PETITION FOR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal cwner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for an addition to an existing trailer park in a MH-IM Zone pursuant to §256.4 B.C.Z.R. Property is to be posted and advertised as prescribed by Zoning Regulations I, or we, agree to pay expenses of above Special Exception 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 Legal Owner(s): NE 47 Oakdale, Inc. (Type or Print Name) BECTION DISTRICT: <u>/5</u> DATE 4/3/09 Signature William 7 (Type or Print Name) at: ££ City and State Attorney for Petitioner: John B. Howard, Esquire City and State 210 Allegheny Avenue P.O. Box 5517 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Towson, Maryland 21204 John B. Howard, Esquire City and State 210 Allegheny Avenue 823-4111 P.O. Box 5517 823-4111 Attorney's Telephone No.: Towson, MD 21204 ORDERED By The Zoning Commissioner of Baltimore County, this _____loth____ day of ___September____, 19_85_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimere County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Complissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore FOR FILING έD RECEIVI 15th Election District Northwest corner of Eastern Avenue and Bengies Road LOCATION: (3100 Eastern Avenue) Wednesday, October 16, 1985 at 1:00 p.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 Exception for an addition to an existing trailer park in a MH-IM Zone; and Variances from Section 414.4 to permit a setback of 10' to a road or street in lieu of the required 100', and to permit a setback of 10' to a boundary line in lieu of the required Oakdale, Inc. Being the property of as shown on plat plan filed with the Zoning Office. In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. the Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good

cause shown. Such request must be received in writing by the date of the hearing

BY ORDER OF ARNOLD JABLON

ZONING COMMISSIONER OF BALTIMORE COUNTY

set above or made at the hearing.

86-165-XA 29 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 414.4 to permit a setback of 10 feet to a road or street instead of the required 100 feet, and to permit a setback of 10 feet to a boundary line instead of the required 75 feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) to be determined at 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. 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: Legal Owner(s): Oakdale, Inc (Type or Print Name) (Type or Print Name) Signature William T. Poole, Jr. Address (Type or Print Name) City and State Attorney for Petitioner: John B. Howard, Esquire (Type on Print Name) 210 Allegheny Avenue P.O. Box 5517 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Towson, Maryland 21204 John B. Howard, Esquire 210 Allegheny Ave., P.O. Box 5517 Attorney's Telephone No.: 823-4111 Towson, Maryland 21204 823-4111 ORDERED By The Zoning Commissioner of Baltimore County, this 10th of _____September_____, 19.85___, 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 radiamore County, that property be posted, and that the public hearing be had before the Zoning County Science of Baltimore County in Room 106, County Office Building in Towson, Baltimore

NW/Corner Eastern Ave. & Bengies Rd. (3100 Eastern Ave.), 15th District

OAKDALE, INC., Petitioner : Case No. 86-165-XA :::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman
> People's Counsel for Baltimore County Peter Max Zumer Peter Max Zimmerman

Phyllis Cole Friedman

Deputy People's Counsel Rm. 223, Court House Towson, MD 21204 494-2188

I HEREBY CERTIFY that on this 18th day of September, 1985, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny AVe., P. O. Box 5517, Towson, MD 21204, Attorney for Petitioner.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of October, 1985, that the Petition for Special Exception for an addition to an existing trailer park in an M.H.-I.M. Zone and, additionally, the Petition for Zoning Variances to permit a setback of 10 feet to the north boundary line for all lots adjacent to the railroad right of way and for the two lots adjacent to the east property line instead of the required 75 feet and a setback of 10 feet for those lots adjacent to Bengies Road instead of the required 100 feet be and are hereby GRANTED, from and after the date of this Order, subject to the following restriction:

> 1. The Petitioner may apply for its building permit and be granted same upon obtaining approval of the site plan by the County Review Group; however, Petitioner is hereby made aware that proceeding at that time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> > Baltimore County

cc: John B. Howard, Esquire People's Counsel

RECEIVED ORDER

AJ/srl

FROM THE OFFICE OF GEORGE WILLIAM STEPHENS, JR, & ASSOCIATES, INC. ENGINEERS P.O. BOX 6828, TOWSON, MARYLAND 21204

June 28, 1985

Description to Accompany Petition Petition for Special Exception and Variance

Beginning for the same on a south right of way line of Bengies Road distant 1723 feet more or less measured northwesterly along the southwest right of way line of Bengies Road from the COrner formed by the intersection of said southwest right of way line of Bengies Road with the northwest right of way line of Eastern Avenue said beginning point being designated as number 7 as shown on a Plat of Oakdale filed among the Plat Records of Baltimore County in Plat Book E.H.K. Jr. 46 folio 5 thence binding on west and northwest right of way line as shown on said Plat the two following courses and distances.

- 1 N 21° 11' 40" W 150.00 feet and
- 2 N 68° 48' 20" E 140.36 feet thence
- 3 N 21° 11' 40" W 155.00 feet to the southeast right of way line of the Pennsylvania Railroad thence binding on said right of way line
- 4 S 68° 48' 20" W 713.98 feet thence
- 5 S 28° 04' 01" E 307.21 feet thence
- 6 N 68° 48' 20" E 536.86 feet to the place of beginning. Containing 4.236 Acres of land more or less.

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

ARNOLD JABLON ZONING COMMISSIONER

October 14, 1985

John B. Howard, Esquire 210 Allegheny Avenue P.O. Box 5517 Towson, Maryland 21204

> Re: Petition for Special Exception and Variance NW/corner Eastern Ave & Bengie Rd. (3100 Eastern Ave.) 15th Election District Oakdale, Inc. Case No. 86-165-XA

Dear Mr. Howard:

This is to advise you that \$57.90 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do <u>not</u> remove sign until day of the

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office Poom 1177 County Office Building, BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT R.C1-615.000 LD JABLON AMOUNT \$ 57.90 ng Commissioner

allustaring & Posting 86-165-14 8013*****5756:a 21725

VALIDATION OR SIGNATURE OF CASHIER

210 Allegheny Avenue P. O. Box 5517 Towson, Maryland 21204

John B. Howard, Esquire

September 13,1985

NOTICE OF HEARING RE: PETITION FOR SPECIAL EXCEPTION

AND VARIANCE NW/corner Eastern Ave. & Bengies Rd. (3100 Eastern Avenue) 15th Election District Oakdale, Inc., Petitioner Case No. 86-165-XA

TIME:	1:00 p.m.
DATE:	Wednesday, October 16, 1985
PLACE: Roc	om 106, County Office Building, 111 West Chesape

Avenue, Towson, Maryland

No. 007380 BALTIMORE COUNTY, MARYLAND Compilssioner nore County OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT P-01-615-000

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE September 30, 1985

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

John B. Howard, Esquire 210 Allegheny Avenue P. O. Box 5517 Towson, Maryland 21204

> RE: Item No. 29 - Case No. 86-165-XA Petitioner - Oakdale, Inc. Special Exception and Variance Petitions

MEMBERS Bureau of Engineering Department of Traffic Engineering State Roads Commission Fire Prevention Health Department Project Planning Building Department

Board of Education

Industrial

Development

Zoning Administration

Dear Mr. Howard:

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.

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.

> JAMES E. DYER Zoning Plans Advisory Committee

JED:nr Enclosures

cc: George W. Stephens, Jr. & Associates, Inc. P. O. Box 6828 Towson, Maryland 21204

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

August 26, 1985

TED ZALESKI, JR.

Office of Planning and Zoning Towson, Maryland 21204

Comments on Item # 29 Zoning Advisory Committee Meeting are as follows:

Bounded, N.Side Eastern Blvd, W. side Bengies Rd. & S.Side Conrail R.R. 15th. Districts

All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

(B) A building and other miscellaneous permits shall be required before the start of any construction. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-4 Single Pamily Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) ______, of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer reals are usually required. The change of Use Groups are from Use ________ to Use ________, or to Mixed Uses ________. See Section 312 of the Building Code. I. The proposed project appears to be located in a Flood Plain, Tidal/Riverins. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

(Ji) Comments: Mobile homes and their anchorage shall comply to Section 613.0.

K. These abbreviated 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 the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Maryland Department of Transportation

tate Highway Administration

Mr. A. Jablon

Att: James Dyer

William K. Hellmann Hal Kassoff

August 27, 1985

Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Baltimore County Item #29 Property Owner: Oakdale Incorporated Location: Bounded, N. side Eastern Blvd (Route 150) W. side Bengies Road & S. side Conrail R.R. Existing Zoning: M.H.

> Proposed Zoning: Spec. exception for an addition to an existing trailer park Acres: 4.236 District: 15th

Dear Mr. Dyer:

On review of the site plan of 4/22/85, for Special Exception and Variance for Mobile Home Park, the State Highway Administration finds the plan generally acceptable.

Very truly yours,

Charl Re Charles Lee, Chief

Bureau of Engr. Access Permits

ZONING DEPARTMENT

by: George Wittman

cc: J. Ogle

CL-GW:es

My telephone number is 301-659-1350Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO Zoning Commissioner Norman E. Gerber, Director FROM Office of Planning and Zoning

SUBJECT Zoning Petitions No. 86-145-A, 86-146-A, 86-147-A, 86-148-A, 86-149-A, 86-150-A, 86-151-A, 86-152-A, 86-153-A, 86-154-A, 86-155-A, 86-156-A, 86-157-A, 86-158-A, 86-160-A, 86-161-A and 86-165-XA

There are no comprehensive planning factors requiring comment on these petitions.

> Norman E. Gerber Director Office of Planning and Zoning

NEG:JGH:slm

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204 NORMAN E. GERDER DIRECTOR

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Jablon:

SEPTEMBER 23, 1985

Re: Zoning Advisory Meeting of AUGUST 6, 1985
Item #29
Property Owner: OAKDALE, INC. Location: Bounded, N/SIDE EDSTERN BLND. W/SIDE BENGIES RODD + S/SIDE The Division of Current Planning and Development has reviewed the subject

(X)There are no site planning factors requiring comment.
(A) County Review Group Meeting is required.)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.)A record plat will be required and must be recorded prior to issuance of a building permit. The access is not satisfactory.)The circulation on this site is not satisfactory.)The parking arrangement is not satisfactory.)Parking calculations must be shown on the plan.)This property contains soils which are defined as wetlands, and development on these soils is prohibited. ()Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Development of this site may constitute a potential conflict with the Baltimore County Master Plan.)The amended Development Plan was approved by the Planning Board

petition and offers the following comments. The items checked below are

(X)Landscaping: Must comply with Baltimore County Landscape Manual.
(I) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service ()The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council (X)Additional comments: A WAINER OF CRG PLON (W-85-74 K/ADAKOBLEADO.)
WAS GRANTED BY DIRECTOR & PLONNING BEARD.

cc: James Hoswell

Eugene A. 8ober Chief, Current Planning and Development

86-165-XA CERTIFICATE OF PUBLICATION

PETITION FOR SPECIAL EXCEPTION & VARIANCE LUCATION: Northwest corner of EJECATION: Northwest corner of Eastern Avenue and Bengies Road (3100 Eastern Avenue) DATE AND TIME: Wednesday, Oc-tober 16, 1985 at 1-00 p.m. PUBLIC HEAR INC. Room 106, County Office Ruidding. 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:

Petnion for Special Exception for an addition to an existing trailer park in a MH-1M Zone; and Variances from Section 414.4 to permit a setback of 10° to a road or street in lieu of the required 100°, and to permit a setback of 10° to a boundary line in lieu of the required 75°.

Rains the Commissioner of Baltimore County of Section 20° and 100° Being the property of Oak dale, Inc. as shown on the plat plan filed with the Zoning Office. Loning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing ser above or made at the hearing.

By Order Of ARNOLD JABLON,

Zoning Commissioner.

TOWSON, MD., September 26 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on September 2**5**

THE JEFFERSONIAN.

Cost of Advertising 27.50 24.75

Case No. 86-165-XA

Zoning Commissioner of Baltimore County

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 day of September , 1985.

Zoning Commissioner

Petitioner Oakdale, Inc. Petitioner's Sonn B. Howard, Esquire

Received by: Ones E. Allers Advisory Counittee

BALTIMORE COUNTY FIRE DEPARTMENT TOWSON, MARYLAND 21204-2586

PAUL H REINCKE CHIEF

August 20, 1985

Mr. Arnold Jablon 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: Oakdale, Inc. Location: Bounded, N. side Eastern Blvd., W. side Bengies Road and S. side Conrail R.R. Zoning Agenda: Meeting of August 6, 1985 Item No.: 29

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.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 500 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.

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Site shall be in accordance with NFPA Standard 501-A - 1977 () 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: 2 Joseph Tolly 8-30-85 Approved: Fire Prevention Bureau Special Inspection Division

Petition for Special

Exception & Variance

County, will hold a public hearing:
Pethion for Special Exception for an addition to an existing trailer park in

MH-IM Zone; and Variances from Sec

tion 414.4 to permit a setback of 10' to

road or street in lies of the required

100', and to permit a setback of 16' to a boundary line in lieu of the required

Being the preparty of Oakdale Inc.

as shown on plot plan filed with the

granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, extertain any request

for a stay of the issuance of said permit during this period for good cause

shown. Such request must be received

by the date of the hearing set above or

B-88-500 **Qe Times** Hept 76 19 18th Election District
LOCATION: Northwest corner of
Eastern Avenue and Bengies Road Middle River, Md., _ This is to Certify, That the annexed (3100 Eastern Avenue).

DATE AND TIME: Wednesday, Oc-DATE AND TIME: weenesday, Quebober 16, 1985 at 1:00 p.m..

PUBLIC HEARING: Room 106,

County Office Building, 111 W. Chesepeake Avenue, Towson, Maryland.

The Zening Commissioner of Baltimore County, by authority of the Loning Act and Regulations of Baltimore

County mill hold a public hearing:

Caldan was inserted in Ore Times, a newspaper printed and published in Baltimore County, once in each

Arnold Jables

86-165 XA

CERTIFICATE OF POSTING TOMING DEPARTMENT OF BALTIMORE COUNTY

Posted for: Special Heaving & Varianto

Posted for: Dokala le Inc.

Petitioner: Dokala le Inc.

Location of property: NW/Cor Fastern Are & Bongles Ad. Homox 1700'

NW of Fastern Ave. Location of Signe Fasing in tarsochus of Kerring St. & Bengies Rd.

Approxy F' Fr readway, an property of Polition Remarks: Barricado ocros Bong 101 Rd of Kerriss! Date of return: 9/27/55

Fosted by Mathales

