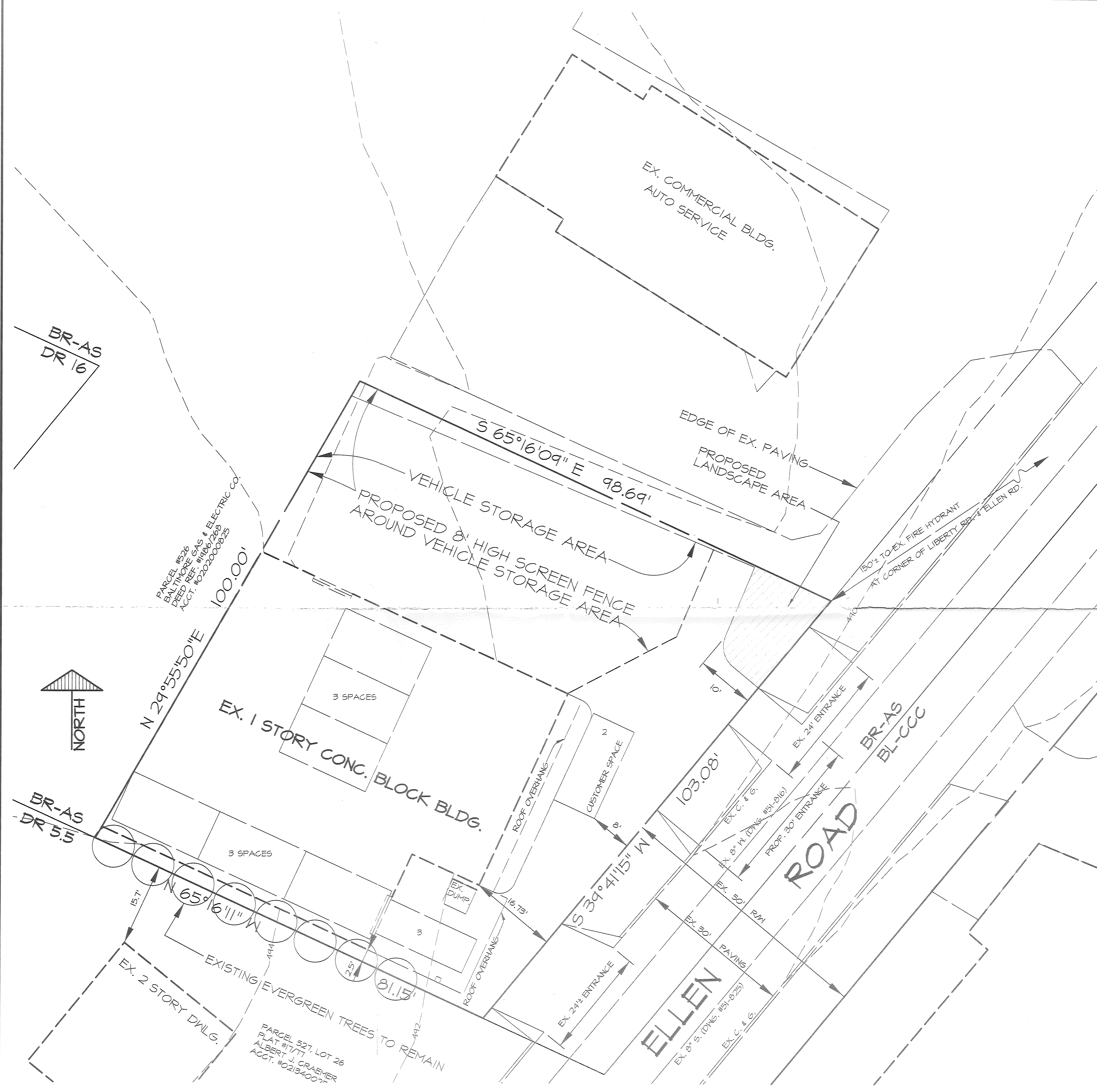




PARKING CALCULATIONS:
REQUIRED PARKING:
AS PER CASE #89-81-A - 9 SPACES IN LIEU OF 15.
AS PER CURRENT PARKING REGULATIONS EXCLUSIVE OF VARIANCE RELIEF.
 $3,742 \div 300 = 12.5$
TOTAL PARKING SPACES REQUIRED: 13
PROVIDED PARKING:
TOTAL PARKING SPACES PROVIDED: 9



SITE DATA:
NET SITE AREA: 0.955# = 0.21 AC.±
GROSS SITE AREA: 11,532# = 0.26 AC.±
GROSS BUILDING AREA: 3,742#
EXISTING ZONING: BR-AS
ZONING MAP: N.M., 6-G
FLOOR AREA RATIO:
FLOOR AREA RATIO ALLOWED: 2.0
EXISTING FLOOR AREA RATIO: 0.3

GENERAL NOTES:
1. NO C.R.G. CASE ON THIS SITE.
2. ALL SIGNAGE SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R.

PERMIT HISTORY:
* PERMIT #844-80; CHANGE FROM TAG ENGINEERING TO EL PELO'S BEAUTY SALON.
** PERMIT #1600-81; CHANGE OF OCCUPANCY FROM AUTO REPAIR, BOOK STORE AND BEAUTY SHOP TO AUTO REPAIR, BOOK STORE AND AIR TOOL REPAIR SERVICE.
*** PERMIT #1507-86; 250 GALLON GASOLINE STORAGE TANK FILLED WITH CEMENT.

ZONING HISTORY:
1. CASE #89-81-A: PETITION FOR ZONING VARIANCE TO PERMIT A REAR-YARD SETBACK OF 0 FEET IN LIEU OF THE REQUIRED 30 FEET; A SIDE-YARD SETBACK OF 2.6 FEET IN LIEU OF THE REQUIRED 30 FEET FOR PROPOSED BUILDING ADDITION; TO PERMIT PARKING SPACES TO BE CLOSER THAN 10 FEET TO THE RIGHT OF WAY LINE OF THE PUBLIC STREET; AND TO PERMIT 9 PARKING SPACES IN LIEU OF THE REQUIRED 13 SPACES. GRANTED: 04/24/1988.

APPROVED AS WITHIN THE SPIRIT AND INTENT OF ALL BALTIMORE COUNTY ZONING REGULATIONS, AS APPLICABLE TO THE PROPERTY SHOWN HEREIN AND THE RELIEF GRANTED IN CASE NO. 89-81-A.
Arnold Cablon 6-1-00
ARNOLD CABLON, DIRECTOR
BALTIMORE COUNTY DEPARTMENT OF PERMITS
AND DEVELOPMENT MANAGEMENT
DATE 6-1-00
STANLEY SHAPIRO

RECEIVED MAY 26 2000
89-81-A

OWNER:
STEVEN L. GALASSO
8504 THORNTON ROAD
LUTHERVILLE, MD 21093
DEED REF. #11516/554
ACCT. #0202201600
TEL.: 410-122-1073

EXHIBIT TO ACCOMPANY SPIRIT & INTENT LETTER	
ELLEN ROAD PROPERTY 3518 ELLEN ROAD	
TAX MAP #77, GRID #23, PARCEL #161 PLAT #17/77 ELECTION DISTRICT: 02 COUNCILMANIC DISTRICT: 02 BALTIMORE COUNTY, MD	
THOMAS J. HOFF, INC. Land Development Consultants and Landscape Architects 406 W. PENNSYLVANIA AVE. TOWSON, MD 21204 410-296-3658 FAX: 296-5326	REVISIONS: 04/06/2000 5/25/2000 SCALE: 1"= 10' DATE: 3/29/2000 JOB NO.: 387-01 DESIGNED:- DRAWN: SL CHECKED: DRAWING NUMBER: SP-1 SHEET OF C:\PROJECTS\1\387.DWG



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmilandacq@co.ba.md.us

April 18, 2000

Julius W. Lichter, Esquire
Law Offices, Peter G. Angelos
Court Towers, Suite 300
210 W. Pennsylvania Avenue
Towson, Md. 21204

Dear Mr. Lichter:

RE: Spirit and Intent, Case #89-81-A, 3518 Ellen Ave., 2nd Election District

Your letter to Arnold Jablon, Director of Permit Development Management, has been referred to me for reply. The zoning of this site per the 1"-200" scale zoning map #NW, 6-G is Business Roadside-Automotive Service (BR-AS) as stated in your letter. Your client's request is for verification that a vehicle storage area within an 8 feet high screen fence be permitted on the northeast portion of the site as shown on the submitted site plan dated March 29, 2000. There would be 10 parking spaces provided (6 indoor service bays and 4 outside). Granted zoning case #89-81-A allowed 9 spaces to be provided. This matter has been reviewed by staff and it has been determined that more information is needed, i.e., show construction drawings of the block building (specifically the 3 service bay area on the south side and show vehicle circulation on site. Also parking spaces numbers 3 and 4 either block traffic flow or are blocked.

If you have any questions, etc you may call me at 887-3391.

Sincerely,

John J. Sullivan
John J. Sullivan, Jr.
Planner II
Zoning Review

JJS kew

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 000306

DATE 4/18/00 ACCOUNT 000-6100

AMOUNT \$ 40.00

RECEIVED FROM: [Signature]

FOR: [Signature]

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

CASHIER'S VALIDATION

LAW OFFICES

PETER G. ANGELOS
A PROFESSIONAL CORPORATION
COURT TOWERS, SUITE 300
210 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
410-825-7300 FAX 410-296-2541

JULIUS W. LICHTER

April 7, 2000

Mr. Arnold Jablon, Director
Baltimore County Department of Permits and Development Management
111 W. Chesapeake Avenue, Room 111
Towson, Maryland 21204

Re: Spirit and Intent Letter
Auto Service Garage (w/o Fuel Service)
3518 Ellen Road

Dear Mr. Jablon:

I represent Automotive Emporium, Inc., t/a Rockdale Autobody. My client operates an auto service garage without fuel service at 3518 Ellen Road, by right within the BR-AS zone. My client proposes to amend the approved zoning plan for the property to show a screened storage area for cars awaiting repairs. By this letter, I seek your concurrence that the proposed amended site plan is within the spirit and intent of the Baltimore County Zoning Regulations, and the zoning applicable to this property.

The property consists of a gross site area of 0.26 acres within the BR-AS zoning classification on the northwest side of Ellen Road, approximately 150 feet south of the intersection of Ellen Road and Liberty Road. The adjacent property to the north on Ellen Road is zoned BR-AS and the adjacent property to the south on Ellen Road is zoned DR 5.5. Property located directly across Ellen Road from the subject property is zoned BL-CCC. There is a one story concrete block building containing 3742 square feet of floor area existing on the subject property within which the auto repairs take place. The property is used exclusively for body work. There is no painting of automobiles on-site; repaired cars are painted at another facility off-site.

Since at least 1981, the property has been used as an auto repair facility. Use and Occupancy Permit number 1800-81 lists the use as "auto repair, bookstore and repair shop". All Use & Occupancy Permits for this property are attached as exhibit A. Prior to 1981, the use was listed as "auto repair, bookstore, beauty shop". In 1989, the property was the subject of a hearing before the

Mr. Arnold Jablon
April 7, 2000
Page 2.

zoning commissioner on a petition for variance. The petition requested the following relief, which was granted in its entirety without substantive restriction:

Variance for a rear yard set back of zero feet in lieu of the required 30 feet
Variance for a side yard set back of 2.6 feet in lieu of the required 30 feet
Variance to allow parking closer than 10 feet to the right of way
Variance to allow 9 parking spaces in lieu of the required 15 spaces.

A copy of the zoning order granting all the requested variance relief is attached as Exhibit 2. A copy of the approved variance plan is attached as exhibit 3.

The current owner purchased the property in 1996 uses it exclusively for auto repairs. The current owner is authorized by the State of Maryland for repair service only; it is not authorized for any retail sales. Accordingly, there is virtually no customer parking actually required for this repair service operation. With the exception of employee vehicles, virtually all the cars on the site are awaiting repairs.

In October, 1999, our client was cited with a violation by the Division of Code Enforcement for non-compliance with the approved zoning plan. The approved zoning plan, a copy of which is attached, showed nine parking spaces. See exhibit 3. The Code Enforcement official who cited our client took issue with the storage of cars awaiting repairs in these nine spaces, and in the drive-aisle providing access to the spaces. On February 8, 2000, Dino La Fiandra, an attorney with this office appeared before the Administrative Hearing Officer, whereupon the Hearing Officer ordered either compliance with the approved plan, or that our client obtain variance relief or alternative zoning approval. By this letter, we seek your concurrence that our client's proposed site plan is within the spirit and intent of the Baltimore County Zoning Regulations, and that, therefore, no petition to the zoning commissioner is necessary. The proposed zoning plan is attached as exhibit 4.

Pursuant to the parking regulations in effect in 1989, there were 15 parking spaces required for the retail and service uses then on the property. As noted above, the variance allowed nine spaces in lieu of the 15 then required. Mr. Carl Richards and Mr. Joe Merrey, both of Zoning Review, have advised that current zoning regulations require 3.3 spaces per 1000 square feet of floor area for this use. Therefore, under the current zoning regulations, 13 spaces are required (3742 square feet at 3.3 spaces per 1000 square feet). Notably, the current zoning regulations require fewer parking spaces than those in effect in 1989. Mr. Richards and Mr. Merrey also advised that the indoor service bays count toward the required parking. The approved site plan which allows nine spaces in lieu of 15 required shows nine spaces outside and does not reflect or mention the parking spaces (service bays) located within the building. We propose to amend the plan to credit the six (6) indoor bays toward the required 9 spaces, and provide 4 outdoor spaces, for a total of 10 parking spaces, which is one in excess of the nine required under the variance. This will allow our client to reconfigure the

ONE CHARLES CENTER
100 N. CHARLES STREET
BALTIMORE, MD 21201-3814
410-685-2000
FAX 410-685-2101

UNION PARK CENTER
8000 HARTFORD ROAD
BALTIMORE, MD 21206-1008
410-448-8200
FAX 410-448-1200

STEELWORKERS HALL
840 CHURCH AVENUE
BALTIMORE, MD 21201-6807
410-635-0000
FAX 410-635-0000

CENTERPARK II
SUITE 318
1008 POWDER MILL ROAD
BETHESDA, MD 20814-3148
703-901-8000
FAX 301-937-9736

#3 HENDERSON AVENUE
CUMBERLAND, MD 21610-8408
301-768-2700
FAX 301-768-2700

#20 S. CLEVELAND AVENUE
HAGERSTOWN, MD 21740-5745
301-788-0000
FAX 301-788-2646

Census 2000 For You, For Baltimore County Census 2000
Printed with Soybean Ink on Recycled Paper
Come visit the County's Website at www.co.ba.md.us

Mr. Arnold Jablon
April 7, 2000
Page 3.

outdoor parking to allow for a screened area for outdoor storage of vehicles awaiting repairs. The proposed plan retains the existing landscaping along the south property line and also provides for enhanced landscaping in the northeast corner of the property. See exhibit 4.

Legally, the plan may be amended in this manner without a petition to the zoning commissioner because:

- 1) the proposed plan provides 10 parking spaces,
- 2) zoning case number 89-81-A allows 9 spaces in lieu of 15 then required,
- 3) the current zoning regulations require fewer spaces without zoning relief (13 now required compared to 15 then required, without variance), and
- 4) the current zoning regulations allow the attribution of the indoor bays toward the required number of spaces.

The reconfiguration will permit enhanced landscaping and a screened area for storage of cars awaiting repairs where none exist now. The proposed site plan will improve the appearance of the property to passers-by and neighboring residents on Ellen Road, while bringing the property into compliance with the law regarding screening of cars awaiting repairs, thereby minimizing the perceived conflict between the use permitted by right in the BR-AS zone and the residential use on the adjacent DR zone on Ellen Road. The proposed amendment mitigates the traffic and parking issues attendant to the uses, and allows the continuation of this prosperous and well-established business within the Liberty Road Revitalization District of Baltimore County.

Kindly review the attached proposed site plan (exhibit 4) and advise at your earliest convenience that the proposal is within the spirit and intent of the Baltimore County Zoning Regulations and the zoning history of this property. I enclose a check for \$40.00 to cover your customary fee for this service.

Sincerely,

Julius W. Lichter
Julius W. Lichter

cc: Automotive Emporium, Inc.
Hon. Stanley Schapiro
Mr. Rick Wisnom
Mr. Howard Underwood
Mr. Carl Richards
Mr. Joe Merrey
Hon. Kevin Kamenetz

1800-81

Exhibit 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 4/18/00 ACCOUNT 000-6100

AMOUNT \$ 40.00

RECEIVED FROM: [Signature]

FOR: [Signature]

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

CASHIER'S VALIDATION

844-80

PLANNING AND ZONING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 4/18/00 ACCOUNT 000-6100

AMOUNT \$ 40.00

RECEIVED FROM: [Signature]

FOR: [Signature]

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

CASHIER'S VALIDATION

1507-86

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

7520 ELLEN RD.
ROBERT & JUDY COHEN
7520 ELLEN RD. BALTO MD. 21207
KING WATERPROOFING
SIDNEY JACK LEVIN & GARRY LAYENSTEIN
NW/S ELLEN RD. 1AA S/V LIBERTY RD.

RECEIVED
JUL 30 1985
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

A. TYPE OF IMPROVEMENT
RESIDENTIAL
TYPE OF IMPROVEMENT
1. ADDITION
2. ALTERATION
3. REPAIR
4. REMOVAL
5. OTHER

B. OWNERSHIP
1. OWNER
2. RENTER
3. OTHER

C. TYPE OF USE
RESIDENTIAL
TYPE OF USE
1. SINGLE FAMILY UNIT
2. MULTIFAMILY UNIT
3. COMMERCIAL
4. INDUSTRIAL
5. OTHER

D. TYPE OF CONSTRUCTION
TYPE OF CONSTRUCTION
1. BRICK
2. CONCRETE
3. METAL
4. OTHER

E. RESIDENTIAL ONLY
SINGLE FAMILY UNIT
MULTIFAMILY UNIT
HOW MANY APARTMENTS HAVE

F. DIMENSIONS
103.08 x 81.15
108 x 88.69
ADJ. LOT 26
39,470
27,320
66,790 (06) CH2000000A

G. OTHER INFORMATION
KING WATERPROOFING 7-25-85
1520 ELLEN RD. BALTO MD. 21207
JACK LEVIN
320,000 D-100000 7-25-85

IN RE: PETITION FOR ZONING VARIANCE
NW/S Ellen Road, 154.62' SW
of Liberty Road
(3518 Ellen Road)
2nd Election District
2nd Councilmanic District

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-81-A

Robert E. Cohen, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 0 feet in lieu of the required 30 feet; a side yard setback of 2.6 feet in lieu of the required 30 feet for a proposed building addition; to permit parking spaces to be closer than 10 feet to the right-of-way line of a public street; and to permit 9 parking spaces in lieu of the required 15 spaces; all as more particularly described in Petitioner's Exhibit 4.

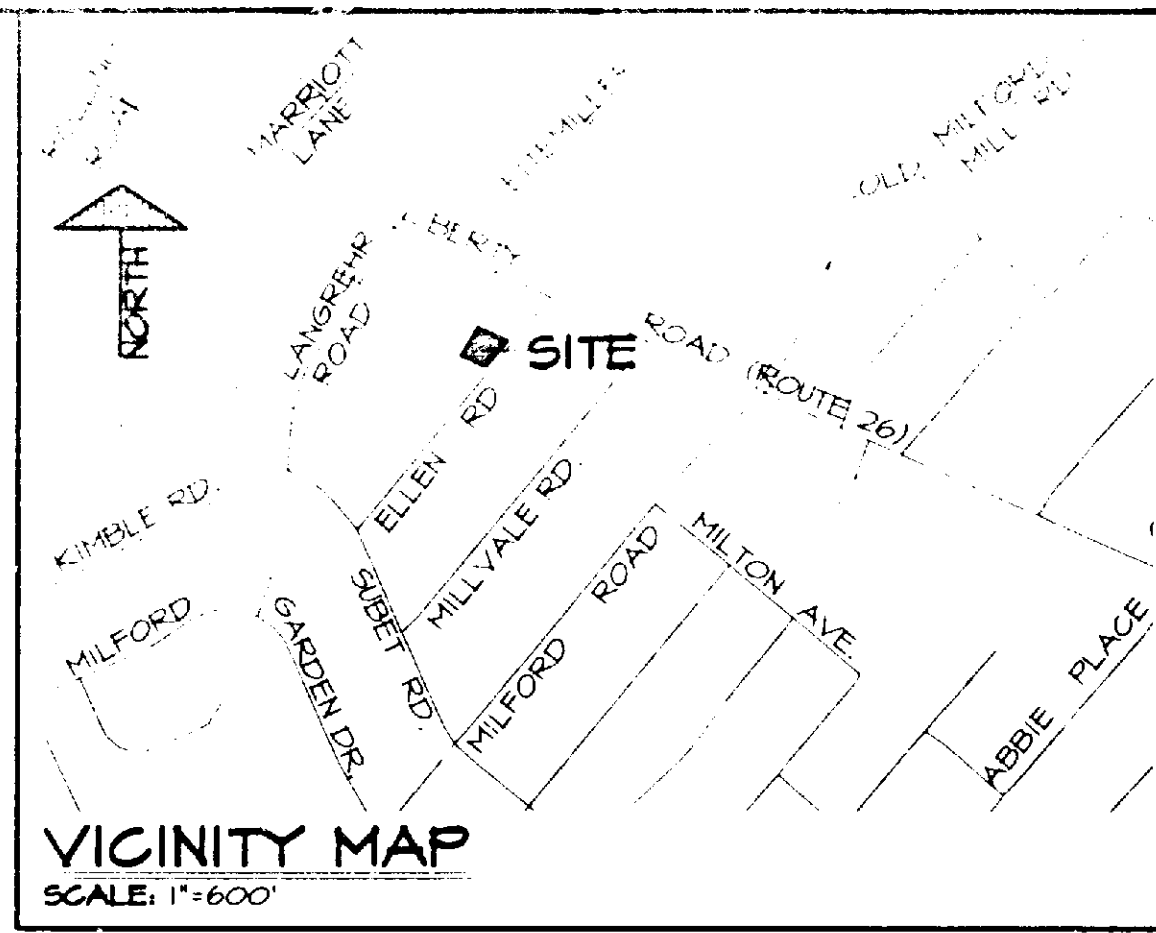
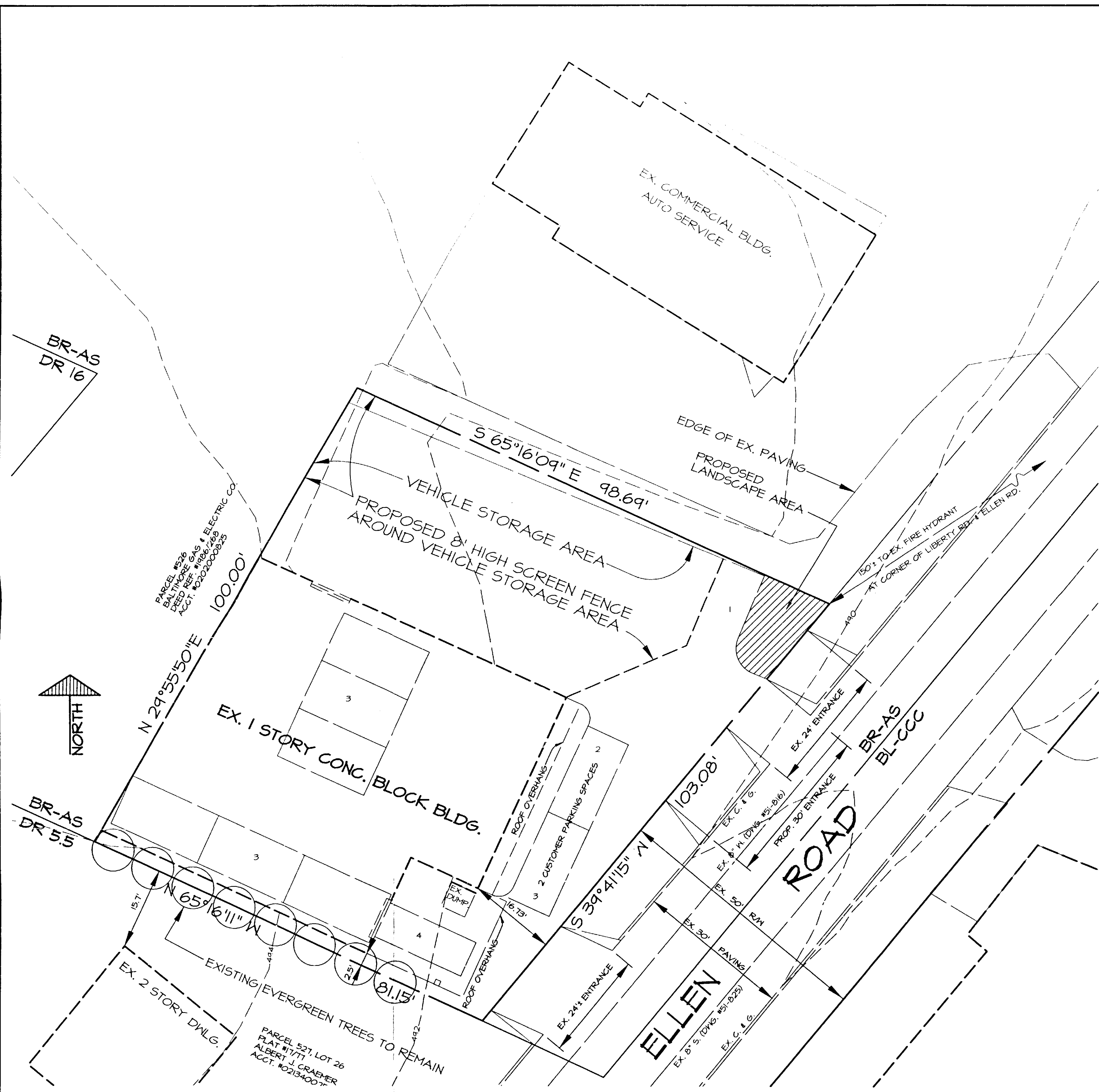
The Petitioners, by Robert Cohen, appeared, testified, and were represented by C. Michael Magruder, Esquire. Also appearing on behalf of the Petition was William P. Monk, a professional Land Use Planning and Zoning Consultant. There were no Protestants.

Testimony indicated that the subject property, known as 3518 Ellen Road, is zoned B.R.-C.S.A. and is improved with an existing one story concrete block building currently leased by Bell Mechanical, Inc. for office space and storage. Petitioner proposes constructing a 1,080 sq.ft. addition to the existing structure to provide additional storage space for this expanding business.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Sec-

Exhibit 2

ORDER RECEIVED FOR FILING
Date: 9/29/88
Bette J. Schuler



SITE DATA:

NET SITE AREA: 8,955# = 0.21 AC.
GROSS SITE AREA: 11,532# = 0.26 AC.
GROSS BUILDING AREA: 3,742#
EXISTING ZONING: BR-AS
ZONING MAP: NM, 6-6

FLOOR AREA RATIO:

FLOOR AREA RATIO ALLOWED: 2.0
EXISTING FLOOR AREA RATIO: 0.3

GENERAL NOTES:

1. NO C.R.G. CASE ON THIS SITE.
2. ALL SIGNAGE SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R.

PERMIT HISTORY:

- PERMIT #844-80; CHANGE FROM TAG ENGINEERING TO EL PELO'S BEAUTY SALON.
- PERMIT #1800-81; CHANGE OF OCCUPANCY FROM AUTO REPAIR, BOOK STORE AND BEAUTY SHOP TO AUTO REPAIR, BOOK STORE AND AIR TOOL REPAIR SERVICE.
- PERMIT #1507-86; 250 GALLON GASOLINE STORAGE TANK FILLED WITH CEMENT.

ZONING HISTORY:

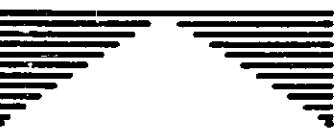
1. CASE #84-81-A; PETITION FOR ZONING VARIANCE TO PERMIT A REAR-YARD SETBACK OF 0 FEET IN LIEU OF THE REQUIRED 30 FEET; A SIDE-YARD SETBACK OF 2.6 FEET IN LIEU OF THE REQUIRED 30 FEET FOR PROPOSED BUILDING ADDITION; TO PERMIT PARKING SPACES TO BE CLOSER THAN 10 FEET TO THE RIGHT OF WAY LINE OF THE PUBLIC STREET; AND TO PERMIT 4 PARKING SPACES IN LIEU OF THE REQUIRED 15 SPACES. GRANTED 04/24/1988.

PARKING CALCULATIONS:

REQUIRED PARKING:
AS PER CASE #84-81-A - 4 SPACES IN LIEU OF 15.
AS PER CURRENT PARKING REGULATIONS EXCLUSIVE OF VARIANCE RELIEF:
3,742# ÷ 33P/5,1000# = 12.3
TOTAL PARKING SPACES REQUIRED: 13

PROVIDED PARKING:
TOTAL PARKING SPACES PROVIDED: 10

OWNER:
STEVEN L. GALASSO
8504 THORNTON ROAD
LUTHERVILLE, MD 21043
DEED REF. #1516/554
ACCT. #0202201600
TEL.: 410-422-7073

EXHIBIT TO ACCOMPANY SPIRIT & INTENT LETTER	
ELLEN ROAD PROPERTY 3518 ELLEN ROAD	
TAX MAP #T1, GRID #23, PARCEL #161 PLAT #17/T1 ELECTION DISTRICT: 02 COUNCILMANIC DISTRICT: 02 BALTIMORE COUNTY, MD	
 THOMAS J. HOFF, INC. Land Development Consultants and Landscape Architects 406 W. PENNSYLVANIA AVE. TOWSON, MD 21204 410-296-3668 FAX: 296-5326	REVISIONS: 04/06/2000
	SCALE: 1" = 10'
	DATE: 3/29/2000
	JOB NO.: 387-01
	DESIGNED: -
DRAWN: SL	
CHECKED:	
DRAWING NUMBER:	
SP-1	
SHEET OF	
C:\PROJECTS\1\107.DWG	

IN RE: PETITION FOR ZONING VARIANCE
NW/5 Ellen Road, 154.62' SW
of Liberty Road
(3518 Ellen Road)
2nd Election District
2nd Councilmanic District
Robert E. Cohen, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-81-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 0 feet in lieu of the required 30 feet; a side yard setback of 2.6 feet in lieu of the required 30 feet for a proposed building addition; to permit parking spaces to be closer than 10 feet to the right-of-way line of a public street; and to permit 9 parking spaces in lieu of the required 15 spaces; all as more particularly described in Petitioner's Exhibit 4.

The Petitioners, by Robert Cohen, appeared, testified, and were represented by C. Michael Magruder, Esquire. Also appearing on behalf of the Petition was William P. Monk, a professional Land Use Planning and Zoning Consultant. There were no Protestants.

Testimony indicated that the subject property, known as 3518 Ellen Road, is zoned B.R.-C.S.A. and is improved with an existing one story concrete block building currently leased by Bell Mechanical, Inc. for office space and storage. Petitioner proposes constructing a 1,080 sq.ft. addition to the existing structure to provide additional storage space for this expanding business.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Sec-

tion 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of September, 1988 that the Petition for Zoning Variance to permit a rear yard setback of 0 feet in lieu of the required 30 feet; a side yard setback of 2.6 feet in lieu of the required 30 feet for a proposed building addition; to permit parking spaces to be closer than 10 feet to the right-of-way line of a public street; and to permit 9 parking spaces in lieu of the required 15 spaces; in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building 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 30-day appellate process from this Order is reversed, the 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.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 2nd Date of Posting August 29-88
Posted for: Variance
Petitioner: Robert F. Cohen et ux
Location of property: NW/5 Ellen Road, 154.62' SW
of Liberty Road (3518 Ellen Road)
Location of Sign: on front of 3518 Ellen Road
Remarks: _____
Posted by: A. J. [Signature] Date of return: September 2-88
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 25, 19 88
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug. 25, 1988

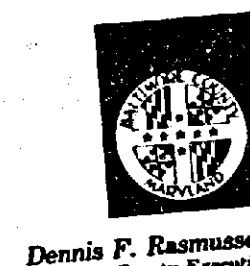
THE JEFFERSONIAN,

4/25
S. Zebe Orlem
Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

October 3, 1988



C. Michael Magruder, Esquire
22 W. Pennsylvania Avenue, Suite 204-A
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
NW/5 Ellen Road, 154.62' SW of Liberty Road
(3518 Ellen Road)
2nd Election District - 2nd Councilmanic District
Robert E. Cohen, et ux - Petitioners
Case No. 89-81-A

Dear Mr. Magruder:

By cover letter dated September 29, 1988 you were forwarded a copy of the decision rendered in the above-captioned matter. The Petition for Variance in this case was granted by Order dated September 29, 1988; however, the cover letter inadvertently stated the request was denied. Please disregard my letter of September 29, 1988 and excuse the oversight.

If you have any questions on the subject, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

JRH:bjs

cc: Mr. William P. Monk
Loyola Federal Building, Suite 204-A
22 W. Pennsylvania Avenue, Towson, Md. 21204

People's Counsel
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: 9-8-88

Mr. & Mrs. Robert F. Cohen
7220 Denberg Road
Baltimore, Maryland 21209

Re: Petition for Zoning Variance
CASE NUMBER: 89-81-A
NW/5 Ellen Road, 154.62' SW Liberty Road
(3518 Ellen Road)
2nd Election District - 2nd Councilmanic
Petitioner(s): Robert F. Cohen, et ux (Bell Mechanical, Inc.)
HEARING SCHEDULED: THURSDAY, SEPTEMBER 22, 1988 at 10:45 a.m.

Dear Mr. & Mrs. Cohen:

Please be advised that \$103.61 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

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

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 106, 100 W. Chesapeake Avenue, Towson, Maryland 21204, 15 minutes before the hearing.

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

No. 059123

DATE 9/22/88 ACCOUNT 8-01-15-000

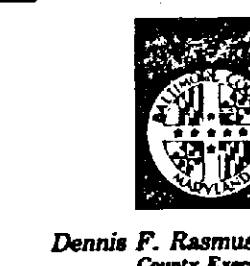
AMOUNT \$ 103.61

RECEIVED FROM Bell Mechanical

FOR Posting & Sign 9/22/88 hearing

B 041*****1036155 5225F
89-81-A

VALIDATION OR SIGNATURE OF CASHIER



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 238.2 to allow a rear yard of 0' in lieu of 30' and a side yard of 2' in lieu of 30' from Section 409.8 A.4 to allow parking spaces closer than 10 feet to the right of way line of a public street. From Section 409.6 A2 & A3 to allow 9 parking spaces in lieu of 15 spaces required. The expansion of the physical plant is essential to maintaining the business at this location.

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: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Atorney for Petitioner: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
City and State: _____
Atorney's Telephone No.: _____

Legal Owner(s):
Robert F. & Judy S. Cohen
Type or Print Name
Signature: *Judy S. Cohen*
City and State: *MD*
Address: *7220 Denberg Road*
City and State: *Baltimore, Maryland 21209*
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: *William P. Monk*
Name: *Loyola Federal Building*
Address: *Suite 204 A*
City and State: *22 W. Pennsylvania Avenue*
Address: *Towson, MD 21204* Phone No. *494-8931*

MAP 28
NO. 2
DATE 10/2/88
FOO [Signature]
1000
W41,180

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of September, 19 88, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of September, 19 88, at 10:45 o'clock a.m.

REVIEWED BY: *[Signature]* DATE 6-30-88

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-81-A
NW/5 Ellen Road, 154.62' SW Liberty Road
(3518 Ellen Road)
2nd Election District - 2nd Councilmanic
Petitioner(s): Robert F. Cohen, et ux (Bell Mechanical, Inc.)
HEARING SCHEDULED: THURSDAY, SEPTEMBER 22, 1988 at 10:45 a.m.

Variance to allow a rear yard of zero feet in lieu of 30 feet and a side yard of 2' in lieu of 30 feet to allow parking spaces closer than 10 feet to the right-of-way line of a public street; to allow 9 parking spaces in lieu of 15 spaces required.

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Robert & Judy Cohen
William P. Monk
File

ZONING DESCRIPTION

Beginning at a point on the Northwest side of Ellen Road, 50 ft. wide, 154.62 ft. from the Southwest side of Liberty Road, 66 ft. wide and running the following four courses.

1. South 39 degrees, 41 minutes, 15 seconds. West, 103.08 ft.
2. North 65 degrees, 16 minutes, 09 seconds. West, 81.15 ft.
3. North 23 degrees, 55 minutes, 50 seconds. East, 100.00 ft.
4. South 65 degrees, 16 minutes, 09 seconds. East, 98.69 ft.

to the point of beginning. Containing 6,954 sq. ft. of land more or less.



PAPERS OF MARYLAND, INC.

Md., Aug. 31, 1988
annexed...Req. M18912...P.O. #04057

Successive weeks/days previous
1988, in the

a daily newspaper published
Minster, Carroll County, Maryland.
a weekly newspaper published
in Baltimore County, Maryland.
weekly newspaper published
in Baltimore County, Maryland.
PAPERS OF MARYLAND, INC.

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Zoning Variance
CASE NUMBER: 89-81-A
NW/5 Ellen Road, 154.62' SW Liberty Road
(3518 Ellen Road)
2nd Election District - 2nd Councilmanic
Petitioner(s): Robert F. Cohen, et ux (Bell Mechanical, Inc.)
HEARING SCHEDULED: THURSDAY, SEPTEMBER 22, 1988 at 10:45 a.m.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-5353
J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

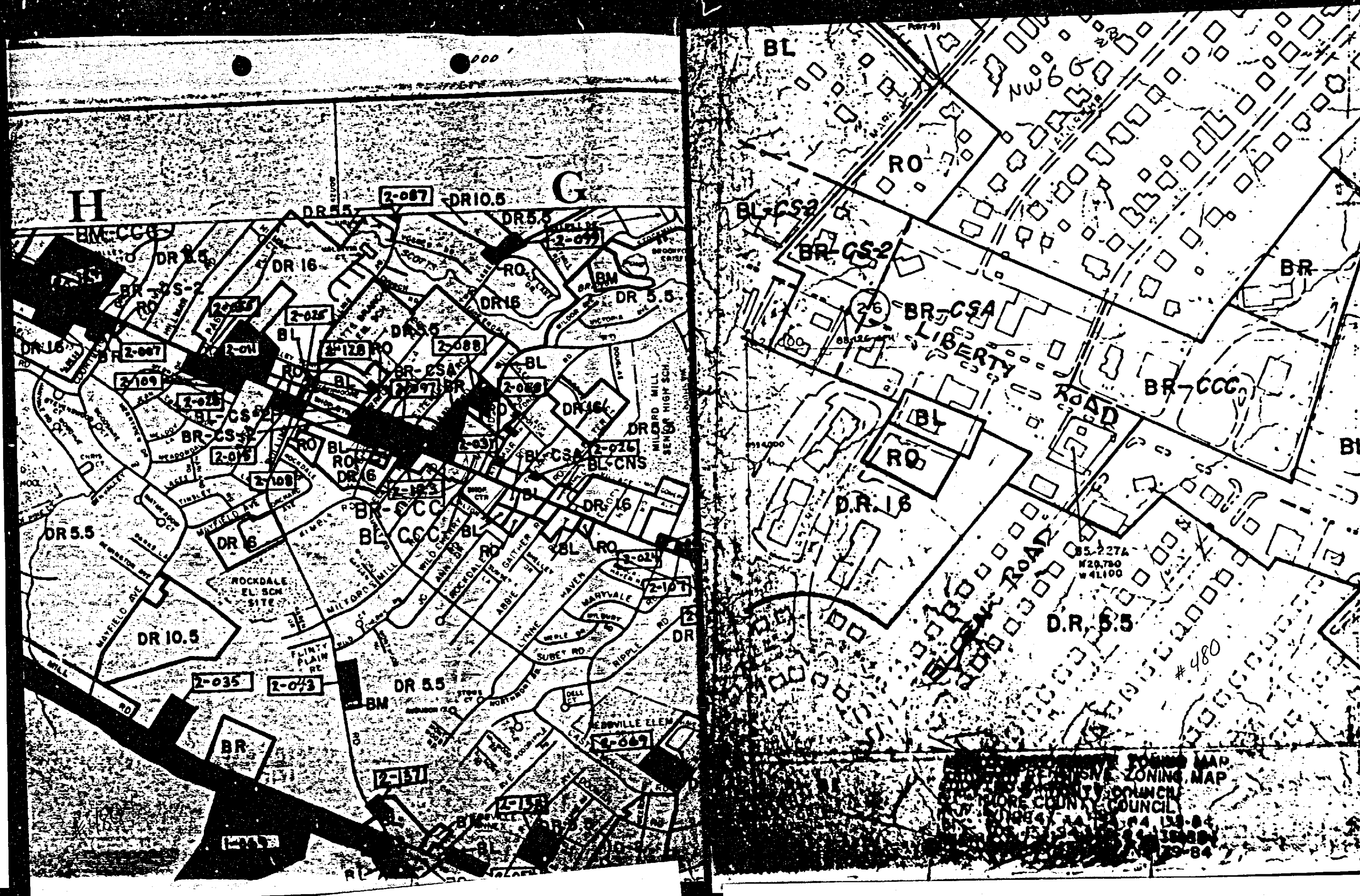
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER 89-81-A
6215 Ellen Road, 154.62' SW Liberty Road
(3512 Ellen Road)
2nd Election District - 2nd Councilmanic
Petitioner(s): Robert F. Cohen, et ux (Bell Mechanical, Inc.)
HEARING SCHEDULED: THURSDAY, SEPTEMBER 22, 1988 at 10:45 a.m.

Variance to allow a rear yard of zero feet in lieu of 30 feet and a side yard of 2'6" in lieu of 30 feet; to allow parking spaces closer than 10 feet to the right-of-way line of a public street; to allow 9 parking spaces in lieu of 15 spaces required.

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County



89-81-A

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 July, 1988.

J. Robert Haines
Zoning Commissioner

Petitioner Robert F. Cohen, et ux
Petitioner's Attorney

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Robert Cohen	7220 Denberg Road 21209
WILLIAM P. MONK	22 W. PA. AVE. Towson, MD 21204
C. MICHAEL HAGERDORF	

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
Zoning Commissioner
TO: Zoning Commissioner
Pat Keller, Deputy Director
FROM: Office of Planning and Zoning
Bell Mechanical, Inc.
SUBJECT: Zoning Petition No. 89-81
Date: August 30, 1988

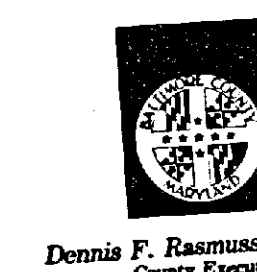
PK/sr

The applicant's property is located directly adjacent to a residentially zoned and developed property. The expansion of this building would create additional off-site impacts on the residential community. The site appears to be fully developed to its reasonable limit. The existing setbacks should be maintained to assure adequate building separation and buffer areas. Without strong compelling reasons to justify a hardship, staff recommends against approval of this variance. Expansion of additional development on an already constrained site should be avoided.

Baltimore County
Fire Department
Towson, Maryland 21204-2586
434-4500

July 15, 1988

Paul H. Reinecke
Chief
J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

Re: Property Owner: Bell Mechanical - Robert F. Cohen, et ux
Location: NW/4 Ellen Rd., 154.62' SW Liberty Road
3518 Ellen Avenue
Item No.: 480

Zoning Agenda: Meeting of 7/12/88

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 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: [Signature]
Noted and Approved: [Signature]
Planning Group
Special Inspection Division

/s/

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

August 24, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:
The Bureau of Traffic Engineering has no comments for items number 480
5, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 23, 25, 26, 28, 29, 30, 31, 32,
33, 36, 37, 38, 39 and 40.

Very truly yours,
[Signature]
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/RF/lab

RECEIVED
AUG 29 1988
ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 15, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
000

Mr. & Mrs. Robert F. Cohen
7220 Denberg Road
Baltimore, Maryland 21209

RE: Item No. 480 - Case No. 89-81-A
Petitioner: Robert F. Cohen, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Cohen:

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:dt

cc: William P. Monk
Loyola Federal Building
Suite 204
22 West Pennsylvania Avenue
Towson, Maryland 21204

cc: Mr. & Mrs. Robert F. Cohen
9-8-88
JED

CPS-008

PETITIONER(S) EXHIBIT (1)

A



PETITIONER(S) EXHIBIT (1)

C



PETITIONER(S) EXHIBIT (2)

A



B



NOTES:

- 1) ZONING:
EXISTING- BR-CSA
PROPOSED- BR-CSA
- 2) LOT AREA: 9,135 #
- 3) EXISTING USE: BELL MECHANICAL (OFFICE + STORAGE BLDG)
- 4) PROPOSED USE: STORAGE (1,080 # (.54' x 20')) 1 FLOOR - NOT EXCEED 25' HEIGHT
- 5) BUILDING AREA: EXISTING: 2,662 #, ADDITION: 1,080 #, TOTAL: 3,742
- 6) BUILDING SETBACKS: REQUIRED PROVIDED
FRONT- 24' 25'
INTERIOR SIDE- 30' 2.5'
REAR- 30' 0'
STREET CORNER SIDE- NA
- 7) PARKING:
REQUIRED- 1200 # OFFICE = 5, 10 EMPLOYEES ON LARGEST SHIFT = 15 TOTAL SPACES
PROVIDED- 9 SPACES
- 8) UTILITIES:
SEWER- PUBLIC, EXISTING
WATER- PUBLIC, EXISTING
- 9) VARIANCES:
1) REAR YARD SETBACK (0')
2) SIDE YARD SETBACK (2.5')
3) PARKING LESS THAN 10' TO R/W.
4) 9 SPACES IN LIEU OF 15 REQUIRED
- 10) SPECIAL EXCEPTION/CONDITIONAL USE: NA
- 11) ELECTION DISTRICT: 2ND
- 12) COUNCILMANIC DISTRICT: 2ND
- 13) SUB-SEWER SHEET: 64
- 14) WATER SHEET: 27
- 15) CENSUS TRACT: 4023.03
- 16) OPEN SPACE
EXISTING - 564 # = 6.2 %
PROVIDED - 785 # = 8.5 %
- 17) EXISTING CONCRETE PAD (FOR PARKING + DUMPSTER) ENCOMPASSES ENTIRE AREA WHERE ADDITION IS PROPOSED.

EXISTING ZONING LINE
Zoned RS.5

Zoned DR-16

BLUE SUBSTATION

Zoned BR-CSA

EXISTING LANDSCAPE AREA
20' HIGH EVERGREEN TREES (4'500)

PROPOSED LANDSCAPE AREA

ELLEN

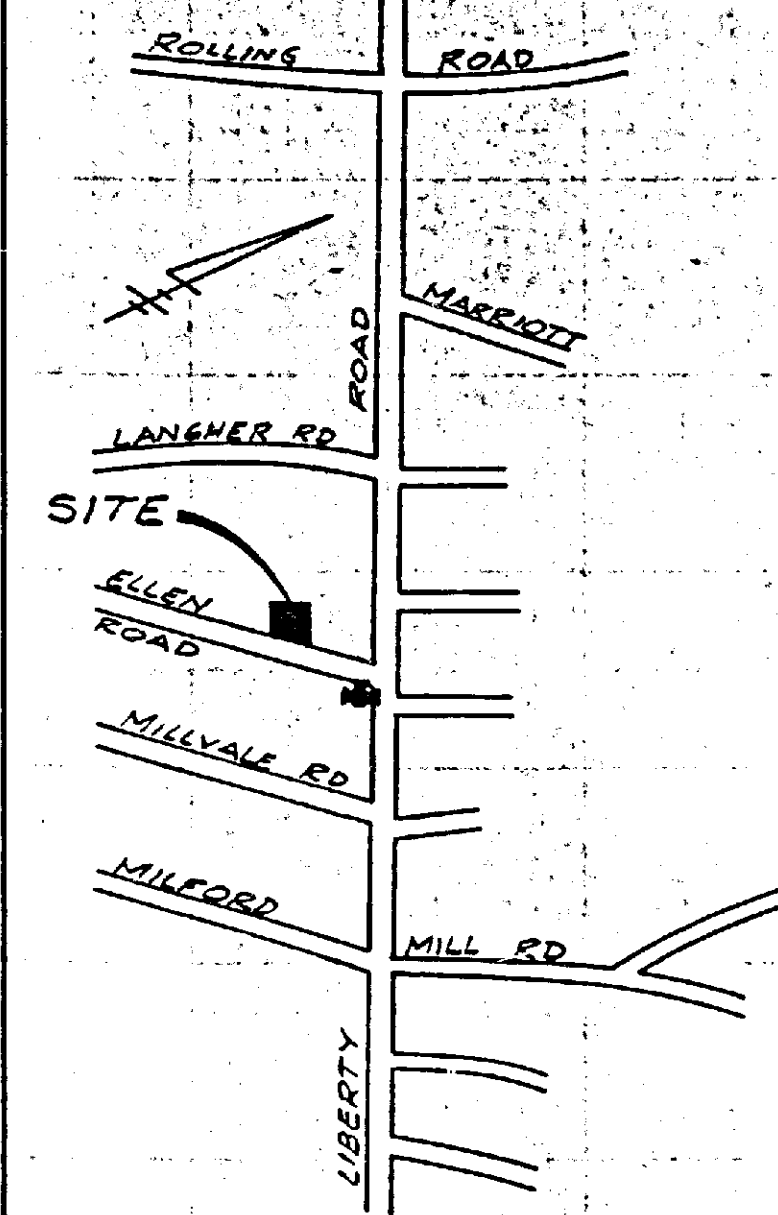
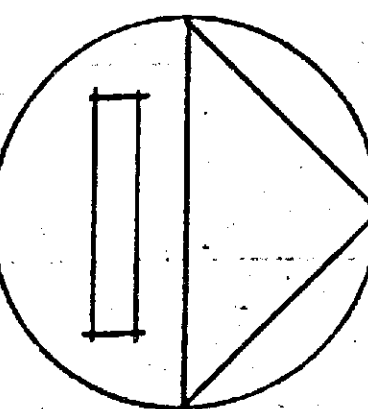
ROAD

Zoned BL-CCC

Ex 6" Sanitary (Dwg 51-825)

15.462' to Liberty Rd

145' to exist Fire Hydrant
SEC Ellen Rd & Liberty Rd



VICINITY MAP
1" = 300'

PRELIMINARY SITE PLAN

PLAT TO ACCOMPANY VARIANCE

APPLICATION

3518 ELLEN ROAD
BALTIMORE COUNTY, MARYLAND

PREPARED BY:
WILLIAM P. MOK
LAND USE PLANNING AND ZONING CONSULTANT
LOYOLA FEDERAL BUILDING
SUITE 204A
22 W PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 494-9831

APPLICANT:
BELL MECHANICAL, INC.
ROBERT COHEN
3518 ELLEN ROAD
BALTIMORE, MD 21201

SCALE:
1" = 10'

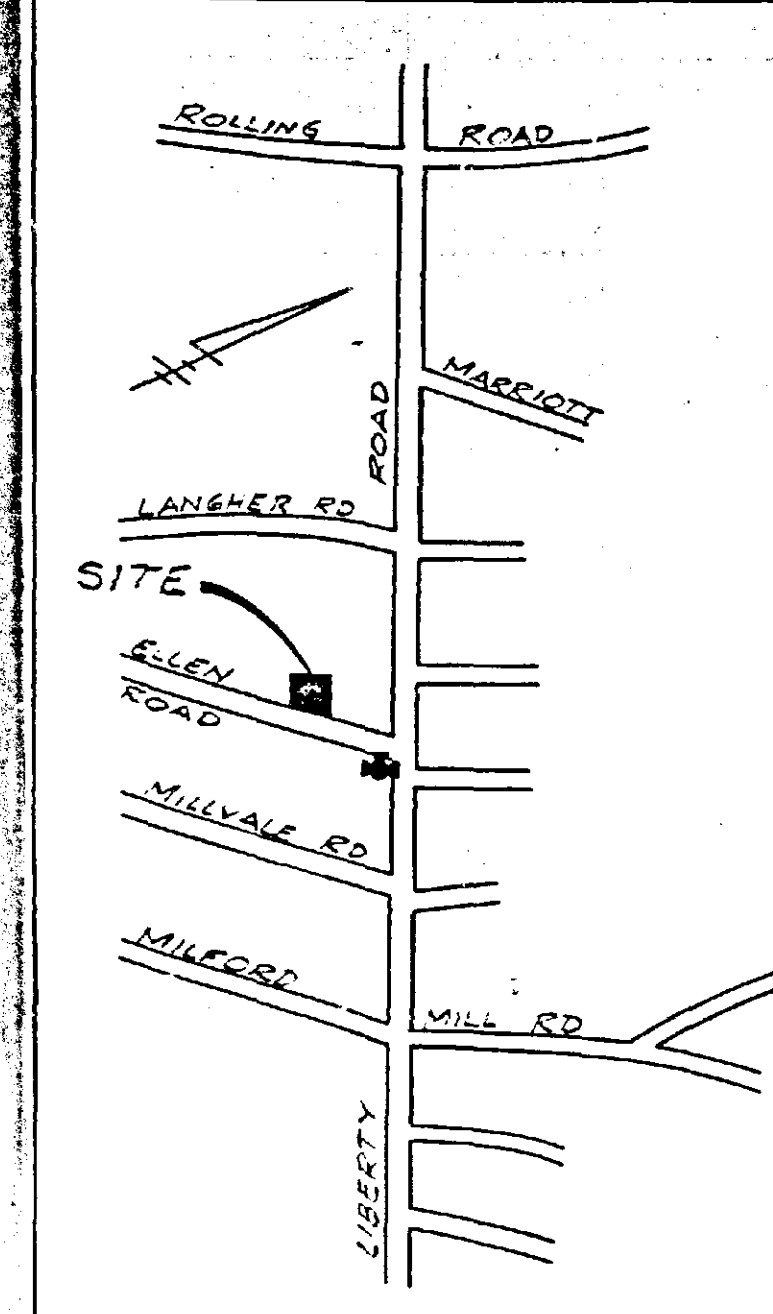
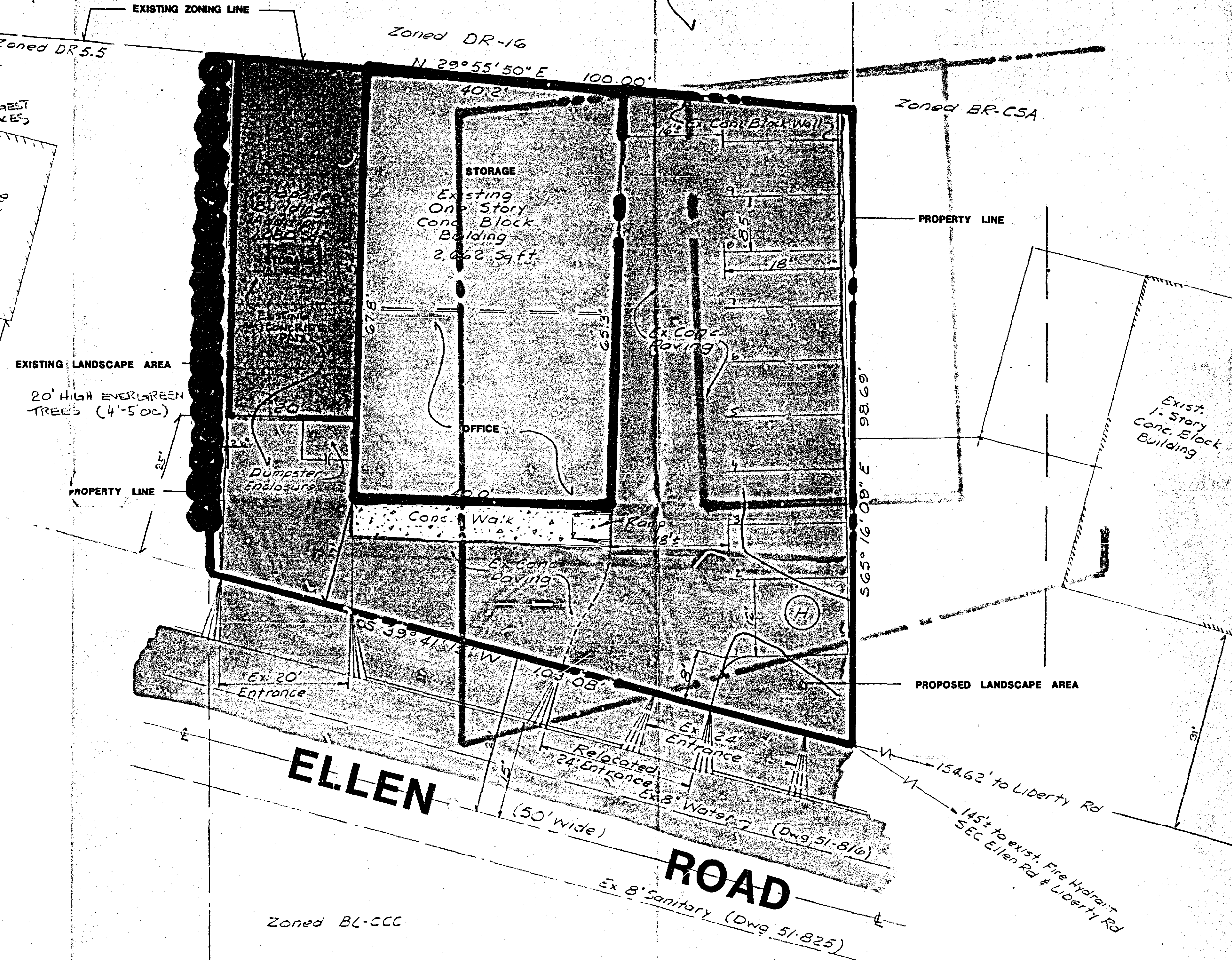
DRAWN BY:
KTC

DATE:
6/27/98

REVISED:

NOTES:

- 1) ZONING:
EXISTING- BR-CSA
PROPOSED- BR-CSA
- 2) LOT AREA: 9,135 $\pm$
- 3) EXISTING USE: BELL MECHANICAL (OFFICE + STORAGE BLDG)
- 4) PROPOSED USE: STORAGE (1,080 $\pm$ (54'x20')) 1 FLOOR - NOT TO EXCEED 25' HEIGHT.
- 5) BUILDING AREA: EXISTING: 2,662 $\pm$, ADDITION: 1,020 $\pm$, TOTAL: 3,682 $\pm$
- 6) BUILDING SETBACKS: REQUIRED PROVIDED
FRONT- 24' 25'
INTERIOR SIDE- 30' 25'
REAR- 30' 0'
STREET CORNER SIDE- NA
- 7) PARKING:
REQUIRED- 1200 $\pm$ OFFICE = 5, 10 EMPLOYEES ON LARGEST SHIFT = 15 TOTAL SPACES
PROVIDED- 9 SPACES
- 8) UTILITIES:
SEWER- PUBLIC, EXISTING
WATER- PUBLIC, EXISTING
- 9) VARIANCES:
1) REAR YARD SETBACK (0')
2) SIDE YARD SETBACK (2.5')
3) PARKING LESS THAN 10' TO R/W.
4) 9 SPACES IN LIEU OF 15 REQUIRED
EXISTING 2-Story Dwelling
- 10) SPECIAL EXCEPTION/CONDITIONAL USE: NA
- 11) ELECTION DISTRICT: 2ND
- 12) COUNCILMANIC DISTRICT: 2ND
- 13) SUB-SEWER SECT: 64
- 14) WATER SECT: 27
- 15) CENSUS TRACT: 4023.03
- 16) OPEN SPACE
EXISTING - 564 $\pm$ = 6.2 %
PROVIDED - 735 $\pm$ = 8.5 %
- 17) EXISTING CONCRETE PAD (FOR PARKING + DUMPSTER) ENCOMPASSES ENTIRE AREA WHERE ADDITION IS PROPOSED.



PRELIMINARY SITE PLAN

PLAT TO ACCOMPANY VARIANCE APPLICATION

3518 ELLEN ROAD
BALTIMORE COUNTY, MARYLAND

PREPARED BY:
WILLIAM P. MONK
LAND USE PLANNING AND ZONING CONSULTANT
LOYOLA FEDERAL BUILDING
SUITE 204A
22 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 494-9931

APPLICANT:
BELL MECHANICAL, INC.
ROBERT COHEN
3518 ELLEN ROAD
BALTIMORE, MD 21207

SCALE:
1" = 10'

DRAWN BY:
KTC

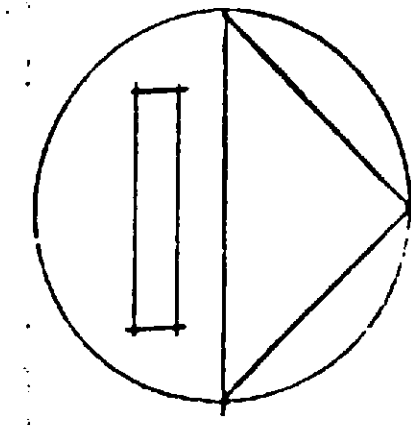
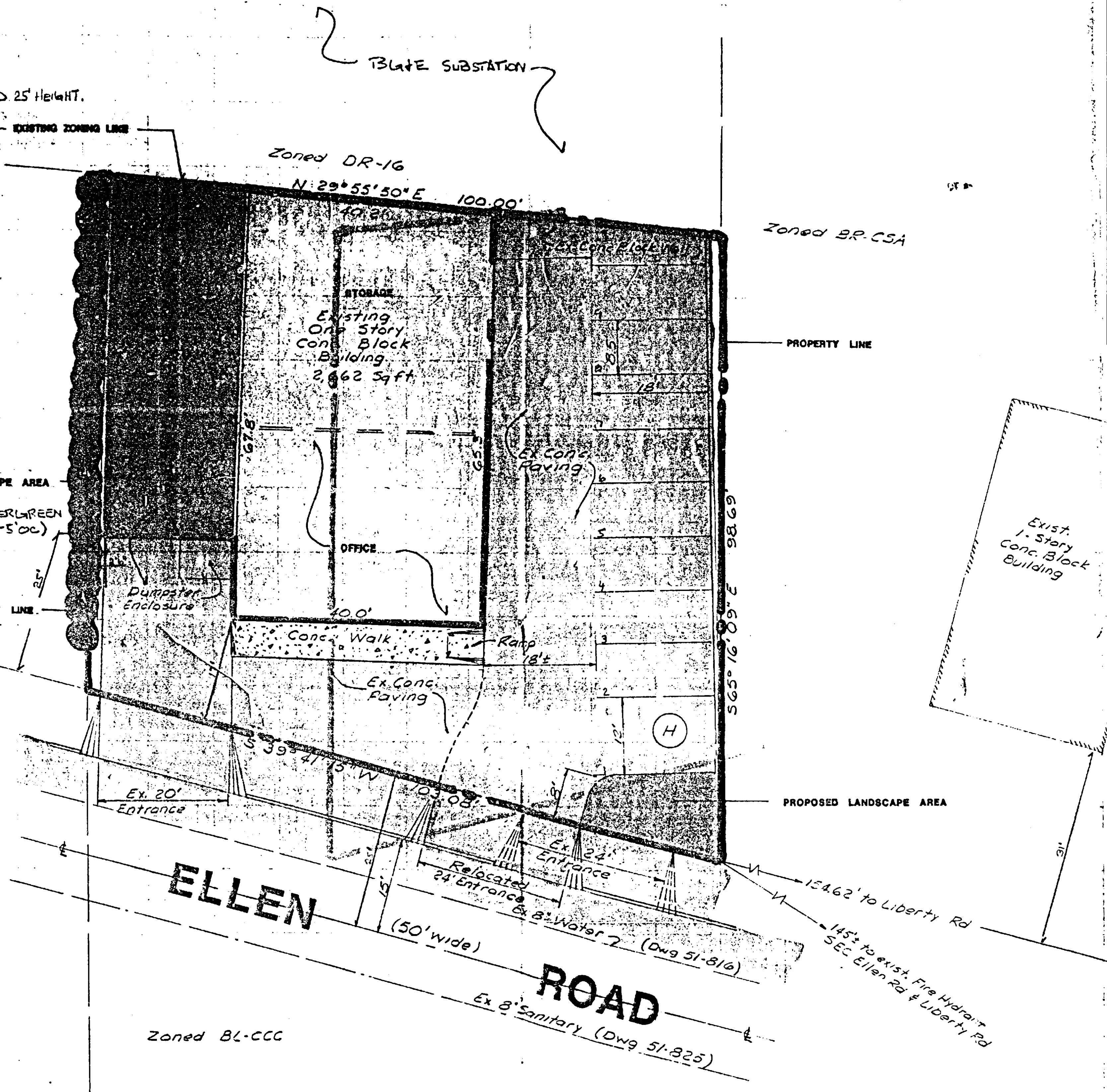
DATE:
6/27/83

REVISED:

YES:

- ZONING:
EXISTING- BR-CSA
PROPOSED- BR-CSA
- LOT AREA: 7,135 #
- EXISTING USE: BELL MECHANICAL (OFFICE + STORAGE BLDG)
- PROPOSED USE: STORAGE (1,080 # (54'x20')) 1 FLOOR - NOT EXCEED 25' HEIGHT.
- BUILDING AREA: EXISTING: 2,662 #, ADDITION: 1,080 #, TOTAL: 3,742
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4) 9 SPACES IN LIEU OF 15 REQUIRED
- SPECIAL EXCEPTION/CONDITIONAL USE: NA
- ELECTION DISTRICT: 2ND
COUNCILMANIC DISTRICT: 2ND
SUB-SEWER SHED: 64
WATER SHED: 27
CENSUS TRACT: 4023.03
OPEN SPACE
EXISTING - 564 # = 6.2 %
PROVIDED - 785 # = 8.5 %

EXISTING CONCRETE PAD (FOR PARKING + DUMPSTER) ENCOMPASSES ENTIRE AREA WHERE ADDITION IS PROPOSED.



PRELIMINARY SITE PLAN

PLAT TO ACCOMPANY VARIANCE APPLICATION
3518 ELLEN ROAD
BALTIMORE COUNTY, MARYLAND

PREPARED BY:
WILLIAM P. MONK
LAND USE PLANNING AND ZONING CONSULTANT
LOYOLA FEDERAL BUILDING
SUITE 204A
22 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 484-8931

DATE: 12-11-11
PROJECT CODE: 3518 ELLEN ROAD
BALTIMORE, MD 21207

SCALE:
1" = 10'

DRAWN BY:
KJC

DATE:
12/11/11
BY:
KJC