

IN RE: DEV. PLAN HEARING & PETITIONS FOR* BEFORE THE HEARING
SPECIAL EXCEPTION & ZONING VAR.
SE/S of Philadelphia Road, N * OFFICER/ZONING COMMISSIONER
of Mohrs Lane(10105 Phila.Rd.)
Ellis Property * OF BALTIMORE COUNTY
15th Election District
6th Councilmanic District * Case Nos. XV-635 & 94-481-XA
Frederick C. Ellis, et ux,
Applicant/Developer/Petitioners *

* * * * *

HEARING OFFICER'S OPINION & DEV. PLAN, SPECIAL EXCEPTION & VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer on a combined hearing seeking approval of the development plan prepared by Anthony J. Vitti, Vitti and Associates, Inc., Land Surveyors, and Petitions for Special Exception and Zoning Variance, all for the proposed development of the property known as 10105 Philadelphia Road in the White Marsh section of Baltimore County. As to the development plan, approval was sought pursuant to the development regulations contained in Section 26-206 of the Baltimore County Code. A red line development plan was accepted into evidence as Developer/Petitioner's Exhibit No. 2 and depicts the proposed development on the subject site. As to the Petition for Special Exception, approval is sought for a service garage in an M.L.-I.M. zone. As to the Petition for Zoning Variance, relief is requested from Section 255.1 of the Baltimore County Zoning Regulations (BCZR) to allow an 18 ft. side yard setback, in lieu of the required 30 ft., for an existing one story concrete garage. Secondly, a zoning variance is sought from Section 255.1 of the BCZR to allow a 15 ft. front yard setback, in lieu of the required 30 ft., for an existing one story garage. Lastly, variance relief is requested from Section 1B02.3.C.1 of the BCZR to allow a 15 ft. rear yard setback, in lieu of the required 30 ft., for an existing 2-1/2

MICROFILMED

story dwelling. The subject Special Exception and Variances are shown on the aforementioned development plan.

Appearing at the required Hearing Officer's hearing were the property owners, Frederick C. Ellis and Elizabeth Ann Ellis, his wife. Also present were two other members of the Ellis family, namely, Donald Ellis and Josie Ellis. Anthony J. Vitti, the Land Surveyor who prepared the plan was also present as was Douglas C. Lauenstein, Esquire who represented the Developer/Petitioners. There were no community representatives or Protestants present. Also present were several representatives of the various Baltimore County agencies who evaluated the project. These included Joseph Maranto, the Project Manager, from the Office of Zoning Administration and Resource Management (ZADM), Leslie Schreiber from the Department of Public Works, and Larry Pilson from the Department of Environmental Protection and Resource Management.

As to the history of the project, a Concept Plan was submitted on March 21, 1994. Thereafter a Community Input Meeting was held on April 20, 1994 at the White Marsh Library. The Development Plan Conference was held on June 15, 1994. The Hearing Officer's hearing was scheduled and held on July 5, 1994.

As shown on the development plan, the subject site is approximately .436 acres in area and is zoned M.L. It is presently improved with a 2-1/2 story single family dwelling and a garage to the rear of the property. The property is located adjacent to Philadelphia Road in the White Marsh section of Baltimore County. The subject lot is bordered on both sides by two small lots both of which are also developed residentially. However, but for these three small lots, the entire immediate vicinity is owned by Genstar and is the home of a mining operation. These three lots

constitute a small residential cluster in the midst of a large tract which is zoned M.L. and used for mining operations.

One of the lots immediately next door is developed with a rancher style dwelling and is owned by the Ellis family. On the other side, the property contains a 2-1/2 story dwelling unit and garage and is owned by Edwin and Lisa Abney.

Frederick Ellis, the owner of the subject site, testified and described his plans for the property. He noted that he is the owner of the Atwater Cab Company and has owned that business for approximately 11 years. Presently, the cab operations are conducted off site. He described the subject site and particularly noted the rock quarry operations which surround the property both to the rear and across Philadelphia Road. He proposes to relocate his cab operation to this property. The existing garage to the rear will be expanded as shown on the development plan. The expansion is to be constructed so as to provide space to conduct routine maintenance on the cabs. Mr. Ellis indicated that he presently owns 13 cabs and leases same to drivers for 12 hour shifts. Therefore the cabs would rarely be on the subject site other than for routine maintenance and when not in use. No body or fender work will be done on the premises and there will be no heavy repairs or fuel storage. Rather, the cabs will be dispatched from the subject site by way of telephone communication to an antenna which is located off site. Particularly in view of the surrounding use by the Genstar Company, it is clear that the subject use is appropriate for this locale, notwithstanding the residential use of a portion of this plot.

As to the development plan, the red line plan submitted complies with all County concerns and comments. Mr. Pilson from the Department of Environmental Protection and Resource Management (DEPRM) noted that a bond

ORDER RECEIVED FOR FILING
Date 7/8/90
By J. H. Davis

needed to be submitted in order for the water connection to be made and Mr. Schreiber indicated that further study of the plan will be conducted during Phase 2 of the development process. However, there were no County concerns or objections to approval of the plan at the development hearing. Thus, the development plan should be approved.

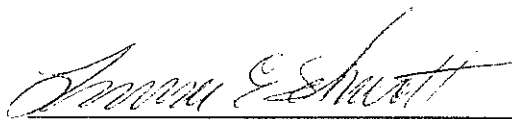
As to the Petition for Special Exception, it should also be granted. Clearly, the proposed use complies with the standards in Section 502.1 of the BCZR. The proposed use is in character with the surrounding locale.

As to the Petition for Zoning Variances, these variances are all needed to legitimize existing conditions. Two of the variances relate to the location of the existing garage unit and the zoning use division lines. The remaining variance relates to the existing dwelling. All of these variances are justified pursuant to the requirements set forth in Section 307 of the BCZR. Relocation of the buildings or reconfiguration of the lot is impractical. In my opinion, the Developer/Petitioner has justified its burden to establish practical difficulty as required by the regulations.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the development plan, special exception and variances consistent with the comments set forth above and shall so order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of July 1994, that the development plan, special exception and variances submitted in the within case as Developer/Petitioner's Exhibit No. 2, be and are hereby approved in accordance with the terms and conditions as set forth herein.

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



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

Date

7/19/94

By



MICROFILMED

IN RE: DEV. PLAN HEARING & PETITIONS FOR SPECIAL EXCEPTION & ZONING VAR. SE/S of Philadelphia Road, N of Mohr Lane (10105 Phila. Rd.) Ellis Property 15th Election District 6th Councilmanic District Frederick C. Ellis, et ux. Applicant/Developer/Petitioners

HEARING OFFICER'S OPINION & DEV. PLAN, SPECIAL EXCEPTION & VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer on a combined hearing seeking approval of the development plan prepared by Anthony J. Vitti, Vitti and Associates, Inc., Land Surveyors, and Petitions for Special Exception and Zoning Variance, all for the proposed development of the property known as 10105 Philadelphia Road in the White Marsh section of Baltimore County. As to the development plan, approval was sought pursuant to the development regulations contained in Section 26-206 of the Baltimore County Code. A red line development plan was accepted into evidence as Developer/Petitioner's Exhibit No. 2 and depicts the proposed development on the subject site. As to the Petition for Special Exception, approval is sought for a service garage in an M.L.-I.M. zone. As to the Petition for Zoning Variance, relief is requested from Section 255.1 of the Baltimore County Zoning Regulations (BCZR) to allow an 18 ft. side yard setback, in lieu of the required 30 ft., for an existing one story concrete garage. Secondly, a zoning variance is sought from Section 255.1 of the BCZR to allow a 15 ft. front yard setback, in lieu of the required 30 ft., for an existing one story garage. Lastly, variance relief is requested from Section 1802.3.C.1 of the BCZR to allow a 15 ft. rear yard setback, in lieu of the required 30 ft., for an existing 2-1/2

constitute a small residential cluster in the midst of a large tract which is zoned M.L. and used for mining operations.

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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 19, 1994

Douglas C. Lauenstein, Esquire
First National Bank Building
809 Eastern Boulevard, Suite 200
Essex, Maryland 21221

Mr. Frederick C. Ellis
5813 Lytle Road
White Marsh, Maryland 21162

PE: Case No. XV-635 and 94-481XA.
Development Plan Order and Petitions for Special Exception and Variance
Frederick C. Ellis, Developer/Petitioner/Applicant
Project: 10105 Philadelphia Road

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Hearing Officer's Opinion and Development Plan Order, together with Petitions for Special Exception and Variance have been approved.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm

atl.

cc: Mr. Anthony J. Vitti, Vitti & Associates, Inc.
cc: Mr. Joseph Maranto, Project Manager
cc: Various County Agencies



Petition for Special Exception
to the Zoning Commissioner of Baltimore County

for the property located at #10105 PHILADELPHIA ROAD which is presently zoned ML-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A SERVICE GARAGE IN AN ML-1M ZONE.

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

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

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

Legal Owner(s):

FREDERICK C. ELLIS
(Type or Print Name)

Signature

ELIZABETH ANN ELLIS
(Type or Print Name)

Signature

5813 LYTLE ROAD 682-2100
Address Phone No.

WHITE MARSH MD 21162
City State Zipcode

Name Address and phone number of representative to be contacted.

VITTI & ASSOCIATES, INC.
Name

1717 YORK ROAD STE 102 252-3212
Address Phone No.

City State Zipcode

ESTIMATED LENGTH OF HEARING: w/ HCH

ALL: w/ HCH

REVIEWED BY: JDDK DATE: 5/26/94



Petition for Variance
to the Zoning Commissioner of Baltimore County

for the property located at #10105 PHILADELPHIA ROAD which is presently zoned ML-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1) 255.1 to allow an 18' sideyard setback in lieu of the req'd. 30' for existing 1 story conc. garage. 2) 255.1 to allow a 15' front yard setback in lieu of the req'd. 30' for existing 1 story conc. garage. 3) 1802.3-C1 to allow a 15' rear yard setback in lieu of the req'd. 30' for existing 2 1/2 story dwelling. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) 1) To allow the front of the property to remain a residence. 2) To allow the rear of property to be used as a general office and service garage.

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.

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

Legal Owner(s):

FREDERICK C. ELLIS
(Type or Print Name)

Signature

ELIZABETH ANN ELLIS
(Type or Print Name)

Signature

5813 LYTLE ROAD 682-2100
Address Phone No.

WHITE MARSH MD 21162
City State Zipcode

Name Address and phone number of representative to be contacted.

VITTI & ASSOCIATES, INC.
Name

1717 YORK RD. STE 102 252-3212
Address Phone No.

City State Zipcode

ESTIMATED LENGTH OF HEARING: w/ HCH

ALL: w/ HCH

REVIEWED BY: JDDK DATE: 5/26/94

Vitti & Associates, Inc.

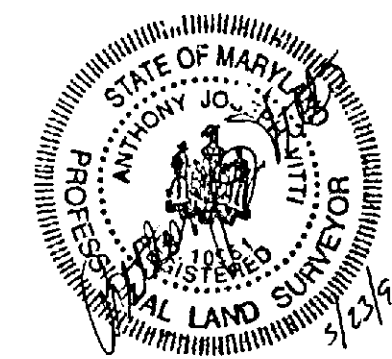
Engineering & Surveying
1717 York Road, Suite 102 - Lutherville, Maryland 21093
(410) 252-3212

94-481-XA

ZONING DESCRIPTION
ELLIS PROPERTY
#10105 PHILADELPHIA ROAD

Beginning at a point on the east side of Philadelphia Road which is 60 feet wide at the distance of 1300 feet, more or less, northerly of the centerline of Nottingham Road which is 30 feet wide. Thence the following courses and distances:

- 1) North 38 Degrees 03 Minutes 30 Seconds East along Philadelphia Road 100.00 feet;
- 2) South 51 Degrees 56 Minutes 30 Seconds East 200.00 feet;
- 3) Southwest parallel with Philadelphia Road 100.00 feet;
- 4) Northwest 200.00 feet to point of beginning as recorded in Deed Liber 3228, Folio 218.



465



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150

Number

Item Number: 465
Taken In By: JDDK

Date: 5/26/94

Ellis Property - 10105 Philadelphia Rd.

020 - Zoning Var. - \$ 250.00

050 - Special Exception - \$ 200.00

050 - 2 signs (\$35.00 per) - \$ 70.00

Total - \$ 520.00

014010272161CHRC
BA C002107405-26-94

\$620.00

Cashier Validation

Please Make Checks Payable To: Baltimore County

Item Number: 465
Planner: MJK
Date Filed: 5-26-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the zoning commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the zoning commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- Actual address of property
- Zoning
- Acres
- Plats (need 12, only 8 submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- BUR section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TXTSPH)
11/17/93

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be assessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 465

Petitioner: Frederick C. Ellis

Location: 10105 Philadelphia Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Frederick C. Ellis

ADDRESS: 5813 Lytle Rd

White Marsh MD 21162

* PHONE NUMBER: 682-2105

MUST BE SUPPLIED

TO: PUTNEM PUBLISHING COMPANY
July 9, 1994 Issue - Jeffersonian

Please forward billing to:

Frederick C. Ellis
5813 Lytle Rd
White Marsh, Maryland 21162
682-2105

NOTICE OF HEARING

The Zoning Commission 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 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-481-XA (Item 465)
10105 Philadelphia Road
6/5 Philadelphia Road, 1300 feet N of c/l Wottingwood Road
15th Election District - 6th Councilmanic
Petitioner(s): Frederick C. Ellis and Elizabeth Ann Ellis
HEARING: TUESDAY, JULY 5, 1994 at 2:00 p.m. in Rm. 118 Old Courthouse

Special Exception for a service garage. Variance to allow an 18-foot side yard setback in lieu of the required 30 feet for existing 1 story concrete garage; to allow a 15-foot front yard setback in lieu of the required 30 feet for the existing 1 story concrete garage; and to allow a 15-foot rear yard setback in lieu of the required 30 feet for existing 2-1/2 story dwelling.

LAWRENCE E. SCHLOT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Called late at night
re pub. issue - should
be June they realized
error and had action
June 9

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

JUL 7 1994

(410) 887-3353

NOTICE OF HEARING

The Zoning Commission 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 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

DEVELOPMENT PLAN HEARING
Project Name: Ellis Property
Project Number: 94-481
Location: 6/5 Philadelphia Road, 1300' N of c/l Wottingwood Road
Acres: 0.46/-
Proposal: Single family dwelling to remain; 2 story, 2 bay service garage; and office building.

CASE NUMBER: 94-481-XA (Item 465)
10105 Philadelphia Road
6/5 Philadelphia Road, 1300 feet N of c/l Wottingwood Road
15th Election District - 6th Councilmanic
Petitioner(s): Frederick C. Ellis and Elizabeth Ann Ellis
HEARING: TUESDAY, JULY 5, 1994 at 2:00 p.m. in Rm. 118 Old Courthouse

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ARNOLD JABLON
Director

cc: Frederick C. Ellis
Vitti & Associates, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 24, 1994

Mr. and Mrs. Frederick C. Ellis
5813 Lytle Road
White Marsh, Maryland 21162

RE: Case No. 94-481-XA, Item No. 465
Petitions for Special Exception and Variance
Petitioner: Frederick C. Ellis, et ux.

Dear Mr. and Mrs. Ellis:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on May 26, 1994 and scheduled for a hearing accordingly. Any attached comments from a 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.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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.

- 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 INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 13, 1994
Zoning Administration and Development Management

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

RE: Zoning Advisory Committee Meeting
for June 13, 1994
Item No. 465

The Developers Engineering Section has reviewed the subject zoning item. Please see our previous comments, dated March 18, 1994 for this site.

RWB:aw

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: June 14, 1994

SUBJECT: 10105 Philadelphia Road

INFORMATION:

Item Number: 465

Petitioner: Frederick C. Ellis

Property Size:

Zoning: M.L.-T.M.

Requested Action:

Hearing Date:

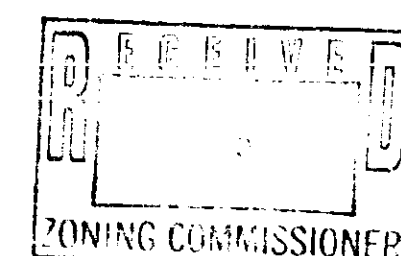
SUMMARY OF RECOMMENDATIONS:

The most appropriate means to review the applicant's request is through the development review process.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Keller

PK/JL:lw



ZAC.465/PZONE/ZAC1

Pg. 1

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

June 22, 1994

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

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #465 - Ellis Property
10105 Philadelphia Road
Zoning Advisory Committee Meeting of June 6, 1994

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

Development Plan Comments of June 15, 1994 still apply.

JLP:LAS:sp

ELLIS2/DEPRM/TXTSPB

(41G) 887-4500

DATE: 06/06/94

Zoning Agenda:

Gentlemen:

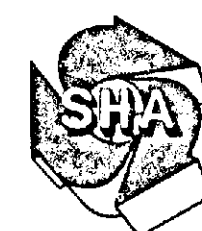
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 460 AND 465.

cr: 5:1p



8484103 Security Etc.



O. James Lighthize
Secretary
Hal Kassoff
Administrator

June 16, 1994

Re: Baltimore County
MD 7
Ellis Property
Special Exception
and Variance Request
Item #465 (MJK)
Milepoint 6.02

Dear Ms. Minton:

This office has reviewed the plan for the referenced item and offer the following:

In a previous review of both the concept plan and development plan for the referenced development, we indicated the following entrance improvements would be required as a condition of plan approval:

1. Widen the existing entrance to 25'.
2. Curb and gutter along the property frontage will not be required at this time.
3. The State Highway Administration (SHA) has agreed to construct the construction of two (2) entrances, one in only and one out-only. These entrances will be constructed by Baltimore County as part of their upcoming MD 7/Campbell Blvd. Intersection improvement project.
4. Dedication of 10' across the property frontage with an ultimate 100' right-of-way.

Therefore, we have no objection to approval of the special exception for a service garage and variance to allow an 18 foot side yard setback in lieu of the required 30 feet for an existing 1 story concrete garage and to allow a 15 foot front yard setback in lieu of the required 30 feet for the existing 1 story concrete garage and to allow a 15 foot rear yard setback in lieu of the required 30 feet for an existing 2 1/2 story dwelling, subject to the aforementioned conditions.

My telephone number is 410-333-1350 (Fax# 333-1041)

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

LETTER OF TRANSMITTAL

TO: Z.A.D.M

DATE: MAY 20, 1994

REF. THIS PROPERTY

TOP NUMBER -

ATTN: MR. MITCH KELLMAN

NO.	DESCRIPTION
10	PRINTS - VARIANCE & SP. EXCEPTION
3EA.	PETITION FOR VARIANCE & SP. EXCEPTION
3	ZONING DESCRIPTIONS

REMARKS: 1 ZONING MAP (200 SCALE)

Mitch - I will have owners come in and sign definitions as soon as they are back in town.

☐ IN ACCORDANCE WITH YOUR REQUEST
☐ FOR YOUR REVIEW
☒ FOR PROCESSING
☐ FOR REVISION

— FOR YOUR USE
— PLEASE CALL
— PLEASE RETURN
— APPROVAL REQUESTED

FOR FURTHER INFORMATION, OR IF ENCLOSURES ARE NOT AS NOTED.
PLEASE CONTACT THE WRITER AT THIS OFFICE.

VITTO & ASSOCIATES, INC.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME _____

ADDRESS

Food Ell.

10405 20.1. 1945

Florida Elliptical

10105 Pl. 70 Pl.

Ronald Ellis

10/18/1961 Rh 1/2 Rd

Topic: Elliptic

10101 Ph. Ya. Ra

ANTHONY J. VITTI (VITTI & ASSOC.)

1717 YORK RD LUTHERVILLE

 Printed with Soybean Ink
on Recycled Paper

GENERAL NOTES

- EXISTING TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY PHOTOAERIALMATIC MAP DATED 1980 FOR WHITE MARSH AREA.
- THERE ARE NO STREAMS, DEEPS, PONDS, OR OTHER WATER BODIES ON OR WITHIN 200' OF SITE'S BOUNDARIES.
- THERE ARE NO SIGNIFICANT REGULATED PLANT OR WILDLIFE COMMUNITIES ON SITE ACCORDING TO DEPRM'S DATA.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UNDERGROUND FUEL AND CHEMICAL STORAGE TANKS ON OR WITHIN 100' OF THE SITE'S BOUNDARIES.
- THERE ARE NO DESIGNATED HISTORIC STRUCTURES OR SITES ON OR WITHIN 200' OF THE SITE'S BOUNDARIES.
- THERE ARE NO DESIGNATED ARCHEOLOGICAL SITES ON OR WITHIN 200' OF THE SITE'S BOUNDARIES.
- THIS SITE DOES NOT FALL IN AN AREA DESIGNATED AS HAVING SPECIAL FLOOD OR LANDSLIDE HAZARDS AS PER FRM MAP 240010 - 04000B, DATED MARCH 2, 1981.
- SITE IS ZONED ML-1M.
- SITE SOILS TYPE - Ma.
- ALL EXISTING AND PROPOSED STRUCTURES ON SITE WILL BE REQUIRED TO TIE INTO THE PROPOSED 20" WATER LINE AS SHOWN AS IT IS AVAILABLE.
- THE EXISTING ABANDONED WELL WILL BE BACKFILLED BY A LICENSED MASTER WELL DRILLER WHO WILL SUBMIT A WELL ABANDONMENT REPORT TO DEPRM FOR APPROVAL OF A RULING PERMIT.
- EXISTING WELL SERVING #10101 & #10105 WILL REMAIN IN USE UNTIL PUBLIC WATER BECOMES AVAILABLE. AT THAT TIME, THE WELL WILL BE ABANDONED AND BACKFILLED BY A LICENSED MASTER WELL DRILLER WHO WILL SUBMIT A WELL ABANDONMENT REPORT TO DEPRM.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO WETLANDS ON SITE.
- THE PROPOSED IMPROVEMENTS ARE LESS THAN 5,000 S.F., THEREFORE, THE SITE IS EXEMPT FROM STORM WATER MANAGEMENT.
- THERE WILL BE NO OUTSIDE STORAGE OF COMMERCIAL VEHICLES.
- THERE ARE NO RESIDENTIALLY ZONED PARCELS WITHIN 100' OF THE SITE'S BOUNDARIES.
- THE EXISTING 48" SEWER ADJACENT TO THE REAR OF THE SITE CANNOT BE TIED INTO DUE TO THE HIGH WATER TABLE, THE DEPTH OF THE SEWER LINE, AND THAT THE SEWER LINE IS ENGAGED IN CONCRETE.

REQUIRED INFORMATION

A. PREPARED BY PLAN

Name: YITTI & ASSOCIATES, INC.
Address: 1717 YORK ROAD, SUITE 102
LUTHERVILLE, MD 21093 (252-622)
Date: FEBRUARY 18, 1994

DEVELOPER/OWNER

Name: MR. FREDERICK C. ELLIS
Address: 5813 LITTLE ROAD (882-2400)
WHITE MARSH, MD 21182
DEED REC. - 322B/218
Tax Parcel Number: 15-23-750000
15-05-430700

B. ENVIRONMENTAL INFORMATION

Field	Field	Field	REMARKS
Existing	Not	Field	
✓	✓	Topography and street grades (minimum 5 ft. contour appropriately labeled)	
✓	✓	Slopes greater than 25%	
✓	✓	100 year floodplain	
✓	✓	Soils mapped according to Soil Survey, Baltimore County, Maryland	
✓	✓	Streams, seeps, ponds or other water bodies shown on site and within 200 ft. of site boundaries	
✓	✓	Wetlands	
✓	✓	Forest buffer limits including adjustments for steep slopes and/or erodible soils	
✓	✓	Land cover on area within 200 ft. of site	
✓	✓	Significant regulated plant or wildlife communities	
✓	✓	Wells on site and within 100 ft. of site	
✓	✓	Septic on site and within 100 ft. of site	
✓	✓	Underground fuel tanks on site and within 100 ft. of site	
✓	✓	Soil evaluation tests (per test) performed	YES (NO) DATE

C. EXISTING BUILT CONDITIONS

Existing	Not	REMARKS
Existing	Not	
✓	✓	Locations of existing buildings within 200 ft. of site boundaries
✓	✓	Location of existing roads within 200 ft. of site boundaries
✓	✓	Designated historic sites
✓	✓	Significant views
✓	✓	Significant features (specimen trees, buildings, streetscape, etc.)
✓	✓	Land uses on and within 200 ft. of site
✓	✓	Roads rights-of-way and easements

D. COUNTY ADOPTED PLANS

Existing	Not	In	REMARKS
Existing	Not	In	
✓	✓	Balto. Co. Master Plan 1989-2000	
✓	✓	Community or Revitalization Plan(s)	
✓	✓	Recreation and Parks Plan	
✓	✓	Streetscape Plan	
✓	✓	Greenways Plan	
✓	✓	Other:	

OPEN SPACE PROPOSAL

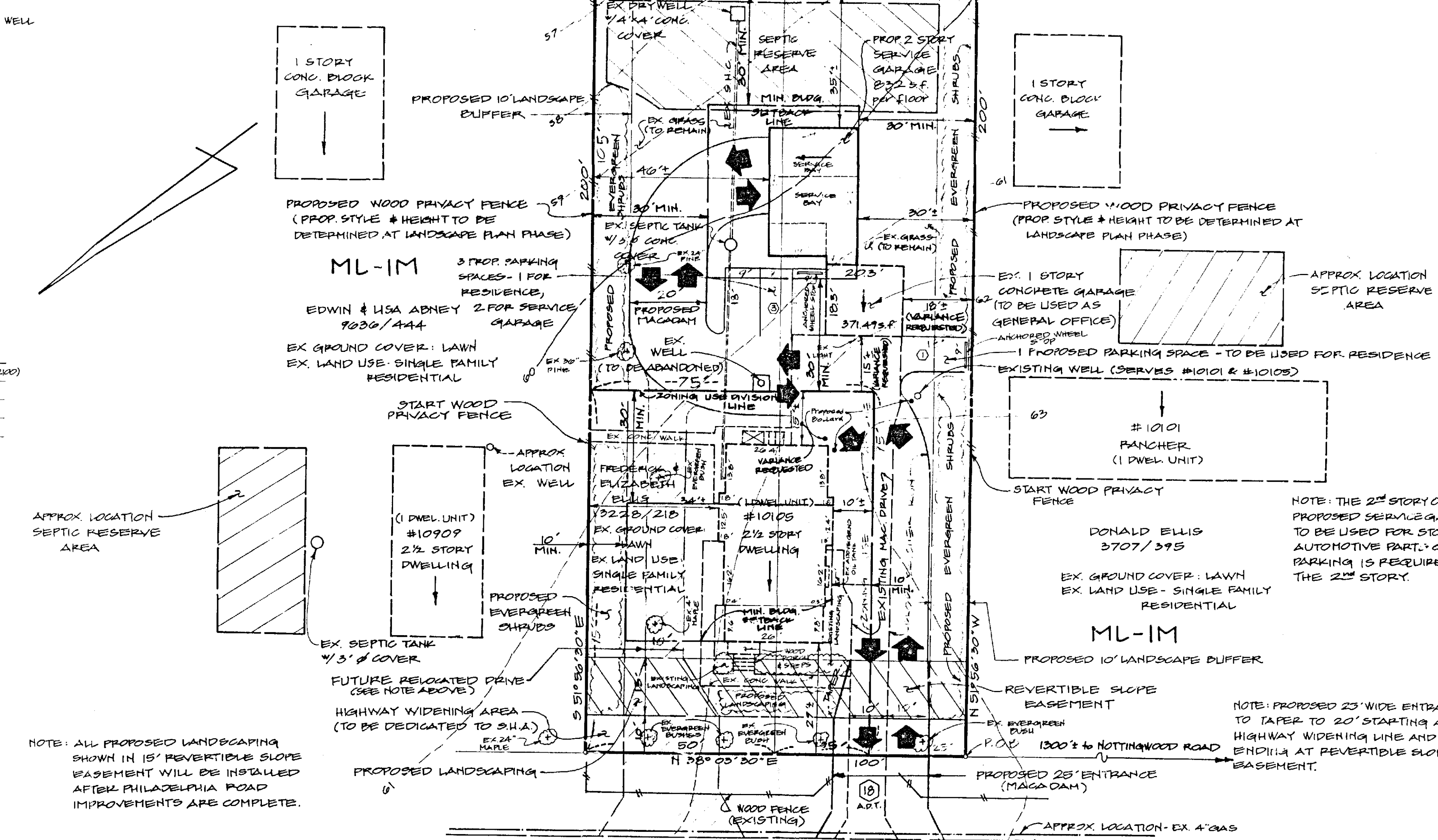
Local Open Space Type	Acres	Undeveloped Areas	Acres
Active Open Space	N/A	Storm Water Management	N/A
100 Year Flood Plain	N/A	HOACOA Areas	N/A
Forest Buffer	N/A	Other	N/A
Amenity Areas	N/A		
Trails and Connectors	N/A		
Other	N/A		
Total Provided	N/A	Total Provided	N/A
Proposed Ownership	N/A		

ADDITIONAL INFORMATION

Anticipated Actions:
Variances: VARIANCES TO BE APPLIED FOR - FOR EX. HOUSE & EX. GARAGE
Waivers: N/A
Special Exceptions: N/A
Other: SPECIAL USE TO BE APPLIED FOR - TO ALLOW RESIDENCE IN ML-1M ZONE.
Consistency with design manuals.

GENERAL NOTES (CONT.)

- THE EXISTING STRUCTURES WILL BE CONNECTED TO PUBLIC SEWER WITHIN ONE YEAR OF THE AVAILABILITY OF THE SEWER.
- SIGNAGE WILL COMPLY WITH SECTION 413 OF THE BALTIMORE COUNTY ZONING REGULATIONS AND ALL ZONING ORDINANCES.
- PROPOSED BUILDINGS SHALL BE DESIGNED AND CONSTRUCTED SO AS TO MEET THE APPLICABLE PROVISIONS OF THE FIRE PREVENTION CODE AND THE NFPA 101 LIFE SAFETY CODE, 1991 EDITION.
- PROPOSED ACCESS ROAD MUST BE A HARD SURFACE (CAPABLE OF SUPPORTING EMERGENCY APPARATUS, WEIGHING 10,000 LBS. ON TWO AXLES).
- DETAILS OF THE PROPOSED ACTIVITIES TO BE CONDUCTED ON PREMISES ARE:
A) SERVICE AND REPAIR OF CABS - TO TAKE PLACE DURING NORMAL WORKING HOURS
B) DISPATCH OF CABS - WILL TAKE PLACE 24 HOURS A DAY.
C) #10105 - TO BE USED AS A RESIDENCE.
- LIMIT OF DISTURBANCE WILL BE ONLY WHAT IS NECESSARY TO CONSTRUCT 2 STORY SERVICE GARAGE, PROPOSED DRIVEWAY AND PARKING SPACES.
- THIS PROJECT IS EXEMPT FROM FOREST CONSERVATION REGULATIONS.
- THE APPROXIMATE AGE OF THE EXISTING RESIDENCE AND GARAGE IS 55 YEARS.
- SECURITY LIGHTING WILL BE PROVIDED ON PROPOSED GARAGE.
- PROPERTY IS LOCATED ON ZONING MAP N.E. 7H.



NOTE: ALL PROPOSED LANDSCAPING SHOWN IN 15' REVERTIBLE SLOPE BASEMENT WILL BE INSTALLED AFTER PHILADELPHIA ROAD IMPROVEMENTS ARE COMPLETE.

Density Residential Zones Example:

SITE DATA

Zone	Acres	Units	Density	Units
ML-1M	2.40	1	1	1
Total	2.40	1	1	1

SITE DEVELOPMENT PROPOSAL

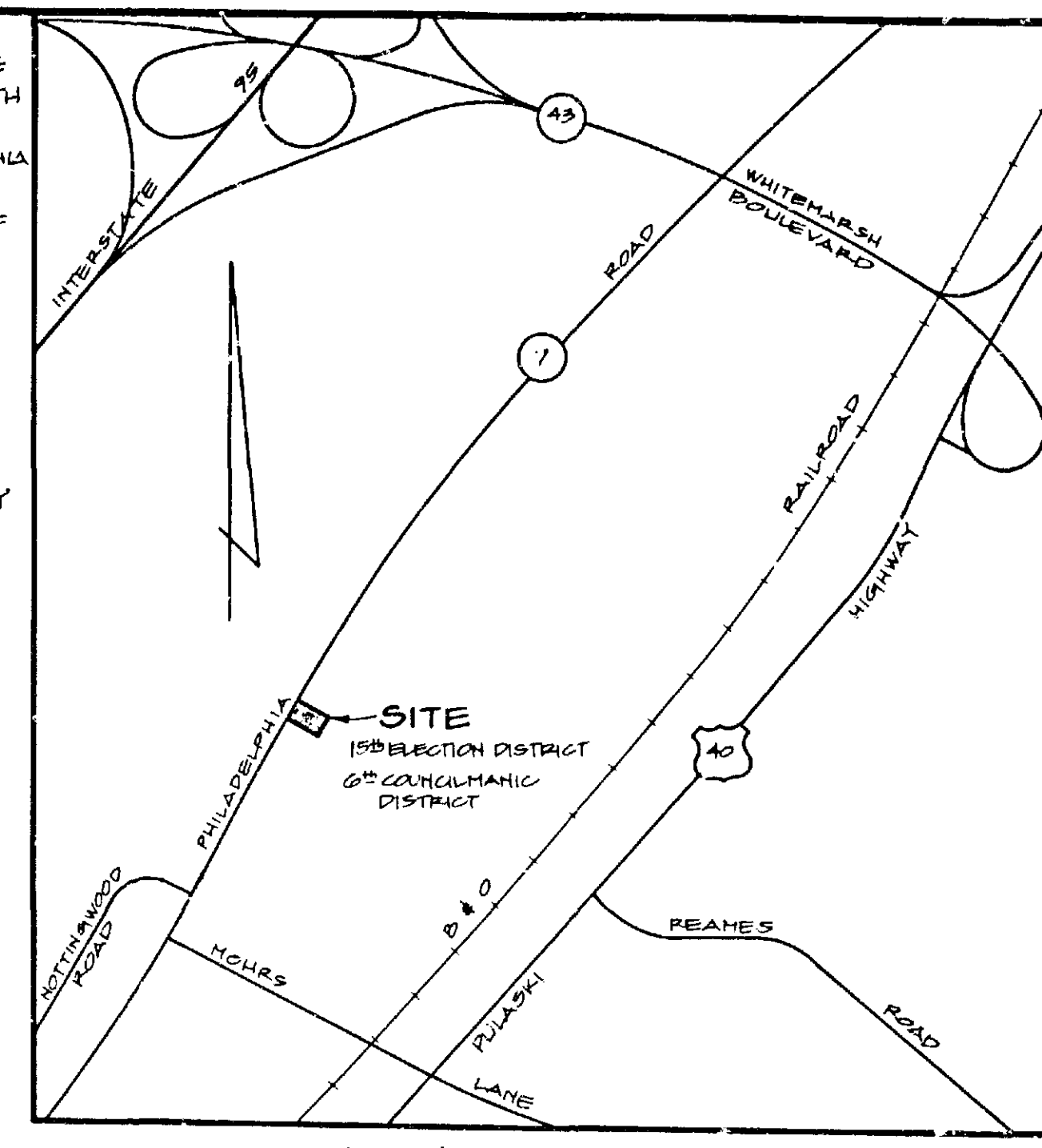
Dwelling Type	Proposed Units	Parking Required	Parking Provided	Open Space Required (Acres)	Open Space Proposed	Average Daily Trips	Phase	Development Schedule
EX. HOUSE	1	2 SPACES	2 SPACES	N/A	N/A	13	—	—
EX. GARAGE	1	4 SPACES	4 SPACES	N/A	N/A	8	—	—
PROPOSED GARAGE	1	4 SPACES	4 SPACES	N/A	N/A	8	—	—
Total	3	10 SPACES	10 SPACES	N/A	N/A	21	—	—

ML-1M

GENSTAR STONE PRODUCTS, INC.
7309/5802
EX. LAND USE: MINING OPERATIONS
EX. GROUND COVER: DISTURBED SOIL

NOTE

10 FEET OF CRUSHER RUN WILL BE ADDED TO THE EXISTING 10' WIDE MACADAM DRIVE ON THE SOUTH SIDE OF THE SITE. IT WILL REMAIN IN USE FOR INGRESS & EGRESS UNTIL THE PLANNED PHILADELPHIA ROAD IMPROVEMENTS ARE COMPLETED. AT THAT TIME, THE EXISTING DRIVE ON THE SOUTH SIDE OF SITE WILL BE MAINTAINED AND REBUILT BY BALTIMORE COUNTY WITH A 25' WIDE ENTRANCE BACK TO THE NEW RIGHT OF WAY LINE OF PHILADELPHIA ROAD, TAPERED INTO A 10' WIDE MACADAM DRIVE. A NEW 10' WIDE DRIVEWAY WITH A NEW 25' WIDE ENTRANCE WILL BE CONSTRUCTED BY BALTIMORE COUNTY ON THE NORTH SIDE OF THE SITE. THE NEW DRIVEWAY ON THE SOUTH SIDE OF THE SITE WILL SERVE AS INGRESS, AND THE NEW DRIVEWAY ON THE NORTH SIDE OF SITE WILL SERVE AS EGRESS.



VICINITY MAP

1"=1000'

Density Calculations

GROSS AREA OF SITE: 20,000 S.F. or 0.459 Ac.
HIGHWAY WIDENING: 1,000 S.F. or 0.023 Ac.
NET AREA OF SITE: 19,000 S.F. or 0.436 Ac.
AREA OF RESIDENTIAL USE: 6,375 S.F. or 0.146 Ac.
AREA OF COMMERCIAL USE: 12,625 S.F. or 0.290 Ac.
FLOOR AREA RATIO - COMMERCIAL USE
2035 A.T.S. x 3.3 per 1000 S.F. = 0.16
PARKING SPACES REQUIRED - COMMERCIAL USE
2035 A.T.S. x 3.3 per 1000 S.F. = 3.9 or 4 spaces
PARKING SPACES PROVIDED - COMMERCIAL USE
4 SPACES (2 SERVICE BAYS ARE TO BE USED)

94-481-XA

- A VARIANCE IS REQUESTED FROM SECTION 255.1 TO ALLOW AN 18' SIDEYARD SETBACK IN LIEU OF THE REQUIRED 30' FOR THE EXISTING 1 STORY CONCRETE GARAGE.
- A VARIANCE IS REQUESTED FROM SECTION 255.1 TO ALLOW A 15' FRONT YARD SETBACK IN LIEU OF THE REQUIRED 30' FOR THE EXISTING 1 STORY CONCRETE GARAGE.
- A VARIANCE IS REQUESTED FROM SECTION 1802.3 (C)1 TO ALLOW A 15' REAR YARD SETBACK IN LIEU OF THE REQUIRED 30' FOR THE EXISTING 2 1/2 STORY DWELLING.
- A SPECIAL EXCEPTION IS REQUESTED TO ALLOW A SERVICE GARAGE USE IN AN M.L.-1M. ZONE.

A.T. CALCULATIONS:
PX & PROP. GARAGE - 2035 A.T.S.
2035 A.T.S. x 2.4 per 1000 S.F. = 4.9 or 5
EX. DWELLING - #10105
12.5 trips per unit
12.5 x 5 = 17.5 or 18.

PLAT TO ACCOMPANY ZONING VARIANCE PETITION & SPECIAL EXCEPTION

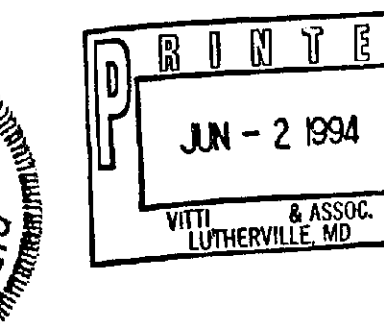
"ELLIS PROPERTY"
#10105 PHILADELPHIA ROAD

SCALE: 1"=20'
15th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT
WATER DESIGNATION - W-3
WATERSHED - WHITE MARSH

MAY 9, 1994
BALTIMORE COUNTY, MD.
CENSUS TRACT 41302
SEWER DESIGNATION - S-3
SUBWATERSHED - WHITE MARSH

Z.A.D.M. FILE #XV-633

#465



I, FREDERICK C. ELLIS, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

Frederick C. Ellis
FREDERICK C. ELLIS
5/9/94
DATE

THIS PLAN IS ACCURATE AND HAS BEEN PREPARED IN COMPLIANCE WITH THE DEVELOPMENT REGULATIONS OF BALTIMORE COUNTY, MARYLAND.

Anthony J. Yitti
ANTHONY J. YITTI, L.S. #10751
5/9/94
DATE