

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 Service Garage.

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 penalty 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:
S. Eric DiNenna, Esquire
(Type or Print Name)
Signature
409 Washington Avenue, Suite 600
Towson, Maryland 21204
City and State
Attorney's Telephone No.: (301) 296-6820

Legal Owner(s):
Theodore Yen-Jen-Yen
(Type or Print Name)
Signature
Nelson G. N. Yen-Jen-Yen
(Type or Print Name)
Signature
Hadelaine J. McAvaney
(Type or Print Name)
Signature
19 W. Ridgely Road
Baltimore, Maryland 21093
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
S. Eric DiNenna, Esquire
Name
409 Washington Avenue, Suite 600
Towson, Md. 21204
Phone No. 296-6820

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 108, County Office Building in Towson, Baltimore County, on the 5th day of July, 1987, at 11:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 88-15-X
Date: June 4, 1987

Assuming compliance with the comments of the Zoning Plans Advisory Committee and with the requirements of the Baltimore County Landscaping Manual, as applicable, this office is not opposed to the granting of the subject request.

Norman E. Gerber, AICP
Director

NEG:JGH:sib

RECEIVED
JUN 9 1987

ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 15, 1987

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

MEMBERS

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

S. Eric DiNenna, Esquire
409 Washington Avenue
Towson, Maryland 21204

RE: Item No. 393 - Case No. 88-15-X
Petitioners: Theodore Yen-Jen-Yen, et al.
Petition Special Exception

Dear Mr. DiNenna:

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
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Geo. Wm. Stephens, Jr. & Associates, Inc.
303 Allegheny Avenue
Towson, Maryland 21204

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

STEPHEN E. COLLINS
DIRECTOR

April 27, 1987

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

Item No. 393 -ZAC-
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:
Area:
District:

Meeting of April 6, 1987
Theodore Yen-Jen-Yen, et al
SE/C Franke Ave and Ridgely Road
B.L.-CCC
Special Exception for a service garage
0.421 acres
8th Election District

Dear Mr. Jablon:

Attached is a sketch showing the recommended changes to the site plan.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

Attachment

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 393, Zoning Advisory Committee Meeting of April 6, 1987

Property Owner: Theodore Yen-Jen-Yen

Location: SE/C Franke Ave and Ridgely Rd. District 8

Water Supply: meter Sewage Disposal: meter

COMMENTS ARE AS FOLLOWS:

- () 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.
- (X) 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 chaffholder 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.
- (X) 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

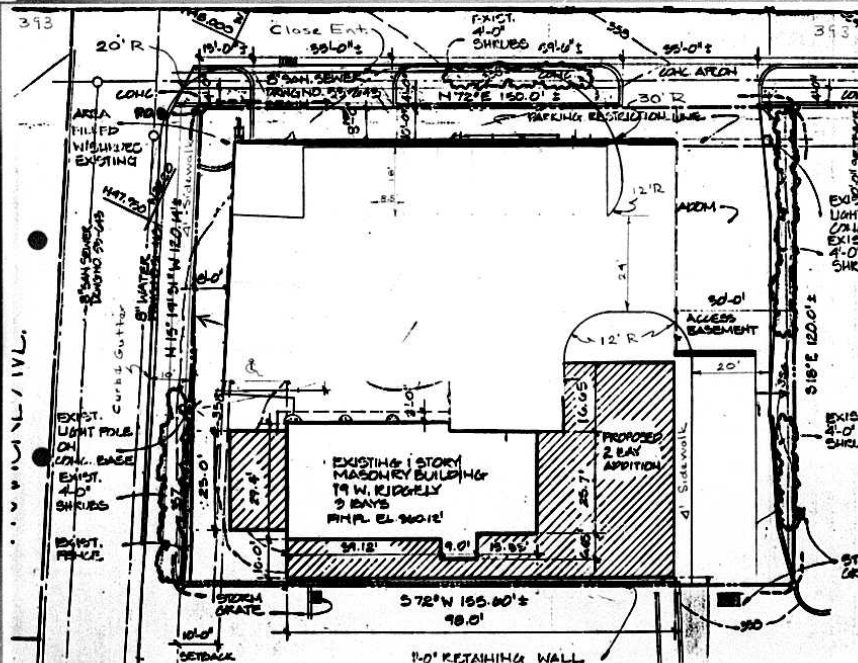
Zoning Item # 393 Zoning Advisory Committee Meeting of April 6, 1987

Page 2

- () Prior to razing 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.
- () 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.
- (X) Other: Drainage from interior service bays is to be directed to sanitary sewer via oil separator.

John J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86



88-15-X

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.

Received by:
Zoning Commissioner

Chairman, Zoning Plans Advisory Committee

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of July, 1987, that the Petition for Special Exception for a service garage be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. All disabled vehicles must be stored inside overnight.

Eric DiNenna
Zoning Commissioner of
Baltimore County

AD/srl

cc: S. Eric DiNenna, Esquire
People's Counsel

ORDER PROCURED FOR FILING
JUL 14 1987
S. Eric DiNenna, Esq.

BALTIMORE COUNTY
FIRE DEPARTMENT
TO TOWSON, MARYLAND 21204
404 4500

PAUL H. BENCKE
CHIEF

April 7, 1987

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

RE: Property Owners: Theodore Yen-Jen-Yen, et al
Location: SE/C Francke Avenue and Ridgely Road

Item No.: 393

Zoning Land Use 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 require 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 operations.
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", 1986 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/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 # 393 Zoning Advisory Committee Meeting are as follows:

Property Owners: Theodore Yen-Jen-Yen
Location: SE/C Francke Ave & Ridgely Road
District: 8th

APPLICABLE CODE ARE (CHECKED):

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 67-86, The Maryland Code for the Handicapped and Aged (A.M.D.C. 67-17) - 1980 and other applicable Code and Standards.
2. A building and other enclosures permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer (A/E) is not required on plans and technical data.
4. Commercial: Three sets of construction drawings needed and stamped by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Approved seals are not acceptable.
5. All One Group every 1st Single Family Detached Dwelling require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. Two One Group require a one hour wall of fire rating than 6'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire of party wall. See Table 401, Section 1007, Section 1008 and Table 1002. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. 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 401 and 505 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section 501 of the Baltimore County Building Code.
8. When filing for a Special Change of Use/Temporary 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 Architecture or Engineer seals are usually required. The change of Use Groups are from One to Two, Two to Three, or to Mixed Use. See Section 102 of the Building Code.
9. The proposed project appears to be located in a Flood Plain. Flood/Recreation. Please see the attached copy of Section 504 of the Building Code as adopted by Bill 67-86. Site plans shall show the current elevation above sea level for the lot and the flood floor levels including basement.
10. Comments: Provide curb cuts, ramps, approved signs for handicapped as per State Handicapped Code.
11. These administrative 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. The applicant may obtain additional information by visiting Room 106 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

4/27/87

27-297
20-20-20-20

DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW

SUITE 600
MERCANTILE TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 296-6820

April 20, 1987

Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

RE: My Client: Yen
Location: 19 W. Ridgely Road
My File No.: 87-7

Dear Mr. Commissioner:

On March 20, 1987, I filed a Petition for Special Exception for a service garage concerning the above-captioned location.

Would you be so kind as to forward me a Notice as to when this matter might be heard before the Commissioner.

Thank you for your cooperation.

Very truly yours,

S. Eric DiNenna
S. ERIC DINENNA

SED:kar

cc: Mr. Theodore Yen

RECEIVED
APR 21 1987
ZONING OFFICE

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
301 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

Description to Accompany
A Petition for a Special Exception. February 17, 1987

Point of beginning being located at the intersection of the right of way lines of the east side of Francke Avenue with the south side of Ridgely Road, thence in a clockwise direction:

- 1) North 72° East 150 feet
 - 2) South 18° East 120 feet
 - 3) South 72° West 155.60 feet and
 - 4) North 15° 19' 30" West 120.14 feet to the place of beginning.
- Containing 0.421 Ac.±

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)
(BASED ON DEED 7029/380)

Capitol City
NE 8930

PETITION FOR SPECIAL EXCEPTION
8th Election District - 4th Councilmanic District
Case No. 88-15-X

LOCATION: Southeast Corner Ridgely Road and Francke Avenue
(19 West Ridgely Road)

DATE AND TIME: Wednesday, July 8, 1987, at 11:30 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 Special Exception for a service garage

Being the property of Theodore Yen-Jen-Yen, et al, as shown on 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 SPECIAL EXCEPTION BEFORE THE ZONING COMMISSIONER
SE/Corner Ridgely Rd. & Francke Ave. (19 W. Ridgely Rd.), 8th District OF BALTIMORE COUNTY
THEODORE YEN-JEN-YEN, et al., Case No. 88-15-X
Petitioners

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
Phyllis Cole Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 12th day of June, 1987, a copy of the foregoing Entry of Appearance was mailed to S. Eric DiNenna, Esquire, 409 Washington Ave., Suite 600, Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



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

S. Eric DiNenna, Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
SE/cor. Ridgely Rd. and Francke Ave.
(19 West Ridgely Rd.)
8th Election District - 4th Councilmanic District
Theodore Yen-Jen-Yen, et al - Petitioners
Case No. 88-15-X

Dear Mr. DiNenna:

This is to advise you that \$68.71 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 Zoning Office, Room 113, County Office Building, Towson, Maryland

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

DATE 7-16-87 ACCOUNT B-61-615-000

sign & posts returned AMOUNT \$ 68.71

RECEIVED FROM S. Eric DiNenna, Esquire

FOR Advertising and Posting Case #8-15-X

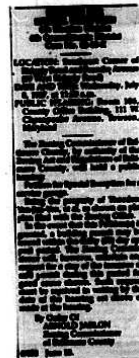
B 8193*****68711a 3174F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

88-15-X

District 8th
Posted for: Special Exception
Petitioner: Theodore Yen-Jen-Yen, et al
Location of property: SE/cor. Ridgely Rd. and Francke Ave.
(19 West Ridgely Rd.)
Location of sign: SE/cor. Ridgely Rd. and Francke Ave.
Remarks:
Posted by: S. J. Blanton
Date of return: June 25, 1987
Number of signs: 1



CERTIFICATE OF PUBLICATION

TOWSON, MD. June 18, 1987

THIS IS TO CERTIFY, that the petition advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 16, 1987.

THE JEFFERSONIAN

Publisher

2896

Office of
PATUXENT
10750 Little Patuxent Pkwy
Columbia, MD 21044

June 29 19 87

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR SPECIAL EXCEPTION

was inserted in the following:
Catonsville Times TOWSON FLIER \$24.75
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

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS

Defendant

CERTIFICATE OF PUBLICATION OF

24.75

S. Eric DiNenna, Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

May 26, 1987

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION
SE/cor. Ridgely Rd. and Francke Ave.
(19 West Ridgely Rd.)
8th Election District - 4th Councilmanic District
Theodore Yen-Jen-Yen, et al - Petitioners
Case No. 88-15-X

TIME: 11:30 a.m.

DATE: Wednesday, July 8, 1987

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

Zoning Commissioner
of Baltimore County

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

33162

DATE 7/27/87 ACCOUNT 01-615

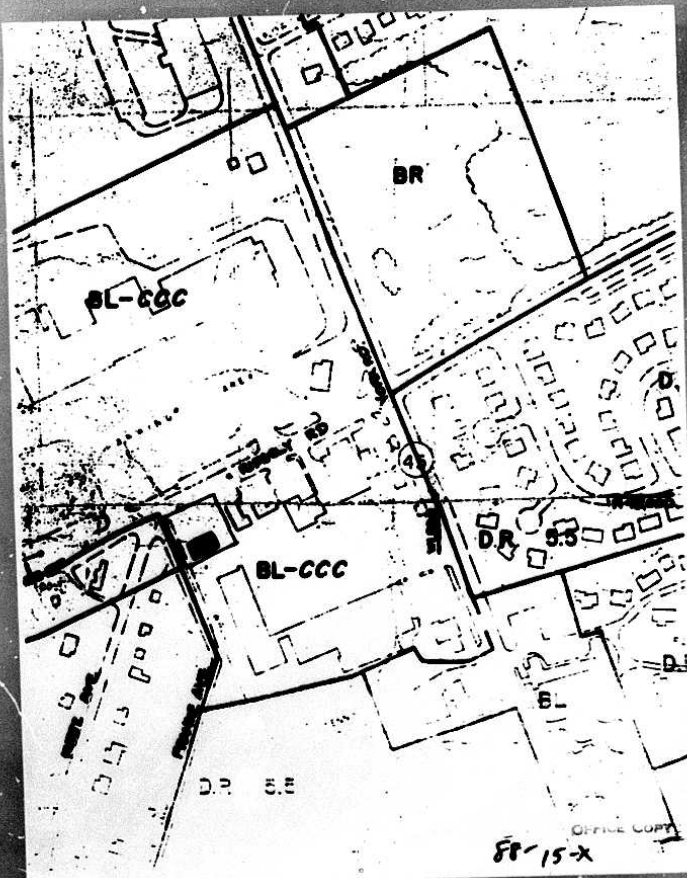
AMOUNT \$ 100.00

RECEIVED FROM Yen's Lumberville Shop

FOR Filing Fee and Special Exception Fee 39.3

B 8124*****100001a 8302F

VALIDATION OR SIGNATURE OF CASHIER



BL-CCC

WESTCH EXTERMINATING CO
1004 YORK ROAD
MERCANTILE

RIDGELY ROAD

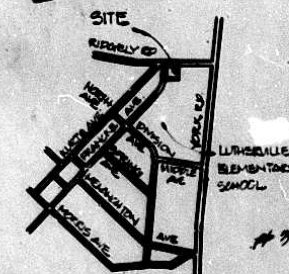
WYMAH PARK FEDERAL SAVINGS & LOAN
11 WEST RIDGELY
MERCANTILE

CHARLES DONALD BENSON
9 WEST RIDGELY
MERCANTILE

88-15-X

SITE PLAN
1"=20'-0"

PETITIONER'S
EXHIBIT 1



OFFICE COPY

GENERAL NOTES

1. ELECTION DISTRICT 5
2. COUNCILMANIC DISTRICT 4
3. AREA AS SURVEYED = 0.4218 ACRES ±
4. EXISTING USE - AUTOMOTIVE SERVICE STATION
5. PROPOSED USE - AUTOMOTIVE SERVICE GARAGE
6. EXISTING FLOOR AREA = 1541 SQ. FT. ±
7. NEW FLOOR AREA = 2415 SQ. FT. ±
8. PROPOSED TOTAL AREA = 4540 SQ. FT. ±
9. REQUIRED PARKING
= 4,540 ÷ 900 ÷ 15 = 16
10. PROPOSED PARKING
= 1 @ 15' x 15' HANDICAP
= 11 @ 8.5' x 10'
= 5 @ 9.0' x 15' INTERIOR
= 17 SPACES
11. NO OUTSIDE STORAGE OF DAMAGED VEHICLES OR PARTS PROPOSED
12. TANKS & PUMPS PREVIOUSLY REMOVED UNDER SEPARATE PERMIT.

13. OWNERS
A. THEODORE YEH-JEN-YEH
B. HEDSON & M. YEH-JEN-YEH
C. MADELINE & M. AVEHEV
14. EXISTING SIGNAGE TO REMAIN, WITH NEW FACE PLATE.

NOTE:

THIS DRAWING PREPARED FROM
AS-BUILT SURVEY FOR
SHELL OIL COMPANY
PREPARED BY STV/LION ASSOCIATES
DATED JANUARY 24, 1966
DENG NO. 7786-5A-001

393