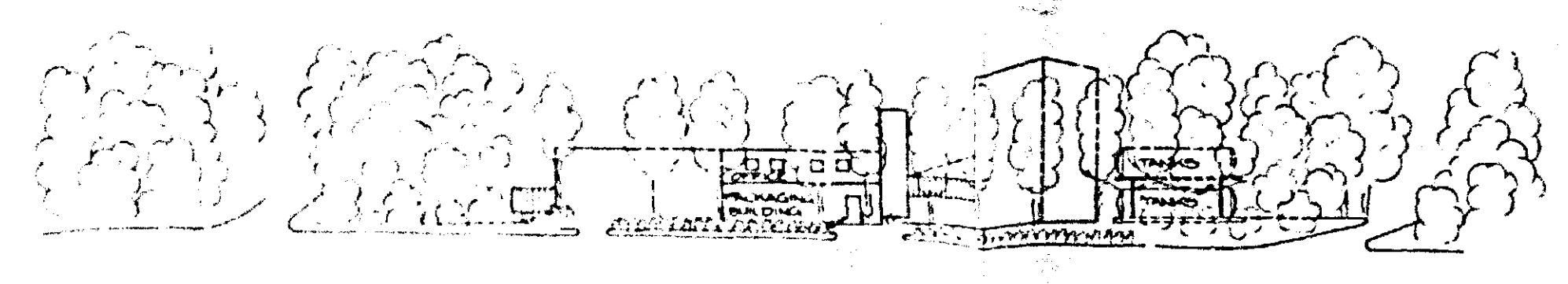
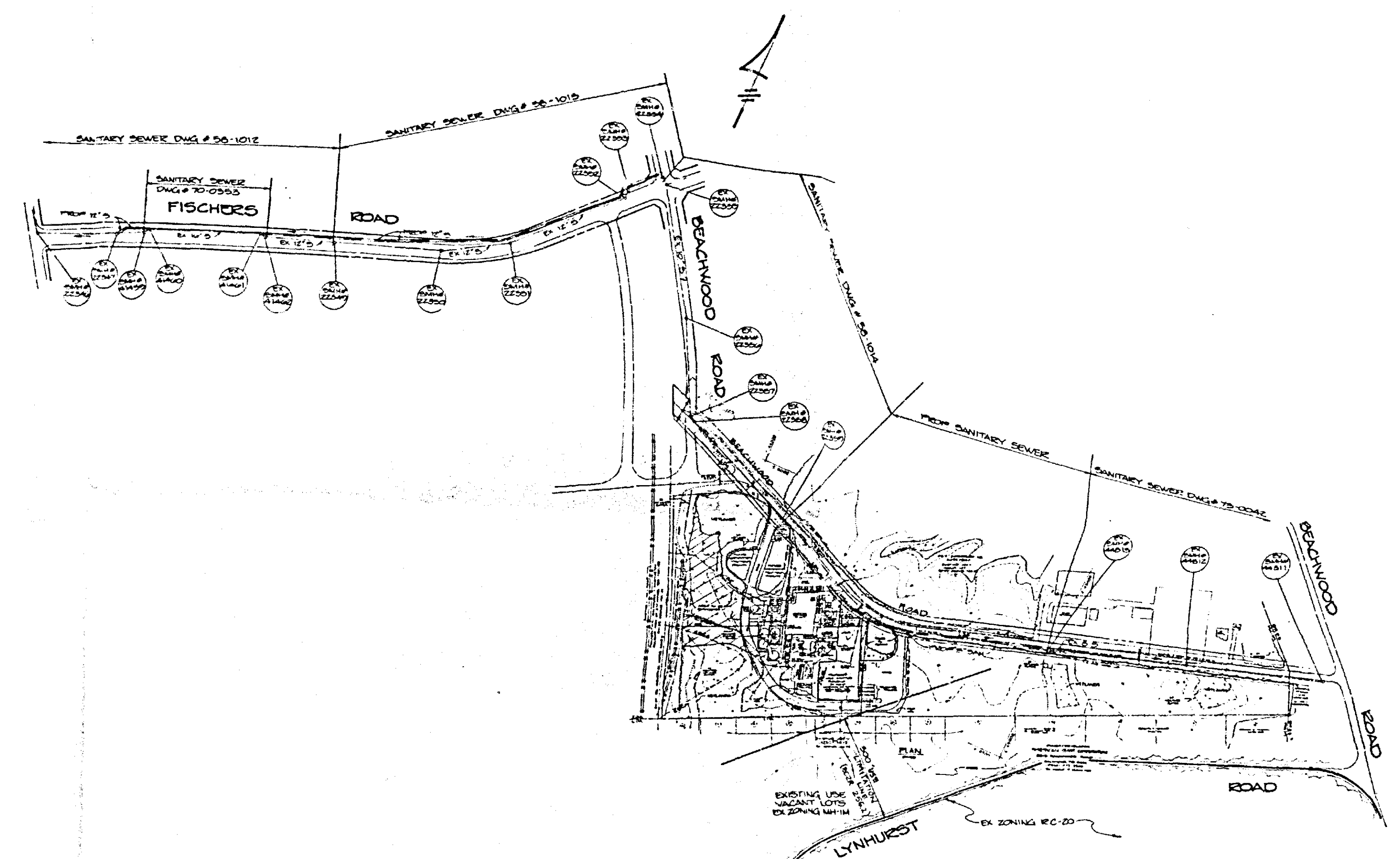


TYPICAL PARKING DETAIL
SCALE: 1/4" = 1'-0"



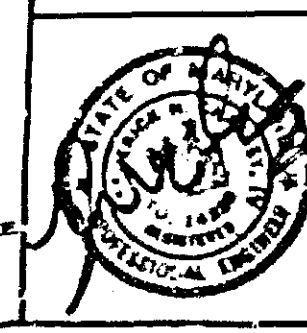
VIEW FROM BEACHWOOD ROAD
SCALE: 1/4" = 1'-0"



LOCATION PLAN FOR
OFF-SITE SEWER AND
RESIDENTIAL TRANSITION AREA
SCALE: 1/4" = 1'-0"

PETITIONER'S
EXHIBIT 3

THIS PLAN IS PREPARED AND
SUBMITTED TO THE BOARD OF
APPEALS AND ALL AGENCIES
FOR REVIEW AND COMMENT.



DEVELOPMENT PLAN
VARIANCE PLAN
AMERICAN YEAST
BALTIMORE COUNTY, MARYLAND ELECTION DISTRICT #15, C-7
SCALE: AS SHOWN SHEET 2 OF 2
ZADM # XV - 605 DATE: 5/28/94
REV 4/20/94

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

May 6, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #386 - American Yeast Corp. - ~~VARIED~~
8215 Beachwood Road
Zoning Advisory Committee Meeting of May 2, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

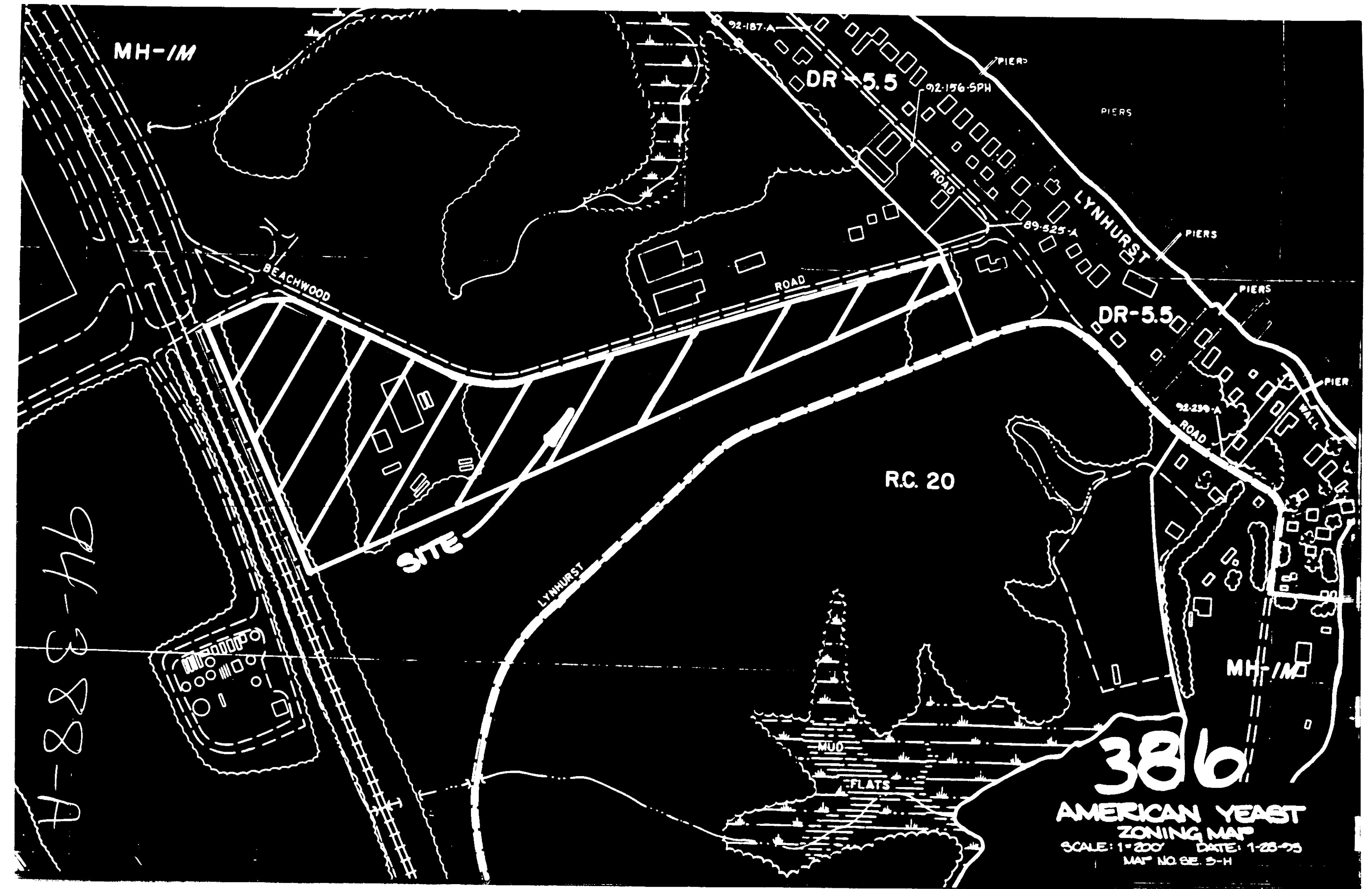
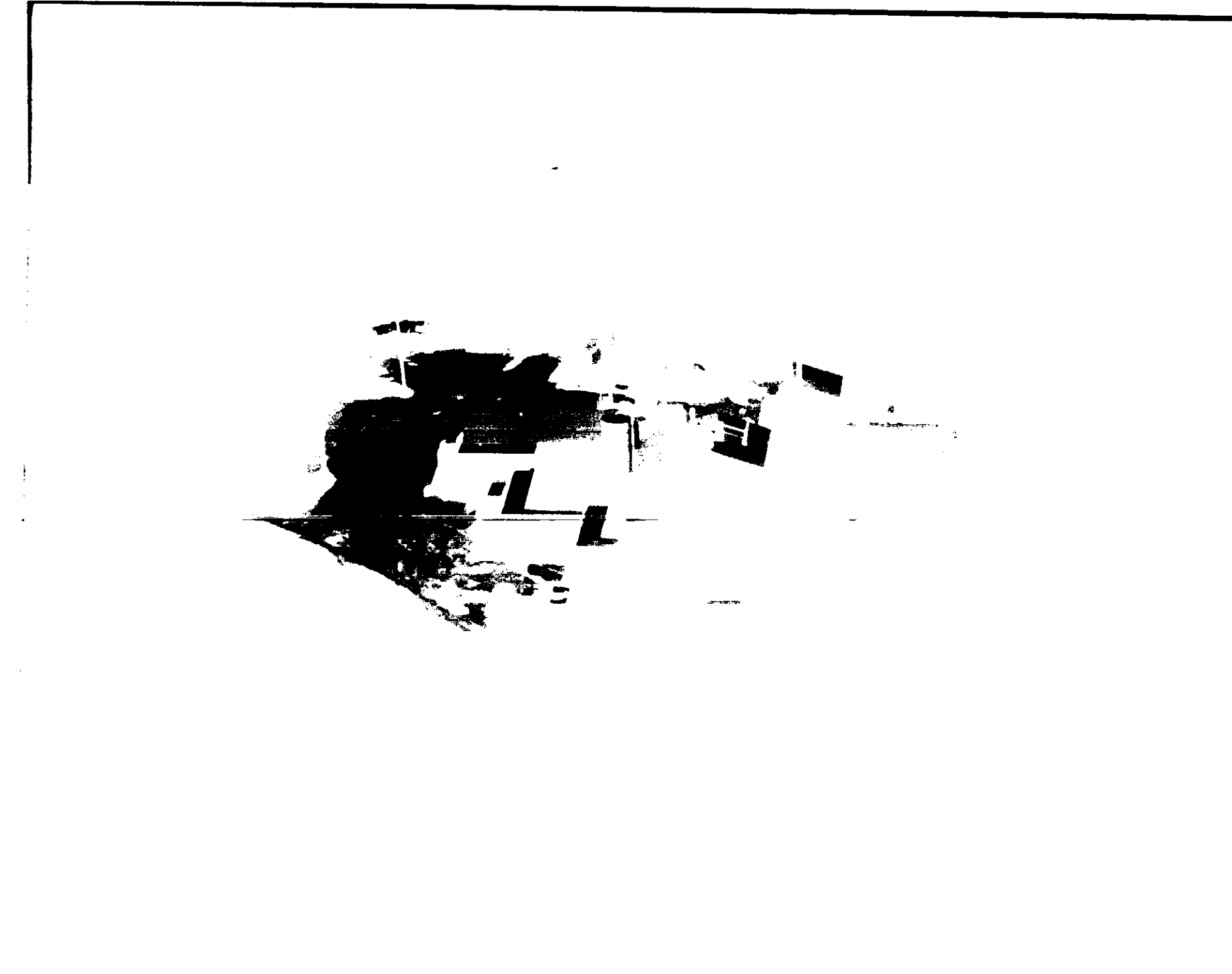
Granting of this variance would be in conformance with Chesapeake Bay Critical Area regulation, provided the proposed gravel drive is constructed in accordance with the attached schematic for an engineered stone drive.

JLP:SS:sp

Attachment

AMERY/DEPRM/TXTS/BP

**PLANNING'S
EXHIBIT 1**



ORDER RECEIVED FOR FILING

Date: 5/10/94
By: [Signature]

PETITION FOR VARIANCES * BEFORE THE
and SITE PLAN APPROVALS * ZONING COMMISSIONER
PETITIONER: * OF BALTIMORE COUNTY
AMERICAN YEAST COMPANY * CASE NO.: 94-388-A
XV-605

ENTRY OF APPEARANCE

Please enter the appearance of Newton A. Williams and Nolan, Plumhoff & Williams, Chartered as Special Counsel in the above captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Newton A. Williams
NEWTON A. WILLIAMS
Nolan, Plumhoff & Williams
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
700 COURT TOWERS
210 M. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(410) 823-7800

I HEREBY CERTIFY THAT on this 2nd day of May, 1994, a copy of the foregoing Entry of Appearance was mailed to Gary Duvall, Esquire, Miles and Stockbridge, 600 Washington Avenue, Towson, Maryland 21204, and Peter Max Zimmerman, Esquire, Peoples Counsel, Court House, Towson, Maryland 21204.

Newton A. Williams
NEWTON A. WILLIAMS

LAW OFFICES
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

6933C

4/22/94 ZADM TRANSMITTAL 887-3335
Date 94-388-A

TO: // DES _____
// SCD _____
// DEPRM _____
// ZONING _____
// ZADM _____
// OTHER _____

Re: Project Name *American Yeast* // Project Not Managed
Project Manager _____ ZADM No. _____
Type of Plan *Zon* // Preliminary // Final // Signature
William Row
Team Leader _____
Engineer *Stephens* Tele. *828 8120*

Phase II Routing Slip

Scheduled submission date: (see Project Chart) _____
Scheduled completion date: (see Project Chart) _____
or (2 wks from submission)

// Approved _____
// Approved with comments ACTION TAKEN _____
// Returned for revision BY REVIEWER: _____
// Disapproved _____

Agency _____ Reviewer's Name _____ Date _____

RETURN TO: ZADM - Room 123 COUNTY OFFICE BUILDING

"FLAGS" or "Too Many Reviews" should be brought to P.M.'s attention!

This form is being sent to you from _____ name _____

- 1 -

ZONING HEARING CHECKLIST

REVISED 5/92

This checklist is provided to you, for your information only, and is not to be considered legal advice.

First, and most importantly: You must understand that the hearing you have requested is a quasi-judicial hearing and you are responsible for meeting the burden of law required by the Baltimore County Zoning Regulations (B.C.Z.R.). A judicial hearing is an adversary process and, therefore, there may be opposition to your request. During a judicial hearing, the parties will be permitted to testify, present evidence and cross-examine witnesses. Either the Zoning Commissioner or the Deputy Zoning Commissioner will rule on the evidence and testimony to determine whether or not the petition will be granted.

Second: You must understand that you are permitted to have representation by an attorney of your choice. You are not required to have an attorney, but it is recommended that you consider obtaining legal representation. But, if you are incorporated, it is considered a requirement that you be represented by an attorney.

Third: It is strongly recommended that you read and understand the requirements of the Baltimore County Zoning Regulations.

Fourth: No employee of the Baltimore County Office of Zoning Administration and Development Management may provide legal advice to anyone. The representatives and opinions of any employee are not to be construed as definitive in any case. Only the decision of the Zoning Commissioner rendered after the statutory required public hearing is considered dispositive in matters relating to the interpretation of the B.C.Z.R.

Even though there may not be opposition in a given case, your request may be denied.

For further information or to make an appointment, please contact:
Baltimore County Office of Zoning Administration & Development Management
Development Control
111 West Chesapeake Avenue
Room 109
Towson, MD 21204
Telephone: 807-3391

Non-Residential Properties
Variances
Special Exceptions
Use Permits
Special Hearings

3810

TOWSON 600 WASHINGTON AVENUE SUITE 100 TOWSON, MARYLAND 21204 PH: 823-7800 FAX: 410-581-0288

BEL AIR 20 EAST BROADWAY 212 BEL AIR, MARYLAND 21034 PH: 823-7800 FAX: 410-581-0288

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC. CONSULTING ENGINEERS

TO: Baltimore County Z.A.D.M. Towson, Maryland 21204 DATE: April 6, 1994 REFERENCE: American Yeast

ATTENTION: Mr. David Flowers

We are:
 Submitting Herewith Under Separate Cover
 Forwarding
 Returning

COPIES	DESCRIPTION
3	Revised copies of development plan to include variance info
3	Zoning descriptions
3	Petition for variance
1	Variance fee in the amount of \$250.00
1	200 scale zoning map denoting site

In accordance with your request
 For your review
 For processing
 Plans reviewed and accepted
 Plans reviewed and accepted as noted

For your use
 Please call when ready
 Please return to this office
 Approval requested
 Meeting requested

Remarks: 1. THERE ARE NO OUTSTANDING VIOLATIONS
2. THIS PROJECT HAS BEEN PREVIOUSLY REVIEWED BY JOHN LEWIS

For further information, please contact the writer at this office.
RC:kmp
Enclosures
cc: Mr. Guy Marleau

Sincerely yours,
Rick Chidsey
Rick Chidsey, P.E.

APR 6 1994

94-388-A

TOWSON 600 WASHINGTON AVENUE SUITE 100 TOWSON, MARYLAND 21204 PH: 823-7800 FAX: 410-581-0288

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC. CONSULTING ENGINEERS

BEL AIR 20 EAST BROADWAY 212 BEL AIR, MARYLAND 21034 PH: 823-7800 FAX: 410-581-0288

TO: BALTIMORE COUNTY ZADM DATE: 4/22/94 REFERENCE: AMERICAN YEAST ZONING VARIANCE REVISION CASE # 94-388-A

ATTENTION:

We are:
 Submitting Herewith Under Separate Cover
 Forwarding
 Returning

COPIES	DESCRIPTION
12	SETS OF THE DEVELOPMENT PLAN AND VARIANCE
3	DESCRIPTIONS OF AMERICAN YEAST CORPORATION PROJECT
1	CHECK IN THE AMOUNT OF \$100.00

In accordance with your request
 For your review
 For processing
 Plans reviewed and accepted
 Plans reviewed and accepted as noted

For your use
 Please call when ready
 Please return to this office
 Approval requested
 Meeting requested

Remarks: PLEASE FORWARD TO THE DEPT. OF PLANNING & ZONING ATTN: MR. JOHN LEWIS.

For further information, please contact the writer at this office.
Sincerely yours,
Jana Zarba
JANA ZARBA

cc: GUY MARLEAU

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Bary C. Duvall</i>	<i>600 WASHINGTON AVE. 21204</i>
<i>G. Guy Marleau</i>	<i>7215 Beachwood Rd. Belk. 21222</i>
<i>Robin Bittner</i>	<i>303 Allegheny Av. Towson 21204</i>
<i>Rick Chidsey</i>	<i>658 Kenilworth Dr</i>
<i>Maryse Bourdages</i>	<i>8215 Beachwood Rd. Belk. 21222</i>
<i>Wes Guckert</i>	<i>1474 600 10 W. Chesapeake Ave. Towson MD 21204</i>

PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Les Schreiber</i>	<i>D.P.W.</i>
<i>Francis Mowsey</i>	<i>Planning</i>
<i>Bruce Leely</i>	<i>DEPRM</i>
<i>Robert Woods</i>	<i>DEPRM</i>

PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

94-388-A

Newton A. Williams
Special Peoples Counsel

700 Court Towers
210 N. Penn. Ave., 21204

Please send copy of Order

OFFICE (301) 823-7800
DIRECT DIAL (301) 823-7855

NEWTON A. WILLIAMS
LAW OFFICES
Nolan, Plumhoff & Williams, Chartered
Suite 700, Court Towers
210 West Pennsylvania Avenue
Towson, Maryland 21204
Tel. (301) 266-2765



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-13-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 7386 (WCR)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1330 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for DAVID N. RAITZEL, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2268 TDD/Text Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 107 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

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.

B. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 374, 377, 378, 379, 380, 381, 383, 384, and 386. *pp*

RECEIVED
APR 28 1994

ZADM

REVIEWER: LT. ROBERT F. SAVERWALD
Fire Marshal Office, PHONE: 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 2, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
For April 25, 1994
Item No. 386

The Developers Engineering Section has reviewed the subject zoning item. This site is subject our Development Plan comments dated April 19, 1994.

RWB:es

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 21, 1994

Gary Duvell, Esquire
600 Washington Avenue
Towson, MD 21204

RE: Preliminary Petition Review (Item #376)
Legal Owner: American Yeast Corporation
9215 Beechwood Road
15th Election District

Dear Mr. Duvall:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. The individual signing for American Yeast Corporation is not designated as to title in the corporation or as having authority to sign for said corporation.
2. The description does not agree with the metes and bounds shown on the plan. The rounding off of the decimal places is not critical; however, call #2 is off by approximately .1 foot, while call #14 shows 27 minutes on the description and 37 minutes on the plan. The site area shown on the description as 12.1463 acres also disagrees substantially with the gross area (13.11 +/- acres) and net area (11.86 +/- acres) shown on the plan.

Printed with Soybean Ink
on Recycled Paper

Gary Duvall, Esquire
April 21, 1994
Page 2

3. The reference to RTA on sheets 1 and 2 is not correct. RTAs do not apply to M.H. zones; however, use, height, and area restrictions are triggered by priority to D.R. and R.C. zones per the M.H. zone regulations.
4. See the attached development plan comments for additional and necessary plan revisions. Be aware that the development plan and the zoning variance plans must agree.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John L. Lewis
John L. Lewis
Planner II

scj

Enclosures (receipt & DP comments)

cc: Zoning Commissioner

BALTIMORE COUNTY, MARYLAND

SUBJECT: DEVELOPMENT PLAN COMMENTS DPC DATE: 4/20/94
10:00 a.m., Room 123

FROM: ZADM - DEVELOPMENT CONTROL EOH DATE: 5/10/94
2:00 p.m., Room 118

PROJECT NAME: American Yeast PLAN DATE: none
(Plan Received 4/6/94)

LOCATION: N of Lynhurst Road, REV.: REV.:
SW/S Beechwood Road

DISTRICT: 15c7 REVISED PLAN KEY:
PROPOSAL: Building/Structural (X) COMPLIANCE WITH COMMENT CHECKED
Additions to an Existing (O) NON-COMPLIANCE IS CIRCLED
Yeast Manufacturing Facility (BA) BE ADVISED (NOT NECESSARY FOR CONCEPT
in a M.H. Zone) PLAN APPROVAL, BUT MUST BE ADDRESSED
PRIOR TO FINAL ZONING APPROVAL.
ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

The plan has been reviewed by the staff at this level of detail and has been found to be in general compliance with the Baltimore County Zoning Regulations for development plan approval. To avoid any possible delays in the development review and zoning approval process, when additional details are available or changed, this office should be contacted and it should be the responsibility of the owner, developer or developer's engineer to rectify any zoning conflicts well in advance of any expected final approvals. The following comments must be addressed on the development plan and only if necessary, will they be up-dated and/or supplemented during the review of the building permit.

1. Date all future plans and revisions. Show and dimension the street right-of-way to building setbacks (25 feet is required).
2. Include a reference to the zoning item (#386) or case number (#94-388-A) for variance public hearing on the plan. Be aware that the development plan and zoning hearing plan must agree. REQUIRED ZONING VARIANCE HEARINGS AS LISTED ON THE PLAN ARE NOT COMPLETE. Section 409.3.A.6 (BCZR) is referenced but the actual request to permit parking areas without the required permanent striping needs to be added. Also, there is a plan site data note stating that parking lots will be paved and striped. Clarify which note is correct and remove the wrong one.

(OVER)

DEVELOPMENT PLAN COMMENTS
PROJECT NAME: American Yeast
DPC DATE: 4/20/94
PAGE 2

3. Show the number of warehouse/manufacturing employees on the largest shift and correct the required parking calculations accordingly.
4. As previously requested for the concept plan, clearly indicate and detail the method of attachment between all structures. Unless physically attached, compliance with between building setbacks are required per Section 102.2, 255.1, and 238 (BCZR).
5. 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 (BCZR) and all zoning sign policies or a zoning variance is required. Correct the site data note referencing Section 203.3.C.1 (BCZR), which is incorrect.

Final zoning approval is contingent first, upon all plan comments being addressed on the development plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

JLL:scj

cc: Case #94-388-A

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 17, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 9, 1994
Item No. 386, Case No. 94-388A

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the previous landscape review comments.

RWB:esw

File
94-388-A

NOTICE OF HEARING
 The Zoning Commission of Baltimore County, by authority of the County and the Board of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21284, on April 22, 1994 at 10:00 a.m. or 11:00 a.m. at the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21284, as follows:
 Case Number: 94-388-A (Item 386)
 SW/S Beachwood Road, between Fishers Road and Lymhurst Road, 15th Election District - 7th Councilmanic District
 Petitioner: American Yeast Corporation
 Variance to permit the use of a minimum of an 8-inch depth gravel drive in lieu of the dustless surface (paved surface) and the requirement that maneuvering areas to be striped.
 LAWRENCE E. SCHWITZ, Zoning Commissioner for Baltimore County
 NOTES: (1) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (2) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE BY 867-3353.
 4215 April 21.

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 22, 1994
 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 21, 1994.

THE JEFFERSONIAN,
A. Henikson
 LEGAL AD. - TOWSON

receipt
 74-388-A
 Account: R001-4150
 Number: 386
 Date: 4/5/94
 DROP-OFF -- NO REVIEW
 #020 - VARIANCE ----- \$250.00
 #050 - POSTING ----- 35.00
 TOTAL ----- \$285.00
 American Yeast Corporation
 8215 Beachwood Road
 Attorney: Gary Duvall
 03A03M0240N1CHRC
 RA C003133PND4-08-94
 Please Make Checks Payable To: Baltimore County
 Cashier Validation

receipt
 Account: R001-4150
 Number: Item #386
 Case #94-388-A
 Date: 4/27/94
 #110 - REVISIONS ----- \$100.00
 American Yeast Corporation
 SW/S Beachwood Road
 03A03M0240N1CHRC
 RA C011130AM04-26-94
 Please Make Checks Payable To: Baltimore County
 Cashier Validation

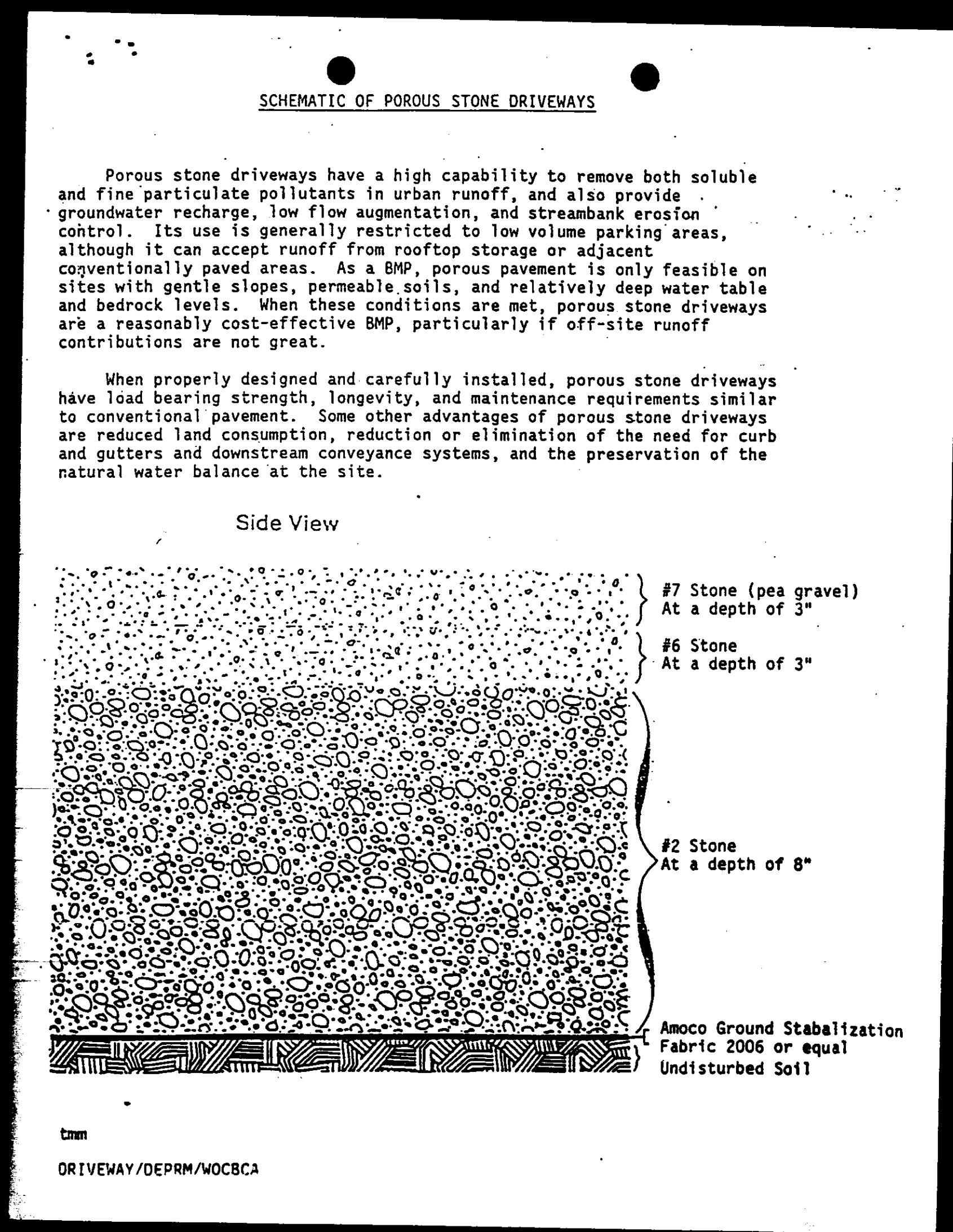
CRITICAL AREA

NOTICE OF HEARING
 TO: POTTERY PUBLISHING COMPANY
 April 21, 1994 Issue - Jeffersonian
 Please forward billing to:
 American Yeast Corporation
 8215 Beachwood Road
 Baltimore, Maryland 21222
 477-3200
 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, 111 West Chesapeake Avenue in Towson, Maryland 21284 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:
 CASE NUMBER: 94-388-A (Item 386)
 SW/S Beachwood Road, between Fishers Road and Lymhurst Road
 15th Election District - 7th Councilmanic District
 Petitioner(s): American Yeast Corporation
 Variance to permit the use of a minimum of an 8-inch depth gravel drive in lieu of the dustless surface (paved surface) and the requirement that maneuvering areas to be striped.
 HEARING: TUESDAY, MAY 10, 1994 at 2:00 p.m. in Rm. 118, Old Courthouse.
 ***** AND *****
 CASE NUMBER: 94-388-A (Item 386)
 SW/S Beachwood Road, between Fishers Road and Lymhurst Road
 15th Election District - 7th Councilmanic District
 Petitioner(s): American Yeast Corporation
 Variance to permit the use of a minimum of an 8-inch depth gravel drive in lieu of the dustless surface (paved surface) and the requirement that maneuvering areas to be striped.
 HEARING: TUESDAY, MAY 10, 1994 at 2:00 p.m. in Rm. 118, Old Courthouse.
 LAWRENCE E. SCHWITZ
 ZONING COMMISSIONER FOR BALTIMORE COUNTY
 NOTES: (1) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3353.

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 111 West Chesapeake Avenue
 Towson, MD 21284
 (410) 887-3353
 APRIL 14, 1994
 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, 111 West Chesapeake Avenue in Towson, Maryland 21284 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:
 DEVELOPMENT PLAN HEARING
 PROJECT NAME: AMERICAN YEAST
 PROJECT NUMBER: 94-605
 LOCATION: 8215 Beachwood Road
 SW/S Beachwood Road, between Fishers Road and Lymhurst Road
 ACRES: 13.11
 APPLICANT: American Yeast Corporation
 Engineer: G. W. Stephens, Jr.
 Proposal: Additions (old storage warehouse, packaging building and offices, maintenance boiler house, future wastewater treatment facility, and new storage tanks, to an existing yeast manufacturing facility.
 ***** AND *****
 CASE NUMBER: 94-388-A (Item 386)
 SW/S Beachwood Road, between Fishers Road and Lymhurst Road
 15th Election District - 7th Councilmanic District
 Petitioner(s): American Yeast Corporation
 Variance to permit the use of a minimum of an 8-inch depth gravel drive in lieu of the dustless surface (paved surface) and the requirement that maneuvering areas to be striped.
 HEARING: TUESDAY, MAY 10, 1994 at 2:00 p.m. in Rm. 118, Old Courthouse.
Carl John
 Arnold Jablon
 Director
 cc: American Yeast Corporation
 G. W. Stephens, Jr. & Associates
 Gary Duvall, Esq.
 NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
 (2) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE BY 867-3353.
 Printed with Soybean Ink
 on Recycled Paper

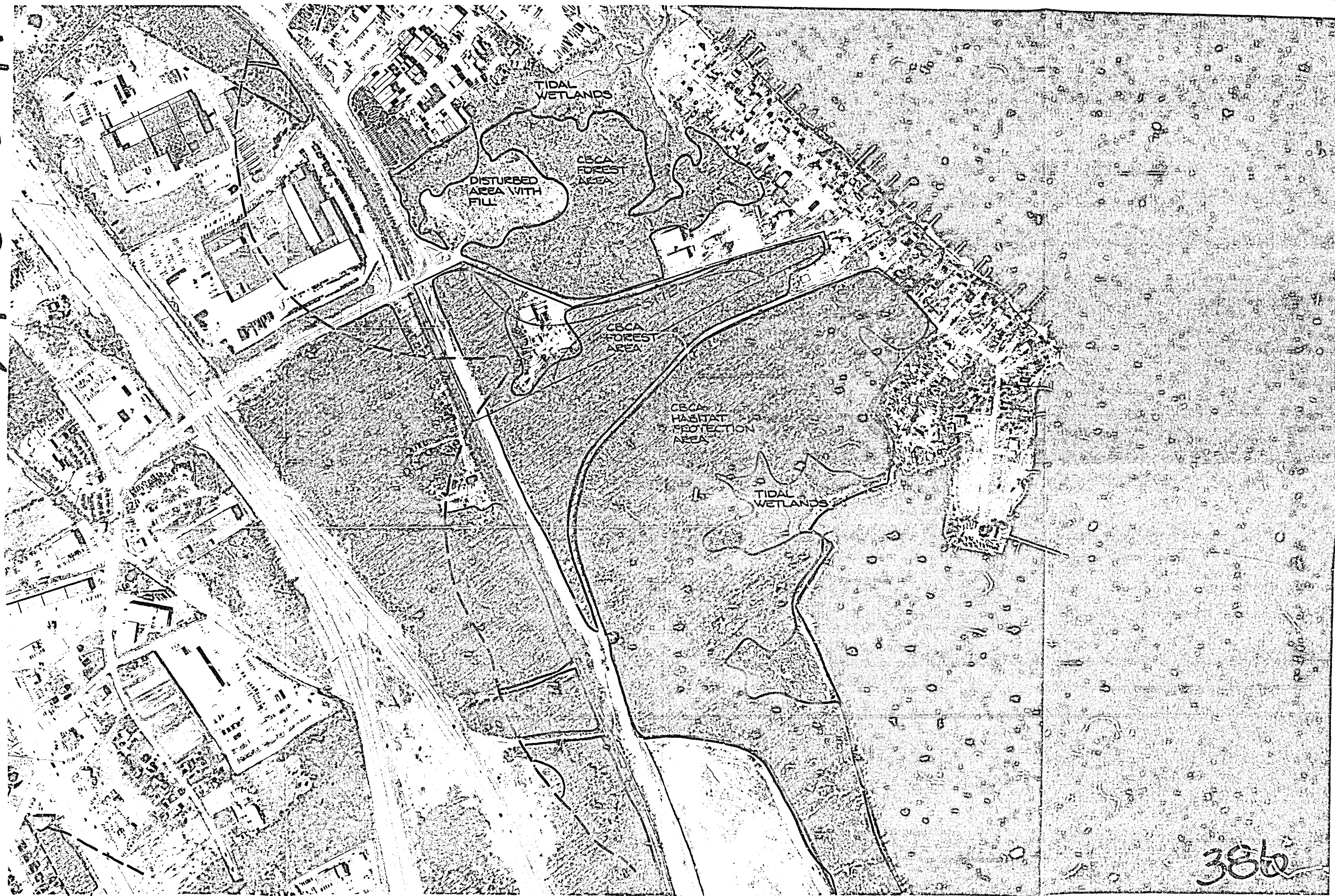
Baltimore County Government
 Office of Zoning Administration
 and Development Management
 111 West Chesapeake Avenue
 Towson, MD 21284
 (410) 887-3353
 May 2, 1994
 Gary Duvall, Esquire
 600 Washington Avenue
 Towson, Maryland 21204
 RE: Case No. 94-388-A, Item No. 386
 Petitioner: American Yeast Corporation
 Petition for Variance
 Dear Mr. Duvall:
 The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.
 Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 April 8, 1994, and a hearing was scheduled accordingly.
 The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.
 1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

BALTIMORE COUNTY, MARYLAND
 DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
 INTER-OFFICE CORRESPONDENCE
 April 20, 1994
 TO: Mr. Arnold Jablon, Director
 Zoning Administration and
 Development Management
 FROM: J. Lawrence Pilson
 Development Coordinator, DEPRM
 SUBJECT: Zoning Item #386 - American Yeast Corp.
 8215 Beachwood Road
 Zoning Advisory Committee Meeting of April 18, 1994
 The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.
 Granting of this variance would be in conformance with Chesapeake Bay Critical Area regulation, provided the proposed gravel drive is constructed in accordance with the attached schematic for an engineered stone drive.
 JLP:SS:sp
 Attachment
 AMERY/DEPRM/TXTSBP



Maryland Department of Transportation
 State Highway Administration
 O. James Lighthizer
 Secretary
 Hal Kassoff
 Administrator
 429-94
 Ms. Charlotte Minton
 Zoning Administration and
 Development Management
 County Office Building
 Room 109
 111 West Chesapeake Avenue
 Towson, Maryland 21204
 Re: Baltimore County
 Item No. 386
 CASE NO. 94-388-A
 Dear Ms. Minton:
 This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.
 Please contact Bob Small at 410-333-1350 if you have any questions.
 Thank you for the opportunity to review this item.
 Very truly yours,
Bob Small
 BOB SMALL, ACTING CHIEF
 John Constable, Chief
 Engineering Access Permits
 Division
 BS/
 My telephone number is _____
 Maryland Relay Service for Impaired Hearing or Speech
 1-800-735-2258 Statewide Toll Free
 Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

94-388-A



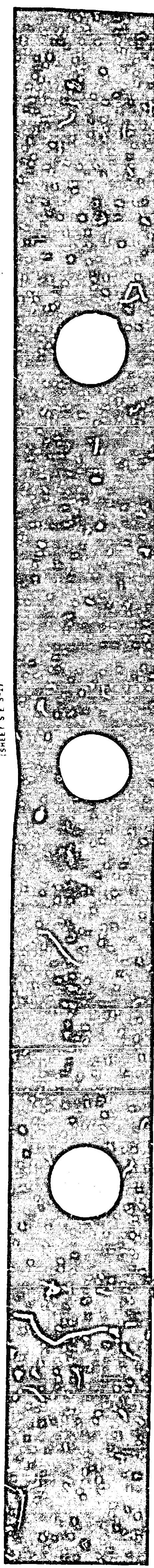
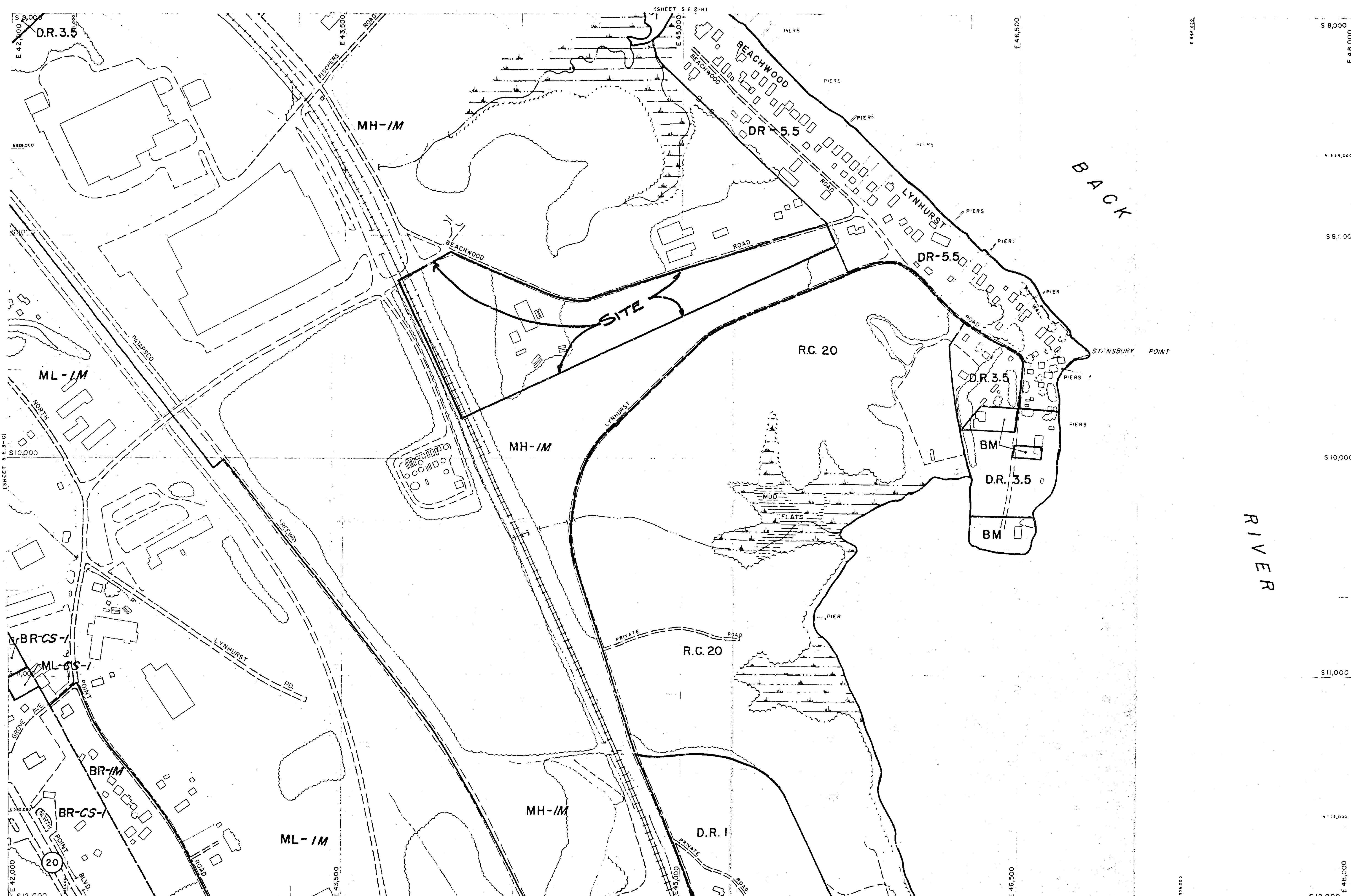
506

386

BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
 MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION NORTH POINT	SHEET S.E. 3-H
DATE OF PHOTOGRAPHY JANUARY 1986	C.B.C.A. Forest and Habitat Maps	



94-388-A

E-NW E-NE
E-SW E-SE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 183-92, 184-92, 195-92, 186-92, 187-92, 188-92, 189-92

William A. Howard
Chairman, County Council

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

NORTH POINT

SHEET

S E.
3-H

38b

IN RE: DEVELOPMENT PLAN HEARING AND PETITION FOR VARIANCE - SW/3 of Beachwood Rd., opp. Lynhurst Rd. (8215 Beachwood Road) 15th Election District 7th Councilmanic District American Yeast Corporation Owner/Developer

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case Nos. XV-605 & 94-108-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Hearing Officer/Deputy Zoning Commissioner for consideration of a development plan, prepared by George W. Stephens, Jr., and Associates, Inc., and a Petition for Variance for the proposed development of the subject property, known as 8215 Beachwood Road, by its owner, American Yeast Corporation. In addition to development plan approval, the Owner/Applicant seeks variance relief from Sections 409.8.A.2 and 6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the use of a minimum depth 8-inch gravel driveway in lieu of the required durable and dustless (paved surface) and the required striped maneuvering areas. The subject property and relief sought are more particularly described on the Development Plan and Variance Plat submitted into evidence as Developer's Exhibit 1 and Petitioner's Exhibit 3.

Appearing at the public hearing required for this project were Maryse Bourdages and G. Guy Marleau with American Yeast Corporation, Rick Chadsey, Professional Engineer with George W. Stephens, Jr. & Associates, Inc., Wes Guckert, Traffic Engineering expert with The Traffic Group, and Susan Bitter. The Owner/Applicant was represented by Gary C. Duvall, Esquire. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing. Also, Newton A. Williams,

Esquire appeared as Special People's Counsel. No residents from the surrounding community appeared at the hearing.

As to the history of this project, the concept plan conference for this development was conducted on March 8, 1993. As required, a community input meeting was held on April 12, 1993 at the Battle Grove Elementary School. Subsequently, a development plan was submitted and a conference thereon was conducted on April 20, 1994. Following the submission of that plan, comments were submitted by the appropriate agencies of Baltimore County and a revised development plan incorporating these comments and bearing a revision date of April 27, 1994, was submitted at the hearing held before me on May 10, 1994.

Testimony indicated that the subject property consists of a gross area of 13.11 acres, zoned M.H.-1.M., of which a very small portion (0.02 acres) is zoned D.R. 5.5. The property is located in the North Point area of southeastern Baltimore County near Hack River and is within the Chesapeake Bay Critical Areas. The American Yeast Corporation is desirous of expanding its present operation and proposes to construct a packaging building and a cold storage building which will be used as a warehouse for bakery ingredients and raw materials. The proposed improvements are more particularly described on the development plan and variance plat identified as Developer's Exhibit 1.

As to the variance relief sought, Frederick Newton (Rick) Chadsey testified that the travel roadway around the perimeter of the site is proposed to be improved as an engineered stone driveway in lieu of the required macadam paving. This, of course, is in an attempt to reduce the amount of impervious surface on the site. Inasmuch as this property is located within the Chesapeake Bay Critical Areas, this method of road

surfacing is preferred by the Department of Environmental Protection and Resource Management (DEPRM) and has received their full support. However, in order to utilize this type of road surface, the requested variance is necessary. Mr. Chadsey further testified that he is in the process of negotiating the type of stone to be used in this perimeter driveway in that the originally suggested type of stone was not durable enough for the heavy vehicles that will be utilizing this road. Mr. Bruce Seeley from DEPRM corroborated the fact that DEPRM is working with the Owner in an effort to reach a mutual agreement as to the type of stone that will be used.

At the public hearing before me, I am required to determine what, if any, agency comments remain unresolved. Inasmuch as there were no outstanding issues which needed to be addressed and all other issues raised prior to the hearing had been resolved, the hearing proceeded on the merits of the variance request.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore 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.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty,

ORDER RECEIVED FOR FILING
Date 5/17/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/17/94
By [Signature]

compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan and Petition for Variance shall be approved consistent with the comments and the restrictions contained herein.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 17th day of May, 1994 that the development plan for American Yeast, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section(s) 409.8.A.2 and 6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the use of a minimum depth 8-inch gravel driveway in lieu of the required durable and dustless (paved surface) and the required striped maneuvering areas, in accordance with Petitioner's Exhibit 3, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated May 6, 1994, attached hereto and made a part hereof.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

[Signature]
TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

ORDER RECEIVED FOR FILING
Date 5/17/94
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21284

(410) 887-4386

May 17, 1994

Gary C. Duvall, Esquire
600 Washington Avenue
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING AND PETITION FOR VARIANCE
SW/S Beachwood Road, opposite Lynhurst Road
(8215 Beachwood Road)
15th Election District - 7th Councilmanic District
American Yeast - Owner/Developer
Case Nos. XV-605 & 94-388-A

Dear Mr. Duvall:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Variance granted 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

[Signature]

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

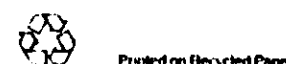
TKR:bjs

cc: Mr. G. Guy Marleau and Ms. Maryse Bourdages
American Yeast Corp., 8215 Beachwood Road, Baltimore, Md. 21222

Newton A. Williams, Esquire
210 West Pennsylvania Avenue, Suite 700, Towson, Md. 21204

Dave Flowers - Project Manager - ZADM

People's Counsel
Case File



Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 8215 Beachwood Road
which is presently zoned MH-1M; DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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 Sections 409.8.A.2 and 6 of the Baltimore County Zoning Regulations to permit the use of a minimum of an 8" depth gravel drive in lieu of the dustless surface (paved surface) and the requirement that maneuvering areas be striped.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) To permit for less impervious surfaces on a site which lies within the Chesapeake Bay Critical Area. The practical difficulty will result due to the extraordinary expense of providing additional water quality measures of a paved driveway.

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.

Control Person Name: _____
Type of Petitioner: _____
Signature: _____
Address: _____
City: _____
State: _____
Zip: _____

Legal Owner:
American Yeast Corporation
Type of Petitioner: _____
Signature: [Signature]
Address: _____
City: _____
State: _____
Zip: _____

8215 Beachwood Road 410-477-3200
Baltimore Maryland 21222

600 Washington Avenue 410-821-6565
Towson Maryland 21204

OFFICE USE ONLY
Date of Filing: _____
Date of Decision: _____

DATE RECEIVED FOR FILING
Date 5/17/94
By [Signature]

DROP OFF
No REVIEW
48-94
WCR

unreasonable hardship or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is

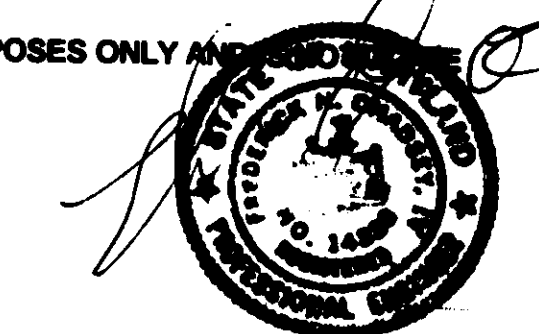
FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
618 KENNELCOTT DRIVE, SUITE 100, TOWSON, MARYLAND 21284

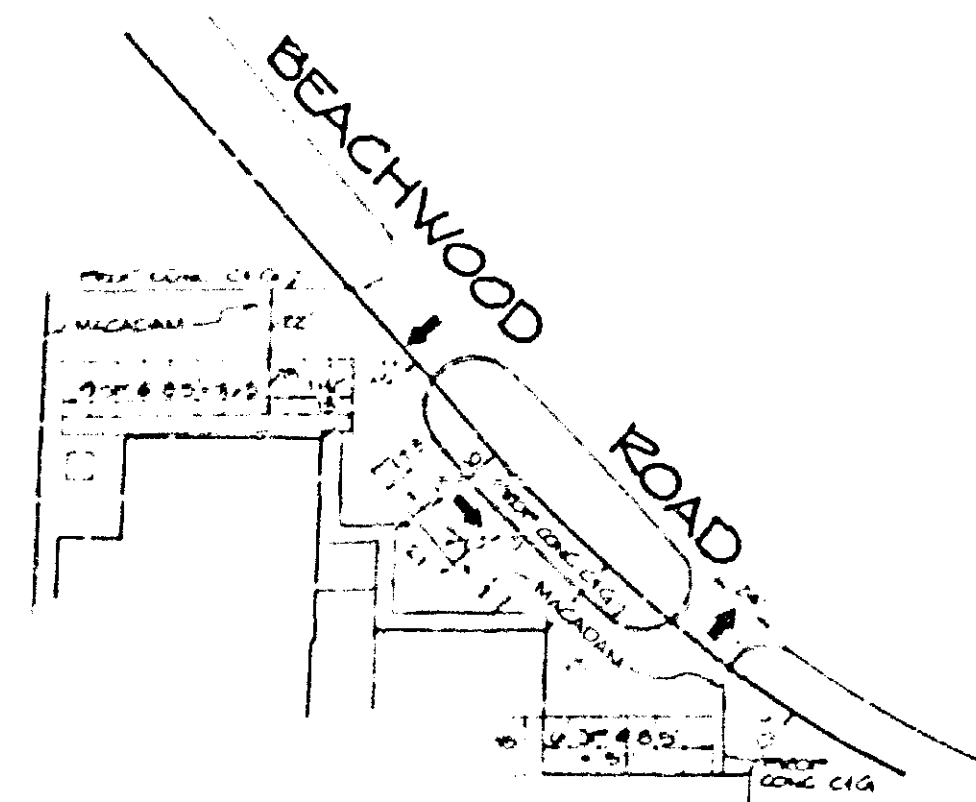
386
94-388-A
April 4, 1994

Description of American Yeast Corporation property, Beachwood Road, containing 12.1483 acres of land more or less.

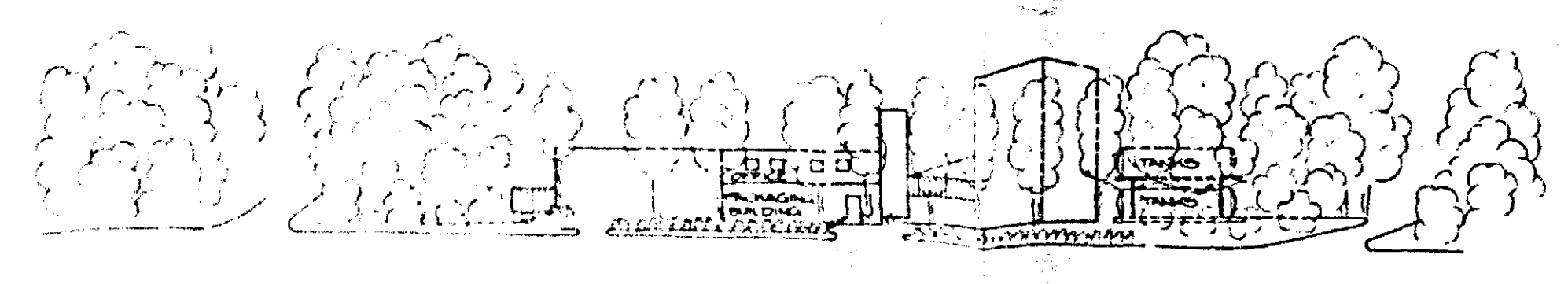
- Beginning for the same at a point on the south side of the 50 foot right-of-way of Beachwood Road, said point being South 63 degrees 07 minutes 31 seconds West 160.00 feet more or less from the intersection of Beachwood Road and Beachwood Road, running thence leaving said point of beginning, the following 14 courses:
1. South 17 degrees 32 minutes 29 seconds East 87.83 feet
 2. South 64 degrees 56 minutes 26 seconds West 1794.97 feet to the east side of the right-of-way of the Back River Branch of the Philadelphia, Baltimore and Washington Railroad, 60 foot wide, running and binding on said right-of-way line.
 3. North 24 degrees 03 minutes 05 seconds West 664.40 feet to the widening line of Beachwood Road shown on State Roads Commission of Maryland Plat No. 35520, running and binding on said widening line, the following two courses,
 4. North 81 degrees 48 minutes 26 seconds East 174.48 feet and,
 5. North 81 degrees 04 minutes 20 seconds East 40.78 feet to the south side of Beachwood Road,
 6. North 66 degrees 38 minutes 42 seconds West 315.42 feet to the east side of the right-of-way of the Back River Branch of the Philadelphia, Baltimore and Washington Railroad, 60 foot wide, running and binding on said right-of-way line,
 7. North 24 degrees 03 minutes 05 seconds West 36.94 feet to the centerline of Beachwood Road, thence running and binding on the centerline of Beachwood Road,
 8. South 66 degrees 38 minutes 42 seconds East 480.39 feet,
 9. South 24 degrees 20 minutes 34 seconds East 44.57 feet to intersect the Highway Right-of-Way Line shown on Baltimore County Department of Public Works Bureau of Land Acquisition Drawing RW 87-077-1, recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 7596 folio 103, running thence binding on said Highway Right-of-Way Line, the following two courses,
 10. South 66 degrees 38 minutes 42 seconds East 225.28 feet and,
 11. Southeasterly by a curve to the left having a radius of 432.98 feet for a distance of 161.66 feet,
 12. North 24 degrees 20 minutes 34 seconds West 5.59 feet to intersect the south side of Beachwood Road, running thence binding on the south side of Beachwood Road, the following two courses,
 13. Northeasterly by a curve to the left having a radius of 427.98 feet for a distance of 148.16 feet and,
 14. North 72 degrees 27 minutes 31 seconds East 1083.33 feet to the point of beginning. Containing 12.1483 acres more or less.

NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR AGREEMENTS OR CONVEYANCES.

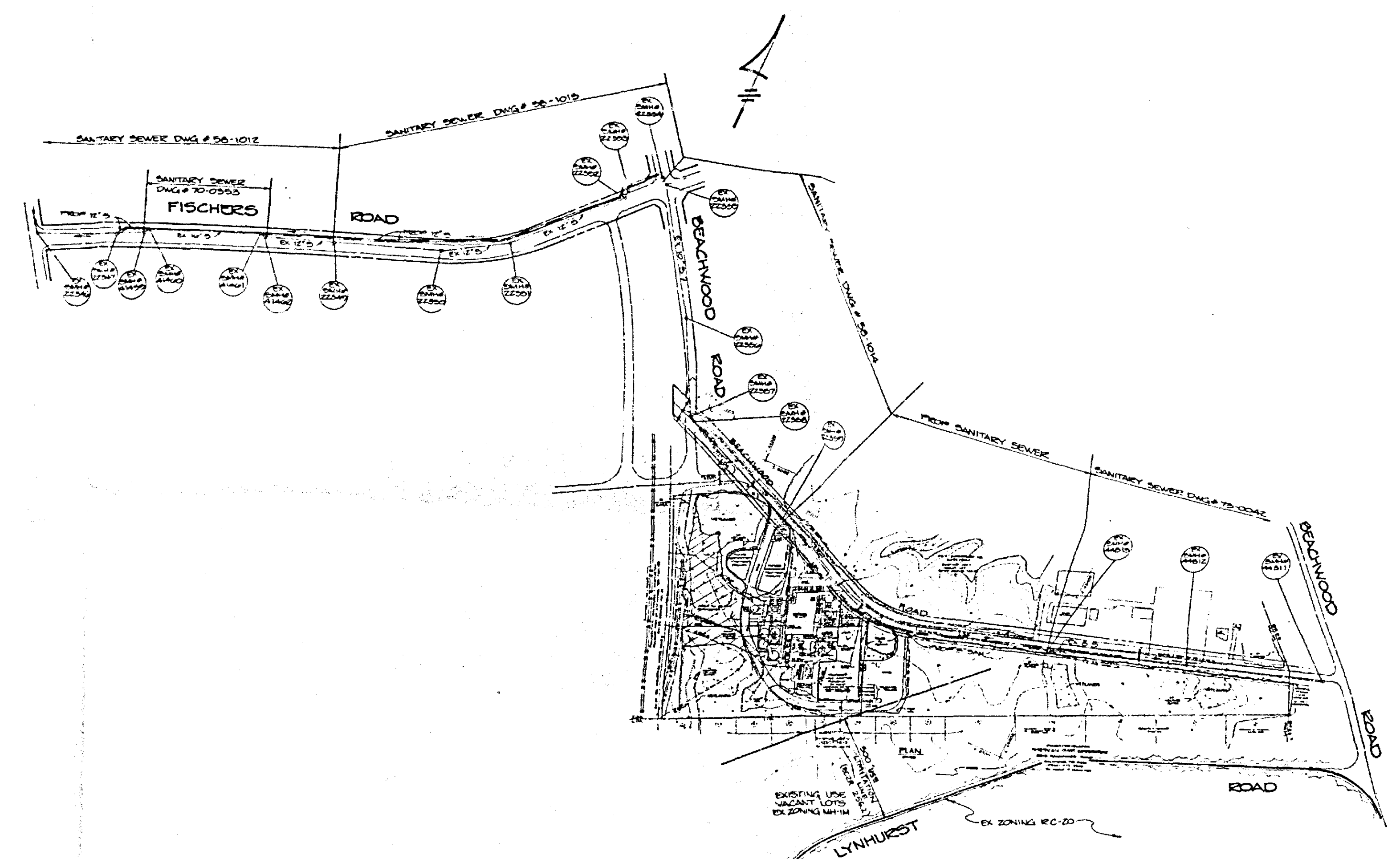




TYPICAL PARKING DETAIL
SCALE: 1" = 10'



VIEW FROM BEACHWOOD ROAD
SCALE: 1" = 50'



LOCATION PLAN FOR
OFF-SITE SEWER AND
RESIDENTIAL TRANSITION AREA
SCALE: 1" = 200'

PETITIONER'S
EXHIBIT 3

THIS PLAN IS PREPARED AND
SUBMITTED TO THE BOARD OF
APPEALS AND ALL AGENCIES
FOR REVIEW AND COMMENT.



DEVELOPMENT PLAN
VARIANCE PLAN
AMERICAN YEAST
BALTIMORE COUNTY, MARYLAND ELECTION DISTRICT #15, C-7
SCALE: AS SHOWN SHEET 2 OF 2
DATE: 5/28/94
REV: 4/20/94
ZADM # XV - 605

NOTE: NO CLEARING, GRADING, OR CONSTRUCTION IN WETLAND OR STREAM BUFFER AREAS EXCEPT AS ALLOWED BY D.F.P.M.

SYMBOL	WETLANDS	WETLANDS	WETLANDS	WETLANDS	WETLANDS	WETLANDS
1	2	3	4	5	6	7

ADDITIONAL INFORMATION
 DEPARTMENT OF PUBLIC WORKS VARIANCE REQUESTED AND GRANTED ON PART 14. THE VARIANCE TO PERMIT 2 FEET TO PAYING ON A 30 FOOT WIDE BUFFER OF 24 FEET OF PAYING ON A 30 FOOT WIDE BUFFER FROM THE 10 FOOT WIDE BUFFER ON BEACHWOOD ROAD IN LIEU OF 10 FEET WIDE BUFFER.

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES
 MANAGEMENT WATER MANAGEMENT PLAN HAS BEEN REVIEWED FOR CONFORMANCE WITH THE REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES. THE PLAN IS IN COMPLIANCE WITH THE REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES.

CITY AREA VARIATION OF STANDARDS - APPROVED VARIANCES:
 1. VARIANCE TO SECTION 22-407 TO ALLOW THE DISTANCE FROM THE EXISTING WETLANDS TO THE PROPOSED BUILDING TO BE 10 FEET INSTEAD OF 15 FEET FROM THE EXISTING WETLANDS IN LIEU OF THE REQUIRED 15 FEET.

BALTO CO. ZONING REGULATIONS VARIANCE REQUESTED:
 1. VARIANCE TO SECTION 22-407 TO ALLOW THE DISTANCE FROM THE EXISTING WETLANDS TO THE PROPOSED BUILDING TO BE 10 FEET INSTEAD OF 15 FEET FROM THE EXISTING WETLANDS IN LIEU OF THE REQUIRED 15 FEET.

SCHEMATIC LANDSCAPE
 IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY LANDSCAPE REGULATIONS.

REQUIRED LANDSCAPE PLANTINGS:
 ALLEYWAY ROAD: 18' U x 48' L P
 INTERIOR ROAD: 18' U x 36' L P
 PARKING AREAS: 18' U x 36' L P

SCREEN - PARKING LOT ADJACENT TO PUBLIC B.W. CLASS "B"
 18' U x 36' L P

SCREEN - STORAGE / LOADING - SERVICE AREAS FROM PUBLIC B.W. CLASS "A"
 18' U x 36' L P

TOTAL PLANTING UNITS REQUIRED: 83 P U

PROVIDED PLANTING UNITS:
 MAJOR TREES: 48 P U
 MEDIUM TREES: 28 P U
 SHRUBS: 18 P U
 TOTAL: 94 P U

PARKING LOT - LANDSCAPED AREA = 750 - 75 S

EXISTING CONDITIONS
 D.A. #1 = 2.12 AC
 R.C. #1 = 1.18 AC
 T.C. #1 = 1.18 AC
 W.T. #1 = 1.18 AC
 TOTAL FLOOR FROM AREA #1 AND AREA #2: 11.52 CFS

PROPOSED CONDITIONS
 D.A. #1 = 2.12 AC
 R.C. #1 = 1.18 AC
 T.C. #1 = 1.18 AC
 W.T. #1 = 1.18 AC
 TOTAL FLOOR FROM AREA #1 AND AREA #2: 11.52 CFS

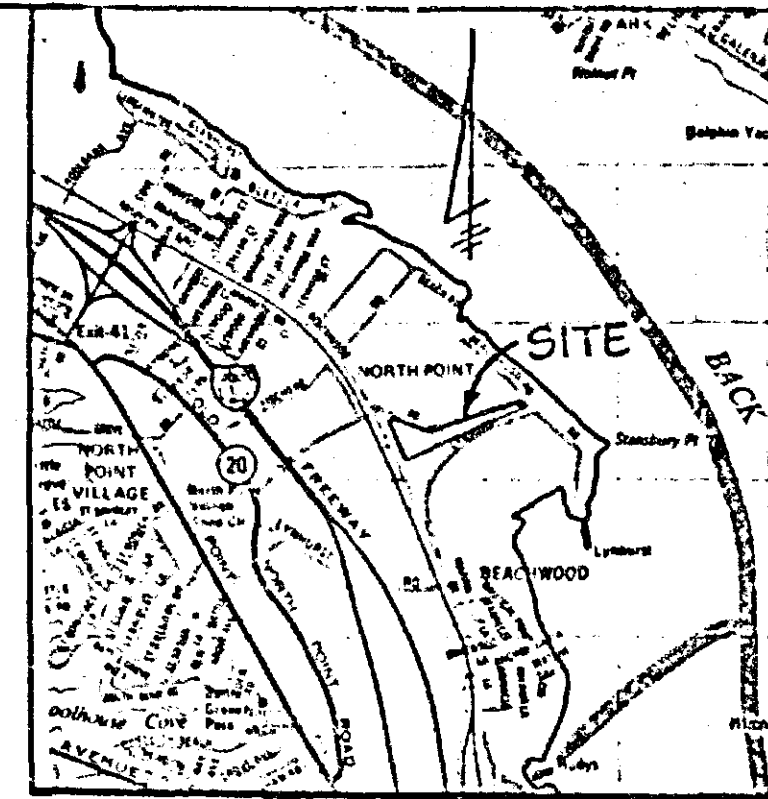
WATER QUALITY CONTROL
 FOR AREA #1 OFF SITE IN THE WET POND LOCATED IN METHUEN STREET.
 FOR AREA #2 OFF SITE IN THE WET POND LOCATED IN METHUEN STREET.
 FOR AREA #3 OFF SITE IN THE WET POND LOCATED IN METHUEN STREET.

EXISTING USE
 PROPOSED USE
 EXISTING FLOOR AREA
 PROPOSED FLOOR AREA
 TOTAL FLOOR AREA
 FLOOR AREA RATIO
 TOTAL FLOOR AREA
 FLOOR AREA RATIO
 TOTAL FLOOR AREA
 FLOOR AREA RATIO

ESTIMATED ANNUAL DAILY TRIPS (A.D.T.)
 100
 200
 300
 400
 500
 600
 700
 800
 900
 1000

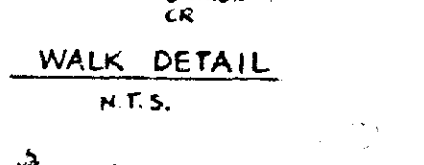
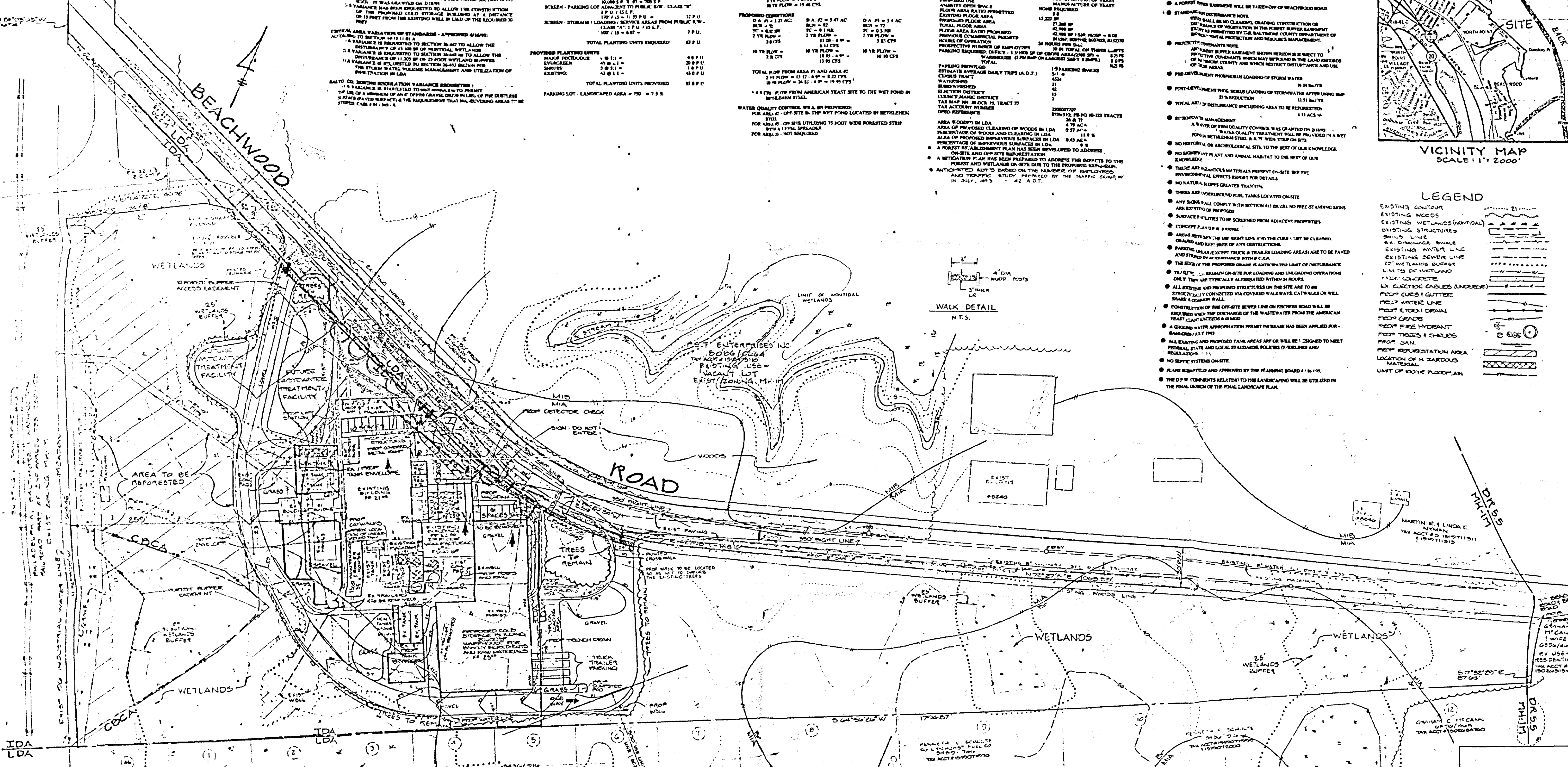
NOTE:
 THESE ARE DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

- 1. A FOREST TRAIL EASEMENT WILL BE TAKEN OFF OF BEACHWOOD ROAD.
- 2. STORMWATER MANAGEMENT SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES.
- 3. PROTECTIVE DISTURBANCE SHALL BE MAINTAINED TO THE BEST OF OUR KNOWLEDGE.
- 4. THESE ARE DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.



LEGEND

- EXISTING CONTOUR
- EXISTING WETLANDS (WETLANDS)
- EXISTING STRUCTURES
- BOUNDARY LINE
- EXISTING WATER LINE
- EXISTING SEWER LINE
- EXISTING WETLAND BUFFER
- LIMIT OF WETLAND BUFFER
- EXISTING ELECTRIC CABLES (LOADING)
- PROPOSED CURB & GUTTER
- PROPOSED WATER LINE
- PROPOSED ELEC. 11KV DENIAL
- PROPOSED GAS
- PROPOSED FIBER OPTIC
- PROPOSED SAN
- PROPOSED RECREATION AREA
- LOCATION OF A SANDWICH MATERIAL
- LIMIT OF 100' BUFFER PLAN



GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 658 TOWNSHOR DRIVE, SUITE 100
 TOWSON, MARYLAND 21284
 (410) 825-8120

PLAN
 1" = 50'

OWNER/DEVELOPER
AMERICAN YEAST CORPORATION
 8215 BEACHWOOD ROAD
 BALTIMORE, MD 21222
 (410) 471-9700
 FOR ACCOUNT # 220000-T107

94-388-A REV 4/22/94
DEVELOPMENT PLAN
 VARIANCE PLAN
AMERICAN YEAST
 BALTIMORE COUNTY, MARYLAND ELECTORIAL DISTRICT #15, C-7
 SCALE: 1" = 50' SHEET 1 OF 2
 DATE: 3/28/94
 PROJECT # 950902

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

May 6, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #386 - American Yeast Corp. - ~~VARIED~~
8215 Beachwood Road
Zoning Advisory Committee Meeting of May 2, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

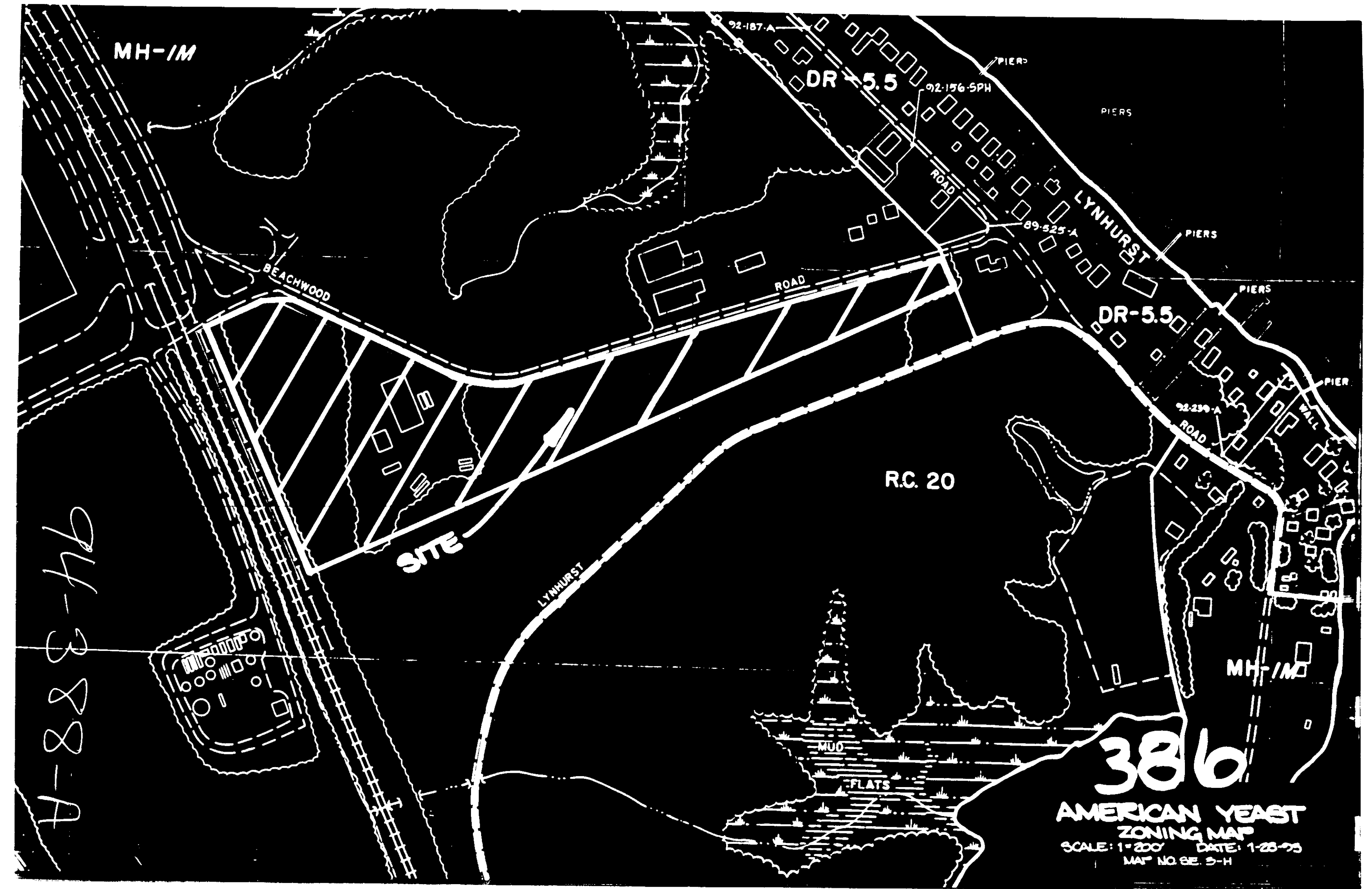
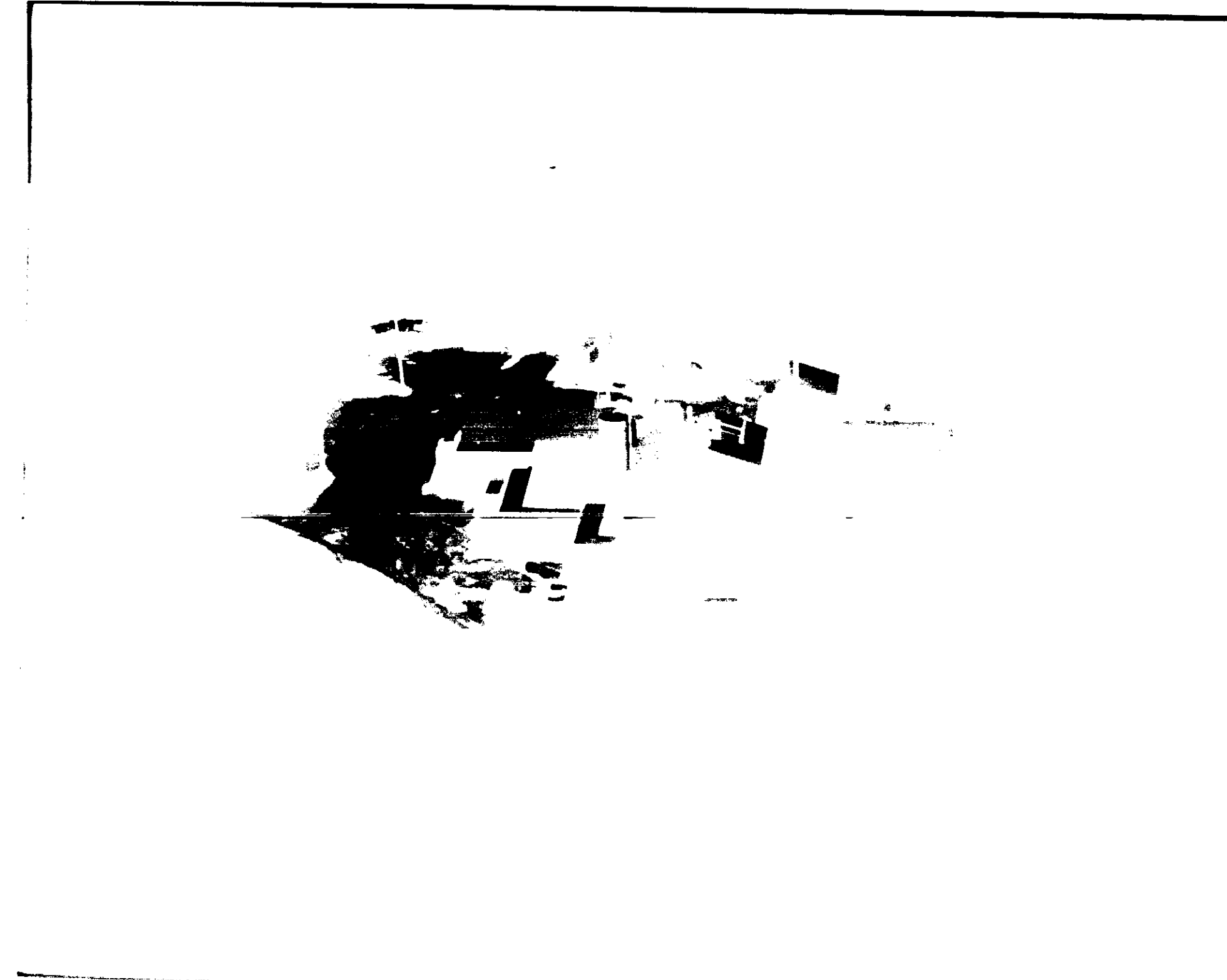
Granting of this variance would be in conformance with Chesapeake Bay Critical Area regulation, provided the proposed gravel drive is constructed in accordance with the attached schematic for an engineered stone drive.

JLP:SS:sp

Attachment

AMERY/DEPRM/TXTSBP

**PLANNING'S
EXHIBIT 1**



PETITION FOR VARIANCES * BEFORE THE
and SITE PLAN APPROVALS * ZONING COMMISSIONER
PETITIONER: * OF BALTIMORE COUNTY
AMERICAN YEAST COMPANY * CASE NO.: 94-388-A
XV-605

ENTRY OF APPEARANCE

Please enter the appearance of Newton A. Williams and Nolan, Plumhoff & Williams, Chartered as Special Counsel in the above captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Newton A. Williams
NEWTON A. WILLIAMS
Nolan, Plumhoff & Williams
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
700 COURT TOWERS
210 M. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(410) 823-7800

I HEREBY CERTIFY THAT on this 2nd day of May, 1994, a copy of the foregoing Entry of Appearance was mailed to Gary Duvall, Esquire, Miles and Stockbridge, 600 Washington Avenue, Towson, Maryland 21204, and Peter Max Zimmerman, Esquire, Peoples Counsel, Court House, Towson, Maryland 21204.

Newton A. Williams
NEWTON A. WILLIAMS

LAW OFFICES
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

6933C

4/22/94 ZADM TRANSMITTAL 887-3335
Date 94-388-A

TO: // DES _____
// SCD _____
// DEPRM _____
// ZONING _____
// ZADM _____
// OTHER _____

Re: Project Name *American Yeast* // Project Not Managed
Project Manager _____ ZADM No. _____
Type of Plan *Zon* // Preliminary // Final // Signature
William Row
Team Leader _____
Engineer *Stephens* Tele. *828 8120*

Phase II Routing Slip

Scheduled submission date: (see Project Chart) _____
Scheduled completion date: (see Project Chart) _____
or (2 wks from submission)

// Approved _____
// Approved with comments ACTION TAKEN _____
// Returned for revision BY REVIEWER: _____
// Disapproved _____

Agency _____ Reviewer's Name _____ Date _____

RETURN TO: ZADM - Room 123 COUNTY OFFICE BUILDING

"FLAGS" or "Too Many Reviews" should be brought to P.M.'s attention!

This form is being sent to you from _____ name _____

- 1 -

ZONING HEARING CHECKLIST

REVISED 5/92
This checklist is provided to you, for your information only, and is not to be considered legal advice.

First, and most importantly: You must understand that the hearing you have requested is a quasi-judicial hearing and you are responsible for meeting the burden of law required by the Baltimore County Zoning Regulations (B.C.Z.R.). A judicial hearing is an adversary process and, therefore, there may be opposition to your request. During a judicial hearing, the parties will be permitted to testify, present evidence and cross-examine witnesses. Either the Zoning Commissioner or the Deputy Zoning Commissioner will rule on the evidence and testimony to determine whether or not the petition will be granted.

Second: You must understand that you are permitted to have representation by an attorney of your choice. You are not required to have an attorney, but it is recommended that you consider obtaining legal representation. But, if you are incorporated, it is considered a requirement that you be represented by an attorney.

Third: It is strongly recommended that you read and understand the requirements of the Baltimore County Zoning Regulations.

Fourth: No employee of the Baltimore County Office of Zoning Administration and Development Management may provide legal advice to anyone. The representatives and opinions of any employee are not to be construed as definitive in any case. Only the decision of the Zoning Commissioner rendered after the statutory required public hearing is considered dispositive in matters relating to the interpretation of the B.C.Z.R.

Even though there may not be opposition in a given case, your request may be denied.

For further information or to make an appointment, please contact:

Baltimore County Office of Zoning
Administration & Development Management
Development Control
111 West Chesapeake Avenue
Room 109
Towson, MD 21204
Telephone: 807-3391

Non-Residential Properties
Variances
Special Exceptions
Use Permits
Special Hearings

TOWSON 600 WASHINGTON DRIVE SUITE 100 TOWSON, MARYLAND 21284 PH: 823-7800 FAX: 410-561-0268
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC. CONSULTING ENGINEERS
BEL AIR 20 EAST BROADWAY 212 BEL AIR, MARYLAND 21034 PH: 823-7800 FAX: 410-561-0268

TO: Baltimore County DATE: April 6, 1994
Z.A.D.M. REFERENCE: American Yeast
Towson, Maryland 21204

ATTENTION: Mr. David Flowers
We are:
 Submitting Herewith Under Separate Cover
 Forwarding
 Returning

COPIES	DESCRIPTION
3	Revised copies of development plan to include variance info
3	Zoning descriptions
3	Petition for variance
1	Variance fee in the amount of \$250.00
1	200 scale zoning map denoting site

In accordance with your request
 For your review
 For processing
 Plans reviewed and accepted
 Plans reviewed and accepted as noted
 For your use
 Please call when ready
 Please return to this office
 Approval requested
 Meeting requested

Remarks: 1. THERE ARE NO OUTSTANDING VIOLATIONS
2. THIS PROJECT HAS BEEN PREVIOUSLY REVIEWED BY JOHN LEWIS

For further information, please contact the writer at this office.

RC:kmp
Enclosures
cc: Mr. Guy Marleau
APR 6 1994
Sincerely yours,
Rick Chadsey
Rick Chadsey, P.E.

94-388-A

TOWSON 600 WASHINGTON DRIVE SUITE 100 TOWSON, MARYLAND 21284 PH: 823-7800 FAX: 410-561-0268
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC. CONSULTING ENGINEERS
BEL AIR 20 EAST BROADWAY 212 BEL AIR, MARYLAND 21034 PH: 823-7800 FAX: 410-561-0268

TO: BALTIMORE COUNTY DATE: 4/22/94
ZADM REFERENCE: AMERICAN YEAST
ZONING VARIANCE REVISION CASE # 94-388-A

ATTENTION: _____
We are:
 Submitting Herewith Under Separate Cover
 Forwarding
 Returning

COPIES DESCRIPTION
12 SETS OF THE DEVELOPMENT PLAN AND VARIANCE
3 DESCRIPTIONS OF AMERICAN YEAST CORPORATION PROJECT
1 CHECK IN THE AMOUNT OF \$100.00

In accordance with your request
 For your review
 For processing
 Plans reviewed and accepted
 Plans reviewed and accepted as noted
 For your use
 Please call when ready
 Please return to this office
 Approval requested
 Meeting requested

Remarks: PLEASE FORWARD TO THE DEPT. OF PLANNING & ZONING ATTN: MR. JOHN LEWIS.

For further information, please contact the writer at this office.
Sincerely yours,
Jana Zarba
JANA ZARBA

cc: GUY MARLEAU

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Bary C. Duvall</i>	<i>600 WASHINGTON AVE. 21204</i>
<i>G. Guy Marleau</i>	<i>7215 Beachwood Rd. Belk. 21222</i>
<i>Robin Bittner</i>	<i>303 Allegheny Ave. Towson, 21204</i>
<i>Rick Chadsey</i>	<i>658 KENILWORTH DR</i>
<i>MARYSE BOURDAGES</i>	<i>8215 BEACHWOOD RD BELT. 21222</i>
<i>Wes Guckert</i>	<i>Suite 600 10 W. Chesapeake Ave. Towson MD 21204</i>

PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<i>LES SCHEIFER</i>	<i>D.P.W.</i>
<i>Francis Mowsey</i>	<i>Planning</i>
<i>Bruce Leely</i>	<i>DEPRM</i>
<i>Robert Woods</i>	<i>DEPRM</i>

PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

94-388-A

Newton A. Williams
Special Peoples Counsel

700 Court Towers
210 N. Penn. Ave., 21204

Please send copy of Order

OFFICE (301) 823-7800
DIRECT DIAL (301) 823-7856

NEWTON A. WILLIAMS
LAW OFFICES
Nolan, Plumhoff & Williams, Chartered
Suite 700, Court Towers
210 West Pennsylvania Avenue
Towson, Maryland 21204
Tel. (301) 266-2705



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-13-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 7386 (WCR)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1330 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for *DAVID N. RAITZEL, ACTING CHIEF*
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2268 TDD/Text Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 107 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

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.

B. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 374, 377, 378, 379, 380, 381, 383, 384, ~~and~~ 385, and 386. *AK*

RECEIVED
APR 28 1994

ZADM

REVIEWER: LT. ROBERT F. SAUERWALD
Fire Marshal Office, PHONE: 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 2, 1994
Zoning Administration and Development Management

FROM: *Robert W. Bowling*, Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
For April 25, 1994
Item No. 386

The Developers Engineering Section has reviewed the subject zoning item. This site is subject our Development Plan comments dated April 19, 1994.

RWB:sw

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 21, 1994

Gary Duvell, Esquire
600 Washington Avenue
Towson, MD 21204

RE: Preliminary Petition Review (Item #376)
Legal Owner: American Yeast Corporation
9215 Beechwood Road
15th Election District

94-388-A

Dear Mr. Duvall:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. The individual signing for American Yeast Corporation is not designated as to title in the corporation or as having authority to sign for said corporation.
2. The description does not agree with the metes and bounds shown on the plan. The rounding off of the decimal places is not critical; however, call #2 is off by approximately .1 foot, while call #14 shows 27 minutes on the description and 37 minutes on the plan. The site area shown on the description as 12.1463 acres also disagrees substantially with the gross area (13.11 +/- acres) and net area (11.86 +/- acres) shown on the plan.

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on Recycled Paper

Gary Duvall, Esquire
April 21, 1994
Page 2

3. The reference to RTA on sheets 1 and 2 is not correct. RTAs do not apply to M.H. zones; however, use, height, and area restrictions are triggered by priority to D.R. and R.C. zones per the M.H. zone regulations.
4. See the attached development plan comments for additional and necessary plan revisions. Be aware that the development plan and the zoning variance plans must agree.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John L. Lewis
John L. Lewis
Planner II

:scj

Enclosures (receipt & DP comments)

cc: Zoning Commissioner

BALTIMORE COUNTY, MARYLAND

SUBJECT: DEVELOPMENT PLAN COMMENTS DPC DATE: 4/20/94
10:00 a.m., Room 123

FROM: ZADM - DEVELOPMENT CONTROL EOH DATE: 5/10/94
2:00 p.m., Room 118

PROJECT NAME: American Yeast PLAN DATE: none
(Plan Received 4/6/94)

LOCATION: N of Lynhurst Road, REV.: REV.:
SW/S Beechwood Road

DISTRICT: 15c7 REVISED PLAN KEY:
PROPOSAL: Building/Structural (X) COMPLIANCE WITH COMMENT CHECKED
Additions to an Existing (O) NON-COMPLIANCE IS CIRCLED
Yeast Manufacturing Facility (BA) BE ADVISED (NOT NECESSARY FOR CONCEPT
in a M.H. Zone PLAN APPROVAL, BUT MUST BE ADDRESSED
PRIOR TO FINAL ZONING APPROVAL)
ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

The plan has been reviewed by the staff at this level of detail and has been found to be in general compliance with the Baltimore County Zoning Regulations for development plan approval. To avoid any possible delays in the development review and zoning approval process, when additional details are available or changed, this office should be contacted and it should be the responsibility of the owner, developer or developer's engineer to rectify any zoning conflicts well in advance of any expected final approvals. The following comments must be addressed on the development plan and only if necessary, will they be up-dated and/or supplemented during the review of the building permit.

1. Date all future plans and revisions. Show and dimension the street right-of-way to building setbacks (25 feet is required).
2. Include a reference to the zoning item (#386) or case number (#94-388-A) for variance public hearing on the plan. Be aware that the development plan and zoning hearing plan must agree. REQUIRED ZONING VARIANCE HEARINGS AS LISTED ON THE PLAN ARE NOT COMPLETE. Section 409.3.A.6 (BCZR) is referenced but the actual request to permit parking areas without the required permanent striping needs to be added. Also, there is a plan site data note stating that parking lots will be paved and striped. Clarify which note is correct and remove the wrong one.

(OVER)

DEVELOPMENT PLAN COMMENTS
PROJECT NAME: American Yeast
DPC DATE: 4/20/94
PAGE 2

3. Show the number of warehouse/manufacturing employees on the largest shift and correct the required parking calculations accordingly.
4. As previously requested for the concept plan, clearly indicate and detail the method of attachment between all structures. Unless physically attached, compliance with between building setbacks are required per Section 102.2, 255.1, and 238 (BCZR).
5. 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 (BCZR) and all zoning sign policies or a zoning variance is required. Correct the site data note referencing Section 203.3.C.1 (BCZR), which is incorrect.

Final zoning approval is contingent first, upon all plan comments being addressed on the development plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

John L. Lewis
JOHN L. LEWIS
Planner II

JLL:scj

cc: Case #94-388-A

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 17, 1994
Zoning Administration and Development Management

FROM: *Robert W. Bowling, P.E.*, Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 9, 1994
Item No. 386, Case No. 94-388A

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the previous landscape review comments.

RWB:sw

File
94-388-A

NOTICE OF HEARING
 The Zoning Commission of Baltimore County, by authority of the County and the Board of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21284, on April 22, 1994 at 10:00 a.m. or 11:00 a.m. at the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21284, as follows:
 Case Number: 94-388-A (Item 386)
 SW/S Beachwood Road, between Fishers Road and Lymhurst Road, 15th Election District - 7th Councilmanic District
 Petitioner: American Yeast Corporation
 Variance to permit the use of a minimum of an 8-inch depth gravel drive in lieu of the dustless surface (paved surface) and the requirement that maneuvering areas to be striped.
 LAWRENCE E. SCHWITZ, Zoning Commissioner for Baltimore County
 NOTES: (1) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (2) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE BY 867-3353.
 4215 April 21.

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 22, 1994
 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 21, 1994.

THE JEFFERSONIAN,
A. Henikson
 LEGAL AD. - TOWSON

receipt
 74-388-A
 Account: R001-4150
 Number: 386
 Date: 4/5/94
CRITICAL
 DROP-OFF -- NO REVIEW
 #020 - VARIANCE ----- \$250.00
 #050 - POSTING ----- 35.00
 TOTAL ----- \$285.00
 American Yeast Corporation
 8215 Beachwood Road
 Attorney: Gary Duvall
 03A03M0240N1CHRC
 RA C003133PND4-08-94
 Please Make Checks Payable To: Baltimore County
 Cashier Validation

receipt
 Account: R001-4150
 Number: Item #386
 Case #94-388-A
 Date: 4/27/94
 #110 - REVISIONS ----- \$100.00
 American Yeast Corporation
 SW/S Beachwood Road
 03A03M0240N1CHRC
 RA C011130AM04-26-94
 Please Make Checks Payable To: Baltimore County
 Cashier Validation

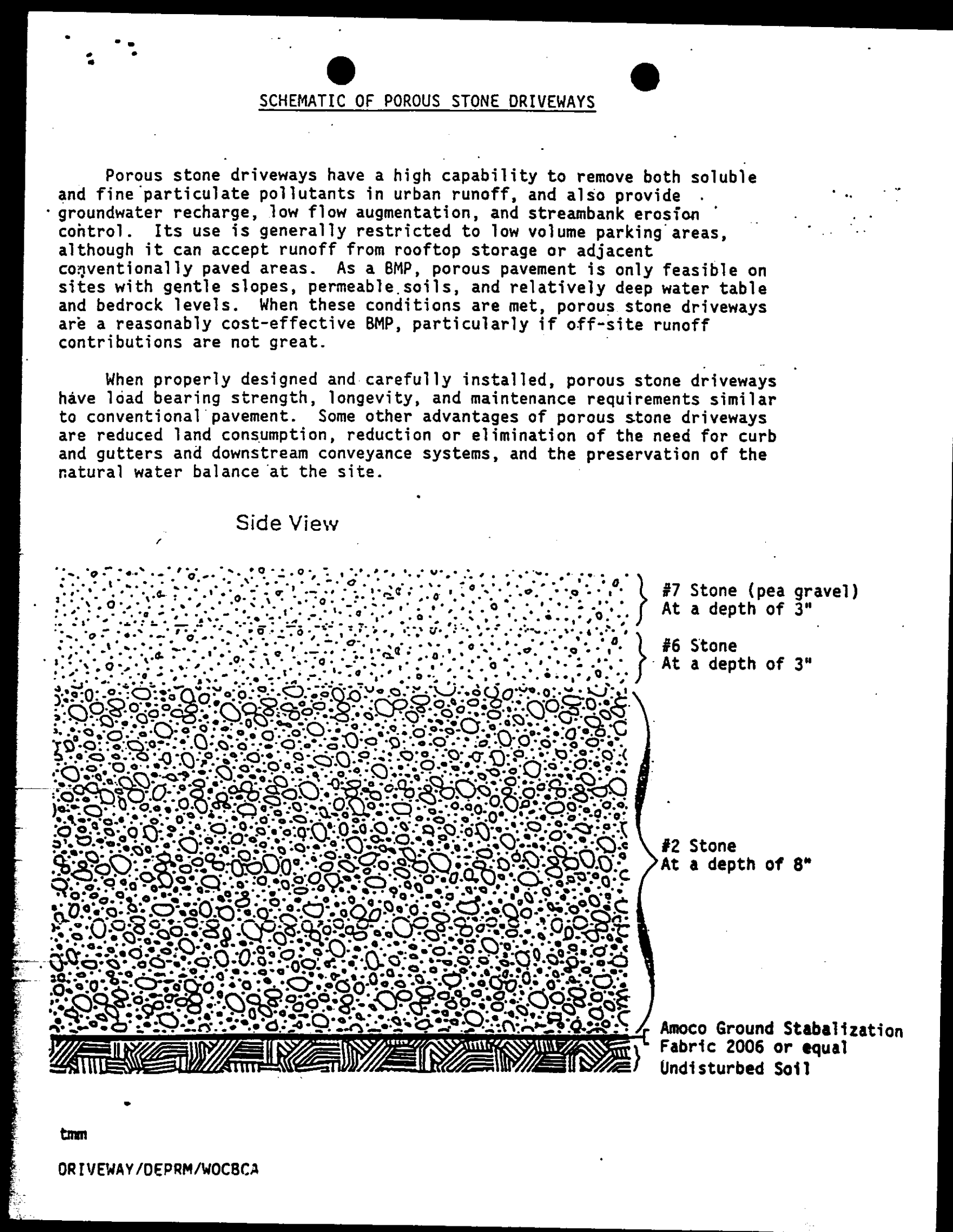
CRITICAL AREA

NOTICE OF HEARING
 TO: POTTERY PUBLISHING COMPANY
 April 21, 1994 Issue - Jeffersonian
 Please forward billing to:
 American Yeast Corporation
 8215 Beachwood Road
 Baltimore, Maryland 21222
 477-3200
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, 111 West Chesapeake Avenue in Towson, Maryland 21284 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:
 CASE NUMBER: 94-388-A (Item 386)
 SW/S Beachwood Road, between Fishers Road and Lymhurst Road
 15th Election District - 7th Councilmanic District
 Petitioner(s): American Yeast Corporation
 Variance to permit the use of a minimum of an 8-inch depth gravel drive in lieu of the dustless surface (paved surface) and the requirement that maneuvering areas to be striped.
 HEARING: TUESDAY, MAY 10, 1994 at 2:00 p.m. in Rm. 118, Old Courthouse.
 ***** AND *****
 CASE NUMBER: 94-388-A (Item 386)
 SW/S Beachwood Road, between Fishers Road and Lymhurst Road
 15th Election District - 7th Councilmanic District
 Petitioner(s): American Yeast Corporation
 Variance to permit the use of a minimum of an 8-inch depth gravel drive in lieu of the dustless surface (paved surface) and the requirement that maneuvering areas to be striped.
 HEARING: TUESDAY, MAY 10, 1994 at 2:00 p.m. in Rm. 118, Old Courthouse.
 LAWRENCE E. SCHWITZ
 ZONING COMMISSIONER FOR BALTIMORE COUNTY
 NOTES: (1) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3353.

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 111 West Chesapeake Avenue
 Towson, MD 21284
 (410) 887-3353
 APRIL 14, 1994
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, 111 West Chesapeake Avenue in Towson, Maryland 21284 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:
 DEVELOPMENT PLAN HEARING
 PROJECT NAME: AMERICAN YEAST
 PROJECT NUMBER: 94-605
 LOCATION: 8215 Beachwood Road
 SW/S Beachwood Road, between Fishers Road and Lymhurst Road
 ACRES: 13.11
 APPLICANT: American Yeast Corporation
 Engineer: G. W. Stephens, Jr.
 Proposal: Additions (solid storage warehouse, packaging building and offices, maintenance boiler house, future wastewater treatment facility, and new storage tanks, to an existing yeast manufacturing facility.
 ***** AND *****
 CASE NUMBER: 94-388-A (Item 386)
 SW/S Beachwood Road, between Fishers Road and Lymhurst Road
 15th Election District - 7th Councilmanic District
 Petitioner(s): American Yeast Corporation
 Variance to permit the use of a minimum of an 8-inch depth gravel drive in lieu of the dustless surface (paved surface) and the requirement that maneuvering areas to be striped.
 HEARING: TUESDAY, MAY 10, 1994 at 2:00 p.m. in Rm. 118, Old Courthouse.
Carl John
 Arnold Jablon
 Director
 cc: American Yeast Corporation
 G. W. Stephens, Jr. & Associates
 Gary Duvall, Esq.
 NOTES: (1) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (2) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE BY 867-3353.
 Printed with Soybean Ink
 on Recycled Paper

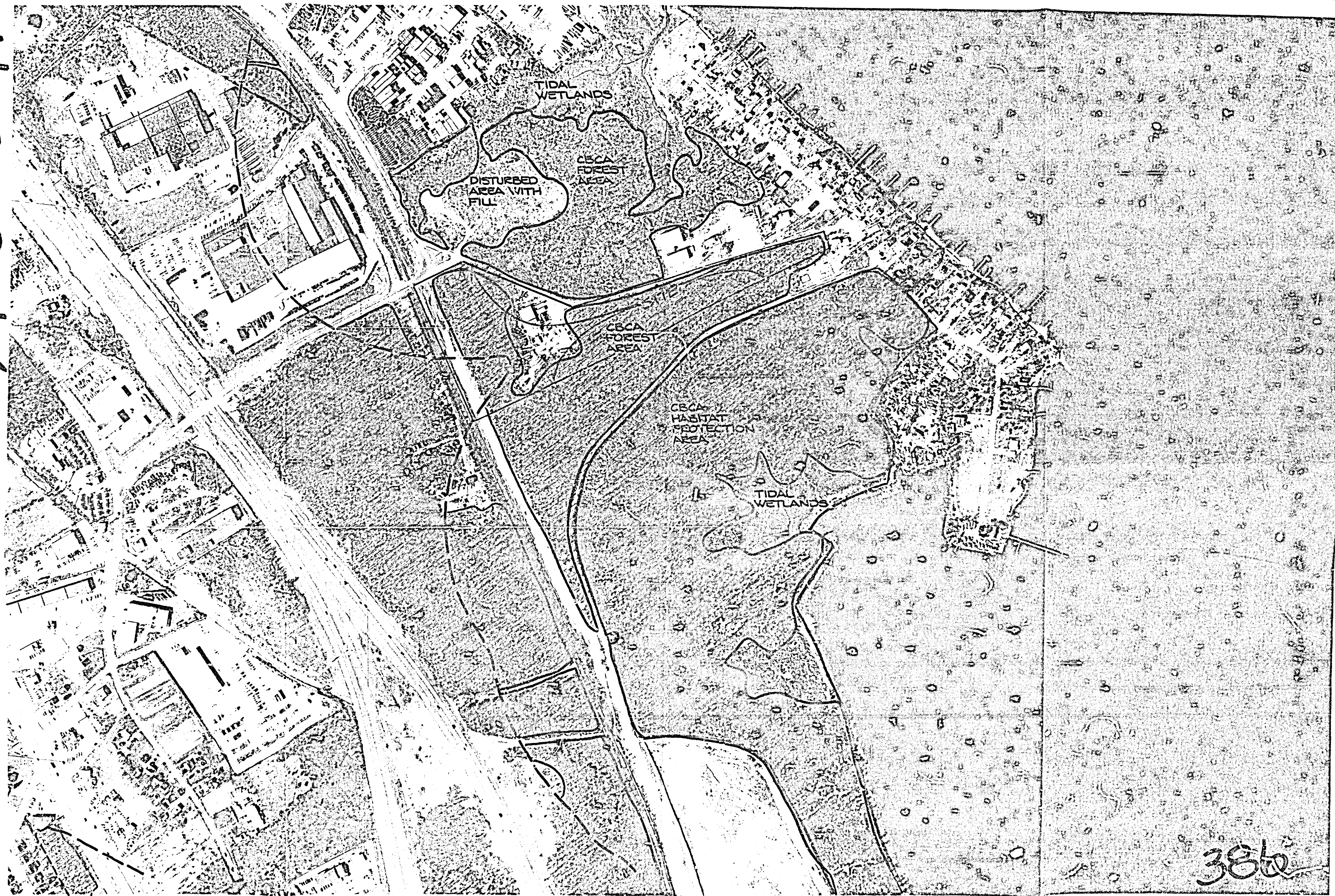
Baltimore County Government
 Office of Zoning Administration
 and Development Management
 111 West Chesapeake Avenue
 Towson, MD 21284
 (410) 887-3353
 May 2, 1994
 Gary Duvall, Esquire
 600 Washington Avenue
 Towson, Maryland 21204
 RE: Case No. 94-388-A, Item No. 386
 Petitioner: American Yeast Corporation
 Petition for Variance
 Dear Mr. Duvall:
 The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.
 Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 April 8, 1994, and a hearing was scheduled accordingly.
 The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.
 1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

BALTIMORE COUNTY, MARYLAND
 DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
 INTER-OFFICE CORRESPONDENCE
 April 20, 1994
 TO: Mr. Arnold Jablon, Director
 Zoning Administration and
 Development Management
 FROM: J. Lawrence Pilson
 Development Coordinator, DEPRM
 SUBJECT: Zoning Item #386 - American Yeast Corp.
 8215 Beachwood Road
 Zoning Advisory Committee Meeting of April 18, 1994
 The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.
 Granting of this variance would be in conformance with Chesapeake Bay Critical Area regulation, provided the proposed gravel drive is constructed in accordance with the attached schematic for an engineered stone drive.
 JLP:SS:sp
 Attachment
 AMERY/DEPRM/TXTSBP



Maryland Department of Transportation
 State Highway Administration
 O. James Lighthizer
 Secretary
 Hal Kassoff
 Administrator
 429-94
 Ms. Charlotte Minton
 Zoning Administration and
 Development Management
 County Office Building
 Room 109
 111 West Chesapeake Avenue
 Towson, Maryland 21204
 Re: Baltimore County
 Item No. 386
 CASE NO. 94-388-A
 Dear Ms. Minton:
 This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.
 Please contact Bob Small at 410-333-1350 if you have any questions.
 Thank you for the opportunity to review this item.
 Very truly yours,
Bob Small
 BOB SMALL, ACTING CHIEF
 John Constable, Chief
 Engineering Access Permits
 Division
 BS/
 My telephone number is _____
 Maryland Relay Service for Impaired Hearing or Speech
 1-800-735-2258 Statewide Toll Free
 Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

94-388-A



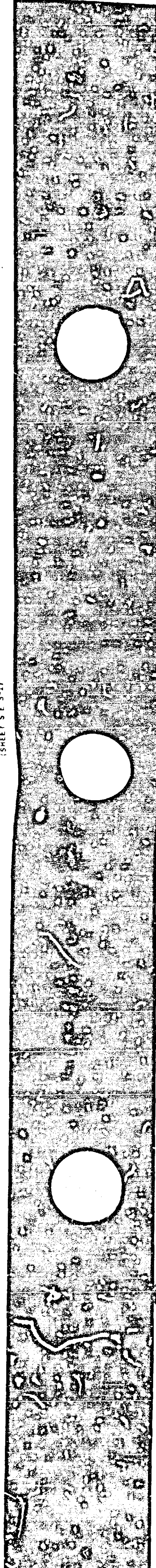
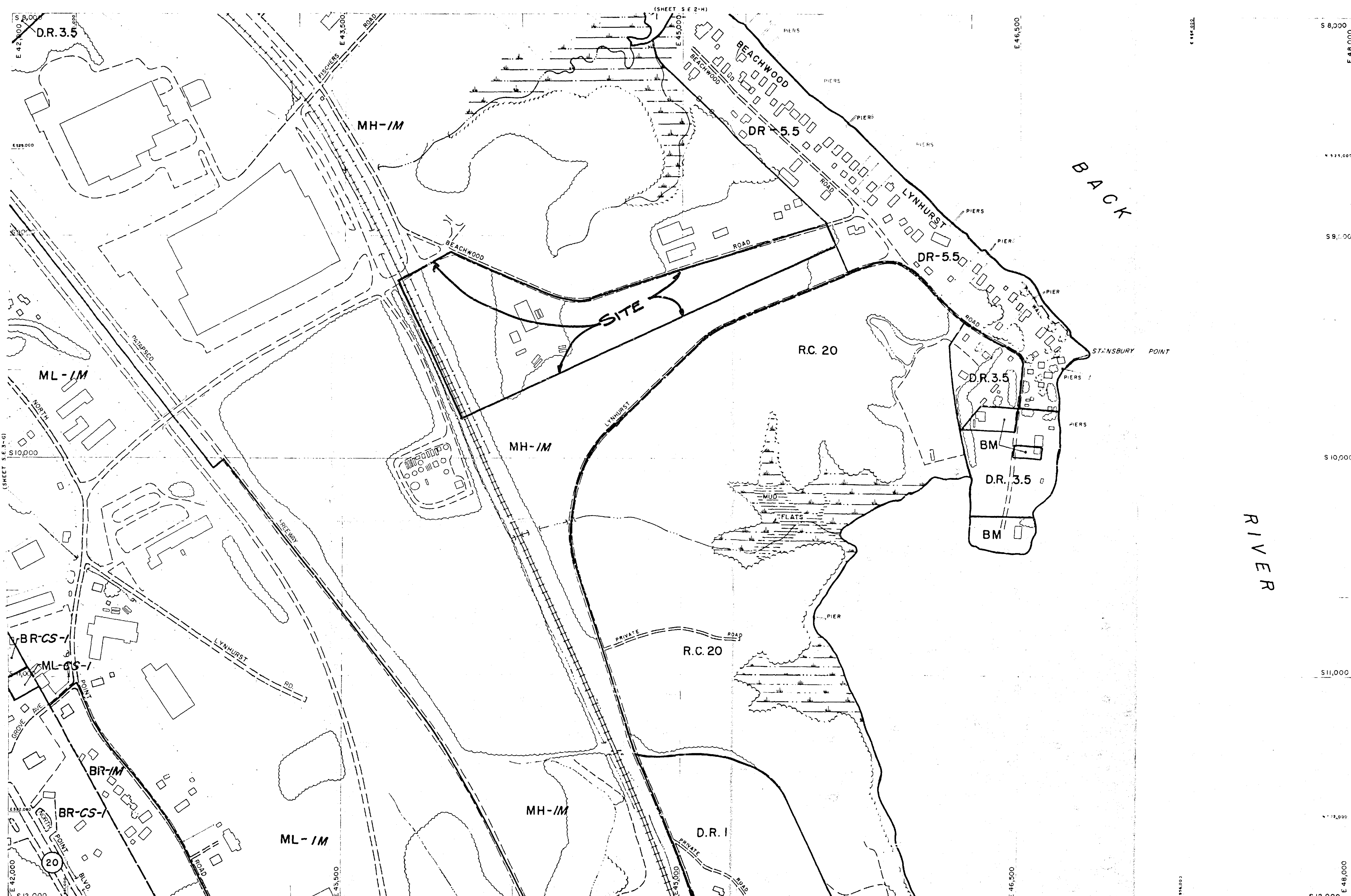
50K

386

BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
 MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION NORTH POINT	SHEET S.E. 3-H
DATE OF PHOTOGRAPHY JANUARY 1986	C.B.C.A. Forest and Habitat Maps	



94-388-A

E-NW E-NE
E-SW E-SE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 183-92, 184-92, 195-92, 186-92, 187-92, 188-92, 189-92

William A. Howard
Chairman, County Council

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

NORTH POINT

SHEET

S E.
3-H

38b

IN RE: DEVELOPMENT PLAN HEARING AND PETITION FOR VARIANCE - SW/3 of Beachwood Rd., opp. Lynhurst Rd. (8215 Beachwood Road) 15th Election District 7th Councilmanic District American Yeast Corporation Owner/Developer

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case Nos. XV-605 & 94-108-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Hearing Officer/Deputy Zoning Commissioner for consideration of a development plan, prepared by George W. Stephens, Jr., and Associates, Inc., and a Petition for Variance for the proposed development of the subject property, known as 8215 Beachwood Road, by its owner, American Yeast Corporation. In addition to development plan approval, the Owner/Applicant seeks variance relief from Sections 409.8.A.2 and 6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the use of a minimum depth 8-inch gravel driveway in lieu of the required durable and dustless (paved surface) and the required striped maneuvering areas. The subject property and relief sought are more particularly described on the Development Plan and Variance Plat submitted into evidence as Developer's Exhibit 1 and Petitioner's Exhibit 3.

Appearing at the public hearing required for this project were Maryse Bourdages and G. Guy Marleau with American Yeast Corporation, Rick Chadsey, Professional Engineer with George W. Stephens, Jr. & Associates, Inc., Wes Guckert, Traffic Engineering expert with The Traffic Group, and Susan Bitter. The Owner/Applicant was represented by Gary C. Duvall, Esquire. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing. Also, Newton A. Williams,

Esquire appeared as Special People's Counsel. No residents from the surrounding community appeared at the hearing.

As to the history of this project, the concept plan conference for this development was conducted on March 8, 1993. As required, a community input meeting was held on April 12, 1993 at the Battle Grove Elementary School. Subsequently, a development plan was submitted and a conference thereon was conducted on April 20, 1994. Following the submission of that plan, comments were submitted by the appropriate agencies of Baltimore County and a revised development plan incorporating these comments and bearing a revision date of April 27, 1994, was submitted at the hearing held before me on May 10, 1994.

Testimony indicated that the subject property consists of a gross area of 13.11 acres, zoned M.H.-1.M., of which a very small portion (0.02 acres) is zoned D.R. 5.5. The property is located in the North Point area of southeastern Baltimore County near Hack River and is within the Chesapeake Bay Critical Areas. The American Yeast Corporation is desirous of expanding its present operation and proposes to construct a packaging building and a cold storage building which will be used as a warehouse for bakery ingredients and raw materials. The proposed improvements are more particularly described on the development plan and variance plat identified as Developer's Exhibit 1.

As to the variance relief sought, Frederick Newton (Rick) Chadsey testified that the travel roadway around the perimeter of the site is proposed to be improved as an engineered stone driveway in lieu of the required macadam paving. This, of course, is in an attempt to reduce the amount of impervious surface on the site. Inasmuch as this property is located within the Chesapeake Bay Critical Areas, this method of road

surfacing is preferred by the Department of Environmental Protection and Resource Management (DEPRM) and has received their full support. However, in order to utilize this type of road surface, the requested variance is necessary. Mr. Chadsey further testified that he is in the process of negotiating the type of stone to be used in this perimeter driveway in that the originally suggested type of stone was not durable enough for the heavy vehicles that will be utilizing this road. Mr. Bruce Sealey from DEPRM corroborated the fact that DEPRM is working with the Owner in an effort to reach a mutual agreement as to the type of stone that will be used.

At the public hearing before me, I am required to determine what, if any, agency comments remain unresolved. Inasmuch as there were no outstanding issues which needed to be addressed and all other issues raised prior to the hearing had been resolved, the hearing proceeded on the merits of the variance request.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore 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.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty,

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Date 5/17/94
By [Signature]

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Date 5/17/94
By [Signature]

compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan and Petition for Variance shall be approved consistent with the comments and the restrictions contained herein.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 17th day of May, 1994 that the development plan for American Yeast, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section(s) 409.8.A.2 and 6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the use of a minimum depth 8-inch gravel driveway in lieu of the required durable and dustless (paved surface) and the required striped maneuvering areas, in accordance with Petitioner's Exhibit 3, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated May 6, 1994, attached hereto and made a part hereof.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

[Signature]
TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

ORDER RECEIVED FOR FILING
Date 5/17/94
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21284

(410) 887-4386

May 17, 1994

Gary C. Duvall, Esquire
600 Washington Avenue
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING AND PETITION FOR VARIANCE
SW/S Beachwood Road, opposite Lynhurst Road
(8215 Beachwood Road)
15th Election District - 7th Councilmanic District
American Yeast - Owner/Developer
Case Nos. XV-605 & 94-388-A

Dear Mr. Duvall:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Variance granted 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

[Signature]

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TKR:bjs

cc: Mr. G. Guy Marleau and Ms. Maryse Bourdages
American Yeast Corp., 8215 Beachwood Road, Baltimore, Md. 21222

Newton A. Williams, Esquire
210 West Pennsylvania Avenue, Suite 700, Towson, Md. 21204

Dave Flowers - Project Manager - ZADM

People's Counsel
Case File

CRITICAL 386
Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 8215 Beachwood Road
which is presently zoned MH-1M; DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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 Sections 409.8.A.2 and 6 of the Baltimore County Zoning Regulations to permit the use of a minimum of an 8" depth gravel drive in lieu of the dustless surface (paved surface) and the requirement that maneuvering areas be striped.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) To permit for less impervious surfaces on a site which lies within the Chesapeake Bay Critical Area. The practical difficulty will result due to the extraordinary expense of providing additional water quality measures of a paved driveway.

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.

Control Person Name: _____
Type or Full Name: _____
Signature: _____
Address: _____
City: _____
State: _____
Zip: _____

Legal Owner: _____
Type or Full Name: _____
Signature: _____
Address: _____
City: _____
State: _____
Zip: _____

8215 Beachwood Road 410-477-3200
Baltimore Maryland 21222

600 Washington Avenue 410-821-6565
Towson Maryland 21204

DATE: _____ TIME: _____

OFFICE USE ONLY
Date Received: _____
Date of Filing: _____
Filing Fee: _____
Filing Fee Paid: _____

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Date 5/17/94
By [Signature]

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No REVIEW
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WCR

unreasonable hardship or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is

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FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
618 KENNELCOTT DRIVE, SUITE 100, TOWSON, MARYLAND 21284
94-388-A
April 4, 1994

Description of American Yeast Corporation property, Beachwood Road, containing 12.1483 acres of land more or less.

Beginning for the same at a point on the south side of the 50 foot right-of-way of Beachwood Road, said point being South 63 degrees 07 minutes 31 seconds West 160.00 feet more or less from the intersection of Beachwood Road and Beachwood Road, running thence leaving said point of beginning, the following 14 courses;

1. South 17 degrees 32 minutes 29 seconds East 87.63 feet
2. South 64 degrees 56 minutes 26 seconds West 1794.97 feet to the east side of the right-of-way of the Back River Branch of the Philadelphia, Baltimore and Washington Railroad, 60 foot wide, running and binding on said right-of-way line.
3. North 24 degrees 03 minutes 05 seconds West 664.40 feet to the widening line of Beachwood Road shown on State Roads Commission of Maryland Plat No. 35520, running and binding on said widening line, the following two courses,
4. North 81 degrees 48 minutes 26 seconds East 174.48 feet and,
5. North 81 degrees 04 minutes 20 seconds East 40.78 feet to the south side of Beachwood Road,
6. North 66 degrees 38 minutes 42 seconds West 315.42 feet to the east side of the right-of-way of the Back River Branch of the Philadelphia, Baltimore and Washington Railroad, 60 foot wide, running and binding on said right-of-way line,
7. North 24 degrees 03 minutes 05 seconds West 36.94 feet to the centerline of Beachwood Road, thence running and binding on the centerline of Beachwood Road,
8. South 66 degrees 38 minutes 42 seconds East 480.39 feet,
9. South 24 degrees 20 minutes 34 seconds East 44.57 feet to intersect the Highway Right-of-Way Line shown on Baltimore County Department of Public Works Bureau of Land Acquisition Drawing RW 87-077-1, recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 7596 folio 103, running thence binding on said Highway Right-of-Way Line, the following two courses,
10. South 66 degrees 38 minutes 42 seconds East 225.26 feet and,
11. Southeasterly by a curve to the left having a radius of 432.98 feet for a distance of 161.66 feet,
12. North 24 degrees 20 minutes 34 seconds West 5.59 feet to intersect the south side of Beachwood Road, running thence binding on the south side of Beachwood Road, the following two courses,
13. Northeasterly by a curve to the left having a radius of 427.98 feet for a distance of 148.16 feet and,
14. North 72 degrees 27 minutes 31 seconds East 1083.33 feet to the point of beginning. Containing 12.1483 acres more or less.

DOES NOT AGREE WITH THIS DESCRIPTION
NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT TO BE USED FOR AGREEMENTS OR CONVEYANCES.

