

PETITION FOR SPECIAL EXCEPTION 88-124-XSPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Storage of inflammable liquids and gases above ground (Section 236-4)

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:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

S. Eric DiNenna

(Type or Print Name)

Signature

409 W. Washington Avenue, Suite 600

Towson, Maryland 21204

City and State

Attorney's Telephone No.: (301) 296-6820

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Signature

(Type or Print Name)

Address

City and State

Phone No.

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

S. Eric DiNenna

409 W. Washington Avenue, Suite 600

Towson, Maryland 21204

City and State

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day

of August, 1988, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Baltimore County, that property be posted, and that the public hearing be held in Towson, Baltimore

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 5th day of October, 1988, at 10:00 o'clock

A.M.

J. Robert Haines

Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING 1-2HR. +1HR.

AVAILABLE FOR HEARING (over)

MON./TUES./WED. - NEXT TWO MONTHS

ALL CASES OTHER

REVIEWED BY: CCR DATE: 6/3

January 11, 1983

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

1. Petitions for Special Exception and Special Hearing
on/Cor. Eastern Boulevard and Lynbrook Road (2905 Eastern Boulevard)
15th Election District, 5th Councilmanic District
Allen J. Dufour - Petitioner
Case No. 88-124-XSPH

Dear Mr. DiNenna:

As you are aware, the opinions in Case Nos. 88-122-SPHA, 88-123-SPH and 88-125-SPH were issued on December 15, 1981. At that time there were outstanding advertising and posting fees due for each case.

As you know, the policy of this office requires that all advertising and posting fees be paid in full prior to the release of a decision. The opinions in the aforementioned cases were released in good faith and with the understanding that said fees would promptly be paid. However, to date such fees remain outstanding. If the advertising and posting fees for these cases are not paid in full by Monday, January 23, 1983, this matter will be turned over to the County Solicitor's office for legal action.

Furthermore, there still remains unpaid advertising and posting fees for Case No. 88-124-XSPH in the amount of \$91.59. Although the decision in the above-referenced case has been drafted, the opinion will not be signed until the advertising and posting fees are paid.

Your cooperation in this matter will be greatly appreciated. If you have any questions on the subject matters, please do not hesitate to call this office.

Very truly yours,

ANN M. NASIAKOWICZ
Deputy Zoning Commissioner
of Baltimore County

cc: County Solicitor's Office

File (4)



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

ARNOLD JABLON
ZONING COMMISSIONER

July 11, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

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

RE: Installation of 2,000 Gallon Propane
Tanks on Existing Service Station
Sites

Dear Mr. DiNenna:

Your letter of July 3, 1986 requests that this office approve permits for the above-referenced installations administratively, i.e., without a Public Hearing.

You are correct in your opinion that the filling of tanks and sale of propane gas is a permitted use within the context of a service station operation. Also, our visit to the York Road site did help to convince me that the filling operation is safe. However, the above ground nature of the tank does present the possibility of a collision, fire and explosion. The chance of this happening is somewhat remote depending upon the tank location, but said danger could be removed if it were feasible to place the tank underground. With regard to your request for administrative approval, it is my opinion that the size of the tank and the required chain link fence, all above ground, represents a major change to the originally approved site plan and as such can be amended only after a public hearing.

It is also my opinion that properly located tanks on service station sites would serve a community need and would not create a safety problem or interfere with interior traffic circulation and would in all probability be looked upon favorably by those who review and approve Special Hearings regarding the proposed additional use.

Very truly yours,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

JES:kbb

MS023

cc: Mr. Paul Lee

JUL 14 1986

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Captain Joseph Kelly
Fire Department
Date: September 28, 1987

FROM: Betty du Bois
Zoning Office
Bd

SUBJECT: Zoning Cases 88-122-SPHA, 88-123-SPH, 88-124-XSPH, 88-125-SPH and 88-126-SPH
Item Nos. 506 507 508 509 510

Pursuant to your request to Mr. Carl Richards, please be advised that the above-captioned propane cases will be heard at 11:30 a.m. on Monday, October 5, 1987.

If you have any further questions or comments, please feel free to contact me at 494-3394.

88-124-XSPH

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

28th day of August, 1987

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Allen J. Dufour
Petitioner's Attorney: S. Eric DiNenna, Esquire

Received by: Chairman, Planning Plans Advisory Committee

CPS-008

DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.

SUITE 600
MERCANTILE-TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(301) 296-6820

January 5, 1988

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

RE: Case Nos. 88-122-SPHA, 88-123-SPHA, 88-124-XSPH, 88-125-SPH
My File No.: 86-34

Dear Mr. Commissioner:

Enclosed herewith please find my escrow check in the amount of \$340.89 covering costs for posting and advertising in the above captioned matters. *

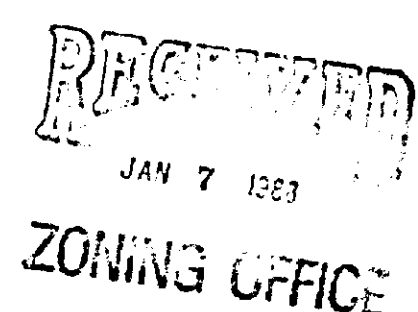
I have not received the decision in Case No. 88-124-XSPH, which I request you forward me at your earliest convenience.

Very truly yours,

S. ERIC DINENNA

SED:jec
Enclosure
cc: Mr. Marcel Henry

* (Not processed until 11/1/88 (m))



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

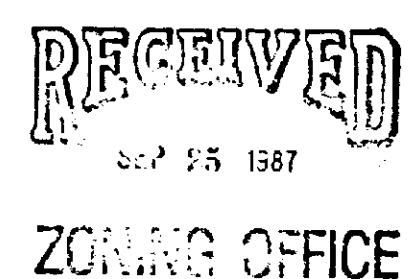
Mr. J. Robert Haines
TO: Zoning Commissioner
Date: September 18, 1987

Norman E. Gerber, AICP
FROM: Director of Planning and Zoning
Zoning Petitions No. 88-122-SPHA, 88-123-SPH, 88-124-XSPH, 88-125-SPH, 88-126-SPA, 88-127-A
SUBJECT: 88-122-A, 88-130-A, 88-131-A

There are no comprehensive planning factors requiring comment on the above numbered petitions.

NEG:KAR:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File



Maryland Department of Transportation
State Highway Administration

RICHARD H. TRAINER
Secretary
HAL KASSOFF
Administrator

June 29, 1987

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

Attn: Mr. James Dyer

Re: ZAC Meeting of 6-16-87
ITEM: 508.
Property Owner: Allen J. Dufour
CRITICAL AREA
Location: SW/C Eastern Blvd. and
Lynbrook Rd (Route 150)
Existing Zoning: B.R.
Proposed Zoning: Special Hearing
to approve an amended site plan Case
No. 79-24-XRA for the sale of pro-
pane fuel and a reduction of the
original special exception area by
364 square feet and a Special
Exception for storage of inflammable
liquids and gases above ground
Area: 1.34 acres
District: 15th Election District

Dear Mr. Jablon:

On review of the submittal of 3-24-87, the State Highway Administration recommends the location of the propane tank (fuel sales) be established at the rear portion of the site.

Very truly yours,

Charles Lee, Jr.
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle



My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 7-820-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 30, 1987

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

cc:

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

RE: Item No. 508 - Case No. 88-124-XSPH
Petitioner: Allen J. Dufour
Petitions for Special Exception and
Special Hearing

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
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Paul Lee Engineering, Inc.
304 W. Pennsylvania Avenue
Towson, Maryland 21204

AUG 12 1988

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

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

Re: Property Owner: Allen J. Dufour (critical area)

Location: SW/C Eastern Blvd. and Lynbrook Road

Item No.: 508

Zoning Agenda: Meeting of 6/16/87

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.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ 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.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY: *[Signature]* Noted and Approved: *[Signature]*
Fire Prevention Bureau
Special Inspection Division
5th Edition, 1976 Edition.

* Installation of tank shall be in accordance with NFPA 58, 1976 Edition.

/31

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, undersigned, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 502.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amended site plan (Case No. 79-24-XRA) FOR THE SALE OF PROpane FUEL AND A REDUCTION OF THE ORIGINAL SPECIAL EXCEPTION AREA BY 364 SQ. FT.

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

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

S. Eric DiNenna

(Type or Print Name)

Signature

Address

City and State

Towson, Maryland 21204

City and State

Towson, Maryland 21204

Attorney's Telephone No. (301) 296-6820

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

S. Eric DiNenna

409 Washington Avenue, Suite 600

Towson, Maryland 21204

Address

Phone No. 296-6820

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of August, 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 October, 1987, at 10:00 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING -1/2HR. -1HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL DATE OTHER (over)
REVIEWED BY: *[Signature]* DATE 6/3

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Storage of inflammable liquids and gases above ground (Section 236.4).

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:

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

S. Eric DiNenna

(Type or Print Name)

Signature

Address

City and State

Towson, Maryland 21204

City and State

Towson, Maryland 21204

Attorney's Telephone No. (301) 296-6820

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

S. Eric DiNenna

409 Washington Avenue, Suite 600

Towson, Maryland 21204

Address

Phone No. 296-6820

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of August, 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 October, 1987, at 10:00 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

200-1

(over)

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL HEARING - SW/Cor. Eastern Blvd. and Lynbrook Rd. (2925 Eastern Boulevard) 15th Election District 5th Councilmanic District

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 88-124-XSPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for the storage of inflammable liquids and gases above ground and a special hearing to approve an amended site plan for the sale of propane fuel and a reduction of the original special exception area by 364 sq.ft., as more particularly described on Petitioner's Exhibit 1.

The Petitioner was represented by Counsel. Paul Lee, Engineer, appeared on behalf of the Petitioner as did Hon A. Zash and Gregory Gozvitch, both of United pane. Officer G. L. Heubick of the Baltimore County Fire Department appeared. It did not stay for the hearing. There were no Protestants.

Testimony was by proffer and indicated that the subject property is located at 2925 Eastern Boulevard at the intersection of Eastern Boulevard and Lynbrook Road. The property is zoned B.R. and is currently used as a service garage and auto sales business. Testimony indicated that the propane tank has been on the site for approximately 3 years. As a result of a Fire Department inspection of propane tanks in the County, United Propane and the Petitioner were advised that permits were required. The Office of Zoning would not approve the permits without the filing of an amended site plan and a Petition for Special Hearing.

In Case No. 79-24-XRA a reclassification of the subject property from M.L. to B.R. was granted with a Special Exception for used car sales and repair in a B.R. zone. Additionally, a variance was granted to permit the display area

for the cars to be 8 feet from Eastern Boulevard. The property is currently used for a service garage and auto sales. The service garage is a use permitted as of right in the B.R. zone.

Testimony indicated that crash post had been installed around the tank as requested by the Fire Department. In addition to the installation of the crash post, testimony indicated that there is a locked chain link fence around the propane tank approximately 6 feet high. There is also an additional lock on the tank cabinet. Entry to the propane tank storage area may be gained only by those having access to the keys to the locks and who have been trained to operate the tank. Testimony indicated that the present location of the tank is the least congested area of the property. In a letter dated June 29, 1987 to Arnold Jablon, Zoning Commissioner, Charles Lee of the Maryland Department of Transportation, State Highway Administration (SHA) recommended the relocation of the propane tank to the rear portion of the site.

Mr. Lee testified that, in his opinion, the installation and location of the tank are not detrimental to the health, safety, and general welfare of the community, and that the conditions delineated in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) are satisfied. Furthermore, he stated that the propane tank meets a community need in providing propane fuel for customers in the area.

Officer Heubick of the Baltimore County Fire Department indicated to the Deputy Zoning Commissioner before he left that he spoke with the representative of United Propane and was satisfied that all problems the Fire Department had with the installation of the propane tank had either been corrected or would be corrected. He further indicated that the Fire Department would have no objections to the proposed use provided there was compliance with the conditions imposed by the Fire Department.

-2-

Pursuant to Section 236.4 of the B.C.Z.R., the Petitioner requests a Special Exception to permit the storage of inflammable liquids and gases, and in particular, propane fuel above ground. The issue in the Special Exception is whether or not the requirements of Section 502 of the B.C.Z.R. have been successfully met by the Petitioner. The facts, circumstances and evidence presented by the Petitioner do not show that the use proposed at this particular location would have any adverse effect above and beyond those inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319.

The Petitioner has shown that the proposed use would be conducted without real detriment to the community and would not adversely affect the public good. In order to control the new use, the Deputy Zoning Commissioner will use the authority set forth in Section 502.2 of the B.C.Z.R. to prescribe appropriate conditions, restrictions and safeguards for the community when granting this special exception.

Based upon the testimony and evidence presented in this matter, the relief requested in the Petition for Special Exception and Petition for Special Hearing should be granted with certain restrictions as more fully set forth below. It is clear from the testimony that if the request for an amended site plan was granted, the amendment as proposed would not be contrary to the spirit of the B.C.Z.R. and would not adversely affect the health, safety and general welfare of the public.

Pursuant to the advertisement, posting of property, and public hearing on this Petition held, and for the reasons given above, in the opinion of the Deputy Zoning Commissioner, the requested Special Hearing and Special Exception should be granted.

-3-

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 12th day of January, 1988 that the storage of inflammable liquids and gases above ground be permitted, and an amended site plan for the sale of propane fuel and a reduction of the original special exception area by 364 sq.ft., in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petitions for Special Exception and Special Hearing are hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.
- 2) The Petitioner shall obtain approval of the site plan marked Petitioner's Exhibit 1 from the SHA and the Baltimore County Fire Department within 45 days of this Order. Said approval shall be confirmed by authorized representatives from each department initialing the site plan. Thereafter, the site plan shall be submitted to the Office of Zoning for approval.
- 3) If the SHA and/or Baltimore County Fire Department require a change in the site plan marked Petitioner's Exhibit 1, the Petitioner shall file a revised site plan that has been initialled by each department to the Zoning Commissioner or Deputy Zoning Commissioner for approval.
- 4) The Petitioner shall comply with all regulations, requirements and conditions imposed by any Baltimore County department regarding the propane tank and the sale of propane fuel.
- 5) The Petitioner will train all employees who will be involved in the sale of propane fuel.
- 6) The sale of propane fuel on the property is permitted only as long as the existing service garage is a primary use of the property by the Petitioner.

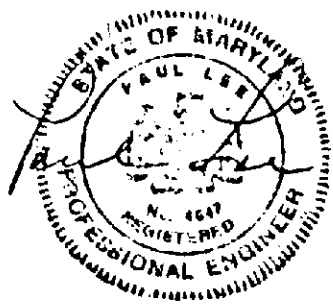
[Signature]
Deputy Zoning Commissioner
of Baltimore County

ANN:bjs

AUG 12 1986

Paul Lee P.E.

Paul Lee Engineering Inc.
308 W. Pennsylvania Ave.
Towson, Maryland 21204
301-821-5341



DESCRIPTION #1
For Amending Site Plan
2925 EASTERN BOULEVARD
FIFTEENTH DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point, said point being located on the south side of Eastern Boulevard 60 feet westerly from the center of Lynbrook Road, running thence and binding along the west side and in the paving of Lynbrook Road the five following courses and distances:

- (1) South 51°57'25" East 56.62 feet,
- (2) South 1°43'05" East 78.16 feet,
- (3) North 79°34'30" East 25.04 feet,
- (4) South 1°43'05" East 70.68 feet,
- (5) South 22°32'30" East 62.32 feet,

thence leaving said paving of Lynbrook Road

(6) North 8°40' West 287.50 feet, and

- (7) North 02°06'20" East 201.07 feet

to the south side of Eastern Boulevard, thence binding on the south side of Eastern Boulevard by a curve to the left

(8) R = 1220.92 feet L = 147.75 feet, chord bearing North 86°07'57" East 147.74 feet to the point of beginning.

Containing 1.34 acres of land, more or less.

Saving and excepting (364 s.f. area) for the tank location in Description

#2.

Engineers — Surveyors — Site Planners 10/26/86
3/25/87

86038

Paul Lee P.E.

Paul Lee Engineering Inc.
308 W. Pennsylvania Ave.
Towson, Maryland 21204
301-821-5341

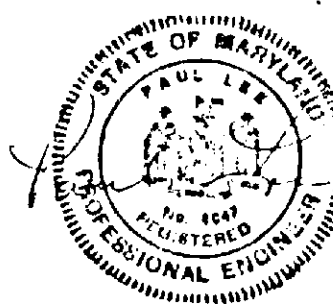
DESCRIPTION #2

Special Exception For Tank Location

Beginning for the same at a point located S 50°21'38" W 110.76 feet from a point on the south side of Eastern Boulevard located 60.00 feet, more or less, westerly from the centerline of Lynbrook Road, running thence for the outlines of a 364 square foot parcel four courses:

- (1) S 30°06'20" W 26.00 feet, (2) N 59°53'40" W 14.00 feet, (3) N 30°06'20" E 26.00 feet and (4) S 59°53'40" E 14.00 feet to the place of beginning.

Containing 364 square feet of land.



Engineers — Surveyors — Site Planners 3/25/87

86038

PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL HEARING
15th Election District - 5th Councilmanic District
Case No. 88-124-XSPH

LOCATION: Southwest Corner Eastern Boulevard and Lynbrook Road (2925 Eastern Boulevard)

DATE AND TIME: Monday, October 5, 1987, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for storage of inflammable liquids and gases above ground

Petition for Special Hearing to approve an amended site plan (Case No. 79-24-XRA) for the sale of propane fuel and a reduction of the original special exception area by 364 square feet

Being the property of Allen J. Dufour, 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.

J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

January 12, 1988

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

RE: Petitions for Special Exception and Special Hearing
SW/Cor. Eastern Boulevard and Lynbrook Road (2925 Eastern Boulevard)
15th Election District, 5th Councilmanic District
Allen J. Dufour - Petitioner
Case No. 88-124-XSPH

Dear Mr. DiNenna:

Enclosed please find the decision rendered on the above-referenced cases. The Petitions for Special Exception and Special Hearing have been granted, subject to the restrictions noted in the attached order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ASHA M. HASLAROWICZ
Deputy Zoning Commissioner

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD. Sept. 17, 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 Sept. 17, 1987.

THE JEFFERSONIAN,

Publisher

\$ 37.54

PETITION FOR
SPECIAL EXCEPTION
AND SPECIAL HEARING
15th Election District
5th Councilmanic District
Case No. 88-124-XSPH

LOCATION: Southwest Corner Eastern Boulevard and Lynbrook Road (2925 Eastern Boulevard)
DATE AND TIME: Monday, October 5, 1987 at 10:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for storage of inflammable liquids and gases above ground.

Petition for Special Hearing to approve an amended site plan (Case No. 79-24-XRA) for the sale of propane fuel and a reduction of the original special exception area by 364 square feet.

Being the property of Allen J. Dufour, 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
J. ROBERT HAINES
Zoning Commissioner
of Baltimore County
10/78 Sept. 17.

Petition For Special Exception and Special Hearing

15th Election District
5th Councilmanic District
Case No. 88-124-XSPH

LOCATION: Southwest Corner Eastern Boulevard and Lynbrook Road (2925 Eastern Boulevard)

DATE AND TIME: Monday, October 5, 1987, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for storage of inflammable liquids and gases above ground.

Petition for Special Hearing to approve an amended site plan (Case No. 79-24-XRA) for the sale of propane fuel and a reduction of the original special exception area by 364 square feet.

Being the property of Allen J. Dufour, 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
J. ROBERT HAINES
Zoning Commissioner
of Baltimore County
10/78 Sept. 17.

The Times

Middle River, Md. Sept 17, 1987

This is to certify, that the annexed

Advertisement was

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of _____ successive

weeks before the _____ day of

September, 1987.

Publisher.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 15th Date of Posting: 9/21/87

Postd for: Special Exception & Special Hearing

Petitioner: Allen J. Dufour

Location of property: SW/Cor. Eastern Blvd. & Lynbrook Rd.

2925 Eastern Blvd.

Location of Sign: SW/Cor. Eastern Blvd. & Lynbrook Rd.

7th Floor Bldg., on property of Baltimore County

Remarks: M. Kealey

Posted by: M. Kealey Date of return: 9/25/87

Number of Signs: 2

AUG 12 1988

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY
SW/Corner Eastern Blvd. & Lynbrook Rd. (2925 Eastern Blvd.), 15th District
ALLEN J. DUFOUR, Petitioner : Case No. 88-124-XSPH

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
410-2188

I HEREBY CERTIFY that on this 17th day of September, 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 Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
410-3353

J. ROBERT HAINES
ZONING COMMISSIONER

September 29, 1987

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

RE: PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL HEARING
SW/Cor. Eastern Blvd. and Lynbrook Rd.
(2925 Eastern Blvd.)
15th Election District - 5th Councilmanic District
Allen J. Dufour - Petitioner
Case No. 88-124-XSPH

Dear Mr. DiNenna:

This is to advise you that \$91.59 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 21204, before the hearing.

Sincerely,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:med

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 45889

DATE: 10/1/87 ACCOUNT: 801-111111

AMOUNT: \$ 91.59

RECEIVED FROM: Eric DiNenna

FOR: Baltimore County

VALIDATION OR SIGNATURE OF CASHIER

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

September 1, 1987

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL HEARING
SW/Cor. Eastern Blvd. and Lynbrook Rd.
(2925 Eastern Blvd.)
15th Election District - 5th Councilmanic District
Allen J. Dufour - Petitioner
Case No. 88-124-XSPH

TIME: 10:00 a.m.

DATE: Monday, October 5, 1987

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

No. 36175

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

DATE: 6/2/87 ACCOUNT: 01-615-000

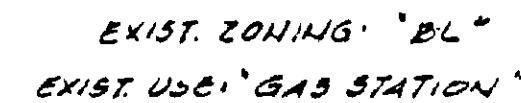
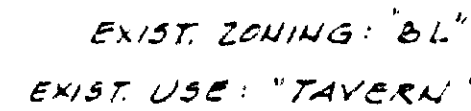
AMOUNT: \$ 700.00

RECEIVED FROM: SED

FOR: Sp. Ex. Sph # 508

8 2925... Eastern Blvd.

VALIDATION OR SIGNATURE OF CASHIER



1. AREA OF SITE = 1.34 ACRES²
2. EXIST ZONING OF SITE = "B₂" w/ SPECIAL EXCEPTION (75-24 XRA)
3. EXIST USE OF SITE = "SERVICE GARAGE & AUTO SALES"
4. PROP. ZONING OF SITE = "B₂" w/ SPECIAL EXCEPTION (75-24 XRA)
5. PROP. USE OF SITE = "SERVICE GARAGE & AUTO SALES"
6. ON-SITE PARKING REQ'D:
 - A. AUTO SALES: 200 S.F./200 = 1 R.S.
 - B. SERVICE GARAGE: 1298.22 S.F./300 = 5 R.S.
6 R.S.
7. TOTAL NUMBER OF PARKING SPACES SHOWN = 26 R.S.
7. PUBLIC SEWER & WATER AVAILABLE TO SITE
8. PETITIONER REQUESTING SPECIAL HEARING TO AMEND SITE PLAN.
9. PETITIONER REQUESTING SPECIAL EXCEPTION TO SECTION 236.4 OF THE BCLR FOR THE STORAGE OF INFLAMMABLE LIQUIDS & GASES ABOVE GROUND.

NOTE: CASE # 79-24-XRA
RECLASSIFICATION GRANTED M-L TO BR N/S.E. FOR USED
CAR SALES & REPAIR IN BR ZONE. VARIANCE GRANTED
TO PERMIT DISPLAY AREA 8' FROM EASTERN BLVD.

PLAT TO ACCOMPANY PETITION

FOR

SPECIAL HEARING & SPECIAL EXCEPTION FOR THE HEARER'S

"2925 EASTERN BOULEVARD EXHIBIT 1

443 AUTO SALES & AL'S SERVICE GARAGE

15TH ELECT. DIST. BALTIMORE COUNTY, MD.

SCALE: 1" = 70'

OCT 30, 1986
MAR 24, 1987

FAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND-21204

508 OFFICE COPY
88-124XSPH
2 Signs