐ Cash ☐ Other

S. Eric Dineen
S. Eric Dineen,
Zoning Commissioner

Petitioner LEN-JER INC Submitted by J. Offutt
 Petitioner's Attorney J. Offutt Reviewed by MAE

* This is not to be interpreted as acceptance of the Petition for this assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and utility plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>MAE</u>										
Revised Plans: Change in outline or description										
Previous case: <u>74-357A</u> <u>28-22-04</u>										
Map #										

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 76153

DATE November 27, 1978 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED James F. Offutt, Jr., Esquire

FOR Filing Fee for Case No. 79-139-XSPHA

8871 3 DEC 22 5 00 PM '78

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 76198

DATE December 10, 1978 ACCOUNT 01-662

AMOUNT \$106.63

RECEIVED Nel Varner 1051 Viectors Ln. Balto., Md. 21005

FOR Posting & Advertising Property for Len-Jer, Inc. 79-139-XSPHA

8871 10 DEC 19 10 06 AM '78

VALIDATION OR SIGNATURE OF CASHIER

GENERAL NOTES

AREA OF PARCEL
AREA OF BLDG
COVERAGE
SPACES REQ.

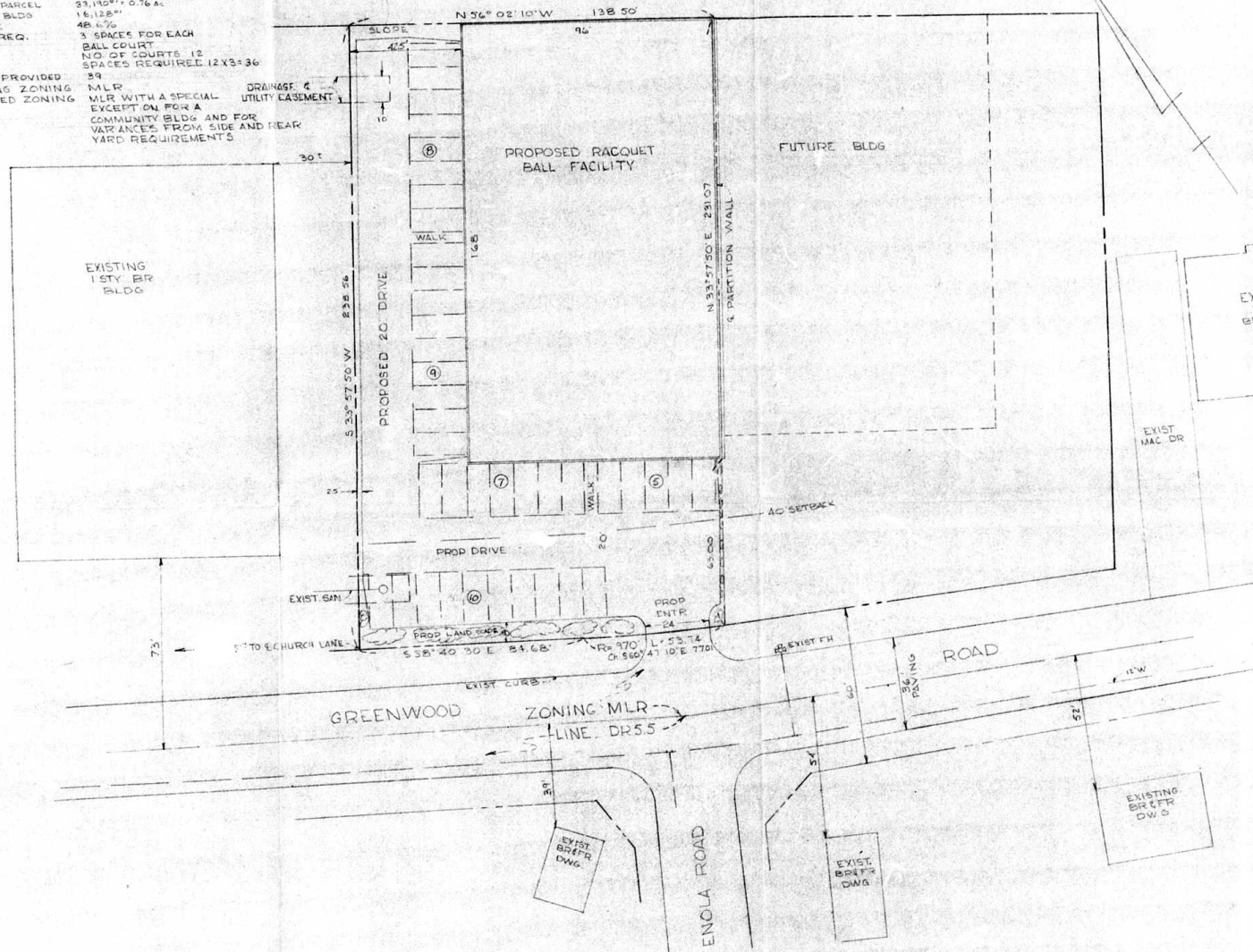
37,142.11 ± 0.76 AC
15,128.11
48.67%
3 SPACES FOR EACH
BALL COURT
NO. OF COURTS 12
SPACES REQUIRED 12 X 3 = 36

SPACES PROVIDED
EXISTING ZONING
PROPOSED ZONING

MLR
MLR WITH A SPECIAL
EXCEPTION FOR A
COMMUNITY BLDG AND FOR
VARIANCES FROM SIDE AND REAR
YARD REQUIREMENTS

DRAINAGE &
UTILITY CASEMENT

WESTERN MARYLAND FAIRROAD



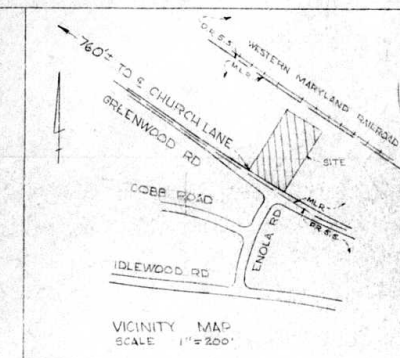
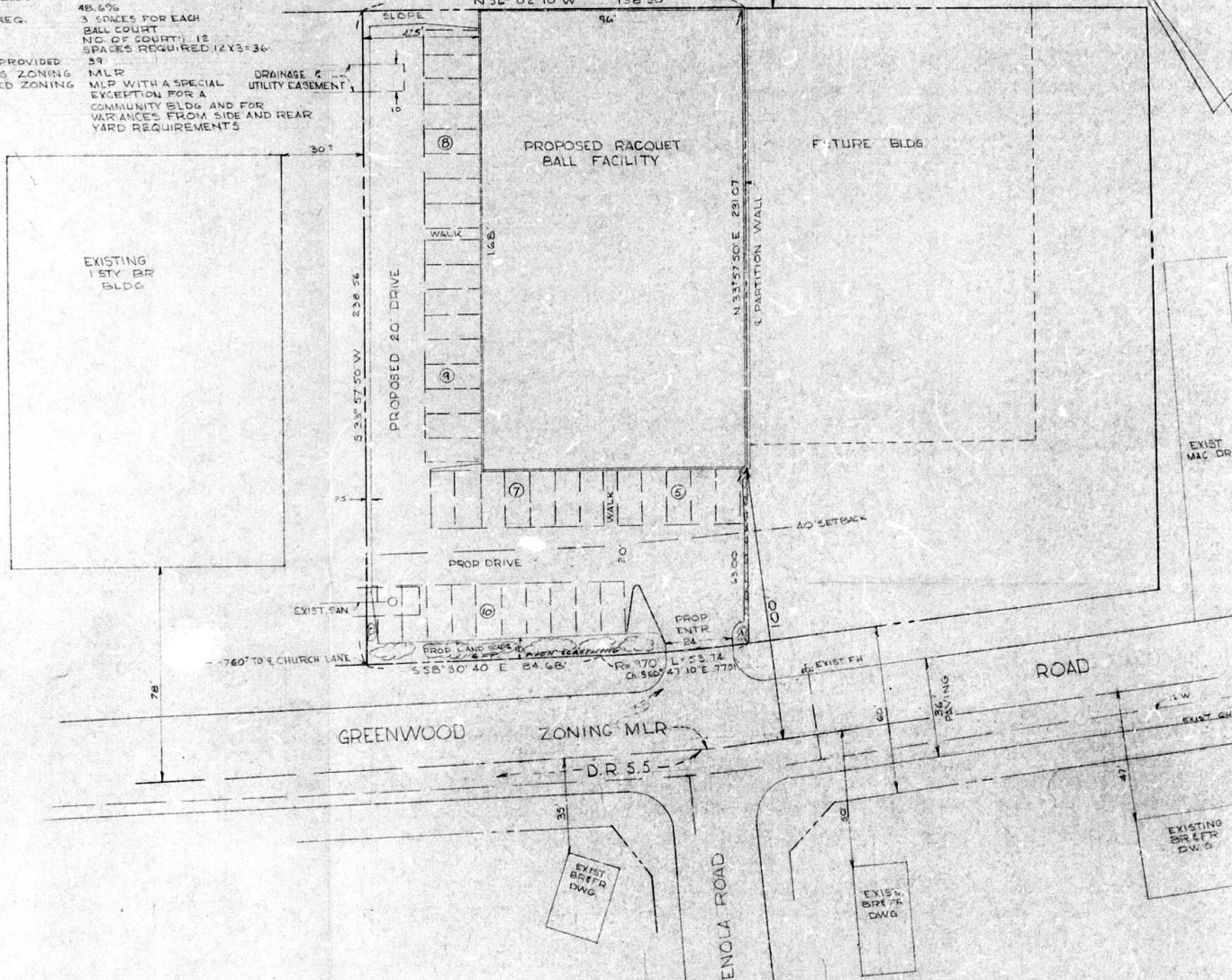
PLAT FOR
VARIANCES AND
SPECIAL EXCEPTION TO ZONING
GREENWOOD ROAD
3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE 1" = 20' JUNE 30, 1978



SPELLMAN, LARSON & ASSOCIATES INC.
Towson, Maryland 21204
410.585.1515
78033

WESTERN MARYLAND RAILROAD

DRAINAGE & UTILITY EASEMENT



PLAT FOR
VARIANCES AND
SPECIAL EXCEPTION TO ZONING
GREENWOOD ROAD
3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE 1"=20' JUNE 30, 1976

REVISED PLANS



REVISED 12-15-78
REVISED 11-17-78

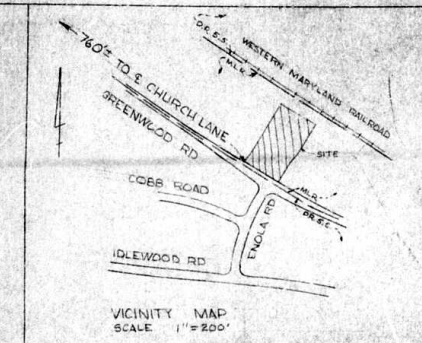
SPELLMAN, LARSON & ASSOCIATES INC.

Towson, Maryland 21204
822-3535

78033

WESTERN MARYLAND RAILROAD

DRAINAGE &
UTILITY CASEMENT



PLAT FOR
VARIANCES AND
SPECIAL EXCEPTION TO ZONING
GREENWOOD ROAD
3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE 1"=20' JUNE 30, 1978

REVISED PLANS

44-20 72



REVISÉD 11-17-78

SPELLMAN, LARSON & ASSOCIATES INC.

Tolson, Maryland 21204
823.1535

78033