IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE NE/cor. of Taylor Avenue and Bon Air Road DEPUTY ZONING COMMISSIONER (1700 Taylor Avenue) 9th Election District OF BALTIMORE COUNTY Abid Riaz, Case No. 87-242-A Petitioner

The Petitioner herein requests a zoning variance to permit parking spaces to be located 5 feet from the street property line in lieu of the required 8 feet.

The engineer was the only witness to testify on behalf of the Petitioner. The building and site have been designed for optimum density and optimum floor space in a building providing retail stores on the first floor and offices on the second floor, in accordance with the plan submitted, prepared by Lipin Engineering & Development Corporation, dated August 1986. There would be no practical difficulty or unreasonable hardship if the Petitioner had to comply strictly with the Baltimore County Zoning Regulations (BCZR), however, the proposed project will not impact the welfare of the public. If the variance is denied, the building size will be reduced. It is intended that storm water management will be provided by means of pourous bituminous pavement, although no test cores have been taken on the site. Drainage will be to the Oakleigh Road and Taylor Avenue intersection. During the summer of 1986, the site was occupied by a produce stand with a temporary storage building, a tent and a camper trailer.

The president and a professional engineer from the Hillendale Park Com-

munity Association, Inc. spoke in protest. The variance would permit a larger

portion of the property to be covered with impervious surface, a situation which

would add to the flooding and ice problems on Taylor Avenue. Use of the addi-

tional building footage would further burden the Taylor Avenue traffic situa-

(1) Zoning Description

Beginning on the north side of Taylor Avenue, 40 feet wide, and at the intersection with Bon Air Road thence along Bon Air Road N21° 19'W 130'; thence leaving Bon Air S68° 41'E 300'; thence S21° 19'W 130' to Taylor Avenue; thence along Taylor Avenue N68° 41'W 300' to the place of beginning containing 39,000 square feet or 0.8953 acres of land more or less.

Being Lots 14 thru 25 inclusive in the subdivision of Hillendale Park, Book No. 9, Folio 10. Also known as 1700 Taylor Avenue in the 9th Election District.

PETITION FOR ZONING VARIANCE

9th Election District

Case No. 87-242-A

LOCATION:

Northeast Corner of Taylor Avenue and Bon Air Road (1700 Taylor Avenue)

DATE AND TIME: Tuesday, December 23, 1986, 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 Zoning Variance to permit parking spaces to be 5 feet from the street property line in lieu of the required 8 feet

Being the property of Abid Riaz ___, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is 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 set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER NE Corner of Taylor AVe. & Bon Air Rd. (1700 Taylor Ave.) : OF BALTIMORE COUNTY 9th District

ABID RIAZ, Petitioner Case No. 87-242-A

:::::::

ENTRY OF APPEARANCE

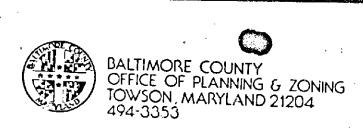
Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

Leter Max Commen. Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 25th day of November, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. Abid Riaz, 5501 Seminary Ave., Falls Church, VA 22041, Petitioner; and Lloyd E. Lipin, 2810 College View Dr., Churchville, MD 21028, Petitioner's representative.

Max Cumerna



ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

December 17, 1986

Mr. Abid Riaz 5501 Seminary Avenue Falls Church, Virginia 22041 RE: PETITION FOR ZONING VARIANCE WE/cor. of Taylor Ave. and Bon Air Rd. (1700 Taylor Ave.) 9th Election District

Abid Riaz - Petitioner

Case No. 87-242-A

Dear Mr. Riazi

Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself

to the mediting libert.		
Please make the check as to 7	County, Maryland, and remit	
BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	85 ing, Towson, Maryland	
DATE JANUARY 8, 1987 ACCOUNT 31-615 Jegn Ret		
RECEIVED Ram Realty Developers		
Posting & Advertising Fee 87-242-A POR: D 8016*****7860:a 50ceF	The control of the co	

VALIDATION OR SIGNATURE OF CASHIER

Mr. Abid Riaz 5501 Seminary Avenue Falls Church, Virginia 22041 NOTICE OF HEARING RE: PETITION FOR ZONING VARIANCE NE/cor. of Taylor Ave. and Bon Air Rd. (1700 Taylor Ave.) 9th Election District Abid Riaz - Petitioner Case No. 87-242-A 9:45 a.m. Tuesday, December 23, 1986 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

November 14, 1986

No. 026032 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT VALIDATION OR SIGNATURE OF CASHIER

BALTMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

TO_Zoning_Commissioner Date November 26, 1986

Norman E. Gerber, AICP, Director FROM Office of Planning and Zoning

SUBJECT Zoning Petition No. 87-242-A

This office is opposed to the granting of the subject request. The future right-of-way for Taylor Avenue is shown incorrectly and will take an additional 5' of widening on this property; consequently, the requested variance is 0', not 5'. Were the request granted, car bumpers would overhang the rightof-way. Further, there would be no 5' wide landscaping area as shown on the plan.

NEG: JGH: slb

CPS-008

ZONNIG GIFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 15, 1986

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

Bureau of

Department of

Bureau of Fire Prevention

Health Department

Building Department

Board of Education

Industrial Development

Zoning Administration

Project Planning

Traffic Engineering

State Roads Commission

5501 Seminary Avenue Falls Church, Virginia 22041 Chairman

RE: Item No. 139 - Case No. 87-242-A Petitioner: Abid Riaz Petition for Zoning Variance

Dear Mr. Riaz:

Mr. Abid Riaz

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.

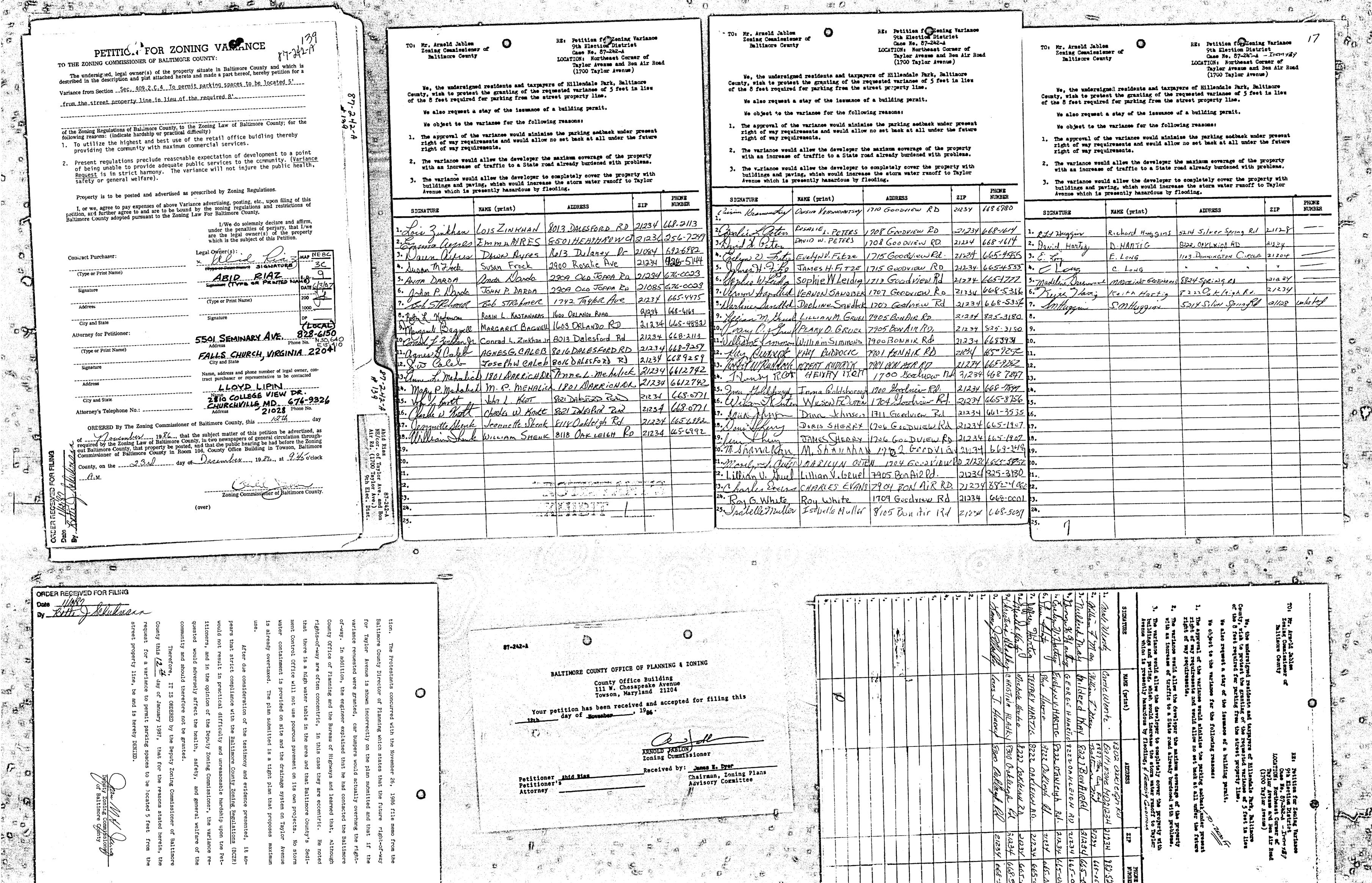
Very truly yours.

lames E. Dyen /KKB JAMES E. DYER Chairman Zoning Plans Advisory Committee

Enclosures

JED:kkb

cc: Lloyd E. Lipin 2810 College View Drive Churchville, Maryland 21028



NORMAN E. GERBER DIRECTOR

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

NOVEMBER 19, 1986

Re: Zoning Advisory Meeting of October 21, 1986 Property Owner: ABID RIAZ Location: NYS TAYLOR AVE, AT INTERSECTION OF BON AIR RO.

Dear Mr. Jablon:

C O

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

> ()There are no site planning factors requiring comment.
>
> (A)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 Regulations. 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 Landscaping: Must comply with Baltimore County Landscape Manual. 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.)Additional comments:

David Fields, Acting Chief Current Planning and Development

cc: James Hoswell

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550 STEPHEN E. COLLINS DIRECTOR

October 24, 1986

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

Property Owner:

Existing Zoning:

Proposed Zoning:

Location:

Area:

Item No. 139 -ZAC-Meeting of October 21, 1986 Abid Riaz N/S Taylor Avenue at the intersection of Bon Air Road

> B.L. - CNS Variance to permit parking spaces to be located 5 feet from the street property line in lieu of the required

0.8953 acres 9th Election District District:

Dear Mr. Jablon:

The Department of Traffic Engineering recommends the following changes to this site plan:

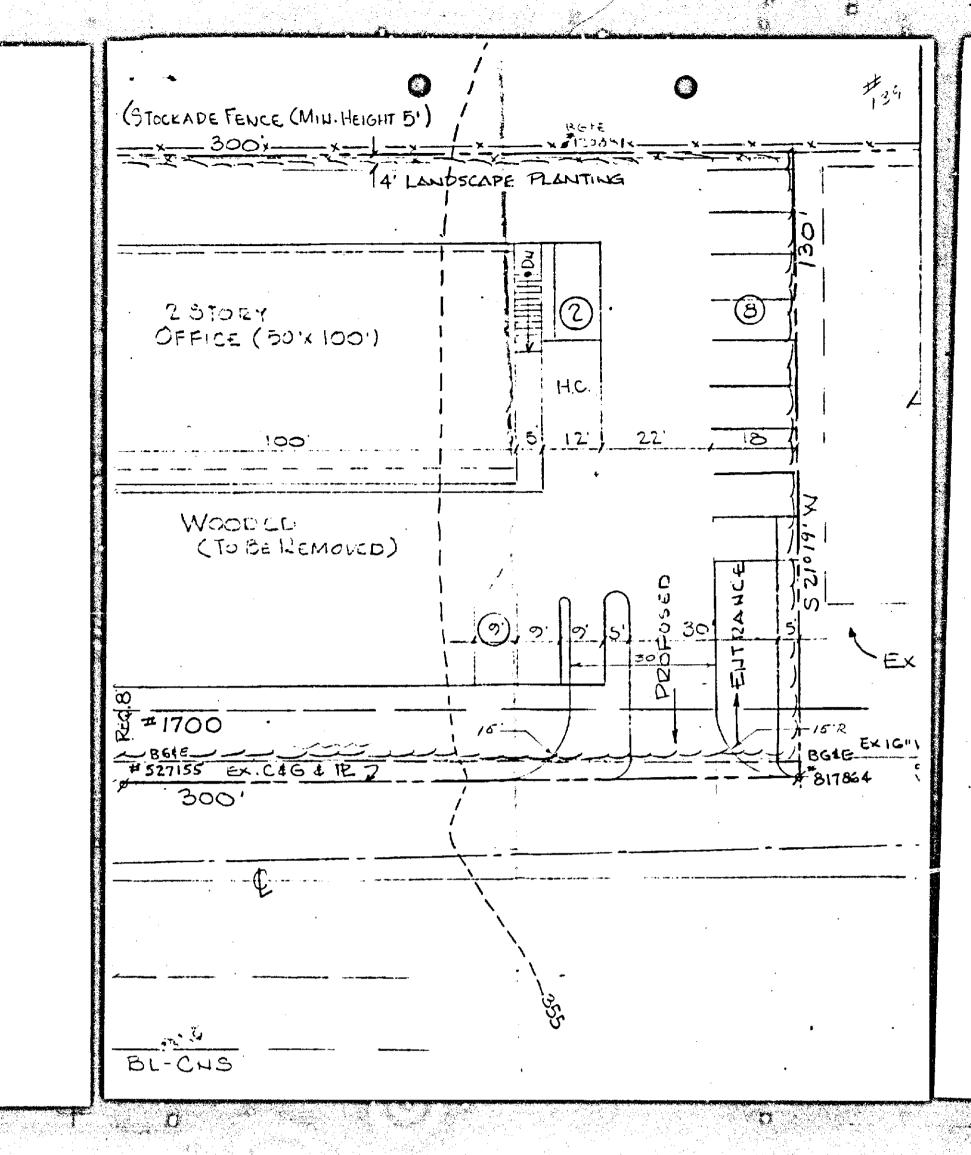
1. Have the entrance on Taylor Avenue moved to the west and have larger radius. (See sketch.)

2. Curbs, gutters, and sidewalks should be installed around the entire frontage of site.

3. Install a 30' radius at the intersection of Bon Air Road and Taylor Avenue.

> Very truly yours, Michael S. Flanigan Traffic Engineer Associate II

MSF:1t



Sewage Disposal Metro

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Office of Planning and Zoning County Office Building Towson, Maryland 2120h Zoning Item # 139, Zoning Advisory Committee Meeting of 10-21-56 Property Owner: Abid Rich

Location: N/5 Taylor are Ot Bon air District Water Supply ______metro

COMMENTS ARE AS FOLLOWS:

Zoning Commissioner

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

() 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.

() A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

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

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86

0.07 Estandale Park Community Association, Inc. P.O. Box 8549 Beltimore, Maryland 21234 ZOMMA CIFFICE December 14, 1996

Mr. Arnold Jablon

Zoning Commissioner of Balto. County County Office Building Re: Petition for Zoning Variance 111 West Chesapsake Avenue Towson, Maryland 21204

9th Election District Case No. 87-242-A Location: Northeast Corner of Taylor Avenue and Bon Air Road (1700 Taylor Avenue)

Dear Commissioner Jablon:

We, the Board Members of the Hillendale Park Community Association, Inc. are writing to protest the granting of the requested variance of 5feet in lieu of the 8-feet required for parking from the street property line. We also request a stay of the issuance of a building permit.

We object to the variance for the following reasons:

1. The approval of the variance would minimize the parking settack under present right of way requirements and would allow no setback at all under the future State road right of way requirements.

2. The variance would allow the developer the maximum coverage of the property with an increase of traffic to a State road already burdened with problems.

3. The variance would allow the daveloper to completely cover the property with buildings and paving, which would increase the storm water runoff to Taylor Avenue which is presently hazardous by flooding.

Very truly yours,

HILLENDALE PARK COMMUNITY ASSOC. INC. Iralelle Muller Board Menter By I heat to Board Member

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES DEPARTMENT OF PERMITS & IOWSON, MARYLAND 21204

November 3, 1986

TED ZALESKI, JR. DIRECTOR

APPLICABLE ITEMS ARE CIRCLED:

N/S Taylor Avenue at the intersection of Bon Air Road

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.H.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.

(D.) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect

E. All Use Groups except R-4 Single Family 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 h ve 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/Docupancy 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 scale are usually required. The change of Use Groups are from Use to Use . See Section 312 of the Building Code.

I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. 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.

(J.) comments: 2nd. floor exceeds 4000 square feet thus requiring access by the Handicapped (elevator) under State Law. Provide handicapped curb cuts, sidewalk ramps, approved handicapped signs, building access, etc., etc. Buildings shall comply to Tables 501 and 401. K. These abbreviated comments raflect 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, Toxson, Maryland 2120L.

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586 PAUL H. REINCKE October 20, 1986 Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towsor Maryland 21204 RL: Property Owner: Abid Riaz Location: N/S Taylor Ave. at the intersection of Bon Air Road Item No : 139 Zoning Agenda: Meeting of Oct. 21, 1986 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 300 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 comment, of this time.

Zoning Item # 139 Zoning Advisory Committee Meeting of () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 194-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768. () Soil percolation tests (have been/must be) conducted. The results are valid until Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required. () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled. () In accordance with Section 13-117 of the Baltimore County Code, the water shall be valid until is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples. (V) If submission of plans to the County Review Group is required, a Artirogeological Study and an Environmental Effects Report must be submitted. ian J. Forrest, Director

WWQ 2 4/86

REVIEWER: Approved:
Planning Group
Special Inspection Division

Noted and

Fire Prevention Bureau

BUREAU OF ENVIRONMENTAL SERVICES

6

(STOCKADE FENCE (MIN. HEIGHT 5") 14 LANDSCAPE PLANTING 2 STORY OFFICE (50'x 100') WOODED (TO BE BEMOVED) 10. #1700 1527155 Ex.C464 12 7 BG1E EXIGHT 300' 1.00 87-242-A L-CHS

	9	CERTIFICATE OF PUBLICATION
LOCATION (170) (17	PETITION FOR ZONNIG WAPANCE ON Bedfor Detriet Care No. 87-242-A ATION: Northeast Corner of a Arenue and Bon Air Road Daylor Avenue Avenue, Towning December 196, 196, 196, 196, 196, 196, 196, 196,	TOWSON, MD.,
	some will, to a stay of the source of said permit during this period for good cause shown. Such sequest must be received in writing by the date of the hearing set above or made at the hearing. BY ORDER OF APPIOLID JABLON 20MING COMMISSIONER OF BALTIMORE COUNTY BY 18465-186124 Dec. 3	38.25

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 87-441-4

Posted for: Verience	Date of Posting 12/5/8/
Posted for: Variance	
Petitioner: Ibid Rig z	
Location of property: NE/cor. Tayler Are + 13	on lix Rd.
1700 Taylor de	41
Location of Signe: Facing Toylor Use, ereres.	10' Fr. 700 duloy on property
of fetities ex	
Remarks:	
Posted by	Date of return: 12/5/86
Number of Signs:	

PETITION FOR
ZONING VARIANCE
Sth Election District
Case No. 87-363-A

LOCATION: Northeast Corner of
Taylor Avenue and Bon Air Road
(1700 Taylor Avenue)
DATE AND TIME: Tuesday, December 23, 1986, at 9-65 a.m.
PUBLIC HEARING: Room 106,
County Office Building. 111 W
Chesapeake avenue, sowson,
Maryland

The Zoning Commissioner of Baltimore County, by authority of the
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Being the property of Abid Riaz,
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good cause shown. Such request
must be received in writing by the
date of the hearing.

By Order Of
ARNOLLD JABLON
Zoning Commissioner
of Baltimore County
12002 Dec. 4.

1

CERTIFICATE OF PUBLICATION

TOV. SON, MD., December 4 19 86

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 December 4, 19 86

THE JEFFERSONIAN,

Gusan Sender Obrectt
Publisher

Cost of Advancers

24.75

