

IN RE: PETITION FOR ZONING VARIANCE  
S/S Leland Avenue, 235' E of  
Greenbrier Street  
(1701 Leland Avenue)  
15th Election District  
5th Councilmanic District  
James E. Bishop, Sr.  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 90-441-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a front building setback of 16.8 feet in lieu of the required 75 feet, a side yard building setback of 0 feet in lieu of the required 50 feet, a rear yard building setback of 39 feet in lieu of the required 50 feet, a side yard building setback of 30 feet in lieu of the required 50 feet, and a distance between building setbacks of 45 feet in lieu of the required 100 feet, for two proposed warehouse buildings in accordance with Petitioner's Exhibit 1.

The Petitioner appeared, testified and was represented by John B. Contrum, Esquire. Also appearing on behalf of the Petition was Leo W. Rader, Registered Land Surveyor. Appearing as Protestants in the matter were James M. O'Guin, Mr. & Mrs. John C. Dumer, Jr., John C. Dumer, III, and James J. Basilone, Jr.

Testimony indicated that the subject property, known as 1701 Leland Avenue, consists of 1.6262 acres zoned M.I. and is presently unimproved. Petitioner is desirous of constructing two one-story warehouse buildings, each consisting of 16,468 sq.ft., on the subject property for use in conjunction with his moving and storage business. Said property was the subject of a CRG hearing held on May 3, 1990 which was continued indefinitely due to numerous existing alleged violations. Currently,

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Date 5/31/90  
By JCB

there are numerous unlicensed and inoperable motor vehicles stored on the subject property along with other miscellaneous junk and debris, including freight shipping containers, truck tractors and trailers, etc. While Petitioner conceded that the property is not kept in good condition, the unlicensed and inoperable vehicles were being removed. He testified that if the requested variances were granted and the warehouse buildings were permitted, the other alleged violations would be corrected as the containers could be stored inside the proposed buildings. Mr. Bishop testified the other issues regarding drainage problems and future road widening of Leland Avenue would be resolved in the CRG process. He testified that the buildings could even be reduced in size depending upon the final plans submitted at CRG.

Mr. Rader described the subject property and surrounding uses. Immediately to the south are railroad tracks, to the north is property zoned residential, and on both the east and west sides is property owned by Petitioner. Mr. Rader testified that the property was zoned D.R. 5.5 until reclassified in the 1988 zoning process. He testified the road widening of Leland Avenue will take place at the same time the proposed buildings are constructed and that a storm water management system would be implemented which would improve the current water runoff problems. Testimony presented indicated that the loading and unloading of items from the warehouse buildings would take place to the rear of the site which would encourage traffic into and out of the subject site away from the residential properties along Leland Avenue. Mr. Rader indicated that a landscaping plan would be completed prior to CRG approval. Testimony further indicated that prior to finalization of the CRG plan the storm water drainage problems and wetlands issues would be resolved. Mr. Rader

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By JCB

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also indicated there would be no outside storage of any vehicles or containers which would improve the current condition of the property.

Petitioner testified that he has been in business in the area for 14 years and that the buildings proposed would be compatible with the existing warehouses owned by him to the west of the subject site. He testified that the proposed distance between the buildings of 45 feet would permit the largest truck to have access to the rear of the buildings. He conceded that the distance between the two current buildings to the west of the subject site is approximately 70 feet. Testimony indicated that to deny the variances requested would result in practical difficulty and unreasonable hardship as strict compliance would permit only a very narrow, unusable building.

John Dumer, III testified that he has lived in the area all of his life. He testified that he has lived at the northwest corner of Magnolia Avenue and Evergreen Street, approximately 200 feet from the subject property, for the past three years, and that prior to that, he lived with his parents in excess of 25 years on Leland Avenue within view of the subject site. He testified as to the serious water runoff problems currently experienced by him and his neighbors and believes that it will be seriously aggravated by the proposed development. He testified the drainage problems have severely worsened in the last few years since the most recent warehouses to the west of the subject site were constructed by Petitioner. Mr. Dumer testified that at least five times during the last few years, he and his neighbors have had to bring in three 10-ton dump trucks to regrade the unimproved private road they use from Leland Avenue to access their homes. He testified the subject property has been kept in a deplorable condition. Mr. Dumer further testified that on a number of

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occasions in the past and prior to his building additional warehouses on adjoining properties, Mr. Bishop advised the neighbors that the outside storage of property would cease and be moved to the inside. However, Mr. Dumer argued that such was not the case.

Mr. Dumer, III testified he believes the granting of the variances requested will result in detriment to the health, safety and general welfare of his family and the surrounding community. He testified that the development undertaken by Mr. Bishop in the past has greatly depreciated their property values. He testified the properties are not well-maintained and are visible from his home. He further testified that there is currently a parking problem as a result of Petitioner's employees parking along Leland Avenue due to the lack of parking on the subject site; that tractors and trailers have unloaded on Leland Avenue impeding traffic through the area. Mr. Dumer indicated it is not unusual for tractor trailers to go down Leland Avenue to the vicinity of the Middle River Volunteer Ambulance Rescue Company to turn around. Mr. Dumer argued that Leland Avenue, which is only 18 feet wide, was not designed to handle this type of traffic. Further, Mr. Dumer complained as to the placing of packed crates in the open on the subject site and the adjoining properties owned by Mr. Bishop.

The Protestants also argued the proposed development will be detrimental to the community as it will aggravate a current water runoff problem in the area. To support the Protestants' position, Mr. Basilone introduced pictures marked Protestant's Exhibit 1 depicting the water runoff problem as it currently exists on Leland Avenue just east of the subject property in front of his and Mr. O'Guin's homes. The pictures further depict the open storage of crates and numerous unlicensed vehicles parked on the property as testified to by the Protestants.

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The Protestants argued the variances requested should be denied as the Petitioner has not attempted to meet the spirit and intent of the zoning regulations. The Protestants argued that the requested 78% reduction of the required front yard, which is located across from the residential properties, is too large and would be detrimental to the adjoining homes.

In closing, Counsel for Petitioner argued that many of the issues raised by the Protestants would be properly addressed in the CRG review process. Counsel further argued that the variances requested could be granted with restrictions which would require the examination of the various issues by County agencies prior to the issuance of any permits.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Solev*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

*Anderson v. Bd. of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28 (1974).

A review of the evidence and testimony presented would indicate that there are many unresolved issues which have not been properly addressed at this time. To suggest that the variances in this instance be

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By JCB

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granted subject to CRG approval appears to be putting the cart before the horse in light of the particular issues raised, including, but not limited to, storm water management and road widening. The variances cannot be properly examined in light of the numerous questions as to the detriment the proposed project, if not properly developed, would have on the health, safety and general welfare of the surrounding community. The appropriate size of the variances requested can only be addressed after a more thorough review and consideration of the public works and storm water management issues raised today as well as Petitioner correcting the number of alleged violations on the subject property and adjoining properties owned by him. While the Petitioner has a valid point in that without a variance practical difficulty and unreasonable hardship would be suffered, Petitioner has not satisfactorily proven that a variance of the size and nature requested herein is appropriate, and/or could be granted without resulting in any detriment to the health, safety or general welfare of the community. Therefore, the variances requested must be denied.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 31st day of May, 1990 that the Petition for Zoning Variance to permit a front building setback of 16.8 feet in lieu of the required 75 feet, a side yard building setback of 0 feet in lieu of the required 50 feet, a rear yard building setback of 39 feet in lieu of the required 50 feet, a side yard building setback of 30 feet in lieu of the required 50 feet, and a distance between building setbacks of 45 feet

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in lieu of the required 100 feet, for two proposed warehouse buildings, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

AMN:bjs

*ANN M. NASTAROWICZ*  
ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 5/31/90  
By JCB

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Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 887-3333  
J. Robert Haines  
Zoning Commissioner

May 30, 1990



Dennis F. Reasussen  
County Examiner

John B. Contrum, Esquire  
809 Eastern Avenue  
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE  
S/S Leland Avenue, 235' E of Greenbrier Street  
(1701 Leland Avenue)  
15th Election District - 5th Councilmanic District  
James E. Bishop, Sr. - Petitioner  
Case No. 90-441-A

Dear Mr. Contrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied in accordance with the attached order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 897-3391.

Very truly yours,

*ANN M. NASTAROWICZ*  
ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: Mr. & Mrs. John C. Dumer, Jr.  
1906 Magnolia Avenue, Baltimore, Md. 21220

Mr. John C. Dumer, III  
1908 Leland Avenue, Baltimore, Md. 21220

Mr. James M. O'Guin  
1923 Leland Avenue, Baltimore, Md. 21220

Mr. James J. Basilone, Jr.  
2001 Leland Avenue, Baltimore, Md. 21220

People's Counsel  
File

**PETITION FOR ZONING VARIANCE**  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **90-441-A**

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 Variance from Section 243.1 to permit a front building setback of 16.8' in lieu of the required 75'; 243.2 to permit a side yard building setback of 0' in lieu of the required 30'; 243.3 to permit a rear yard building setback of 30' in lieu of the required 30'; and 243.4 to permit a side yard building setback of 30' in lieu of the required 50'; and 243.7/102.2 to permit between building setbacks of 45' in lieu of the required 100'.  
The following reasons (indicate hardship or practical difficulty):

Existing zoning restrictions would render the tract useless for constructing any reasonably sized building, thereby creating extreme hardship for the owner.

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 the petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

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

Contract Purchaser: \_\_\_\_\_ Legal Owner(s): \_\_\_\_\_  
(Type or Print Name) James E. Bishop, Sr.  
Signature: \_\_\_\_\_ (Type or Print Name)  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Atorney for Petitioner: 1701 Leland Ave. 687-3000  
(Type or Print Name) Address Phone No.  
Signature: \_\_\_\_\_ Baltimore, MD 21220  
City and State  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Address: Leo W. Rader  
City and State: Baltimore, MD 21203 252-2920  
Atorney's Telephone No.: \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 1990, 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 \_\_\_\_\_ day of \_\_\_\_\_, 1990, at 10:30 o'clock A.M.

*J. Robert Haines*  
Zoning Commissioner of Baltimore County

COPIES RECEIVED FOR FILING

Filed 3/6/90 by J.R.H.  
1:45 PM - TIME  
By J.R.H. on Day

**LEO W. RADER**  
REGISTERED PROFESSIONAL SURVEYOR  
**90-441-A**  
SUBDIVISION ENGINEERING  
TITLE SURVEYS  
LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093 301-282-2920  
February 6, 1990

**DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCE**  
"SUBDIVISION AT MIDDLE RIVER"

BEGINNING at coordinate position N13,212.02 - E50,404.47 on the southeast side of Leland Avenue, 50 feet wide, distant 235 feet measured north-easterly from its intersection with the centerline of Greenbrier Street, 50 feet wide, thence North 68 degrees 52 minutes 50 seconds East 500.00 feet along Leland Avenue, thence South 12 degrees 07 minutes 10 seconds East 141.64 feet, South 68 degrees 52 minutes 20 seconds West 500 feet and North 21 degrees 07 minutes 10 seconds West 141.71 feet to the place of beginning. Being a part of Liber E.H.K., Jr. 6409-763 and Liber S.M. 7425-623.



*Leo W. Rader*

**Baltimore County Zoning Commissioner**  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21286  
Account: R-0014150  
Number: 1594  
Receipt No. 1594  
PUBLIC HEARING FEES QTY PRICE  
PUBLIC HEARING FEES 1 X \$175.00  
TOTAL \$175.00  
LAST NAME OF OWNER: BISHOP

**Baltimore County Zoning Commissioner**  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21286  
Account: R-0014150  
Number: 2516  
Receipt No. 2516  
Date: 5/16/90  
PUBLIC HEARING FEES QTY PRICE  
ORO - POSTING SIGNS / ADVERTISING 1 X \$129.93  
TOTAL: \$129.93  
LAST NAME OF OWNER: BISHOP

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland  
District: 1574  
Date of Posting: 5/16/90  
Posted for: Variance  
Petitioner: James E. Bishop, Sr.  
Location of property: 38 Belfast Rd., 235' E. Greenbrier St.  
1701 Leland Ave.  
Location of Signs: Being Leland Ave., corner 5' from roadway, on property of petitioner  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 5/16/90  
Number of Signs: 1

**NOTICE OF HEARING**  
NEWS

19, 1990  
Publication for #90-441-A  
1990  
April 19, 1990

per publisher  
J. Robert Haines  
Zoning Commissioner of Baltimore County  
Maryland

**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 West Chesapeake Avenue in Towson, Maryland 21286 as follows:  
Case Number: 90-441-A  
S/S Leland Avenue, 235' E of Greenbrier Street  
1701 Leland Avenue  
15th Election District - 5th Councilmanic  
Petitioner(s): James E. Bishop, Sr.  
Hearing Date: THURSDAY, May 17, 1990 at 10:30 a.m.  
Variance: To permit a front building setback of 16.8 ft. in lieu of the required 75 ft.; to permit a side yard building setback of 0 ft. in lieu of the required 30 ft.; to permit a rear yard building setback of 30 ft. in lieu of the required 30 ft.; and to permit between building setbacks of 45 ft. in lieu of the required 100 ft.  
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 the 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  
Maryland

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., April 23, 1990  
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 April 19, 1990.

THE JEFFERSONIAN,  
*S. Zake Orlean*  
Publisher

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., April 23, 1990  
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 April 19, 1990.

THE JEFFERSONIAN,  
*S. Zake Orlean*  
Publisher

**Safeway Moving and Storage Co.**  
1701 LELAND AVENUE BALTIMORE, MARYLAND 21220  
PHONE (301) 687-3000 NIGHT (301) 676-2800

May 21, 1990

Balto. Co. Zoning Commissioner's Off.  
111 W. Chesapeake Avenue  
Room 109  
Towson, Maryland 21204  
Attn: Betty

Dear Betty:  
As per our conversation today, enclosed please find a copy of the paid receipt you requested for the posting and advertising of the property.

Sincerely,  
*Pat Tracy*  
Pat Tracy-Off. Mgr.  
Safeway M & S Co.



**Baltimore County Zoning Commissioner**  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

April 5, 1990

**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 21204 as follows:

Petition for Zoning Variance  
CASE NUMBER: 90-441-A  
S/S Leland Avenue, 235' E of Greenbrier Street  
1701 Leland Avenue  
15th Election District - 5th Councilmanic  
Petitioner(s): James E. Bishop, Sr.  
HEARING: THURSDAY, MAY 17, 1990 at 10:30 a.m.

Variance: To permit a front building setback of 16.8 ft. in lieu of the required 75 ft.; to permit a side yard building setback of 0 ft. in lieu of the required 30 ft.; to permit a rear yard building setback of 30 ft. in lieu of the required 30 ft.; and to permit between building setbacks of 45 ft. in lieu of the required 100 ft.

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: James E. Bishop, Sr.  
Leo W. Rader

297 SOPHIE THIS IS WORKING

PLAT TO ACCOMPANY A PETITION FOR A ZONING VARIANCE

FOR THE FOLLOWING REASONS:

- 1) TO PERMIT A FRONT BLDG SETBACK OF 16.8' IN LIEU OF THE REQUIRED 75' (SEC. 243.1)
- 2) TO PERMIT A SIDE YARD BLDG SETBACK OF 0' IN LIEU OF THE REQUIRED 50' (SEC. 243.2)
- 3) TO PERMIT A REAR YARD BLDG SETBACK OF 39' IN LIEU OF THE REQUIRED 50' (SEC. 243.2)
- 4) TO PERMIT A SIDE YARD BLDG SETBACK OF 30' IN LIEU OF THE REQUIRED 50' (SEC. 243.2)

To Permit *add between building setbacks of 25' on lieu of the required 100' (Sec. 243.2)*

"SUBDIVISION AT MIDDLE RIVER"

JWS 1-120

15 TH ELECT. DIST. BALTO. CO., MD.  
SCALE: 1" = 50' FEB. 6, 1990  
AMENDED: FEB. 10, 1990  
AMENDED: MAR. 3, 1990

OWNER AND DEVELOPER:  
JAMES E. BISHOP, SR.  
1701 LELAND AVENUE  
BALTO., MD. 21220  
PHONE: OFFICE 687-3000 RES. 335-1233

WATERSHED: 5  
SUBSEWERED: 15  
CENSUS TRACT: 4517.01  
COUNCILMANIC DIST: 5  
TAX ACCOUNT NO:  
15-02-005620905  
15-02-005621903  
19-00-010225902

DEED REF:  
EHK, JR. 6409-763  
SM 7425-623

SITE STREET ADDRESS: 1701 LELAND AVENUE

90-441-A # 297

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

April 30, 1990

Mr. James E. Bishop, Sr.  
1701 Leland Avenue  
Baltimore, MD 21220

Dennis F. Rasmussen  
County Executive

RE: Item No. 297, Case No. 90-441-A  
Petitioner: James E. Bishop, Sr.  
Petition for Zoning Variance

Dear Mr. Bishop:

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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,  
James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

JED:jw  
Enclosures

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

March 23, 1990

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

Dennis F. Rasmussen  
County Executive

RE: Item No. 297, Case No. 90-441-A  
Petitioner: James E. Bishop, Sr.  
Petition for Zoning Variance

Your petition has been received and accepted for filing this 28th day of March, 1990.

J. Robert Haines  
ZONING COMMISSIONER

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

Petitioner: James E. Bishop, Sr.  
Petitioner's Attorney:

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21284  
(301) 887-3654

March 23, 1990

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

Dennis F. Rasmussen  
County Executive

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 293, 294, 295, 296, 297, 298, 299, 301, 302, 303, 304, 305, and 306.

Very truly yours,  
Michael S. Flanigan  
Michael S. Flanigan  
Traffic Engineer Assoc. II

MSF/lw

RECEIVED  
MAR 27 1990  
ZONING OFFICE

Baltimore County  
Fire Department  
Towson, Maryland 21284-2586  
494-4500  
Paul H. Reincke  
Chief

MARCH 21, 1990

Dennis F. Rasmussen  
County Executive

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

RE: Property Owner: JAMES E. BISHOP, SR.  
Location: #1701 LELAND AVENUE  
Item No.: 297 Zoning Agenda: MARCH 27, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below 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 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
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", 1988 edition prior to occupancy.

REVIEWER: *Noted and Approved*  
Special Inspection Division

JK/KEK MAR 27 1990

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 3, 1990  
FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for March 27, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 295, 296, 298, 299, 301, 303, 304, 305 and 306.

For Item 293, a County Review Group Meeting may be required.

For Item 294, the previous County Review Group comments apply and a Public Works Agreement may be required.

For Item 297, a County Review Group Meeting and Public Works Agreement may be required.

For Item 302, the previous County Review Group comments apply.

Robert W. Bowling  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RNB:s

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

May 1, 1990

Mr. James E. Bishop, Sr.  
Leland Avenue  
Baltimore, Maryland 21220

Dennis F. Rasmussen  
County Executive

RE: Case No. C-90-2402  
Leland Avenue - Section 7, Lots 5-10  
15th Election District

Dear Mr. Bishop:

Please be advised that an inspection conducted on April 19, 1990 at the above referenced location has revealed various violations of the Baltimore County Zoning Regulations, (BCZR).

All freight-shipping containers, trucks over 10,000 pounds, truck tractors, and truck trailers must be removed from your property. These items constitute a Class II Trucking Facility.

Also, all unlicensed and/or inoperative motor vehicles must be removed, including all other miscellaneous junk and debris.

The numerous trailers must be removed unless you are in possession of either an approved site plan or trailer permits signed by this office.

If compliance with the BCZR is not attained by July 1, 1990, a citation will be issued imposing fines of \$200.00 per day for each violation.

In the event you have any further questions, please feel free to contact me at 887-8090.

Sincerely,  
Frank Dimeglio  
FRANK DIMEGLIO  
Zoning Inspector

FD:ls

cc: Mr. James E. Bishop, Sr.  
John Gontrum, Esquire  
Mr. James H. Thompson, Zoning Enforcement Coordinator  
Mr. Carl Richards, Zoning Coordinator

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

May 2, 1990

Mr. and Mrs. James E. Bishop  
3518 Bay Drive  
Baltimore, Maryland 21220

Dennis F. Rasmussen  
County Executive

RE: Case No. C-90-2403  
Duke Street - Section 8, Lots 8 & 9  
Greenbrier Street - Section 8  
Lots 1, 2 & 3  
15th Election District

Dear Mr. and Mrs. Bishop:

Please be advised that an inspection conducted on April 19, 1990 at the above referenced location has revealed various violations of the Baltimore County Zoning Regulations, (BCZR).

All freight-shipping containers, trucks over 10,000 pounds, truck tractors, and truck trailers must be removed from your property. These items constitute a Class II Trucking Facility.

Also, all unlicensed and/or inoperative motor vehicles must be removed, including all other miscellaneous junk and debris.

The numerous trailers must be removed unless you are in possession of either an approved site plan or trailer permits signed by this office.

With reference to the mini-warehouses, this office is requiring the submission of any approvals/site plans/permits, etc. issued by Baltimore County regarding same. To date, this office has not been able to locate any plan or documents indicating the utilization of the area occupied by these mini-warehouses.

If compliance with the BCZR is not attained by July 1, 1990, a citation will be issued imposing fines of \$200.00 per day for each violation.

Mr. and Mrs. James E. Bishop  
Page 2  
May 2, 1990

In the event you have any further questions, please feel free to contact me at 887-8090.

Sincerely,  
*Frank Dimeglio*  
FRANK DIMEGLIO  
Zoning Inspector

FD:is

cc: Mr. James E. Bishop, Sr.  
John Contrum, Esquire  
Mr. James H. Thompson, Zoning Enforcement Coordinator  
Mr. Carl Richards, Zoning Coordinator

Baltimore County  
Department of Permits & Licenses  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(301) 887-3610

April 4, 1990

Ted Zaleski, Jr.  
Director  
Romacka, Contrum & Hennegan  
Irvington Federal Building  
309 Eastern Blvd.  
Essex, MD 21221  
Attn: John B. Contrum



Re: B-90-90  
1701 Leland  
Construction without permit

Dennis F. Rasmussen  
County Executive

Dear Mr. Contrum:

Our records indicate that you were informed of a building code violation at the referenced location. The building inspector assigned to your area has reported that the condition has not been corrected and that the violation is continuing.

A hearing has been scheduled on Tuesday, April 17, 1990, at 10:30 a.m., in Room 100 of the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland to discuss this matter. The hearing will be conducted by Joseph M. Nolan, Assistant Buildings Engineer, Department Hearing Officer.

The purpose of this hearing is a final attempt to resolve this problem and avoid the necessity of filing criminal charges against you in the District Court of Maryland for the violation of the Baltimore County Building Code.

Your presence at the hearing is required. You may be represented by an attorney if you wish, and present any information you feel is pertinent.

If the matter referred to above has been corrected, or there is any other reason you feel the hearing should not be held, please call the inspector at 887-3953 between 7:30 and 8:15 a.m. or you may contact him in writing at the above address.

Very truly yours,

Raymond S. Wisnom, Jr.  
Chief Building Inspector

RMD/ch

cc: date file  
b file  
Inspector - Hopkins  
correspondence

BALTIMORE COUNTY, MARYLAND  
Office of the Buildings Engineer

JOB LOCATED AT: 1701 Leland  
DISTRICT: PCT. PLUMB INSP. 424-3523  
PERMIT NO. Non-SEC. ELEC INSP. 424-3590  
BLDG ENG. 424-3278  
OTHER: 424-3373

Notice No. G-000643  
STOP WORK ORDER 10:30

I HAVE THIS DAY INSPECTED THIS STRUCTURE AND THESE PREMISES AND HAVE FOUND THE FOLLOWING VIOLATIONS OF THE LAWS OF BALTIMORE COUNTY CODE: *Construction w/o permit*

YOU ARE HEREBY NOTIFIED THAT ALL WORK BEING PERFORMED AT THIS LOCATION SHALL IMMEDIATELY STOP WITH THE EXCEPTION OF: *None*

WHICH IS TO CORRECT UNSAFE CONDITIONS, FAILURE TO COMPLY WITH STATUTES A VIOLATION OF COUNTY LAW IF CORRECTIONS MUST BE COMPLETED NOT LATER THAN DATE: *4/17/90*

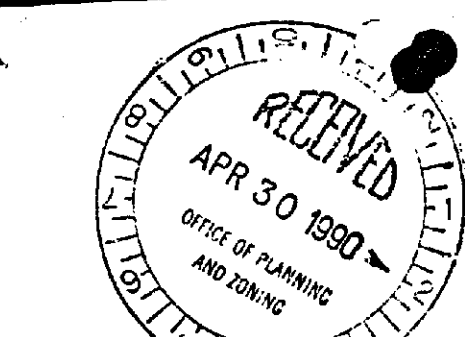
AN INVESTIGATION FEE WILL BE CHARGED IF YES NO  
DATE: *3/27/90* SIGNED INSPECTOR: *D.F. Rasmussen*

ALL CORRECTIONS COMPLETE AND APPROVED  
DATE: \_\_\_\_\_ SIGNED INSPECTOR: \_\_\_\_\_  
DO NOT REMOVE THIS TAG

*4/17/90* *Hearings Findings*  
Hearing held Mr. Contrum + the owner *Bob* attended.  
*Three self-storage modules were placed on the property without permit.*  
*As plan will be filed for a C.R.G. it is being prepared by Leo Rader. The plan will be filed within 30 days.*  
*The buildings will remain vacant and no more modules will be brought to the site until permits are obtained. It will probably be Jan 1991 before permit applications can be filed.*  
*Jmr*  
Check site and call for a C.R.G. plan on June 1, 1990  
*Jmr*

*This concerns the mini-warehouse between Baker & Greenbrier streets along Leland Ave. also owned by Mr. Bishop.*

*Note: There are also numerous trailers, J.V.s, trucks and tractor trailers.*



1906 Magnolia Avenue  
Baltimore, MD 21220  
April 26, 1990

*17-525*

Mr. Dave Thomas, Asst. Bureau Chief  
Bureau of Public Service  
County Office Building, Rm. 319  
111 West Chesapeake Ave.  
Towson, MD. 21204

Ref: Development Hearing  
May 3, 1990 Rm. 301  
Leland Avenue Lots  
5 thru 14, Subdivision  
at Middle River

Dear Mr. Thomas:  
We regret that we cannot attend the public hearing on May 3, 1990, as we will be in Syracuse, New York to bring our daughter home from college.

We are deeply concerned, however, about further commercial development of the property along Leland Avenue, especially by Mr. Bishop. Our home, located at 1906 Magnolia Avenue, is 200 feet from Leland Avenue and the property being considered for development.

My concerns are as follows:

- At present there are no storm drains to capture rain water which runs off the existing buildings and paved areas. Much of this water runs east along Leland Avenue and then North onto the surrounding properties. A large pond forms in front of my home each time there is an average rainfall. The water also runs down and washes out Evergreen Street, which is maintained by ourselves and 3 other families that use it for access to their homes. An expansion of warehouses and other families that use it for access to their homes. An expansion of warehouses and paved storage and parking areas will compound this problem unless proper drainage is provided.
- Leland Avenue is a sub-standard county road about 18 feet wide, and in very poor condition. Expansion of warehouse facilities will lead to an increase of heavy truck traffic on the road. There is no turn around space provided for tractor trailers which make frequent pick-ups and deliveries to the existing warehouse. These vehicles currently travel 3 blocks on Leland Avenue to turn around in the parking lot of the Middle River Volunteer Ambulance and Rescue company.
- The manner in which the existing warehouse and open storage areas are being operated is a total disgrace to the community. The fenced in storage areas are not used to store junk cars and trucks, packing crates, loose packing materials and paper (which blows onto adjacent properties), boats, buses, and truck trailers which are no longer suitable for road use. Many of the vehicles stored are licensed. There are also 3 large dump trucks being operated from one of the storage areas by a hauling contractor. None of the materials or vehicles stored are screened from view of the public and the community. We are totally embarrassed to have our friends drive past this eyesore to visit our home.
- There is a trailer on the storage area north of the warehouse, that is connected to water and sewage, and is being used as a dwelling. This does not conform to zoning regulations.

5. The existing warehouses have very little set back from the road, and very little parking area around them. In many cases, large trucks are loaded and unloaded right from Leland Avenue because there is not adequate space in the yard area. At times these trucks impede travel on Leland Avenue.

We believe that the operator of a business has a responsibility to at least maintain the values and integrity of a community. The business operator does not have the right to run a sloppy operation, outside of the law, and thereby lower property values for those living in the community. Mr. Bishop clearly has not met his responsibility, and we believe the people living in the area will testify to that. If Mr. Bishop cannot properly operate what he has, then why permit an expansion.

We request that Mr. Bishop be denied the right for further development and that he be required to operate within the limits of existing zoning laws; and laws governing the use of public roads for parking heavy trucks, and for loading and unloading freight.

Very truly yours,  
*John C. Dumer Jr.*  
*Kathleen N. Dumer*

John C. Dumer Jr.  
Kathleen N. Dumer

cc: Office of Zoning and Planning

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS  
FROM: ZONING OFFICE

PROJECT NAME: Subdivision at Middle River  
LOCATION: SE/S Leland Avenue,  
NE Martin Boulevard

DISTRICT: 15c5

CRG DATE: 5/3/90  
PRE-CRG DATE: 4/23/90

PLAN: 3/30/90  
REV.1 REV.1

REVISED PLAN KEY:  
(X) COMPLIANCE WITH COMMENT CHECKED  
(O) NON-COMPLIANCE IS CIRCLED  
(NA) BE ADVISED (NOT NECESSARY FOR CRG APPROVAL, BUT MUST BE ADDRESSED PRIOR TO FINAL ZONING APPROVAL)

ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

The plan has been reviewed by this office for general compliance with the Baltimore County Zoning Regulations. The following comments identify possible conflicts with the regulations of the county, all other laws, rules or regulations of the county affecting development are not superseded by these development regulations unless specifically so provided herein. The county may not process plans or permits for any proposed development if the applicant owns or has any interest in any property located in Baltimore County upon which there exists, at the time of the application or during the processing thereof, a violation of the zoning or development regulations of Baltimore County. (Bill No. 56, 1982, subsection 2; Bill No. 18, 1990, subsection 2)

1. The following provision of the Baltimore County Code Title 22, Article IV, was enacted and took effect on 3/30/90:  
"Sec. 22-51. Compliance with other laws and regulations.  
In addition to compliance with these development regulations, all development shall comply with all other applicable laws, rules or regulations of the county. All other laws, rules or regulations of the county affecting development are not superseded by these development regulations unless specifically so provided herein. The county may not process plans or permits for any proposed development if the applicant owns or has any interest in any property located in Baltimore County upon which there exists, at the time of the application or during the processing thereof, a violation of the zoning or development regulations of Baltimore County. (Bill No. 56, 1982, subsection 2; Bill No. 18, 1990, subsection 2)"

COUNTY REVIEW GROUP COMMENTS  
PROJECT NAME: Subdivision at Middle River  
CRG DATE: 5/3/90  
PRE-CRG DATE: 4/23/90  
PAGE 2

While preparing the C.R.G. comments, the Development Control Office requested that Zoning Enforcement perform an on-site inspection of the property requested for C.R.G. approval and other property under the same ownership. As a result of an inspection on 4/19/90, violations of the Zoning Regulations were found on the property and documented under the first case #C-90-2402. Pursuant to the above referenced section, this office recommends a continuance of the C.R.G. meeting and that a continued meeting not be scheduled until such time as all violations are resolved.

2. On 3/6/90, zoning variances were petitioned for under Item #297 on this property from the following sections:

- 243.1 --- To permit a front building setback of 16.8 feet in lieu of the required 75 feet.
- 243.2 --- To permit a side yard building setback of zero feet in lieu of the required 50 feet. To permit a side yard building setback of 30 feet in lieu of the required 50 feet.
- 243.3 --- To permit a rear yard building setback of 39 feet in lieu of the required 50 feet.
- 243.2/102.2 --- To permit between building setbacks of 45 feet in lieu of the required 100 feet.

Case #90-441-A has been assigned and the hearing has been scheduled for 5/17/90 at 10:30 a.m.

The petition should be amended and a prefix section "255.2" should be added to the request. Also the plans must be amended to include section 251.4 (B.C.Z.R.) conspicuously on the plan. Loading areas are not permitted within the 100 foot use and increased setback restriction line and they should be clearly dimensioned and labeled on the plan. Clearly indicate compliance with Section 409.11 on the plan and clarify if any loading or parking is proposed on the zero foot setback (west side of building "A"). Note on the plan that all parking, maneuvering and aisle areas are to be paved (indicate type) and permanently striped. Note that no offices are proposed in either building or include office areas in the parking calculations at 3.3/1,000 square feet.

COUNTY REVIEW GROUP COMMENTS  
 PROJECT NAME: Subdivision at Middle River  
 CRG DATE: 5/3/90  
 PRE-CRG DATE: 4/23/90  
 PAGE 3

- Note on the plan, minimum 1/4" bold letters: "WAREHOUSE AND OFFICE AREAS AS SHOWN ON THIS PLAN CANNOT BE INCREASED OR DECREASED WITHOUT FURTHER ZONING APPROVALS AND ANY CHANGES IN USE, EVEN THOUGH PERMITTED BY SECTION 253.1 (B.C.Z.R.) MUST BE APPROVED BY THE ZONING OFFICE. ANY FUTURE USES ESTABLISHED ON THIS PLAN WILL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE BALTIMORE COUNTY ZONING REGULATIONS, INCLUDING BUT NOT LIMITED TO SECTIONS 253, 254, 255, 409, 413, AND THE ZONING POLICY MANUAL."
- Signs -- Provide an engineering scale elevation on the plan of all existing and proposed free-standing signs clearly indicating the type, height, dimensions, square footage, single or double-face and illumination. All signs must be keyed to their existing or proposed location on the plan print and enough detail must be shown to determine compliance with Section 413 (B.C.Z.R.) and all zoning sign policies or a zoning variance is required.
- Zoning approval is contingent first, upon the resolution of the violations on the owner's property, all plan comments being addressed on the C.R.G. plan; and secondly, upon the final resolution of all comments, the outcome of the requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

*WCR*  
 W. CARL RICHARDS, JR.  
 Zoning Coordinator

WCR:ecj

TIME DATE 04/20/90 OFFICE OF ASSESSMENTS INQUIRY (1) TIME 11:11:31  
 PROPERTY NO. 15 DIST 3 FMS 07 CLASS HC AREA 05109 CARD-NO DEL F/M DATE  
 LELAND AV 15-02-005620  
 LELAND AV JAMES E SR PRIMARY DESC... D MIDDLE RIVER  
 SUPPLEMENTAL DESC... LELAND AV  
 NEAREST INTER... 0210 E GREENBRIER ST  
 STRUCTURE... STATE CODE..

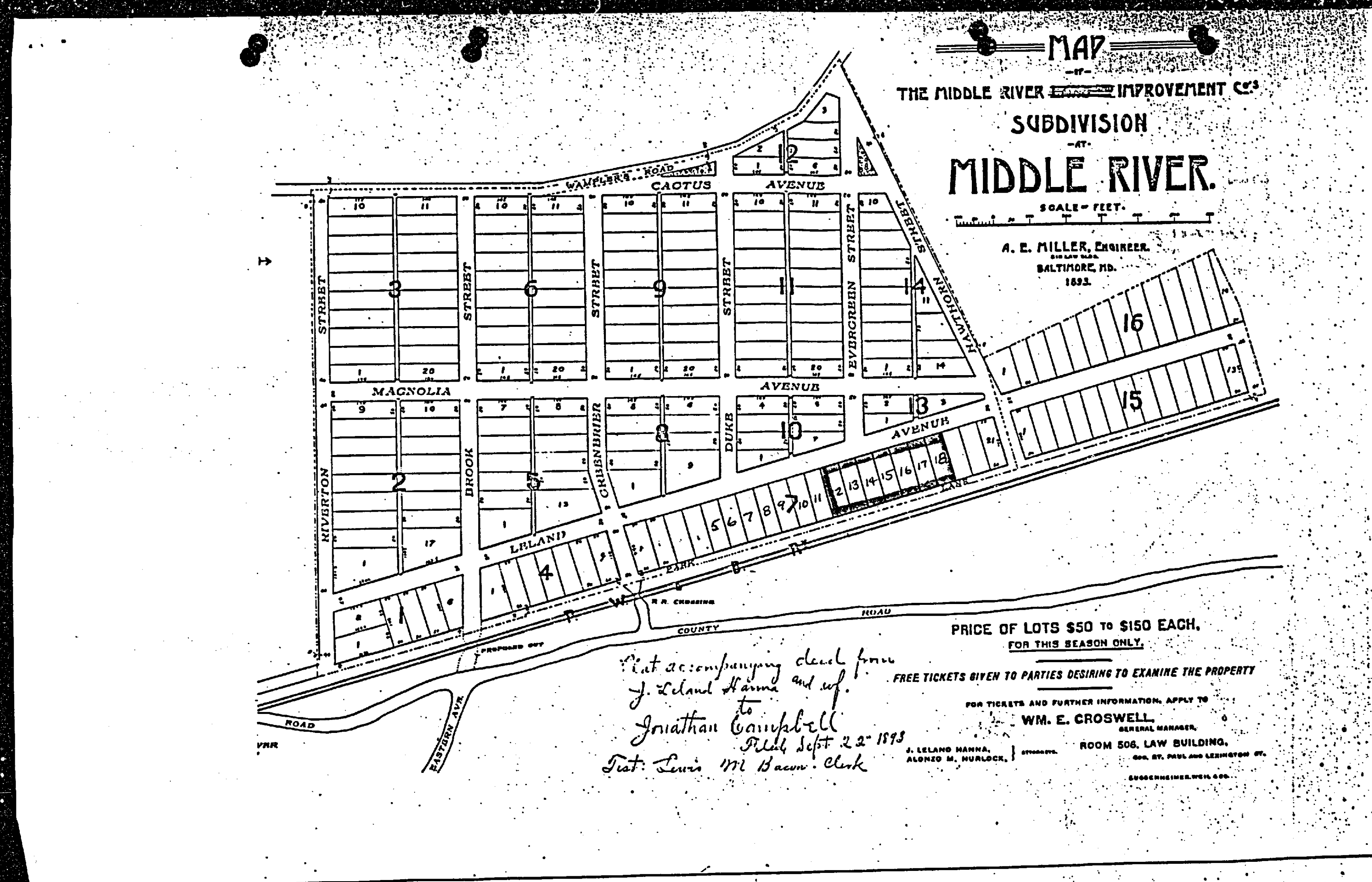
LOT.....	HAF.....	090	FRONT..	350.00	TRANSFER DATE....	12/02/86
BLOCK.....	07	BACK... 350.00	TRANSFER NO.....	066201		
SECTION... 07	PARCEL.. 00709	SIDE1.. 140.00	PURCHASE PRICE	0		
PLAT.....	LIBER.. 7425	SIDE2.. 140.00	GROUND RENT....	0		
BOOK.....	FOLIO.. 0623	FORMER OWNER.. FLAKTORIS NICK E				
FOLIO... 120	SQ FT LDT... 49,000 (H)					
FULL VALUE* LAND IMPRV PREF-LAND CURTILAGE EX LAND EX IMPRV BLIND						
CURRENT	19,450	0	0	0	0	0
PROPOSED	31,440	0	0	0	0	0
***BASIS*** YRMO TAX LAND TAX IMPRV ADVAL EX LAND EX IMPRV EX ADVAL						
90/91 ASSESSMT B911	0	12,840	12,840	0	0	0
89/90 ASSESSMT B811	0	11,490		0	0	0
88/89 ASSESSMT B709	0	2,660		0	0	0

TIME DATE 04/20/90 OFFICE OF ASSESSMENTS INQUIRY (1) TIME 11:12:22  
 PROPERTY NO. 15 DIST 3 FMS 07 CLASS HC AREA 05109 CARD-NO DEL F/M DATE  
 LELAND AV 15-02-005621  
 LELAND AV JAMES E SR PRIMARY DESC... D MIDDLE RIVER  
 SUPPLEMENTAL DESC... LELAND AV  
 NEAREST INTER... 0560 E GREENBRIER ST  
 STRUCTURE... STATE CODE..

LOT.....	HAF.....	090	FRONT..	250.00	TRANSFER DATE....	12/02/86
BLOCK.....	07	BACK... 250.00	TRANSFER NO.....	066201		
SECTION... 07	PARCEL.. 00709	SIDE1.. 140.00	PURCHASE PRICE	0		
PLAT.....	LIBER.. 7425	SIDE2.. 140.00	GROUND RENT....	0		
BOOK.....	FOLIO.. 0623	FORMER OWNER.. FLAKTORIS NICK E				
FOLIO... 120	SQ FT LDT... 49,000 (H)					
FULL VALUE* LAND IMPRV PREF-LAND CURTILAGE EX LAND EX IMPRV BLIND						
CURRENT	19,450	0	0	0	0	0
PROPOSED	31,440	0	0	0	0	0
***BASIS*** YRMO TAX LAND TAX IMPRV ADVAL EX LAND EX IMPRV EX ADVAL						
90/91 ASSESSMT B911	0	12,840	12,840	0	0	0
89/90 ASSESSMT B811	0	11,490		0	0	0
88/89 ASSESSMT B709	0	2,660		0	0	0

TIME DATE 04/20/90 OFFICE OF ASSESSMENTS INQUIRY (1) TIME 11:13:07  
 PROPERTY NO. 15 DIST 3 FMS 06 CLASS HC AREA 05109 CARD-NO DEL F/M DATE  
 LELAND AV 15-02-005621  
 LELAND AV JAMES E SR PRIMARY DESC... A 1,052 AD US  
 SUPPLEMENTAL DESC... HATHORNE ST  
 NEAREST INTER... 0150'S LELAND AV  
 STRUCTURE... STATE CODE.. 000

LOT.....	HAF.....	090	FRONT..	.00	TRANSFER DATE....	06/25/82
BLOCK.....	12	BACK... .00	TRANSFER NO.....	069123		
SECTION... 07	PARCEL.. 01264	SIDE1.. .00	PURCHASE PRICE	3,500		
PLAT.....	LIBER.. 6409	SIDE2.. .00	GROUND RENT....	0		
BOOK.....	FOLIO.. 0763	FORMER OWNER.. NATIONAL RAILROAD PASSENGER CORP				
FOLIO... 120	SQ FT LDT... 0 (A)					
FULL VALUE* LAND IMPRV PREF-LAND CURTILAGE EX LAND EX IMPRV BLIND						
CURRENT	3,150	0	0	0	0	0
PROPOSED	3,150	0	0	0	0	0
***BASIS*** YRMO TAX LAND TAX IMPRV ADVAL EX LAND EX IMPRV EX ADVAL						
90/91 ASSESSMT B911	0	1,280	1,280	0	0	0
89/90 ASSESSMT B811	0	1,430		0	0	0
88/89 ASSESSMT B710	0	1,360		0	0	0



**Evangel Temple**  
 CHURCH OF GOD  
 300 Middle River Road • Baltimore, Maryland 21220 • 686-0724 May 17, 1990

PASTOR  
 E. Lamar McDaniel  
 687-8323

PASTORAL STAFF  
 B. Lloyd Womack  
 Church Administrator  
 686-8136  
 June N. Becker  
 Minister of Visitation  
 574-8135  
 Angelo DiFrancesca  
 Minister of Outreach  
 768-5897  
 Janis Hopper  
 Secretary  
 686-0724  
 Rachael Landon  
 Clerk/Bookkeeper  
 686-0724  
 Andy McDaniel  
 Vice Principal  
 Evangel Christian Academy  
 686-0724  
 686-3682

J. Robert Haines, Zoning Commissioner of Baltimore County, Md.

RE: Case Number: 90-441-A  
 S/S Leland Avenue, 235' E of Greenbrier St  
 1701 Leland Ave, 15th Election District- 5th Councilmanic  
 Petitioner: James E. Bishop, Sr.

Dear Sir:  
 Because I am conducting a funeral in Pennsylvania today, I cannot attend this hearing.  
 However, I would like to express my concern about the expansion of this storage warehouse. The present establishment with its environs is eyesore enough for our community.  
 We have a heavy investment in our home, and do not want it to be downgraded by undesirable surroundings.

Sincerely,  
 E. Lamar McDaniel  
 E. Lamar McDaniel  
 1910 Leland Avenue  
 Baltimore, Maryland 21220

Don't Just Watch Us Grow—Come And Grow With Us

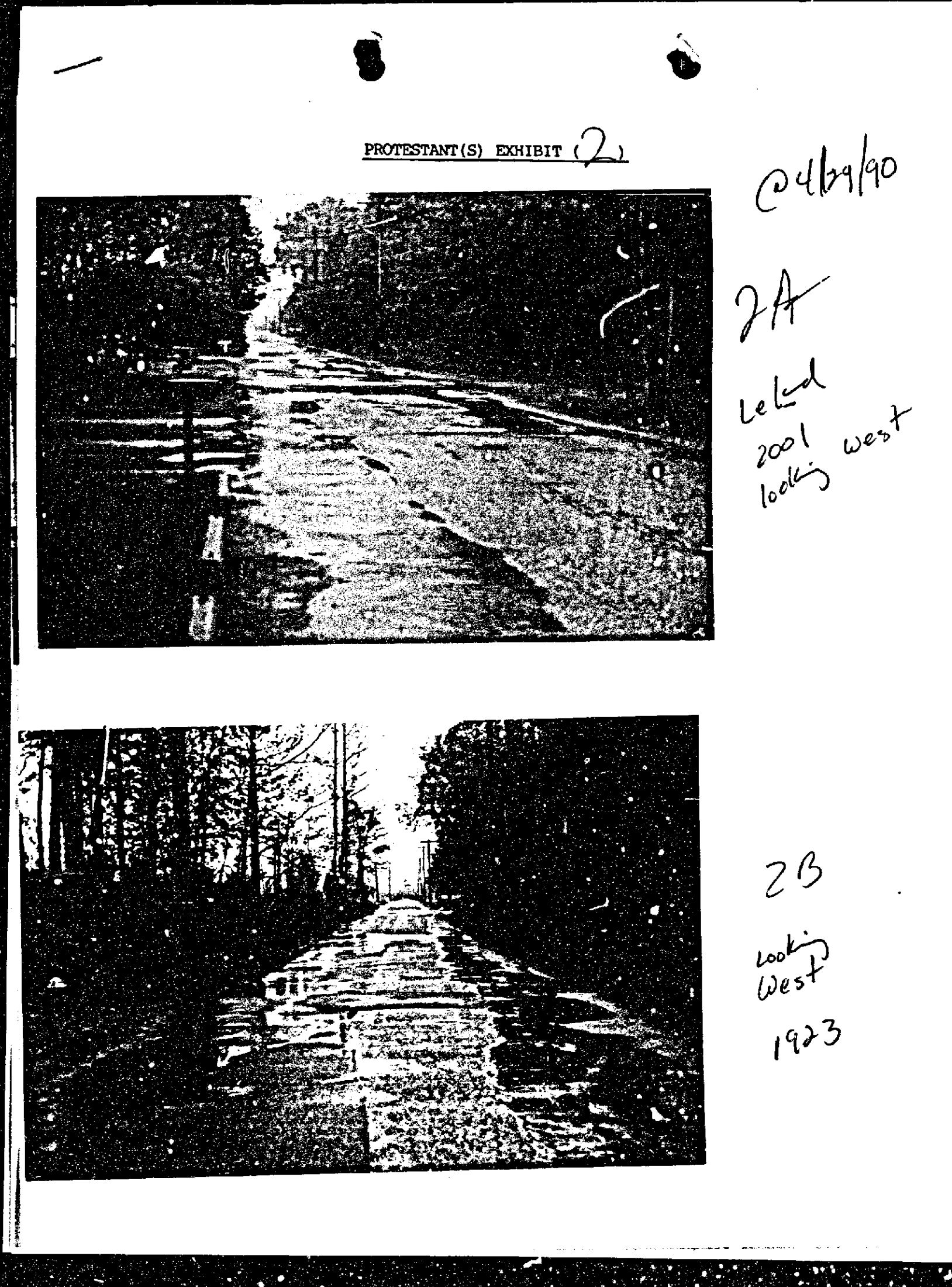
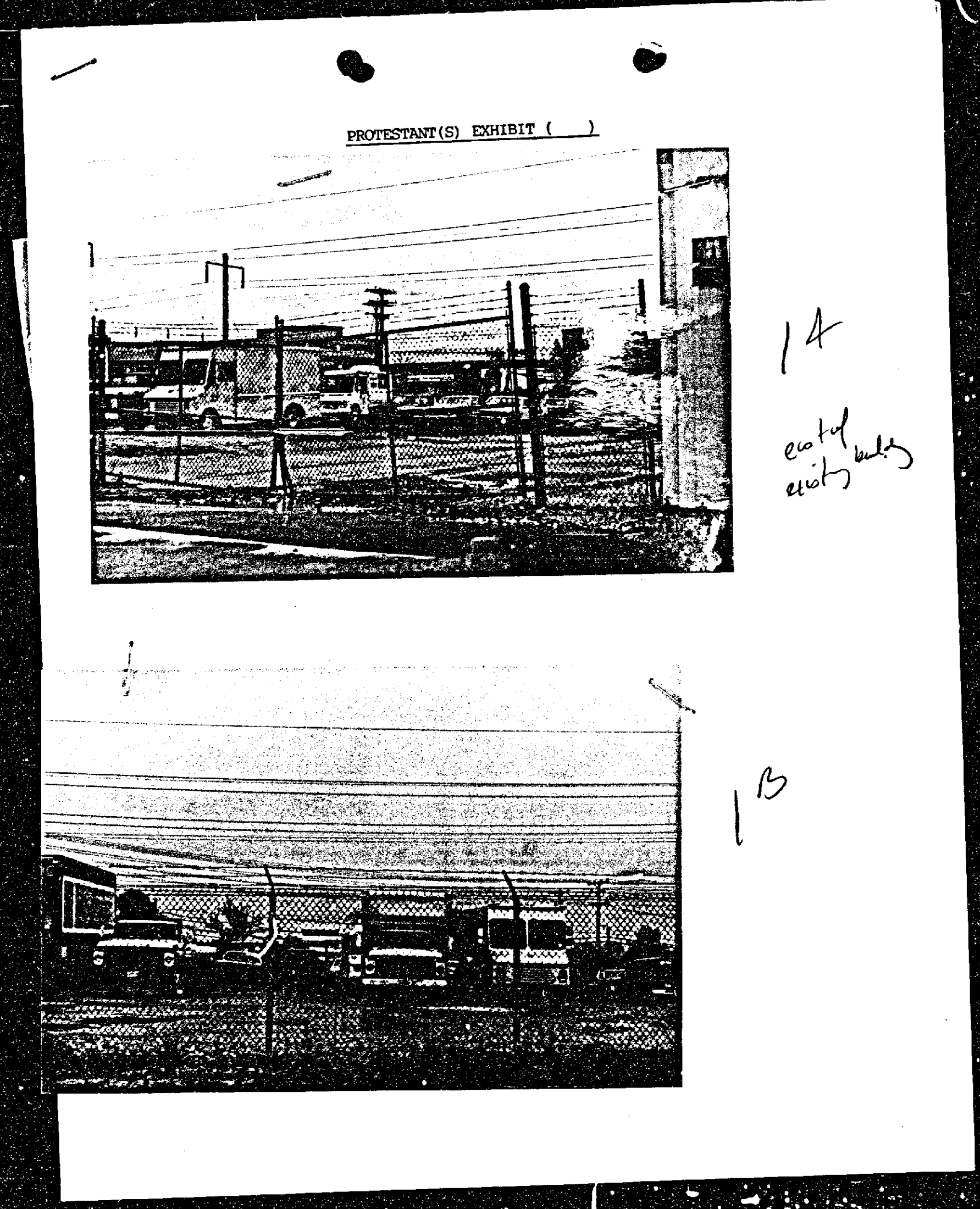
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<i>James M. O'Leary</i>	<i>1923 Leland Ave 21220</i>
<i>Stephen Deemer</i>	<i>1906 Magnolia Ave 21220</i>
<i>John C. Deemer Jr</i>	<i>108 Leland Ave 21220</i>
<i>James J. Deemer</i>	<i>2001 Leland Ave 21220</i>
<i>John C. Deemer Jr</i>	<i>1906 MAGNOLIA AVE 21220</i>

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Leo W. Radt</i>	<i>37 Belfast Rd. 21093</i>
<i>James E. Bishop</i>	<i>3518 Bay Dr 21220</i>



**PLAT TO ACCOMPANY A PETITION FOR A ZONING VARIANCE**

- FOR THE FOLLOW REASONS:
- 1) TO PERMIT A FRONT BLDG. SETBACK OF 16.8' IN LIEU OF THE REQ'D. 75' (SEC. 243.1)
  - 2) TO PERMIT A SIDE YARD BLDG. SETBACK OF 0' IN LIEU OF THE REQ'D. 50' (SEC. 243.2)
  - 3) TO PERMIT A REAR YARD BLDG. SETBACK OF 39' IN LIEU OF THE REQ'D. 50' (SEC. 243.3)
  - 4) TO PERMIT A SIDE YARD BLDG. SETBACK OF 43' IN LIEU OF THE REQ'D. 50' (SEC. 243.2)

**"SUBDIVISION AT MIDDLE RIVER"**  
JWS 1-120

15TH ELECT. DIST. BALTO. CO., MD.  
SCALE: 1" = 50' FEB. 6, 1990  
OWNER AND DEVELOPER: AMENDED: FEB. 10, 1990  
JAMES E. BISHOP, SR. AMENDED: MAR. 3, 1990  
1701 LELAND AVENUE AMENDED: MAY 16, 1990  
BALTO., MD. 21220  
PHONE: OFFICE 687-3000 RES. 335-1233

WATERSHED 5  
SUBSEWERED 15  
CENSUS TRACT-4517.01  
COUNCILMANIC DIST-5  
TAX ACCOUNT NO:  
15-02-005620905  
15-02-005621903  
19-00-010225902

DEED REF:  
EHK, JR. 6409-763  
SM 7425-623

SITE STREET ADDRESS: 1701 LELAND AVENUE

**NOTE**

B.C.Z.R. 253.4--Within 100 feet of any residential zone boundary or the right of way of any street abutting such a boundary, only passenger-automobile accessory parking and those uses permitted in M.R. zones, as limited by the use regulations in Section 241, are permitted. Any use other than passenger automobile accessory parking and those uses permitted in M.R. zones as limited by the use regulations in Section 241 established within 100 feet of the right of way of an existing or proposed freeway or expressway so designated by the Planning Board shall be screened from the motorway in accordance with the standards and criteria contained in the Baltimore County Landscape Manual adopted pursuant to Section 22-105 of Title 22 of the Baltimore County Code. Notwithstanding the foregoing, no trucking facility or part of a trucking facility may be established within 100 feet of such a right of way. (Bills No. 100, 1970; No. 176, 1981; No. 31, 1984.)

**NOTES**

- 1) SITE AREA 70,837 SQ FT ± OR 1.6262 AC ±
- 2) SITE ZONING M L
- 3) THERE ARE NO HISTORIC BUILDINGS, WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THIS SITE, TO THE BEST OF OUR KNOWLEDGE.
- 4) THERE ARE NO STREAMS, BODIES OF WATER OR SPRINGS ON THIS SITE.
- 5) ALL CONSTRUCTION ONSITE SHALL BE IN ACCORDANCE WITH BALTIMORE COUNTY STANDARD SPECIFICATIONS AND DETAILS FOR CONSTRUCTION AND THE PLUMBING CODE, UNLESS OTHERWISE NOTED.
- 6) THE LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE THE CONTRACTOR SHALL VERIFY THE LOCATION AND IDENTIFY ALL UTILITIES TO HIS OWN SATISFACTION PRIOR TO BEGINNING CONSTRUCTION.
- 7) NO STRUCTURES, SLABS OR PAVEMENT SHALL BE PLACED ON A FILL ON UNSUITABLE MATERIAL.
- 8) UNLESS OTHERWISE NOTED, ALL FILL UNDER PAVEMENT, SLABS OR STRUCTURES SHALL BE PLACED AND TESTED IN ACCORDANCE WITH DIVISION III, PART I OF THE 1968 STATE ROADS COMMISSION SPECIFICATIONS. ALL TESTING TO BE DONE PRIOR TO CONSTRUCTION.
- 9) THE CONTRACTOR SHALL NOTIFY THE GAS AND ELECTRIC COMPANY AND THE CBP TELEPHONE COMPANY FIVE DAYS PRIOR TO BEGINNING WORK SHOWN ON THESE PLANS. CALL MISS UTILITY 1-559-0100.
- 10) ALL HANDICAPPED PARKING AND SIGNAGE SHALL BE IN ACCORDANCE WITH MARYLAND BUILDING CODE FOR THE HANDICAPPED AND THE AGED.
- 11) PAVING SECTION TO BE SPECIFIED BY SOILS ENGINEER.
- 12) ESTIMATED ADT'S = 165 (32,936 - 1000 X 5)
- 13) EXISTING CONTOURS SHOWN DASHED. PROPOSED CONTOURS SHOWN SOLID.
- 14) THE PROPOSED ZERO SETBACK BUILDING WILL MEET BUILDING CODE, AS WELL AS FIRE CODE REQUIREMENTS WITH REGARD TO TYPE OF CONSTRUCTION, WINDOWS, ETC.

**NOTES (CONTINUED)**

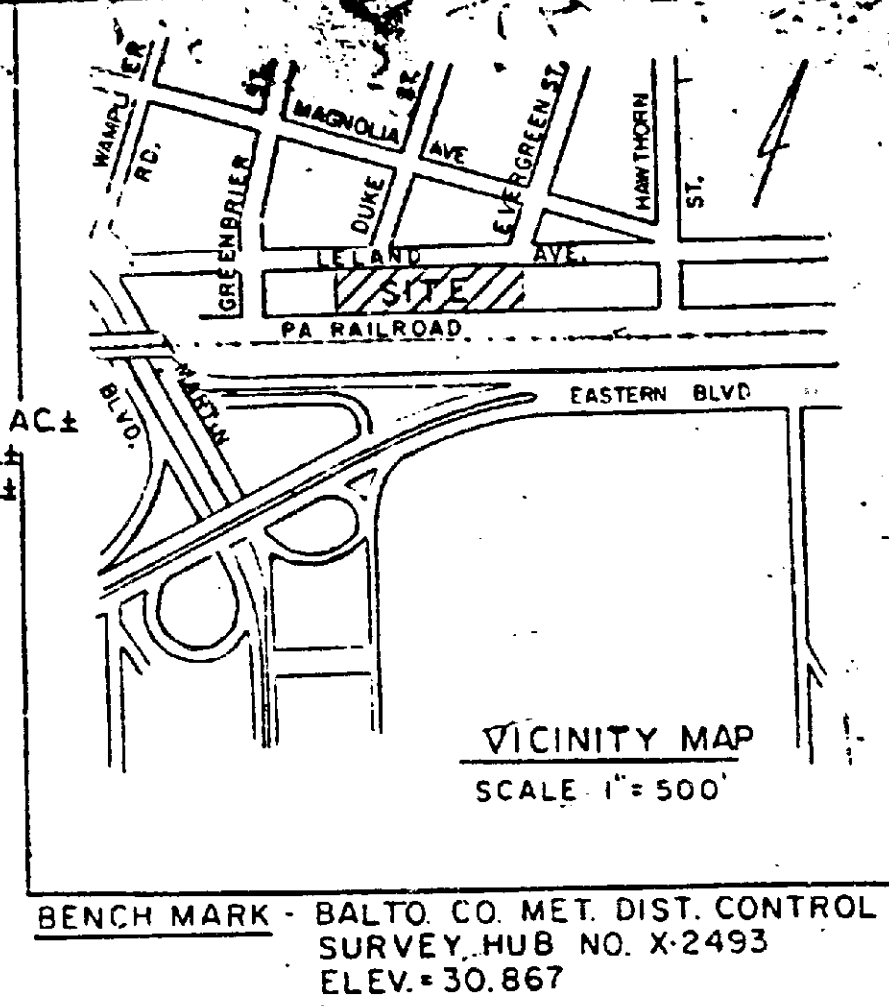
- 15) STORM WATER MANAGEMENT-WAIVER REQUESTED
- 16) STORM DRAINS-NONE PROPOSED
- 17) ZONING VARIANCES REQUESTED ON BUILDING SETBACKS.
- 18) PROPOSED RADARS IS SHOWN AS SHOWN. (SUBJECT TO FINAL SITE ENGINEERING.)
- 19) PETITION FOR WAIVER OF PUBLIC WORKS HAS BEEN SUBMITTED (SAN AND WATER)
- 20) PETITION FOR WAIVER OF SWM HAS BEEN SUBMITTED
- 21) NO LOADING OR PARKING BETWEEN BUILDINGS
- 22) AREAS BETWEEN BUILDINGS AND FROM BUILDINGS SOUTH TO PROPERTY LINE SHALL BE BITUMINOUS CONCRETE PAVING PERMANENTLY STRIPED.
- 23) NO OFFICES ARE PROPOSED IN EITHER BUILDING.

**SITE TABULATION**

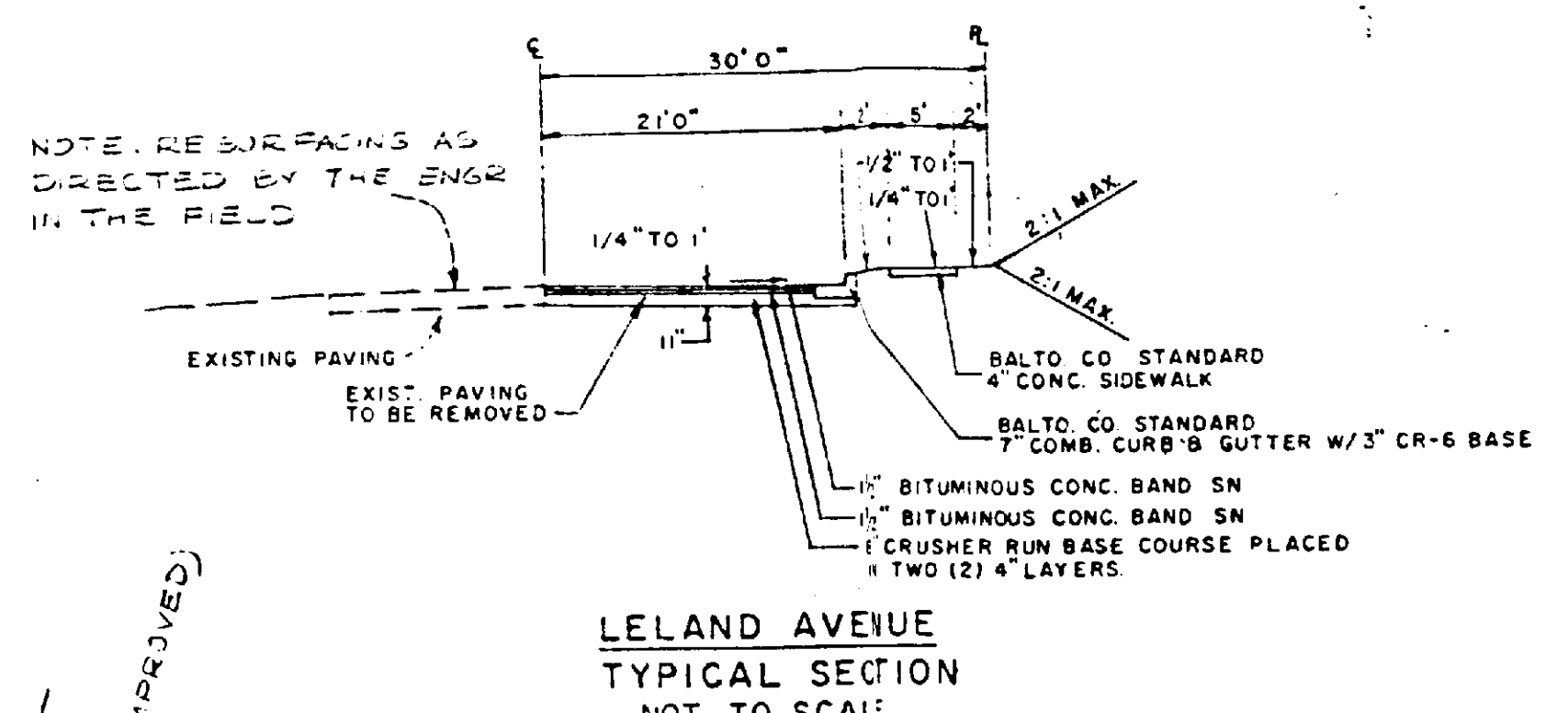
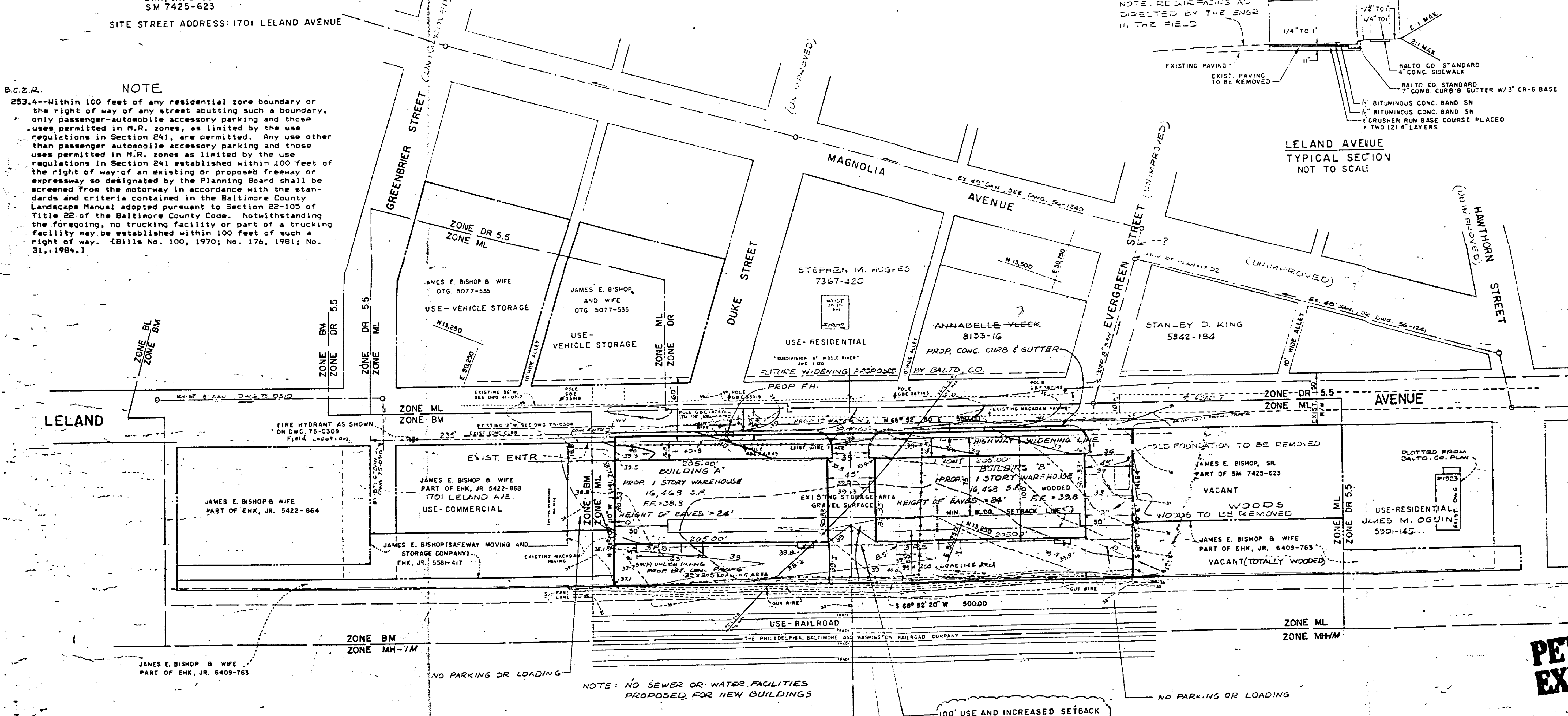
<b>PARKING DATA</b>	
BUILDING USES	WAREHOUSES
NO. OF EMPLOYEES ON LARGEST SHIFT	6
NO. OF PARKING SPACES REQUIRED	6
NO. OF PARKING SPACES PROVIDED	6
SIZE OF PARKING SPACES	8.5' X 21'
<b>GROSS AREA OF SITE</b> 70,837 SQ FT ± OR 1.6262 AC ±	
<b>HIGHWAY WIDENING AREA</b> 2,500 SQ. FT. OR 0.0574 AC ±	
<b>NET AREA OF SITE</b> 68,337 SQ. FT. ± OR 1.5688 AC ±	
<b>EXISTING ZONING</b> ML	
<b>FLOOR AREA RATIO</b>	
MAXIMUM PERMITTED	2.0
PROPOSED "FAR" 32,936 ÷ 68,337	0.48

**PARKING DATA (BY BUILDING)**

<b>BUILDING "A"</b>	<b>BUILDING "B"</b>
NO. OF EMPLOYEES - 3	NO. OF EMPLOYEES - 3
NO. OF SPACES REQ-3	NO. OF SPACES REQ-3
NO. OF SPACES PROV.-3	NO. OF SPACES PROV.-3



**NOTE:**  
WAREHOUSE AND OFFICE AREAS AS SHOWN ON THIS PLAN CANNOT BE INCREASED OR DECREASED WITHOUT FURTHER ZONING APPROVALS AND ANY CHANGES IN USE, EVEN THOUGH PERMITTED BY SECTION 253.1 (B.C.Z.R.) MUST BE APPROVED BY THE ZONING OFFICE. ANY FUTURE USES ESTABLISHED ON THIS PLAN WILL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE BALTIMORE COUNTY ZONING REGULATIONS, INCLUDING BUT NOT LIMITED TO SECTIONS 253, 254, 255, 409.413 AND THE ZONING POLICY MANUAL.



**SOILS DATA**

SB- SASSAFRAS SANDY LOAM, 2 TO 5% SLOPES	
WA- WOODSTOWN SANDY LOAM, 0 TO 2% SLOPES	
<b>LIMITATIONS FOR</b>	
TYPE	AREA
SB	0.72 AC
WA	0.91 AC
<b>MITIGATIVE MEASURES: BUILDINGS WILL BE BUILT WITHOUT BASEMENTS.</b>	

**PETITIONER'S EXHIBIT 1**



LEO W. RADER  
REGISTERED LAND SURVEYOR  
38 BELFAST ROAD  
TOWSON MD 21286-2920

PUBLIC SERVICES CRG. NO 90108  
PLANNING NO. \_\_\_\_\_

**PLAT TO ACCOMPANY A PETITION FOR A ZONING VARIANCE**

- FOR THE FOLLOWING REASONS:
- 1) TO PERMIT A FRONT BLDG SETBACK OF 16.8' IN LIEU OF THE REQUIRED 75' (SEC. 243.1)
  - 2) TO PERMIT A SIDE YARD BLDG SETBACK OF 0' IN LIEU OF THE REQUIRED 50' (SEC. 243.2)
  - 3) TO PERMIT A REAR YARD BLDG SETBACK OF 39' IN LIEU OF THE REQUIRED 50' (SEC. 243.3)
  - 4) TO PERMIT A SIDE YARD BLDG SETBACK OF 30' IN LIEU OF THE REQUIRED 50' (SEC. 243.2)
  - 5) TO PERMIT SETBACKS OF 45' IN LIEU OF THE REQUIRED 100' (SEC. 243.1/102.1)

**"SUBDIVISION AT MIDDLE RIVER"**

JWS 1-120

15 TH ELECT. DIST. BALTO. CO., MD.

SCALE: 1" = 50' FEB. 6, 1990  
 AMENDED: FEB. 10, 1990  
 AMENDED: MAR. 3, 1990

OWNER AND DEVELOPER:  
 JAMES E. BISHOP, SR.  
 1701 LELAND AVENUE  
 BALTO., MD. 21220  
 PHONE: OFFICE 687-3000 RES. 335-1233

WATERSHED 5  
 SUBSEWERSHED 15  
 CENSUS TRACT 4517.01  
 COUNCILMANIC DIST 5  
 TAX ACCOUNT NO:  
 15-02-005620905  
 15-02-005621903  
 19-00-010225902

DEED REF:  
 EHK, JR. 6409-763  
 SM 7425-623

SITE STREET ADDRESS: 1701 LELAND AVENUE

**NOTES**

- 1) SITE AREA: 70,837 SQ. FT. ± OR 1.6262 AC ±
- 2) SITE ZONING:
- 3) THERE ARE NO HISTORIC BUILDINGS, WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THIS SITE, TO THE BEST OF OUR KNOWLEDGE.
- 4) THERE ARE NO STREAMS, BODIES OF WATER OR SPRINGS ON THIS SITE.
- 5) ALL CONSTRUCTION ONSITE SHALL BE IN ACCORDANCE WITH BALTIMORE COUNTY STANDARD SPECIFICATIONS AND DETAILS FOR CONSTRUCTION AND THE PLUMBING CODE, UNLESS OTHERWISE NOTED.
- 6) THE LOCATION OF ALL EXISTING UTILITIES IS APPROXIMATE. THE CONTRACTOR SHALL VERIFY THE LOCATION AND IDENTIFY ALL UTILITIES TO HIS OWN SATISFACTION PRIOR TO BEGINNING CONSTRUCTION.
- 7) NO STRUCTURES, SLABS OR PAVEMENT SHALL BE PLACED ON A FILL ON UNSUITABLE MATERIAL.
- 8) UNLESS OTHERWISE NOTED, ALL FILL UNDER PAVEMENT, SLABS OR STRUCTURES SHALL BE PLACED AND TESTED IN ACCORDANCE WITH DIVISION III, PART I OF THE 1968 STATE ROADS COMMISSION SPECIFICATIONS. ALL TESTING TO BE DONE PRIOR TO CONSTRUCTION.
- 9) THE CONTRACTOR SHALL NOTIFY THE GAS AND ELECTRIC COMPANY AND THE CBP TELEPHONE COMPANY FIVE DAYS PRIOR TO BEGINNING WORK SHOWN ON THESE PLANS. CALL MISS UTILITY 1-559-0100.
- 10) ALL HANDICAPPED PARKING AND SIGNAGE SHALL BE IN ACCORDANCE WITH MARYLAND BUILDING CODE FOR THE HANDICAPPED AND THE AGED.
- 11) PAVING SECTION TO BE SPECIFIED BY SOILS ENGINEER.
- 12) ESTIMATED ADT'S = 61 (12,050 ÷ 1000 X 5)
- 13) EXISTING CONTOURS SHOWN DASHED. PROPOSED CONTOURS SHOWN SOLID.
- 14) THE PROPOSED ZERO SETBACK BUILDING WILL MEET BUILDING CODE, AS WELL AS FIRE CODE REQUIREMENTS WITH REGARD TO TYPE OF CONSTRUCTION, WINDOWS, ETC..

**NOTES (CONTINUED)**

- 15) STORM WATER MANAGEMENT - WAIVER REQUESTED
- 16) STORM DRAINS - NONE PROPOSED

**SITE TABULATION**

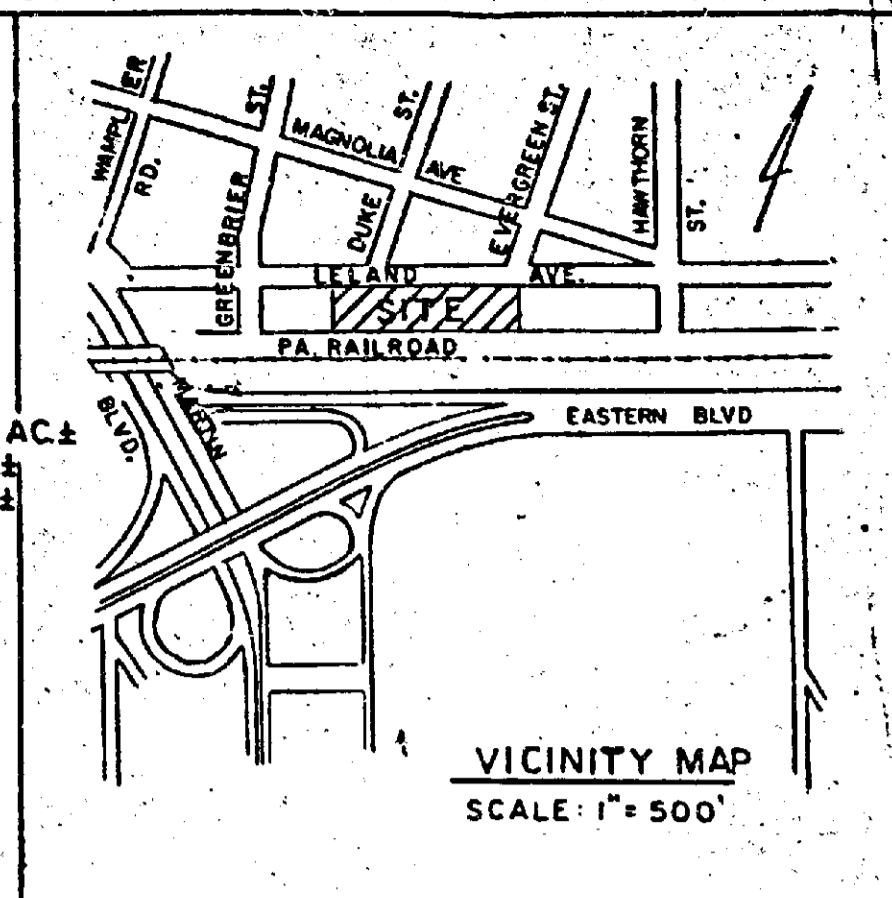
<b>PARKING DATA</b>	
BUILDING USES	WAREHOUSES
NO. OF EMPLOYEES ON LARGEST SHIFT	6
NO. OF PARKING SPACES REQUIRED	6
NO. OF PARKING SPACES PROVIDED	6
SIZE OF PARKING SPACES	8.5' X 21'

GROSS AREA OF SITE	70,837 SQ. FT. ± OR 1.6262 AC ±
HIGHWAY WIDENING AREA	2,500 SQ. FT. OR 0.0574 AC ±
NET AREA OF SITE	68,337 SQ. FT. ± OR 1.5688 AC ±
EXISTING ZONING	ML

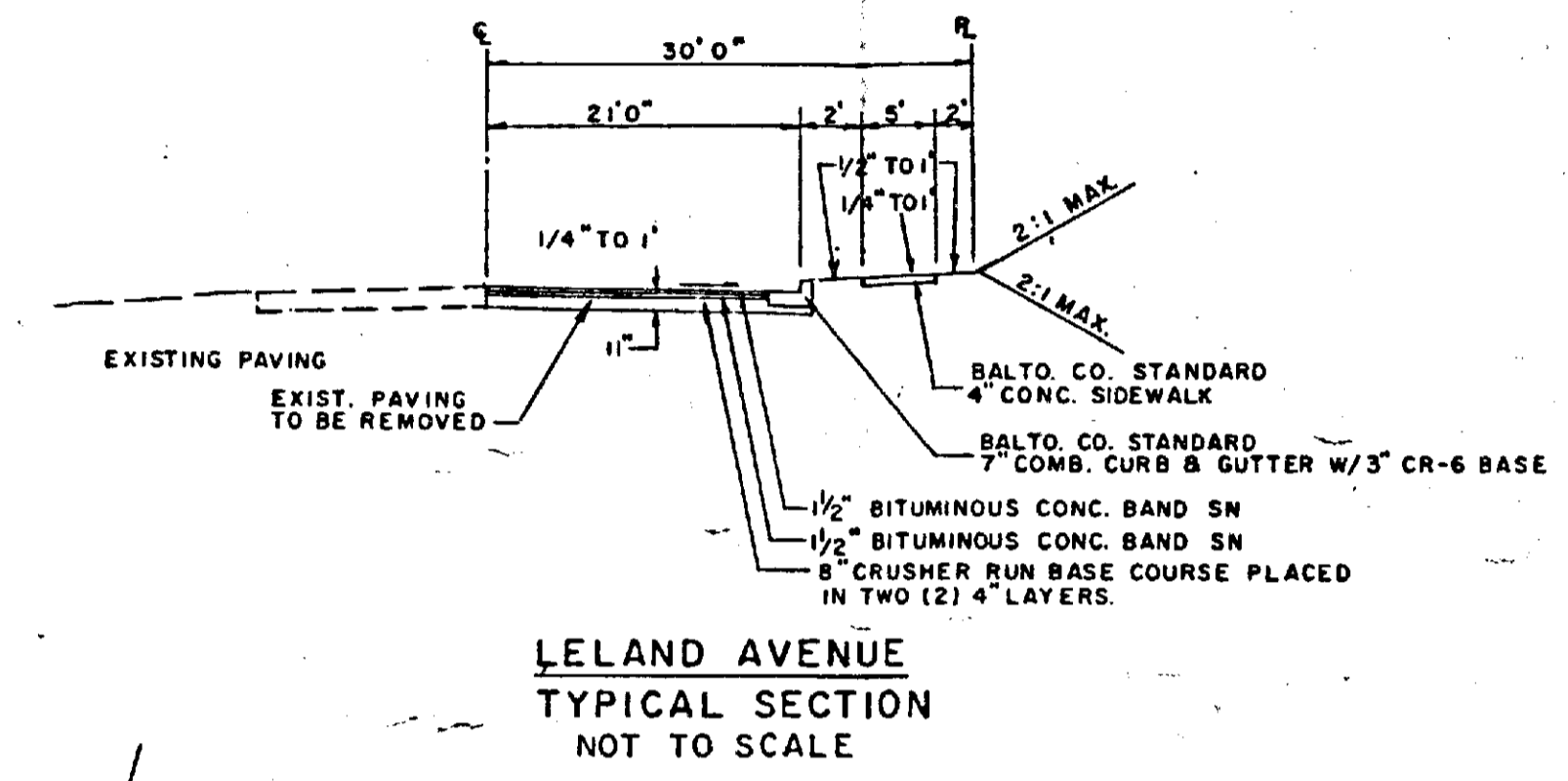
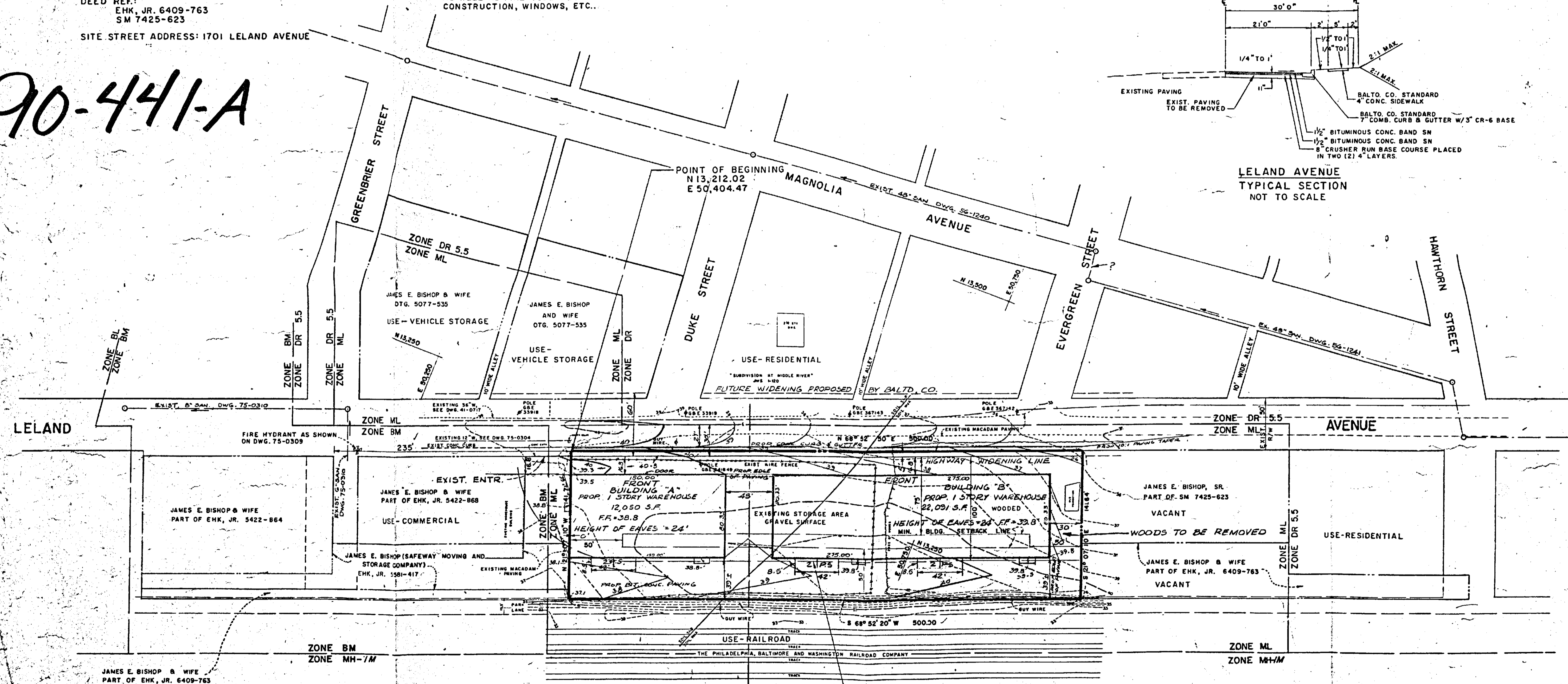
<b>FLOOR AREA RATIO:</b>	
MAXIMUM PERMITTED	2.0
PROPOSED FAR 34,141 ÷ 68,337	0.50

**PARKING DATA (BY BUILDING)**

<b>BUILDING "A"</b>	<b>BUILDING "B"</b>
NO. OF EMPLOYEES - 2	NO. OF EMPLOYEES - 4
NO. OF SPACES REQ'D - 2	NO. OF SPACES REQ'D - 4
NO. OF SPACES PROV'D - 2	NO. OF SPACES PROV'D - 4



297  
 90-441-A



NOTE: NO SEWER OR WATER FACILITIES PROPOSED FOR NEW BUILDING.

PHASE ONE  
 PHASE TWO

**SOILS DATA**

S-B- SASSAFRAS SANDY LOAM, 2 TO 5% SLOPES  
 WA- WOODSTOWN SANDY LOAM, 0 TO 2% SLOPES

LIMITATIONS FOR			
TYPE	AREA	BUILDINGS - 3 STY NO BASEMENT	STREETS AND PARKING LOTS
S-B	0.72 AC	SLIGHT	MODERATE SLOPE
WA	0.91 AC	SLIGHT	MODERATE TO MODERATELY HIGH WATER TABLE

HYDROLOGIC SOIL GROUP: B



**LEO W. RADER**  
 REGISTERED LAND SURVEYOR  
 38 BELFAST ROAD  
 TIMONIUM MD. 21220

