

83-176-SPHA
#98
PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to site plan filed in Case # 79-263-A to change restriction number 1 from 4 foot compact evergreen planting to read 6 foot compact evergreen planting along Main Blvd. along the west side of the property

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

I, or we, agree to pay expenses of the 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.

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

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

Legal Owner(s):
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

2400 York Road, 2506576
Pisconium, Md. 21093
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

DATE August 18, 1983
BY [Signature]
ORDER RECEIVED FOR FILING

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of November, 1982, 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 10th day of February, 1983, at 10:00 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

83-176-SPHA
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2.C. (1) to eliminate screening of parking area along Main Blvd.

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

hardship and not a practical use

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.

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

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

Legal Owner(s):
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

2400 York Rd., 2506576
Pisconium, Md. 21093
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

DATE August 18, 1983
BY [Signature]
ORDER RECEIVED FOR FILING

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of November, 1982, 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 10th day of February, 1983, at 10:00 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

RE: PETITION FOR SPECIAL HEARING: BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
NW corner of York Rd. and
Main Blvd., 8th District
OF BALTIMORE COUNTY
EL-JEN INCORPORATED,
Petitioner
Case No. 83-176-SPHA

ORDER TO ENTER APPEARANCE

Mr. Commissioners:
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.

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

HEREBY CERTIFY that on this 21st day of January, 1983, a copy of the foregoing Order was mailed to Paul J. DiPino, President, El-Jen, Incorporated, 2400 York Road, Baltimore, MD 21093, Petitioner.

[Signature]
John W. Hession, III

RE: ALLEGED ZONING VIOLATION : BEFORE THE
2400 York Road : ZONING COMMISSIONER
8th Election District :
Paul DiPino : OF
13414 Bladon Road :
Phoenix, Maryland 21131 : BALTIMORE COUNTY
Defendant : 83-77-V, C-83-A

A complaint has been filed with the Zoning Office concerning an alleged violation of the Baltimore County Zoning Regulations on property at the above location. A hearing was held to determine whether a violation exists.

The following, Baltimore County Zoning Regulations are involved:

Section 102.1 - "No land shall be used or occupied and no building or structure shall be erected, altered, located, or used except in conformity with these regulations and this shall include any extension of a lawful nonconforming use."

Section 180.1A. - "Uses Permitted as of Right in D.R. Zones."

Section 409.2.C.(1) - "Screening - Offstreet parking facilities for more than five vehicles shall be screened by a wall, fence, or compact planting when adjoining or facing the side or rear lot line of residential or institutional premises or when they are across the street from such premises. Screening shall be at least 4 feet high. Planting shall not encroach on adjoining property. Screening shall not be so placed or maintained as to provide a traffic hazard through obstruction of visibility."

Section 500.9 - "The Zoning Commissioner shall have the power to require the production of plats of developments or subdivisions of land, or of any land in connection with which application for building or use permits or petitions for a Special Exception, a reclassification, or a temporary use shall be made, such plats to show the location of streets or roads and of buildings or other structures proposed to be erected, repaired, altered, or added to. All such plats shall be drawn to scale and shall clearly indicate the proposed location, size front, side and rear setbacks from property lines and elevation plans of proposed buildings or other structures. Such details shall conform in all respects with Zoning Regulations. No such plats or plans, showing the opening or laying out of roads or streets, shall be approved by the Zoning Commissioner unless such plats or plans shall have been previously approved by the Office of Planning and the Department of Public Works of Baltimore County."

DATE June 17, 1983
BY [Signature]
ORDER RECEIVED FOR FILING

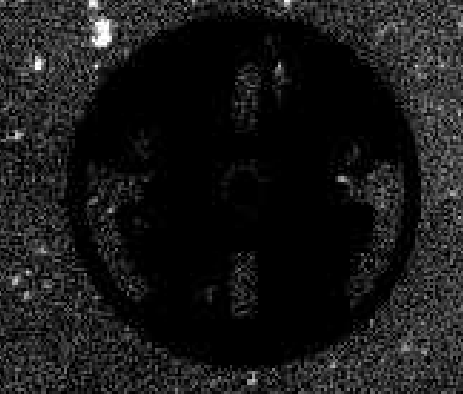
Testimony at the hearing indicated that the Defendant is guilty of violating the above referenced Baltimore County Zoning Regulations in that the type of screening shown on the approved site plan has not been installed as required.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day June, 1983, that if the Petitions for Special Hearing and Variance (Case No. 83-176-SPHA) are granted, then this matter is hereby DISMISSED. HOWEVER, if one or both of the Petitions are denied, then full compliance with the approved site plan must be attained within 60 days from the date the Petition(s) is/are denied.

Any appeal from this decision must be in accordance with Section 500.10 of the Baltimore County Zoning Regulations within 30 days.

[Signature]
Zoning Commissioner
of
Baltimore County

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 83-176-SPHA
El-Jen Incorporated
Date: January 18, 1983

This Office is opposed to the granting of the subject petition. The compact evergreen planting is far more compatible with the adjacent dwellings than a fence.

[Signature]
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:lc
cc: Arlene January
Shirley Hess

Mr. Paul J. DiPino, President
El-Jen Incorporated
2400 York Road
Baltimore, MD. 21093
David V. Hession, Jr. & Son
13414 Bladon Road
Phoenix, Md. 21131

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 17th day of June, 1983.

[Signature]
William E. Hammond
Zoning Commissioner

Petitioner: El-Jen, Incorporated
Petitioner's Attorney: [Signature]
Reviewed by: [Signature]
Norman E. Gerber
Chairman, Zoning Plans
Advisory Committee

DATE June 17, 1983
BY [Signature]
ORDER RECEIVED FOR FILING

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 to amend the site plan filed in Case No. 79-263-A to change Restriction 1 to allow a 6 foot slatted fence along the west side of the property in lieu of 4 foot compact evergreen planting and to remove the 4 foot compact evergreen planting along Main Boulevard would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations and would not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 18th day of August, 1983, that to approve the amendments to the site plan filed in Case No. 79-263-A to change Restriction 1 to allow a 6 foot slatted fence along the west side of the property in lieu of 4 foot compact evergreen planting and to remove the 4 foot compact evergreen planting along Main Boulevard, in accordance with the site plan prepared by David W. Dallas, Jr. & Sons, revised October 20, 1982, and marked Petitioner's Exhibit 2, is approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The 6 foot slatted fence along the west side of the property shall be covered with evergreen vines within 3 years from the date of this Order.
2. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

John M. Dallas, Jr.
Deputy Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested would not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of August, 1983, that the herein Petition for Variance(s) to eliminate screening of the parking area along Main Boulevard, in accordance with Petitioner's Exhibit 2, is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Landscaping for the area between the parking spaces and Main Boulevard shall be approved by Current Planning and Development Division.
2. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

John M. Dallas, Jr.
Deputy Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 2, 1983

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

ofo
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Trade Commission
Bureau of Fire Prevention
Health Department
Traffic Planning
Building Department
Board of Education
County Administration
Industrial Development

Mr. Paul J. DiPino, President
El-Jen Incorporated
2400 York Road
Timonium, Maryland 21093

RE: Item No. 98 - Case No. 83-176-SPHA
Petitioner - El-Jen, Incorporated
Variance & Special Hearing Petitions

Dear Mr. DiPino:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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.

In view of your proposal to change the screening requirements along the west property line as indicated in Case No. 79-263-A and to eliminate any type of screening along Main Boulevard, this combination hearing is required.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

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

NBC:bsc
Enclosures

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



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, Jr.
DIRECTOR

January 6, 1983

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

Re: Item #98 (1982-1983)
Property Owner: El-Jen, Incorporated
W/S York Rd. 45' N. from centerline of
Main Blvd.
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 in connection with the Zoning Advisory Committee review of this property for Item 173 (1979-1980).

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 98 (1982-1983).

Very truly yours,

Robert A. Morton, P.E.
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EPH:PHR:es

cc: Jack Wimbley

S-NE Key Sheet
57 NW 4 Pos. Sheet
NE 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.
1/4 W. 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 20' and a side setback of 5' in lieu of the required 24' for the proposed building on lots 4, 5 and 6. (See 79-120A; 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), 74-245-2A, and Item 236 (1977-1978), 79-19-2A. These 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,

(SIGNED) EDWARD A. McDONOUGH

EDWARD A. McDONOUGH
Chief, Bureau of Engineering

EDM:EPH:es

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

July 11, 1979

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

Re: Item #236 (1978-1979)
Property Owner: Mary A. Mix & John A. Dallas
1/4 W. York Rd. & Main Blvd.
Existing Zoning: DR 16
Proposed Zoning: Special Exception for offices (IDCA 78-30X) and Variance to permit a front setback of 10' in lieu of the required 20' and a side setback of 5' in lieu of the required 24'.
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). These 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,

(SIGNED) EDWARD A. McDONOUGH
EDWARD A. McDONOUGH, P.E.
Chief, Bureau of Engineering

EDM:EPH:es

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

Attachment

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.
1/4 W. 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), 74-245-2A, Item 236 (1977-1978), 79-19-2A, and Item 236 (1978-1979), 79-343-2A. These 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).

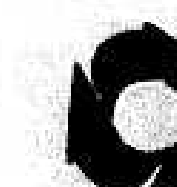
Very truly yours,

(SIGNED) EDWARD A. McDONOUGH
EDWARD A. McDONOUGH, P.E.
Chief, Bureau of Engineering

EDM:EPH:es

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

Attachment



Maryland Department of Transportation
State Highway Administration

Larry E. Stahler
Secretary
B. S. Ostler
Assistant

December 1, 1982

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

Attention: Mr. N. Commodari

Re: SAC Meeting of 11-30-82
ITEM: #98
Property Owner: El-Jen, Inc.
Location: W/S York Rd. (Route 45), 45' N. from centerline of Main Blvd.
Existing Zoning: R-O
Proposed Zoning: Special Hearing to amend the site plan in Case 879-263-A to change restriction number 1 from 4' compact evergreen planting to 6' slatted fence and remove 4' compact evergreen planting along Main Blvd. Variance to eliminate screening of parking area along Main Blvd.
Acres: 0.340 District: 8th

Dear Mr. Hammond:

With all access to the site by way of Main Blvd. and no intrusion into the S.N.A. right of way, the State Highway Administration has no comment.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CLG:VRD

cc: Mr. J. Wimbley

My telephone number is (301) 659-1350.
Telephone for Impaired Hearing or Speech
200-7800 Baltimore Metro - 200-6401 D.C. Metro - 1-800-422-6222 Statewide Toll Free
P.O. Box 717 707 North Calvert St., Baltimore, Maryland 21203 - 0717

January 18, 1983

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

Dear Mr. Hammond:

Comments on Item # 98, Zoning Advisory Committee Meeting, November 30, 1982,
are as follows:

Property Owner: El-Jen, Incorporated
Location: W/S York Road 45' N. from centerline of Main Blvd.
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 petition meets the requirements of the Division of Current Planning and Development.

Sincerely yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning & Development

JLW:rh

January 5, 1983

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

ZAC Meeting of November 30, 1982
Item Nos. 97, 98, 99, 100, 101, 102, 103, 104, 105, and 106.

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 97, 98, 99, 100, 101, 102, 103, 104, 105, and 106.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/ccm

2/10
83-176-SPHA
El-Jen Inc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
TO: Office of Planning and Zoning

Date: December 2, 1982

FROM: Mr. J. Forrest

SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item # 74 - John Service
- Item # 75 - Raymond & Alma Hinchliffe
- Item # 77 - David C. & Carol A. Hopkins
- Item # 78 - Henry Knott
- Item # 80 - Henry & Lela Cook
- Item # 81 - Kenneth Dainlein
- Item # 85 - Terry & Joyce Higginson
- Item # 86 - Michael F. & Mary J. Elder
- Item # 93 - McCormick Properties, Inc.
- Item # 97 - Neil E. & Christy A. Whaley
- Item # 98 - El-Jen, Incorporated
- Item # 99 - George B. P. Ward
- Item #100 - Kaye D. Matter
- Item #101 - Andrew & Courtney Suggs
- Item #103 - Clyde Woodard
- Item #104 - Joel Brown
- Item #105 - Stanley T. Panits, Inc.
- Item #106 - Wesco Realty

John J. Forrest
John J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/eth

PAUL H. RENCKE
CER

December 20, 1982

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

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: El-Jen, Incorporated

Location: W/S York Road 45' N. from centerline of Main Blvd.

Item No.: 98

Zoning Agenda Meeting of November 30, 1982

Continued:

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 of _____ 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 operation.
- (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.

REVIEWED BY: *George M. Hageman*
Planning Group
Special Inspection Division

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

JK/mh/cm

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

Dear Mr. Hammond:

Comments on Item #98 Zoning Advisory Committee Meeting
are as follows:

Property Owner: El-Jen, Incorporated
Location: W/S York Road 45' N. from centerline of Main Blvd.
District: 8th
Proposed Zoning: R-0
Special Hearing to amend the site plan in Case #79-263-A to change restriction number 1 from 4' compact evergreen planting to 6' planted fence and remove 4' compact evergreen planting along Main Blvd. Variance to eliminate screening of parking area along Main Blvd.
Address: 0.340
District: 8th
The items checked below are applicable:

- X All structures shall conform to the Baltimore County Building Code 1981/Small 1911 L-22 State of Maryland Code for the Building and other applicable codes.
- 2. A building and other miscellaneous permits shall be required before beginning construction.
- 6. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer and 14/16 not required.
- 3. Commercial: Three sets of construction drawings with a Maryland State Architect or Engineer shall be required to file a permit application.
- 2. An easement will extend within 6' of an adjacent lot line shall be of one hour fire resistance construction. No opening permitted within 7'-0" of lot line. A fireproof door must be provided in the lot line. See Table 101, Item 2, Section 107 and Table 102.
- 7. Proposed variance conflicts with the Baltimore County Building Code, Section 6.
- 4. A change of occupancy shall be applied for, along with an occupation permit application, and three required sets of drawings submitted for the change. Drawings may require a professional seal.
- 5. Before this office can accept on the above structure, please have the owner, then the owner of a registered in Maryland Architect or Engineer verify to this office that the structure for which a proposed change is one is proposed in compliance with the height/area requirements of Table 101 and the required construction classification of Table 102.
- X Comments: Previous comments are still applicable except item "A" reflects up dated codes.

NOTE: These comments reflect only on the information provided by the drawings 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 612 (Plan Room) at 111 West Chesapeake Ave., 21204

Very truly yours,
Charles E. Sankham
Charles E. Sankham, Chief
Plan Room

CHW:ej
JAN 01-83

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dube, Superintendent

Towson, Maryland - 21204

Date: November 29, 1982

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: November 30, 1982

RE: Item No: 97, 98, 99, 100, 101, 102, 103, 104, 105, 106
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Nick Petrovich
Mr. Nick Petrovich, Assistant
Department of Planning

MSF/bp

S. Eric DiNenna, P.A.
Attorney at Law

406 W. Pennsylvania Avenue
Towson, Maryland 21204

301-823-1630
301-294-6220

February 15, 1983

The Honorable Jean M. H. Jung
Deputy Zoning Commissioner for
Baltimore County
County Office Building
Towson, Maryland 21204

RE: El Jen, Inc., Petitioner
Case No.: 83-176-SPHA

Dear Deputy Commissioner Jung:

Please enter my appearance on behalf of the Petitioner in the above captioned matter.

Very truly yours,

S. Eric DiNenna
S. ERIC DINENNA

SED:wjt

HAND DELIVERED

ARNOLD JABLON
ZONING COMMISSIONER

August 18, 1983

S. Eric DiNenna, Esquire
406 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petitions for Special Hearing
and Variance
NW/corner of York Rd. and Main Blvd.
8th Election District
El-Jen Incorporated - Petitioner
NO. 83-176-SPHA (Item No. 98)

Dear Mr. DiNenna:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M. H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

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

9 February 1983

Honorable William E. Hammond
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland

Dear Mr. Hammond:

This is in reference to Zoning Petition No. 83-176-SPHA, El-Jen Corporation to which Mr. Norman E. Gerber, Director of Planning and Zoning is opposed to the granting thereof.

We as a "friend of the Court" and owner of the immediate westerly adjacent property are offering herein our comments concerning the aforementioned petition.

The green slatted chain-link fence as presently erected is functioning as well as a stand of evergreens. The fence does prevent trash and rubble from being blown or thrown onto and does restrain people and vehicles from trafficking over our property. The fence although a mere 6 feet does provide ground level privacy. Granted a 10 to 20 foot high stand of closely planted well maintained and groomed evergreen barrier would be more scenic compatible with the neighborhood dwellings. Such a barrier would reduce the noise level and the flood light glare from shining into neighboring bedroom windows. However, the noise is generally restricted to 8 AM to 6 PM, Monday thru Fridays, and the lights are generally off by 11 PM. Such a scenic barrier would not contain the surface litter nor the people and vehicle transgression.

We doubt that Mr. Gerber nor the office which he represents will guarantee the maintenance of a scenic barrier by assuring that it will be well groomed and dead or dying trees are promptly replaced and that ground litter and transgression will be controlled.

Notwithstanding the niceties an evergreen planting will provide (under ideal conditions), we opine that the fence provides the greatest ground level privacy, litter containment and restraint of encroachment. Therefore, we opt for the fence rather than a hedge.

Sincerely,

William F. Dehuf

PETITIONER'S
EXHIBIT 1

David W. Dallas, Jr. and Sons
Registered Professional Engineers & Land Surveyors
7008 HANFORD ROAD - BALTIMORE, MARYLAND 21234

Phone: (301) 254-4355

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

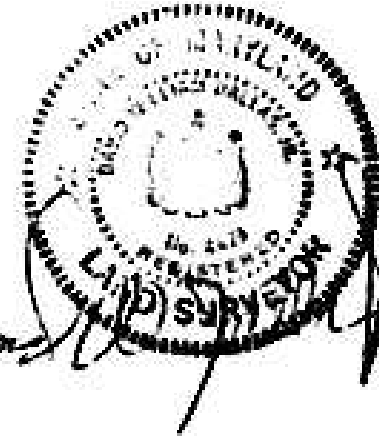
Michael B. Dallas, P.L.S.

ZONING DESCRIPTION

2400 YORK ROAD

BEGINNING for the same on the westernmost side of York Road (80 feet wide) as shown on State Highway Administration Plate No. 42197 and 42198 at a point distant 65 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 No. 6 and 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 117.86 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.



PETITION FOR SPECIAL HEARING AND VARIANCE

8th Election District

ZONING: Petition for Special Hearing and Variance

LOCATION: Northwest corner of York Road and Main Boulevard

DATE & TIME: Thursday, February 10, 1983 at 10:00 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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to site plan filed in Case No. 79-263-A to change Restriction No. 1 from 4 ft. compact evergreen planting to read 6 ft. slatted fence along the west side of the property and remove 4 ft. compact evergreen planting along Main Boulevard and Variance to eliminate screening of parking area along Main Boulevard

The Zoning Regulation to be excepted as follows:

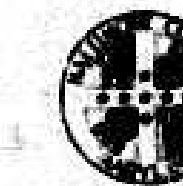
Section 409.2.C (1) - screening required for off street parking across from residential premises

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

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

Hearing Date: Thursday, February 10, 1983 at 10:00 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



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

January 27, 1983

El-Jen Incorporated
c/o Paul J. DiPina, President
2400 York Road
Timonium, Maryland 21093

Re: Petition for Special Hearing and Variance
NW/corner York Rd. and Main Blvd.
El-Jen Incorporated - Petitioner
Case No. 83-176-SPHA

Dear Sir:

This is to advise you that \$75.85 is due for advertising and posting of the above property.

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

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

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

DATE 2/9/83 ACCOUNT R-01-512-000

AMOUNT \$75.85

RECEIVED FROM El-Jen Incorporated

FOR Advertising and Posting Case 83-176-SPHA

8 01300000785510 80584

VALIDATION ON SIGNATURE OF CASHIER

January 12, 1983

El-Jen Incorporated
c/o Paul J. DiPina
2400 York Road
Timonium, Maryland 21093

NOTICE OF HEARING
Re: Petition for Special Hearing and Variance
NW/corner York Rd. and Main Blvd.
El-Jen Incorporated - Petitioner
Case No. 83-176-SPHA

TIME: 10:00 A.M.

DATE: Thursday, February 10, 1983

PLACE: Room 106, County Office Building, 111 West

Chesapeake Avenue, Towson, Maryland

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 20, 1983.

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., one time before the 10th day of February, 1983, the first publication appearing on the 20th day of January, 1983.

THE JEFFERSONIAN

L. L. Smith
Manager

Cost of Advertisement, \$

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1/19 1983

THIS IS TO CERTIFY that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 successive weeks, the first publication appearing on the 19th day of January 1983.

THE TOWSON TIMES

Immaculate Angello

Cost of Advertisement, \$37.35

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

83-176-SPHA

District 8th Date of Posting 1-20-83

Posted for: Special Hearing and Variance

Petitioner: El-Jen Incorporated

Location of property: NW/Corner of York Road and Main Blvd.

Location of Sign: NW/Corner of York Road and Main Boulevard

Remarks: A. J. DiPina

Posted by: A. J. DiPina Date of return: 1-24-83

Number of Signs: 2

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

DATE 1/12/83 ACCOUNT R-01-615-770

AMOUNT 272

RECEIVED FROM El-Jen Incorporated

FOR 98 El-Jen Inc

8 113000002005010 80584

VALIDATION ON SIGNATURE OF CASHIER

