

387  
88-3-A  
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 (4) to permit parking spaces 0 feet to a street property line in lieu of the required 8 feet, and 6 feet to a street property line in lieu of the required 8 feet.

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

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):  
(Type or Print Name) CLOVERLAND FARMS DAIRY, INC.  
Signature (Type or Print Name)  
Address (Type or Print Name)  
City and State  
Attorney for Petitioner: 2200 N. MONROE ST. 669-2222  
(Type or Print Name) Address Phone No.  
Signature BALTIMORE, MD. 21217  
City and State  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
City and State  
Attorney's Telephone No.: 2200 N. Monroe St. 669-2222  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of May, 1987, 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 6th day of July, 1987, at 10:30 o'clock A.M.

By: [Signature]  
Zoning Commissioner of Baltimore County

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 13th Date of Posting June 18, 1987  
Posted for: Variance  
Petitioner: Cloverland Farms Dairy, Inc.  
Location of property: S/S Wilkens Ave. at Intersection of Leeds Ave.  
(4045 Wilkens Ave.)  
Location of Sign: S/S Corner of Wilkens and Leeds Ave.  
Remarks:  
Posted by: S. J. Arata Date of return: June 25, 1987  
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 18, 1987

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 June 18, 1987.

THE JEFFERSONIAN,

[Signature]  
Publisher

32.17

March 23, 1987  
SURVEY DESCRIPTION  
4045 Wilkens Avenue; Baltimore County

Beginning at a point at the intersection of the South side of Wilkens Avenue, 66 feet wide, with the East side of Leeds Avenue, 50 feet wide; THENCE binding along the South side of Wilkens Avenue N69 degrees 49' 00" E, 100.00 feet; THENCE leaving the southside of Wilkens Avenue the following two courses and distances: (1) S 23 degrees 11' 00" E, 100.00 feet, (2) S 69 degrees 49' 00" W, 100.00 feet to a point on the East side of Leeds Avenue; THENCE binding along the East side of Leeds Avenue N 23 degrees 11' 00" W, 100.00 feet to the said point of beginning, and containing +/- 0.23 acres.

Being also known as 4045 Wilkens Avenue in election District No. 13, Baltimore County, Maryland.

EJK/lal  
3/87MJS:urvey



OFFICE COPY

Office of  
PATUXENT  
Publishing Corp.  
10750 Little Patuxent Pkwy  
Columbia, MD 21044

June 29 19 87

THIS IS TO CERTIFY, that the annexed advertisement of  
PETITION FOR ZONING VARIANCE

was inserted in the following:  
☒ Catonsville Times \$21.83  
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 20 day of June 19 87, that is to say, the same was inserted in the issues of

June 18, 1987

PATUXENT PUBLISHING CORP.  
By: [Signature]

PETITION FOR ZONING VARIANCE  
13th Election District - 1st Councilmanic District  
Case No. 88-3-A

LOCATION: South Side Wilkens Avenue at Intersection of Leeds Avenue (4045 Wilkens Avenue)

DATE AND TIME: Monday, July 6, 1987, at 10:30 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 0 feet to a street property line in lieu of the required 8 feet and 6 feet to a street property line in lieu of the required 8 feet

Being the property of Cloverland Farms Dairy, Inc., 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

Mr. Ralph C. Kemp  
President  
Cloverland Farms Dairy, Inc.  
2200 North Monroe Street  
Baltimore, Maryland 21217

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE  
375 Wilkens Ave. at Intersection of Leeds Avenue  
(4045 Wilkens Ave.)  
13th Election District - 1st Councilmanic District  
Cloverland Farms Dairy, Inc. - Petitioner  
Case No. 88-3-A

TIME: 10:30 a.m.

DATE: Monday, July 6, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 32485  
DATE 6/29/87 ACCOUNT 2-01-615-000  
AMOUNT \$ 100.00  
RECEIVED FROM: [Signature]  
FOR: COMMERCIAL VARIANCE  
8 8052\*\*\*\*\*1000000 22647  
VALIDATION OR SIGNATURE OF CASHIER

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

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

June 30, 1987

Mr. Ralph C. Kemp  
President  
Cloverland Farms Dairy, Inc.  
2200 North Monroe Street  
Baltimore, Maryland 21217

RE: PETITION FOR ZONING VARIANCE  
SE/cor. Wilkens and Leeds Avenues (4045 Wilkens Ave.)  
13th Election District - 1st Councilmanic District  
Cloverland Farms Dairy, Inc. - Petitioner  
Case No. 88-3-A

Dear Mr. Kemp:

This is to advise you that \$69.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

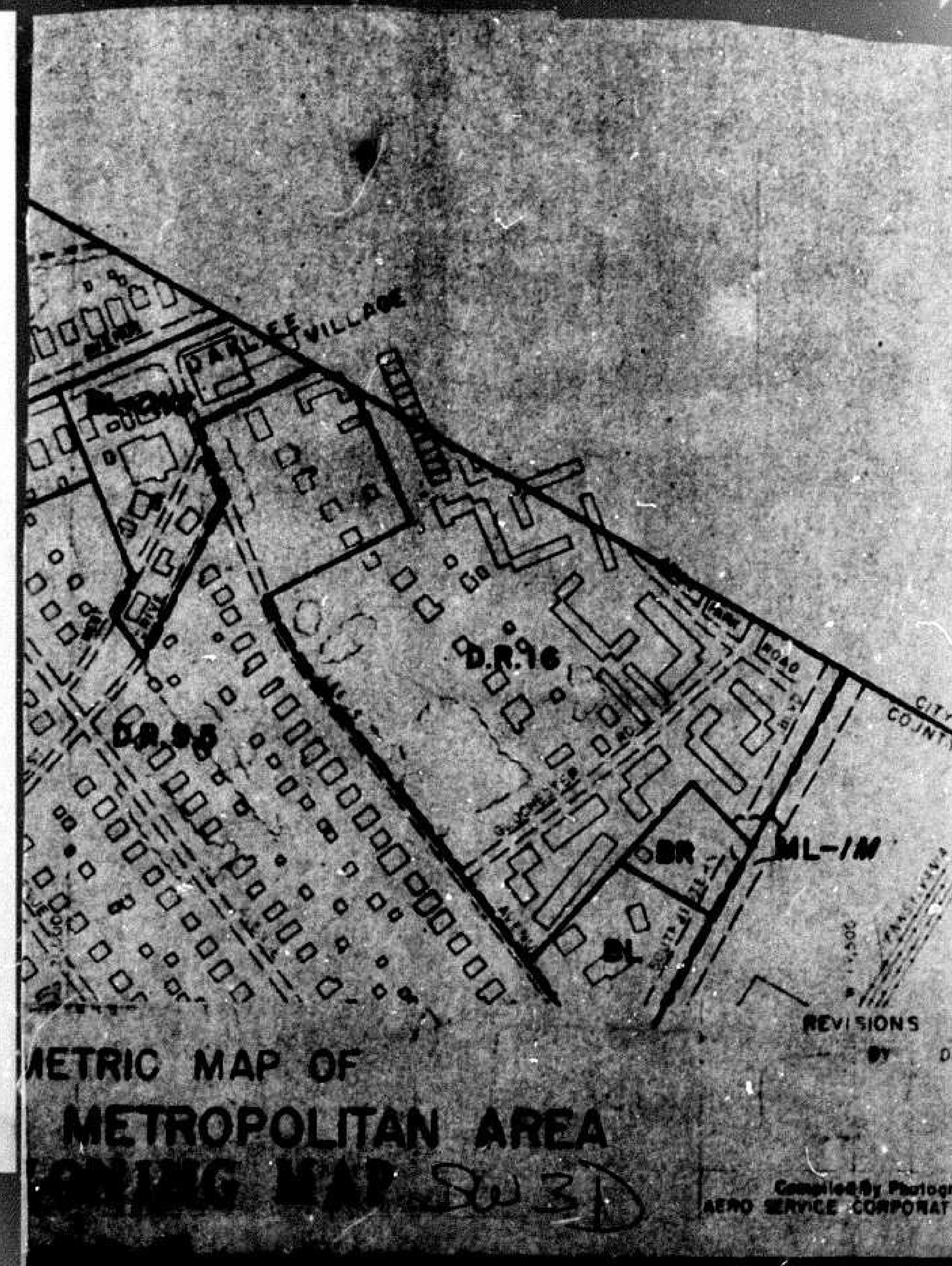
THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

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

Please make the check payable to Baltimore County, Maryland, and remit to the Office, Room 113, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 35969

DATE 7/14/87 ACCOUNT 2-01-615-000  
SIGN & POST  
RETURNED  
AMOUNT \$ 69.00  
RECEIVED FROM: Cloverland Farms Dairy, Inc., 2200 N. Monroe St., Balto., Md. 21217  
FOR: ADVERTISING & POSTING COSTS RE CASE #88-3-A  
8 8122\*\*\*\*\*690000 51467  
VALIDATION OR SIGNATURE OF CASHIER



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 and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of July, 1987, that the Petition for Zoning Variances to permit parking spaces zero feet and 6 feet from a street property line in lieu of the required 8 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this 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.

*Arnold Jablon*  
Zoning Commissioner of  
Baltimore County

AJ/srl

cc: Mr. Edward J. Koterwas

People's Counsel

ORDER RECEIVED FOR FILING

Date

By

88-3-A  
#387

88-3-A  
#387

Cloverland Farms Dairy, Inc.  
13th E.D.  
1st C.D.

3987

WILKENS AVENUE

PLAT FOR ZONING VARIANCE  
OWNER: CLOVERLAND FARM DAIRY  
PROPERTY SIZE: 10,000 Sq. Ft. 0.23 ACRES  
13th ELECTION DISTRICT  
PROPERTY ZONE: B.L.-C.N.S.  
LIBER: T280/FOLIO: 133

PARKING DATA

Parking Spaces Required: 12  
(1/200 S.F. x 2398 S.F.)

Parking Spaces Provided: 12  
Standard (9'x18') = 6  
Compact (9'x16') = 5  
Handicapped (12'x18') = 1

STATE OF MARYLAND  
MICHAEL J. WALKLEY  
REGISTERED  
PROFESSIONAL ENGINEER  
OFFICE COPY

DEVELOPMENT AND APPLICANT:  
CLOVERLAND FARM DAIRY  
2200 N. MONROE STREET  
BALTIMORE, MARYLAND 21204  
PHONE: 969-2222

PROJECT:  
ROYAL FARM STORE  
4045 WILKENS AVENUE  
BALTIMORE, MARYLAND 21225

SITE PLAN

MICHAEL J. WALKLEY  
STRUCTURAL/MECHANICAL ENGINEER  
8 EAST WHEELING STREET  
BALTIMORE, MARYLAND 21206  
(800) 877-2725

Scale: As Shown Date: 5-16-87 Dwg. No. C-1

88-3-SPH

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  
12TH day of May, 1987.

*Arnold Jablon*  
Zoning Commissioner

Petitioner: Cloverland Farms Dairy, Inc.  
Petitioner's Attorney: *James E. Dyer*  
Received by: *James E. Dyer*  
Chairman, Zoning Plans  
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: June 8, 1987

SUBJECT: Zoning Petitions No. 88-1-A, 88-2-A, 88-3-A, 88-10-A and 88-12-A

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

*Norman E. Gerber*  
Norman E. Gerber, AICP  
Director

NEG:JGH:sib

RECEIVED  
JUN 9 1987  
ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 8, 1987

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

Mr. Ralph C. Kemp, President  
Cloverland Farms Dairy, Inc.  
2200 North Monroe Street  
Baltimore, Maryland 21217

RE: Item No. 387 - Case No. 88-3-SPH  
Petitioner: Cloverland Farms Dairy, Inc.  
Petition Special Hearing

Dear Mr. Kemp:

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,  
*James E. Dyer, Inc.*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Mr. Michael J. Walkley  
2 East Wheeling Street  
Baltimore, Maryland 21230

Maryland Department of Transportation  
State Highway Administration

April 14, 1987

RE: Baltimore County  
Item # 387  
Property Owner: Cloverland Farms Dairy Inc.  
Location: Intersection of S/S Wilkens Avenue and E/S Leeds Avenue (Maryland Route 372)  
Existing Zoning: B.L.-CNS  
Proposed Zoning: Variance to permit parking spaces 0 feet to a street property line in lieu of the required 8 feet and 6 feet to a street property line in lieu of the required 8 feet  
Area: 0.23 acres  
District: 13th

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

Att: James Dyer

Dear Mr. Jablon:

On review of the submittal of March 16, 1987, (Cloverland Farms Dairy), the State Highway Administration Bureau of Engineering Access Permits finds the site plan generally acceptable, with all parking outside the State Highway Administration right-of-way.

Very truly yours,  
*Charles Lee*  
Charles Lee, Chief  
Bureau of Engr. Access Permits  
by: George Wittman

CL-GW:es

cc: J. Ogle

My telephone number is 301-333-1350.  
Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5052 Statewide Toll Free  
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

April 24, 1987

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

Item No. 387 -ZAC- Meeting of April 6, 1987  
Property Owner: Cloverland Farms Dairy, Inc.  
Location: Intersection of S/S Wilkens Avenue and  
E/S Leeds Avenue  
Existing Zoning: B.L.-CNS  
Proposed Zoning: Variance to permit parking spaces 0 feet  
to a street property line in lieu of the  
required 8 feet, and 6 feet to a street  
property line in lieu of the required  
8 feet  
Area: 0.23 acres  
District: 13th Election District

Dear Mr. Jablon:

Please see the CRG comments for this site.

Very truly yours,

Michael S. Flanigan  
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 387, Zoning Advisory Committee Meeting of April 6, 1987

Property Owner: Cloverland Farms Dairy, Inc.

Location: Intersection of S/S Wilkens Ave. and E/S Leeds Ave. District 13

Water Supply: Metro Sewage Disposal: Metro

COMMENTS ARE AS FOLLOWS:

- (X) 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.
- (X) 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 Services.
- ( ) 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

4/21/87  
Date

Zoning Item # 387 Zoning Advisory Committee Meeting of April 6, 1987  
Page 2

- (X) Prior to raising of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- (X) 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 well yield test 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 Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- ( ) Others \_\_\_\_\_

John J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204 2566  
494-4500

PAUL H. REINCKE  
CHIEF

April 7, 1987

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

RE: Property Owner: Cloverland Farms Dairy, Inc.

Location: Intersection of S/S Wilkens Ave. and E/S Leeds Avenue

Item No.: 387

Zoning Agenda: Meeting of 4/6/87

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 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.

REVIEWER: John J. Forrest, Director  
Planning Group  
Special Inspection Division

Noted and Approved: John F. O'Neill  
Fire Prevention Bureau

/mb



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204

TED ZALESKI, JR.  
DIRECTOR

May 5, 1987

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 387 Zoning Advisory Committee Meeting are as follows:

Property Owner: Cloverland Farms Dairy, Inc.  
Location: Intersection of S/S Wilkens Ave & E/S Leeds Ave.  
District: 13th

APPLICABLE ITEMS ARE CIRCLED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, the Maryland Code for the Handicapped and Age (A.A.M.C. #11-1 - 1980) and other applicable Codes and Standards.
- (A) A building and other miscellaneous permits shall be required before the start of any construction.
- C. 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.
- (C) 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 B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. B-1 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 101, Section 1107, Section 1104.3 and Table 1107. 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 permissible 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 101 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/Temporary Permit, an alternative permit application shall also be filed along with three sets of permissible 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 seals are usually required. The change of Use Groups are from Use \_\_\_\_\_ to Use \_\_\_\_\_, or to Mixed Use \_\_\_\_\_. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Flood/Overwash. Please see the attached copy of Section 514.0 of the Building Code as adopted by Bill #11-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (2) Comments: Provide curb cuts, ramps, approved signs, etc. to comply with the State Handicapped Code.

E. 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.

Michael S. Flanigan  
Traffic Engineer Associate II

L/22/86