

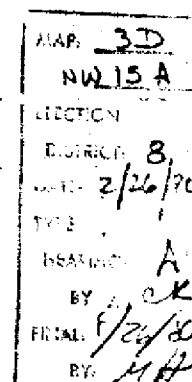
173  
PETITION FOR ZONING VARIANCE  
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, EL-JEN, INC., legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and is a part hereof, hereby petition for a Variance from Section 1302.20 to permit a rear yard setback in a 15 Zone of 66 feet in lieu of the required 75 feet, from land zoned other than D. R. 16.

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

1. Shape and depth of property;
2. Granted special exception variances under former interpretation;
3. The Honorable Edward de Waters' opinion;
4. For further reasons to be developed at the time of the hearing.



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.

EL-JEN, INC.  
Contract purchaser  
Address: 1100 N. E. 10th St., Baltimore, Md. 21204  
Petitioner's Attorney: S. Eric DiNenna, Esquire  
Address: Suite 205 Alex. Brown Building, 102 West Pennsylvania Avenue, Towson, Maryland 21204  
Protestant's Attorney: \_\_\_\_\_  
Address: \_\_\_\_\_  
ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of February, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of April, 1980 at 2:05 o'clock A.M.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
NW/C York Rd. & Main Blvd., : OF BALTIMORE COUNTY  
8th District  
EL-JEN, INC., Petitioner : Case No. 80-211-A

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 John W. Hession, III  
Peter Max Zimmerman, Deputy People's Counsel People's Counsel for Baltimore County  
Court House, Rm. 223  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 31st day of March, 1980, a copy of the foregoing Order was mailed to S. Eric DiNenna, Esquire, Suite 205, Alex. Brown Building, 102 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

S. Eric DiNenna, Esquire  
Suite 205, Alex. Brown Building  
102 West Pennsylvania Avenue  
Towson, Maryland 21204

cc: David W. Dallas, Jr. & Sons, Ltd.  
7006 Harford Road  
Baltimore, Maryland 21234

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

Your Petition has been received and accepted for filing this 27th day of February, 1980.

William E. Hammond  
Zoning Commissioner

Petitioner El-Jen, Inc.

Petitioner's Attorney S. Eric DiNenna

Reviewed by: Nicholas B. Commodari  
Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000  
Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

April 9, 1980

S. Eric DiNenna, Esquire  
Suite 205, Alex. Brown Building  
102 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No. 173  
Petitioner - El-Jen, Inc.  
Variance Petition

Dear Mr. DiNenna:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This currently vacant property, located on the northwest corner of York Road and Main Blvd., in the 8th Election District, has been the subject of previous zoning requests, the most recent being Case No. 79-263-A, in which Variances were granted to construct a proposed office building on the property.

The subject petition originates from a recent court decision, stating that all buildings constructed in D. R. 16 Zones, must be situated at least 75 feet from any other D. R. zoned land. In view of the fact that the proposed building will be constructed within 66 feet of the zoning line, between D. R. 16 and D. R. 3.5, which exists to the west of this site, this Variance is required.

Enclosed are all comments submitted to this office from the Committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

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

NBC/cf

Enclosures

cc: David W. Dallas, Jr. & Sons, Ltd.  
7006 Harford Road  
Baltimore, Maryland 21234



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

March 28, 1980

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #173 (1979-1980)  
Property Owner: El-Jen, Inc.  
N/W cor. York Rd. & Main Blvd.  
Existing Zoning: DR 16  
Proposed Zoning: Variance to permit a setback of 66' to a DR 16 - DR 3.5 zone line in lieu of the required 75'.  
Acres: 0.340 District: 8th

Dear Mr. Hammond:

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:

Comments were supplied for this property for Project IDCA 78-30X and in connection with the Zoning Advisory Committee review of this property for Item 131 (1973-1974), 74-246-XA; Item 236 (1977-1978), 79-19-XA; and Item 236 (1978-1979), 79-263-A. Those comments are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 173 (1979-1980).

Very truly yours,

Ellsworth N. Dwyer, P.E.  
ELLSWORTH N. DWYER, P.E.  
Chief, Bureau of Engineering

END:RAM:FW:ISS

S-NE Key Sheet  
57 NW 4 Topo. Sheet  
NW 15 A Topo.  
51 Tax Map

Attachments

July 14, 1978

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

Re: Item #236 (1977-1978)  
Property Owner: Mary A. Mix & John W. Billet  
N/W cor. York Rd. & Main Blvd.  
Existing Zoning: DR 16  
Proposed Zoning: Special Exception for offices (15-A 70-20X) and Variance to permit a front setback of 10' in lieu of the required 30' and a side setback of 5' in lieu of the required 25'.  
Acres: 0.340 District: 8th

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:

Comments were supplied for this property for Project IDCA 78-30X and in connection with the Zoning Advisory Committee review of this site for Item #131 (1973-1974). Those comments are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #236 (1977-1978).

Very truly yours,

Ellsworth N. Dwyer, P.E.  
ELLSWORTH N. DWYER, P.E.  
Chief, Bureau of Engineering

END:RAM:FW:ISS

S-NE Key Sheet  
57 NW 4 Topo. Sheet  
NW 15 A Topo.  
51 Tax Map

Attachment

July 6, 1979

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #236 (1978-1979)  
Property Owner: El-Jen, Inc.  
N/W cor. York Rd. & Main Blvd.  
Existing Zoning: DR 16  
Proposed Zoning: Variance to permit a front setback of 7.91' in lieu of the required 15' for the proposed office building on lots 1, 2 and 3 and a front setback of 10' in lieu of the required 30' and a side setback of 5' in lieu of the required 25' for the proposed building on lots 4, 5 and 6. (See 79-192X; Item #236, 1977-1978)  
Acres: 0.340 District: 8th

Dear Mr. Hammond:

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:

Comments were supplied for this property for Project IDCA 78-30X and in connection with the Zoning Advisory Committee review of this property for Item 131 (1973-1974), 74-246-XA, and Item 236 (1977-1978), 79-19-XA. Those comments are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 236 (1978-1979).

Very truly yours,

Ellsworth N. Dwyer, P.E.  
ELLSWORTH N. DWYER, P.E.  
Chief, Bureau of Engineering

END:RAM:FW:ISS

S-NE Key Sheet  
57 NW 4 Topo. Sheet  
NW 15 A Topo.  
51 Tax Map

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond  
Zoning Commissioner  
TO: John D. Seyffert, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Petition No. 80-211-A Item 173

Date: March 31, 1980

Petition for Variance for rear yard setback  
Northwest corner of York Road and Main Boulevard  
Petitioner: El-Jen, Inc.

## Eighth District

HEARING: Tuesday, April 22, 1980 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert, Director  
Office of Planning and Zoning

JDS:JGH:ab

S. Eric DiNenna, Esquire  
Suite 205 Alex Brown Building  
102 W. Pennsylvania Avenue  
Towson, Maryland 21204

3/24/80

## NOTICE OF HEARING

RE: Petition for Variance - Northwest corner of York Road and  
Main Boulevard - El-Jen, Inc. - Case No. 80-211-A

TIME: 9:45 A.M.

DATE: Tuesday, April 22, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

WILLIAM E. HAMMOND  
Zoning Commissioner of  
BALTIMORE COUNTY

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

WILLIAM E. HAMMOND  
Zoning Commissioner

April 10, 1980

S. Eric DiNenna, Esquire  
Suite 205, Alex Brown Building  
102 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Petition for Variance  
NW/C York Rd & Main Blvd.  
El-Jen, Inc.  
Case No. 80-211-A

Dear Mr. DiNenna:

This is to advise you that \$61.28 is due for  
advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and  
sent to Sandra Jones, Room 113, County Office Building, Towson,  
Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:sj

S. Eric DiNenna

Attorney at Law  
Suite 205 Alex Brown Building  
102 W. Pennsylvania Avenue  
Towson, Maryland 21204  
301 - 425-1630

February 22, 1980

RE: EL-JEN, INCORPORATED  
Zoning Petition - 2400 York Rd.  
My File No. 80-14

Dear Mr. Commissioner:

This is to advise you that I filed a Petition for a variance for  
a rear yard set-back in the D.R. 16 Zone with your office on  
Wednesday, February 20, 1980.

As you might be aware, the property was subject to two Petitions  
concerning a request for special exception and other variances.  
You proceeded recently with the application for permit. My client  
was advised by your office that, pursuant to Judge Edward A.  
DeWaters' opinion prior to your office's approval of the permit,  
a variance would have to be obtained for the rear yard.

The purpose of this letter is to respectfully request that your  
office schedule a hearing for the matter as soon as possible.

The Zoning Advisory Committee reviewed this property within the  
last six months and their review of the Plat submitted with the  
Petition will show no substantial changes from the previous  
Petitions.

El-Jen, Incorporated, Petitioner, is ready to proceed and has  
made construction and financial commitments relative thereto.

If there are any questions or problems with reference to this  
matter, please do not hesitate to contact me.

Thank you in advance for your consideration and attention.

Very truly yours,

S. ERIC DINENNA

SED:cm

cc: Mr. Nicholas Commodari, Zoning Office  
cc: Mr. Paul DiPino, El-Jen, Incorporated

## David W. Dallas, Jr. and Sons Ltd.

Registered Professional Engineers & Land Surveyors  
7006 HARFORD ROAD - BALTIMORE, MARYLAND 21234  
PHONE: (301) 254-4555

David W. Dallas, Jr., P.E., R.L.S.

Michael B. Dallas, P.L.S.

## ZONING DESCRIPTION

2400 YORK ROAD

REAR YARD VARIANCE

BEGINNING for the same on the westernmost side of York Road  
(80 feet wide) as shown on State Highway Administration Plats  
No. 42197 and 42198 at a point distant 45 feet measured northerly  
from the center of Main Boulevard (40 feet wide), thence binding  
on the westernmost side of said York Road north 18 degrees 27 minutes  
51 seconds west 105.23 feet to the division line between Lots  
No. 6 and 7, block 3 as shown on the Plat of Timonium Heights, thence  
binding on said division line south 71 degrees 32 minutes 09 seconds  
west 117.86 feet to the center line of a 12 foot alley as shown on  
said Plat, thence binding on the center of said alley south 18 degrees  
27 minutes 51 seconds east 130.24 feet to the northernmost  
side of said Main Boulevard north 71 degrees 32 minutes 09 seconds  
east 92.86 feet and easterly by a line curving to the north with a  
radius of 25 feet for a distance of 39.37 feet to the place of  
beginning.

CONTAINING 0.340 acres of land more or less.

February 15, 1980

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

WILLIAM E. HAMMOND  
Zoning Commissioner

May 7, 1980

S. Eric DiNenna, Esquire  
Suite 205, Alex. Brown Building  
102 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: Petition for Variance  
NW/corner of York Road and Main  
Boulevard - 8th Election District  
El-Jen, Inc. - Petitioner  
NO. 80-211-A (Item No. 173)

Dear Mr. DiNenna:

I have this date passed my Order in the above referenced matter in accord-  
ance with the attached.

Very truly yours,

WILLIAM E. HAMMOND  
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire  
People's Counsel

Mr. William F. Oehrl  
4 West Main Boulevard  
Lutherville, Maryland 21093

S. Eric DiNenna

Attorney at Law  
Suite 205 Alex. Brown Building  
102 W. Pennsylvania Avenue  
Towson, Maryland 21204  
301 - 425-1630

May 8, 1980

The Honorable William E. Hammond,  
Zoning Commissioner for Baltimore County  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Case No. 80-211A  
My File No. 80-14  
Petition for Variance - NW/corner  
of York Road and Main Boulevard;  
8th Election District

Dear Commissioner Hammond:

I am in receipt of and thank you for your correspondence  
of May 7, 1980 enclosing your Order of the same date granting  
the Petition for Variance of my client EL-JEN, INC.

The purpose of this letter is to request your office to  
approve the building permit for the construction of this building  
and to allow the continued processing of this permit pending  
the thirty day Appeal period. It is understood and agreed by  
my client that the permit will not be issued until the expiration  
of the thirty day Appeal period, assuming no Appeal is taken.

If there are any questions or problems regarding this  
matter, please do not hesitate to contact me; otherwise, I thank  
you in advance for your kind attention in this regard.

Very truly yours,

S. ERIC DINENNA

SED:cm

cc: EL-JEN, INC.

## BALTIMORE COUNTY OFFICE OF PLANNING &amp; ZONING

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

Your Petition has been received this 7 day of May, 1980

Filing Fee \$ 25 Received: Check

Cash

Other

Petitioner: Submitted by: William E. Hammond, Zoning Commissioner

Petitioner's Attorney: S. E. DiNenna Reviewed by: S. E. DiNenna

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

## PETITION MAPPING PROGRESS SHEET

| FUNCTION                                        | Wall Map                                            |    | Original |    | Duplicate |    | Tracing |    | 200 Sheet |    |
|-------------------------------------------------|-----------------------------------------------------|----|----------|----|-----------|----|---------|----|-----------|----|
|                                                 | date                                                | by | date     | by | date      | by | date    | by | date      | by |
| Descriptions checked and outline plotted on map |                                                     |    |          |    |           |    |         |    |           |    |
| Petition number added to outline                |                                                     |    |          |    |           |    |         |    |           |    |
| Denied                                          |                                                     |    |          |    |           |    |         |    |           |    |
| Granted by ZC, BA, CC, CA                       |                                                     |    |          |    |           |    |         |    |           |    |
| Reviewed by: MBL                                | Revised Plans: Change in outline or description Yes |    |          |    |           |    |         |    |           |    |
| Previous case: 72-19-KA                         | Map #                                               |    |          |    |           |    |         |    |           |    |
| 79-263-A                                        |                                                     |    |          |    |           |    |         |    |           |    |

ORDER RECEIVED FOR FILING  
DATE May 7, 1980  
BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the 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(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of May, 1980, that the herein Petition for Variance to permit a rear yard setback of sixty-six feet from land zoned other than D.R. 16 in lieu of the required seventy-five feet should be and the same is GRANTED, from and after the date of this Order, subject, however, to compliance with the terms, conditions, and provisions of the Order dated July 16, 1979 (Case No. 79-263-A), together with those contained in the Order dated August 22, 1978 (Case No. 79-19-XA).

*[Signature]*  
Zoning Commissioner of  
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for the Variance(s) to permit

-----  
Zoning Commissioner of Baltimore County



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3211

JOHN D. SEAR, III  
DIRECTOR

March 28, 1980

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #173, Zoning Advisory Committee Meeting, March 4, 1980, are as follows:

Property Owner: El-Jen, Inc.  
Location: NW/C York Road and Main Blvd.  
Existing Zoning: D.R. 16  
Proposed Zoning: Variance to permit a setback of 66' to a D.R. 16 - D.R. 3.5 zone line in lieu of the required 75'.  
Acres: 0.340  
District: 8th

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.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,  
*[Signature]*  
John L. Wimbley  
Planner III  
Current Planning and Development



baltimore county  
department of traffic engineering  
TOWSON, MARYLAND 21204  
(301) 494-3550

STEPHEN E. COLLINS  
DIRECTOR

May 6, 1980

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 173 - ZAC - March 4, 1980  
Property Owner: El-Jen, Inc.  
Location: NW/C York Road & Main Boulevard  
Existing Zoning: D. R. 16  
Proposed Zoning: Variance to permit a setback of 66' to a D. R. 16 - D. R. 3.5 zone line in lieu of the required 75'.

Acres: 0.340  
District: 8th

Dear Mr. Hammond:

The requested variance to the setback from a D. R. 3.5 zone is not expected to cause any traffic problems.

This site is located in a capacity deficient zone.

Very truly yours,

*[Signature]*  
Michael S. Flanigan  
Engineer Associate II

MSF/bza



Maryland Department of Transportation  
State Highway Administration

James J. O'Donnell  
Secretary  
M. S. Caltrider  
Administrator

March 5, 1980

Mr. William Hammond  
Zoning Commissioner  
County Office Bldg.  
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, 3-4-80  
ITEM: 173  
Property Owner: El-Jen, Inc.  
Location: NW/C York Road  
(Route 45) & Main Blvd.  
Existing Zoning: D.R. 16  
Proposed Zoning: Variance  
to permit a setback of 66'  
to a D.R. 16 - D.R. 3.5  
zone line in lieu of the  
required 75'.  
Acres: 0.340  
District: 8th

Dear Mr. Hammond:

An inspection of the site revealed there would be no adverse effects to York Road by the proposed office building.

The site plan clearly shows that there will be no access to York Road.

Very truly yours,

Charles Lee, Chief  
Bureau of Engineering  
Access Permits

*[Signature]*  
By: George Wittman

CL:GW:vrd

My telephone number is (301) 383-4320

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203



BALTIMORE COUNTY  
DEPARTMENT OF HEALTH  
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

March 26, 1980

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #173, Zoning Advisory Committee meeting of March 4, 1980, are as follows:

Property Owner: El-Jen, Inc.  
Location: NW/C York Road and Main Blvd.  
Existing Zoning: D.R. 16  
Proposed Zoning: Variance to permit a setback of 66' to a D.R. 16 - D.R. 3.5 zone line in lieu of the required 75'.  
Acres: 0.340  
District: 8

Metropolitan water and sewer are available.

Prior to new installation/s of fuel burning equipment the owner should contact the division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

Very truly yours,

*[Signature]*  
Ian J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

IJF/EW



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204  
825-7310

PAUL H. REINCKE  
CHIEF

March 20, 1980

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

Re: Property Owner: El-Jen, Inc.

Location: NW/C York Rd. & Main Blvd.

Item No: 173 Zoning Agenda: Meeting of 3/4/80

Gentlemen:

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

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER *[Signature]*  
Planning Group  
Special Inspection Division

Noted and Approved: *[Signature]*  
Fire Prevention Bureau



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3010

TED ZALESKI, JR.  
DIRECTOR

April 1, 1980

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #173 Zoning Advisory Committee Meeting, March 4, 1980 are as follows:

Property Owner: El-Jen, Inc.  
Location: NW/C York Road and Main Blvd.  
Existing Zoning: D.R. 16  
Proposed Zoning: Variance to permit a setback of 66' to a D.R. 16-D.R. 3.5 zone line in lieu of the required 75'.

Acres: 0.340  
District: 8th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- X B. A building/\_\_\_\_\_ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s \_\_\_\_\_.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.
- X I. Comments: Fire rating at north wall shall comply with Code requirements of Table 211.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

*[Signature]*  
Charles E. Burnham, Chief  
Plans Review

CEB:TTJ

PETITION FOR VARIANCE  
8th District

ZONING: Petition for Variance for rear yard setback  
LOCATION: Northwest corner of York Road and Main Boulevard  
DATE & TIME: Tuesday, April 22, 1980 at 9:15 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Variance to permit a rear yard setback in a D.R. 16 Zone of 66 feet in lieu of the required 75 feet, from land zoned other than D.R. 16.

The Zoning Regulation to be excepted as follows:

Section 1802.2C - In a D.R. 16 zone, no building shall be constructed within 75 feet of land which is in any zone classified as D.R. 1, D.R. 2, D.R. 3.5, D.R. 5.5 or D.R. 10.5 and which is not within the same development tract

All that parcel of land in the Eighth District of Baltimore County

Being the property of El-Jen, Inc., as shown in plat plan filed with the Zoning Department

Hearing Date: Tuesday, April 22, 1980 at 9:15 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8th Date of Posting: APRIL 4, 1980  
Posted for: PETITION FOR VARIANCE  
Petitioner: EL-JEN, INC.  
Location of property: NW/4 OF YORK ROAD AND MAIN BOULEVARD  
Location of Signs: NW/4 OF YORK RD & MAIN BLVD.  
Remarks: Thomas E. Boland  
Posted by: Signature Date of return: APRIL 11, 1980

1-SIGN

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 86349  
DATE: March 24, 1980 ACCOUNT: 01-662  
AMOUNT: \$25.00  
RECEIVED FROM: EL-JEN, INC.  
FOR: Filing Fee for Case No. 80-211-A  
2500 48 MAR 25 2500.00  
VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE  
8th DISTRICT  
ZONING: Petition for Variance for rear yard setback.  
LOCATION: Northwest corner of York Road and Main Boulevard.  
DATE & TIME: Tuesday, April 22, 1980 at 9:45 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for variance to permit a rear yard setback in a D.R. 16 Zone of 66 feet in lieu of the required 75 feet from land zoned other than D.R. 16.  
The Zoning Regulation to be accepted as follows:  
Section 1802.20 - In a D.R. 16 zone, no building shall be constructed within 75 feet of land which is in any zone classified as D.R. 1, D.R. 2, D.R. 3A, D.R. 5.5 or D.R. 10.5 and which is not within the same development tract.  
All that parcel of land in the Eighth District of Baltimore County, beginning for the same on the westernmost side of York Road (60 feet wide) as shown on State Highway Administration Plat No. 42197 and 42198 at a point distant 45 feet measured northerly from the center of Main Boulevard (60 feet wide), thence binding on the westernmost side of said York Road north 18 degrees 27 minutes 51 seconds west 105.23 feet to the division line between lots 6 & 7, Block G as shown on the Plat of Timonium Heights, thence binding on said division line south 71 degrees 32 minutes 09 seconds west 117.56 feet to the center line of a 12 foot alley as shown on said Plat, thence binding on the center of said alley south 53 degrees 07 minutes 51 seconds east 130.24 feet to the northernmost side of said Main Boulevard north 71 degrees 33 minutes 09 seconds east 30.26 feet and easterly by a line curving to the north with a radius of 25 feet for a distance of 39.37 feet to the place of beginning.  
Containing 0.340 acres of land, more or less.  
Being the property of El-Jen, Inc., as shown in plat plan filed with the Zoning Department.  
Hearing Date: Tuesday, April 22, 1980 at 9:45 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
By Order of: WILLIAM E. HAMMOND, Zoning Commissioner of Baltimore County

DUPLICATE  
CERTIFICATE OF PUBLICATION

TOWSON, MD., April 3, 1980  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on each of one time before the 22nd day of April, 1980, the first publication appearing on the 3rd day of April, 1980.  
19-80  
THE JEFFERSONIAN  
Manager  
Cost of Advertisement, \$ 28.00

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 86408  
DATE: April 23, 1980 ACCOUNT: 01-662  
AMOUNT: \$61.88  
RECEIVED FROM: EL-JEN, INC.  
FOR: Advertising and Posting for Case No. 80-211-A  
3174 MAR 23 6188.00  
VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE

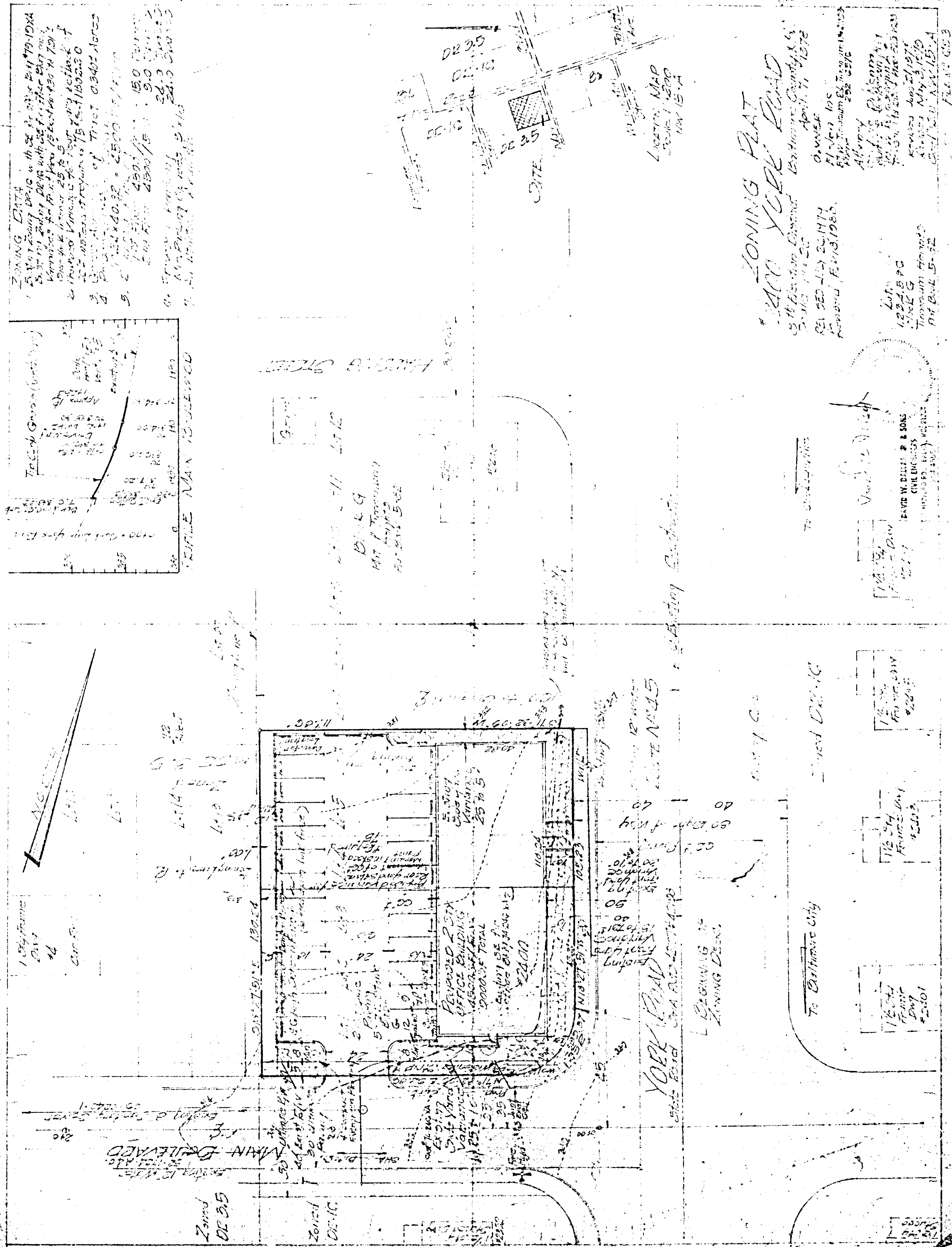
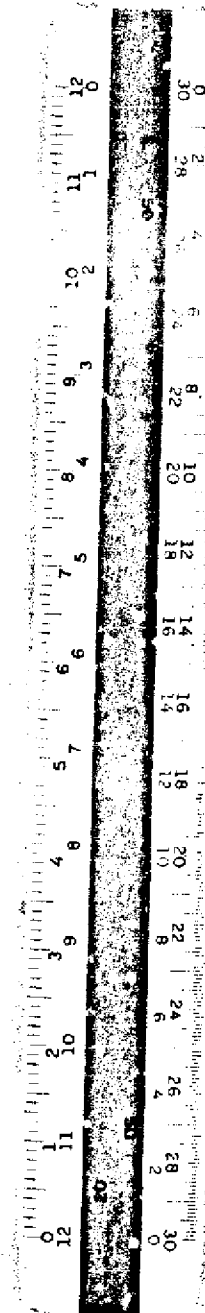
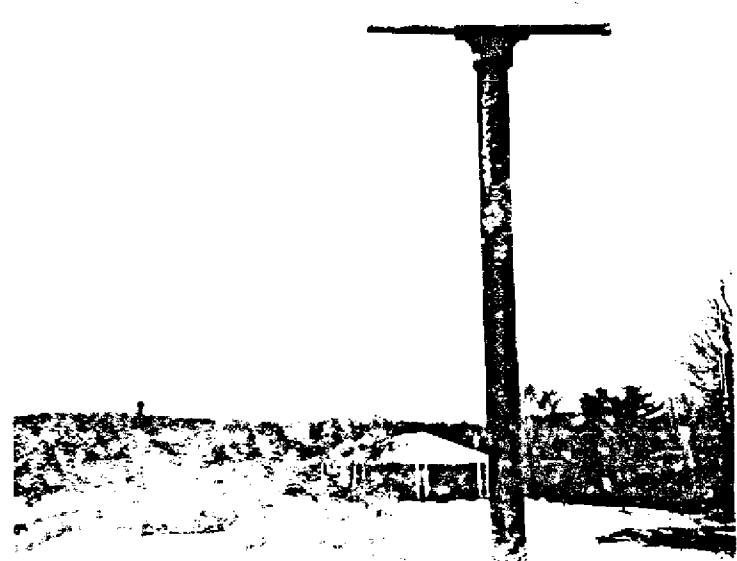
8th District  
Zoning: Petition for Variance for rear yard setback.  
Location: Northwest corner of York Road and Main Boulevard.  
DATE & TIME: Tuesday, April 22, 1980 at 9:45 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for variance to permit a rear yard setback in a D.R. 16 Zone of 66 feet in lieu of the required 75 feet from land zoned other than D.R. 16.  
The Zoning Regulation to be accepted as follows:  
Section 1802.20 - In a D.R. 16 zone, no building shall be constructed within 75 feet of land which is in any zone classified as D.R. 1, D.R. 2, D.R. 3A, D.R. 5.5 or D.R. 10.5 and which is not within the same development tract.  
All that parcel of land in the Eighth District of Baltimore County, beginning for the same on the westernmost side of York Road (60 feet wide) as shown on State Highway Administration Plat No. 42197 and 42198 at a point distant 45 feet measured northerly from the center of Main Boulevard (60 feet wide), thence binding on the westernmost side of said York Road north 18 degrees 27 minutes 51 seconds west 105.23 feet to the division line between lots 6 & 7, Block G as shown on the Plat of Timonium Heights, thence binding on said division line south 71 degrees 32 minutes 09 seconds west 117.56 feet to the center line of a 12 foot alley as shown on said Plat, thence binding on the center of said alley south 53 degrees 07 minutes 51 seconds east 130.24 feet to the northernmost side of said Main Boulevard north 71 degrees 33 minutes 09 seconds east 30.26 feet and easterly by a line curving to the north with a radius of 25 feet for a distance of 39.37 feet to the place of beginning.  
Containing 0.340 acres of land, more or less.  
Being the property of El-Jen, Inc., as shown in plat plan filed with the Zoning Department.  
Hearing Date: TUESDAY, APRIL 22, 1980 AT 9:45 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
BY ORDER OF: WILLIAM E. HAMMOND, Zoning Commissioner of Baltimore County

The Essex Times

Essex, Md., April 3, 1980

This is to Certify, That the annexed

was inserted in The Essex Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 3rd day of April, 1980.  
S. D. W. Publisher.





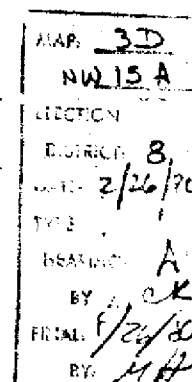
173  
PETITION FOR ZONING VARIANCE  
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, EL-JEN, INC., legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and is a part hereof, hereby petition for a Variance from Section 1302.20 to permit a rear yard setback in a 15 Zone of 66 feet in lieu of the required 75 feet, from land zoned other than D. R. 16.

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

1. Shape and depth of property;
2. Granted special exception variances under former interpretation;
3. The Honorable Edward de Waters' opinion;
4. For further reasons to be developed at the time of the hearing.



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.

EL-JEN, INC.  
Contract purchaser  
Address: 1100 N. E. 10th St., Baltimore, Md. 21204  
Petitioner's Attorney  
Address: Suite 205 Alex. Brown Building, 102 West Pennsylvania Avenue, Towson, Maryland 21204  
Protestant's Attorney  
Address: 1100 N. E. 10th St., Baltimore, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of February, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of April, 1980 at 2:05 o'clock A.M.

William E. Hammond  
Zoning Commissioner of Baltimore County.  
(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
NW/C York Rd. & Main Blvd., : OF BALTIMORE COUNTY  
8th District  
EL-JEN, INC., Petitioner : Case No. 80-211-A

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 for Baltimore County  
Court House, Rm. 223  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 31st day of March, 1980, a copy of the foregoing Order was mailed to S. Eric DiNenna, Esquire, Suite 205, Alex. Brown Building, 102 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner.

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

S. Eric DiNenna, Esquire  
Suite 205, Alex. Brown Building  
102 West Pennsylvania Avenue  
Towson, Maryland 21204

cc: David W. Dallas, Jr. & Sons, Ltd.  
7006 Harford Road  
Baltimore, Maryland 21234

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

Your Petition has been received and accepted for filing this 27th day of February, 1980.

William E. Hammond  
William E. Hammond  
Zoning Commissioner

Petitioner El-Jen, Inc.

Petitioner's Attorney S. Eric DiNenna

Reviewed by: Nicholas B. Commodari  
Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000  
Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

April 9, 1980

S. Eric DiNenna, Esquire  
Suite 205, Alex. Brown Building  
102 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No. 173  
Petitioner - El-Jen, Inc.  
Variance Petition

Dear Mr. DiNenna:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This currently vacant property, located on the northwest corner of York Road and Main Blvd., in the 8th Election District, has been the subject of previous zoning requests, the most recent being Case No. 79-263-A, in which Variances were granted to construct a proposed office building on the property.

The subject petition originates from a recent court decision, stating that all buildings constructed in D. R. 16 Zones, must be situated at least 75 feet from any other D. R. zoned land. In view of the fact that the proposed building will be constructed within 66 feet of the zoning line, between D. R. 16 and D. R. 3.5, which exists to the west of this site, this Variance is required.

Enclosed are all comments submitted to this office from the Committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

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

NBC/cf

Enclosures

cc: David W. Dallas, Jr. & Sons, Ltd.  
7006 Harford Road  
Baltimore, Maryland 21234



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

March 28, 1980

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #173 (1979-1980)  
Property Owner: El-Jen, Inc.  
N/W cor. York Rd. & Main Blvd.  
Existing Zoning: DR 16  
Proposed Zoning: Variance to permit a setback of 66' to a DR 16 - DR 3.5 zone line in lieu of the required 75'.  
Acres: 0.340 District: 8th

Dear Mr. Hammond:

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:

Comments were supplied for this property for Project IDCA 78-30X and in connection with the Zoning Advisory Committee review of this property for Item 131 (1973-1974), 74-246-XA; Item 236 (1977-1978), 79-19-XA; and Item 236 (1978-1979), 79-263-A. Those comments are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 173 (1979-1980).

Very truly yours,

Ellsworth N. Dwyer, P.E.  
ELLSWORTH N. DWYER, P.E.  
Chief, Bureau of Engineering

END:RAM:FW:ISS

S-NE Key Sheet  
57 NW 4 Topo. Sheet  
NW 15 A Topo.  
51 Tax Map

Attachments

July 14, 1978

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

Re: Item #236 (1977-1978)  
Property Owner: Mary A. Mix & John W. Billet  
N/W cor. York Rd. & Main Blvd.  
Existing Zoning: DR 16  
Proposed Zoning: Special Exception for offices (15-A 70-20X) and Variance to permit a front setback of 10' in lieu of the required 30' and a side setback of 5' in lieu of the required 25'.  
Acres: 0.340 District: 8th

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:

Comments were supplied for this property for Project IDCA 78-30X and in connection with the Zoning Advisory Committee review of this site for Item #131 (1973-1974). Those comments are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #236 (1977-1978).

Very truly yours,

Ellsworth N. Dwyer, P.E.  
ELLSWORTH N. DWYER, P.E.  
Chief, Bureau of Engineering

END:RAM:FW:ISS

S-NE Key Sheet  
57 NW 4 Topo. Sheet  
NW 15 A Topo.  
51 Tax Map

Attachment

July 6, 1979

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #236 (1978-1979)  
Property Owner: El-Jen, Inc.  
N/W cor. York Rd. & Main Blvd.  
Existing Zoning: DR 16  
Proposed Zoning: Variance to permit a front setback of 7.91' in lieu of the required 15' for the proposed office building on lots 1, 2 and 3 and a front setback of 10' in lieu of the required 30' and a side setback of 5' in lieu of the required 25' for the proposed building on lots 4, 5 and 6. (See 79-19XA; Item #236, 1977-1978)  
Acres: 0.340 District: 8th

Dear Mr. Hammond:

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:

Comments were supplied for this property for Project IDCA 78-30X and in connection with the Zoning Advisory Committee review of this property for Item 131 (1973-1974), 74-246-XA, and Item 236 (1977-1978), 79-19-XA. Those comments are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 236 (1978-1979).

Very truly yours,

Ellsworth N. Dwyer, P.E.  
ELLSWORTH N. DWYER, P.E.  
Chief, Bureau of Engineering

END:RAM:FW:ISS

S-NE Key Sheet  
57 NW 4 Topo. Sheet  
NW 15 A Topo.  
51 Tax Map

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond  
Zoning Commissioner  
TO: John D. Seyffert, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Petition No. 80-211-A Item 173

Date: March 31, 1980

Petition for Variance for rear yard setback  
Northwest corner of York Road and Main Boulevard  
Petitioner: El-Jen, Inc.

## Eighth District

HEARING: Tuesday, April 22, 1980 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert, Director  
Office of Planning and Zoning

JDS:JGH:ab

## David W. Dallas, Jr. and Sons Ltd.

Registered Professional Engineers & Land Surveyors  
7006 HARBOR ROAD - BALTIMORE, MARYLAND 21234  
PHONE: (301) 254-4555

David W. Dallas, Jr., P.E., R.L.S.

Michael B. Dallas, P.L.S.

## ZONING DESCRIPTION

2400 YORK ROAD

REAR YARD VARIANCE

BEGINNING for the same on the westernmost side of York Road (80 feet wide) as shown on State Highway Administration Plats No. 42197 and 42198 at a point distant 45 feet measured northerly from the center of Main Boulevard (40 feet wide), thence binding on the westernmost side of said York Road north 18 degrees 27 minutes 51 seconds west 105.23 feet to the division line between Lots No. 6 and 7, block 3 as shown on the Plat of Timonium Heights, thence binding on said division line south 71 degrees 32 minutes 09 seconds west 117.86 feet to the center line of a 12 foot alley as shown on said Plat, thence binding on the center of said alley south 18 degrees 27 minutes 51 seconds east 130.24 feet to the northernmost side of said Main Boulevard north 71 degrees 32 minutes 09 seconds east 92.86 feet and easterly by a line curving to the north with a radius of 25 feet for a distance of 39.37 feet to the place of beginning.

CONTAINING 0.340 acres of land more or less.

February 15, 1980



3/24/80

S. Eric DiNenna, Esquire  
Suite 205 Alex Brown Building  
102 W. Pennsylvania Avenue  
Towson, Maryland 21204

## NOTICE OF HEARING

RE: Petition for Variance - Northwest corner of York Road and Main Boulevard - El-Jen, Inc. - Case No. 80-211-A

TIME: 9:45 A.M.

DATE: Tuesday, April 22, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

WILLIAM E. HAMMOND  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

April 10, 1980

S. Eric DiNenna, Esquire  
Suite 205, Alex Brown Building  
102 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Petition for Variance  
NW/C York Rd & Main Blvd.  
El-Jen, Inc.  
Case No. 80-211-A

Dear Mr. DiNenna:

This is to advise you that \$61.28 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sandra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:sj

S. Eric DiNenna  
Attorney at Law  
Suite 205 Alex Brown Building  
102 W. Pennsylvania Avenue  
Towson, Maryland 21204  
494-3333

May 8, 1980

The Honorable William E. Hammond,  
Zoning Commissioner for Baltimore County  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Case No. 80-211A  
My File No. 80-14  
Petition for Variance - NW/corner  
of York Road and Main Boulevard;  
8th Election District

Dear Commissioner Hammond:

I am in receipt of and thank you for your correspondence of May 7, 1980 enclosing your Order of the same date granting the Petition for Variance of my client EL-JEN, INC.

The purpose of this letter is to request your office to approve the building permit for the construction of this building and to allow the continued processing of this permit pending the thirty day Appeal period. It is understood and agreed by my client that the permit will not be issued until the expiration of the thirty day Appeal period, assuming no Appeal is taken.

If there are any questions or problems regarding this matter, please do not hesitate to contact me; otherwise, I thank you in advance for your kind attention in this regard.

Very truly yours,

S. ERIC DINENNA

SED:cm

cc: EL-JEN, INC.

90-327  
day planning  
MBC  
4/24/80

S. Eric DiNenna  
Attorney at Law  
Suite 205 Alex Brown Building  
102 W. Pennsylvania Avenue  
Towson, Maryland 21204  
494-3333

February 22, 1980

The Honorable William E. Hammond  
Zoning Commissioner for Baltimore County  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: EL-JEN, INCORPORATED  
Zoning Petition - 2400 York Rd.  
My File No. 80-14

Dear Mr. Commissioner:

This is to advise you that I filed a Petition for a variance for a rear yard set-back in the D.R. 16 Zone with your office on Wednesday, February 20, 1980.

As you might be aware, the property was subject to two Petitions concerning a request for special exception and other variances. You proceeded recently with the application for permit. My client was advised by your office that, pursuant to Judge Edward A. DeWaters' opinion prior to your office's approval of the permit, a variance would have to be obtained for the rear yard.

The purpose of this letter is to respectfully request that your office schedule a hearing for the matter as soon as possible.

The Zoning Advisory Committee reviewed this property within the last six months and their review of the Plat submitted with the Petition will show no substantial changes from the previous Petitions.

El-Jen, Incorporated, Petitioner, is ready to proceed and has made construction and financial commitments relative thereto.

If there are any questions or problems with reference to this matter, please do not hesitate to contact me.

Thank you in advance for your consideration and attention.

Very truly yours,

S. ERIC DINENNA

SED:cm

cc: Mr. Nicholas Commodari, Zoning Office  
cc: Mr. Paul DiPino, El-Jen, Incorporated

## BALTIMORE COUNTY OFFICE OF PLANNING &amp; ZONING

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

Your Petition has been received this 7 day of February, 1980

Filing Fee \$ 25 Received: Check

Cash

Other

Petitioner: Submitted by: William E. Hammond, Zoning Commissioner

Petitioner's Attorney: S. Eric DiNenna Reviewed by: J. D. Jones

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

## PETITION MAPPING PROGRESS SHEET

| FUNCTION                                        | Wall Map |    | Original       |    | Duplicate                        |    | Tracing |    | 200 Sheet |    |
|-------------------------------------------------|----------|----|----------------|----|----------------------------------|----|---------|----|-----------|----|
|                                                 | date     | by | date           | by | date                             | by | date    | by | date      | by |
| Descriptions checked and outline plotted on map |          |    |                |    |                                  |    |         |    |           |    |
| Petition number added to outline                |          |    |                |    |                                  |    |         |    |           |    |
| Denied                                          |          |    |                |    |                                  |    |         |    |           |    |
| Granted by<br>ZC, BA, CC, CA                    |          |    |                |    |                                  |    |         |    |           |    |
| Reviewed by: MBL                                |          |    | Revised Plans: |    | Change in outline or description |    | Yes     |    | No        |    |
| Previous case: 72-19-KA<br>79-263-A             |          |    | Map #          |    |                                  |    |         |    |           |    |

ORDER RECEIVED FOR FILING  
DATE May 7, 1980  
BY ADMINISTRATIVE SERVICES

Pursuant to the advertisement, posting of property, and public hearing on the 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(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of MAY, 1980, that the herein Petition for Variance to permit a rear yard setback of sixty-six feet from land zoned other than D.R.16 in lieu of the required seventy-five feet should be and the same is GRANTED, from and after the date of this Order, subject, however, to compliance with the terms, conditions, and provisions of the Order dated July 16, 1979 (Case No. 79-263-A), together with those contained in the Order dated August 22, 1978 (Case No. 79-19-XA).

*William E. Hammond*  
Zoning Commissioner of  
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of MAY, 1980, that the herein Petition for the Variance(s) to permit

-----  
Zoning Commissioner of Baltimore County



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3211

JOHN D. SEAR, III  
DIRECTOR

March 28, 1980

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #173, Zoning Advisory Committee Meeting, March 4, 1980, are as follows:

Property Owner: El-Jen, Inc.  
Location: NW/C York Road and Main Blvd.  
Existing Zoning: D.R.16  
Proposed Zoning: Variance to permit a setback of 66' to a D.R.16 - D.R.3.5 zone line in lieu of the required 75'.  
Acres: 0.340  
District: 8th

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.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,  
*John L. Wimbley*  
John L. Wimbley  
Planner III  
Current Planning and Development



baltimore county  
department of traffic engineering  
TOWSON, MARYLAND 21204  
(301) 494-3550

STEPHEN E. COLLINS  
DIRECTOR

May 6, 1980

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 173 - ZAC - March 4, 1980  
Property Owner: El-Jen, Inc.  
Location: NW/C York Road & Main Boulevard  
Existing Zoning: D. R. 16  
Proposed Zoning: Variance to permit a setback of 66' to a D. R. 16 - D. R. 3.5 zone line in lieu of the required 75'.

Acres: 0.340  
District: 8th

Dear Mr. Hammond:

The requested variance to the setback from a D. R. 3.5 zone is not expected to cause any traffic problems.

This site is located in a capacity deficient zone.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Engineer Associate II

MSF/bza



Maryland Department of Transportation  
State Highway Administration

James J. O'Donnell  
Secretary  
M. S. Caltrider  
Administrator

March 5, 1980

Mr. William Hammond  
Zoning Commissioner  
County Office Bldg.  
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, 3-4-80  
ITEM: 173  
Property Owner: El-Jen, Inc.  
Location: NW/C York Road  
(Route 45) & Main Blvd.  
Existing Zoning: D.R. 16  
Proposed Zoning: Variance  
to permit a setback of 66'  
to a D.R. 16 - D.R. 3.5  
zone line in lieu of the  
required 75'.  
Acres: 0.340  
District: 8th

Dear Mr. Hammond:

An inspection of the site revealed there would be no adverse effects to York Road by the proposed office building.

The site plan clearly shows that there will be no access to York Road.

Very truly yours,

Charles Lee, Chief  
Bureau of Engineering  
Access Permits

*George Wittman*  
By: George Wittman

CL:GW:vrd

My telephone number is (301) 383-4320

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203



BALTIMORE COUNTY  
DEPARTMENT OF HEALTH  
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

March 26, 1980

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #173, Zoning Advisory Committee meeting of March 4, 1980, are as follows:

Property Owner: El-Jen, Inc.  
Location: NW/C York Road and Main Blvd.  
Existing Zoning: D.R. 16  
Proposed Zoning: Variance to permit a setback of 66' to a D.R. 16 - D.R. 3.5 zone line in lieu of the required 75'.  
Acres: 0.340  
District: 8

Metropolitan water and sewer are available.

Prior to new installation/s of fuel burning equipment the owner should contact the division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

Very truly yours,

*Ian J. Forrest*  
Ian J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

IJF/EW



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204  
825-7310

PAUL H. REINCKE  
CHIEF

March 20, 1980

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

Re: Property Owner: El-Jen, Inc.

Location: NW/C York Rd. & Main Blvd.

Item No: 173 Zoning Agenda: Meeting of 3/4/80

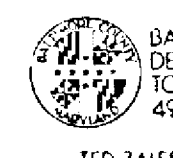
Gentlemen:

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

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER *C. J. Kelly* 3/24/80  
Planning Group  
Special Inspection Division

Noted and Approved: *George M. Wagoner*  
Fire Prevention Bureau



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3010

TED ZALESKI, JR.  
DIRECTOR

April 1, 1980

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #173 Zoning Advisory Committee Meeting, March 4, 1980 are as follows:

Property Owner: El-Jen, Inc.  
Location: NW/C York Road and Main Blvd.  
Existing Zoning: D.R. 16  
Proposed Zoning: Variance to permit a setback of 66' to a D.R. 16-D.R. 3.5 zone line in lieu of the required 75'.

Acres: 0.340  
District: 8th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- X B. A building/\_\_\_\_\_ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s \_\_\_\_\_.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.
- X I. Comments - Fire rating at north wall shall comply with Code requirements of Table 211.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

*Charles E. Burnham*  
Charles E. Burnham, Chief  
Plans Review

CEB:TTJ

PETITION FOR VARIANCE  
8th District

ZONING: Petition for Variance for rear yard setback  
LOCATION: Northwest corner of York Road and Main Boulevard  
DATE & TIME: Tuesday, April 22, 1980 at 9:15 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Variance to permit a rear yard setback in a D.R.16 Zone of 66 feet in lieu of the required 75 feet, from land zoned other than D.R. 16.

The Zoning Regulation to be excepted as follows:

Section 1802.2C - In a D.R. 16 zone, no building shall be constructed within 75 feet of land which is in any zone classified as D.R.1, D.R. 2, D.R. 3.5, D.R. 5.5 or D.R. 10.5 and which is not within the same development tract

All that parcel of land in the Eighth District of Baltimore County

Being the property of El-Jen, Inc., as shown in plat plan filed with the Zoning Department

Hearing Date: Tuesday, April 22, 1980 at 9:15 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8th Date of Posting: APRIL 4, 1980  
Posted for: PETITION FOR VARIANCE  
Petitioner: EL-JEN, INC.  
Location of property: NW/4 OF YORK ROAD AND MAIN BOULEVARD  
Location of Signs: NW/4 OF YORK RD & MAIN BLVD.  
Remarks: Thomas E. Boland  
Posted by: Signature Date of return: APRIL 11, 1980

1-SIGN

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 86349  
DATE: March 24, 1980 ACCOUNT: 01-662  
AMOUNT: \$25.00  
RECEIVED FROM: EL-JEN, INC.  
FOR: Filing Fee for Case No. 80-211-A  
2500 48 MAR 25 2500.00  
VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE

8th District  
Zoning: Petition for Variance for rear yard setback.  
Location: Northwest corner of York road and Main boulevard.  
Date & Time: Tuesday, April 22, 1980 at 9:45 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.  
Petition for Variance to permit a rear yard setback in a D.R. 16 Zone of 66 feet in lieu of the required 75 feet, from land zoned other than D.R. 16.  
The Zoning Regulation to be accepted as follows:  
Section 1802.20 - In a D.R. 16 zone, no building shall be constructed within 75 feet of land which is in any zone classified as D.R. 1, D.R. 2, D.R. 3A, D.R. 5.5 or D.R. 10.5 and which is not within the same development tract.  
All that parcel of land in the Eighth District of Baltimore County

BEGINNING for the same on the westernmost side of York road (60 feet wide) as shown on State Highway Administration Plate No. 42197 and 42198 at a point distant 45 feet measured northerly from the center of Main boulevard (60 feet wide), thence binding on the westernmost side of said York road north 18 degrees 27 minutes 51 seconds west 105.23 feet to the division line between lots 6 & 7, Block G as shown on the Plat of Timonium Heights, thence binding on said division line south 71 degrees 32 minutes 09 seconds west 117.56 feet to the center line of a 12 foot alley as shown on said Plat, thence binding on the center of said alley south 18 degrees 27 minutes 51 seconds west 130.24 feet to the northernmost side of said Main boulevard north 71 degrees 32 minutes 09 seconds east 30.86 feet and easterly by a line curving to the north with a radius of 25 feet for a distance of 39.37 feet to the place of beginning.  
Containing 0.340 acres of land, more or less.  
Being the property of El-Jen, Inc., as shown in plat plan filed with the Zoning Department.  
Hearing Date: TUESDAY, APRIL 22, 1980 AT 9:45 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
BY ORDER OF: WILLIAM E. HAMMOND, Zoning Commissioner of Baltimore County

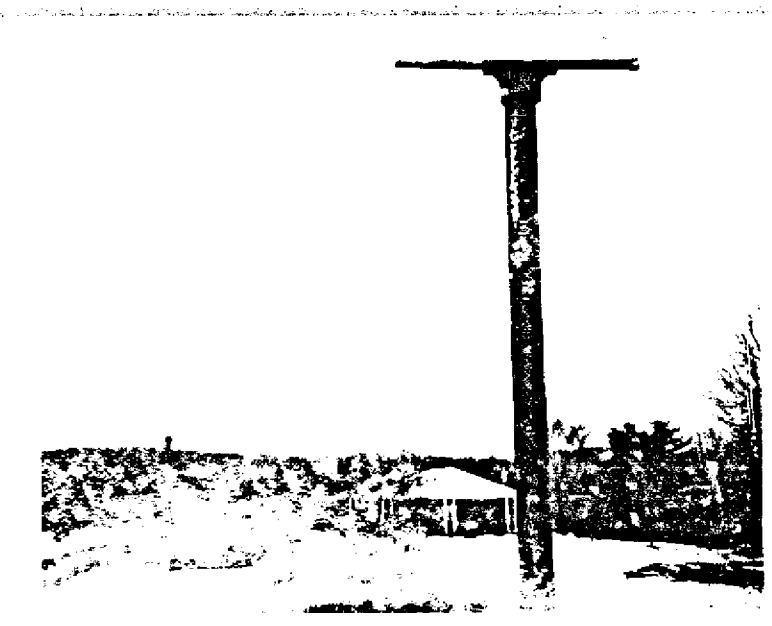


The Essex Times

Essex, Md., April 3, 1980

This is to Certify, That the annexed

was inserted in The Essex Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 3rd day of April, 1980  
John D. W. [Signature] Publisher.



DUPLICATE  
CERTIFICATE OF PUBLICATION

TOWSON, MD., April 3, 1980  
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 time before the 22nd day of April, 1980, the first publication appearing on the 3rd day of April, 1980.  
THE JEFFERSONIAN  
L. Frank [Signature] Manager.  
Cost of Advertisement, \$ 3.00

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 86408  
DATE: April 23, 1980 ACCOUNT: 01-662  
AMOUNT: \$61.88  
RECEIVED FROM: EL-JEN, INC.  
FOR: Advertising and Posting for Case No. 80-211-A  
3174 MAR 23 61.88  
VALIDATION OR SIGNATURE OF CASHIER

