

IN RE: PETITION FOR VARIANCE
SE/S Philadelphia Road, 1,080' SE of
its intersection w/Cowenton Avenue
(10701 Philadelphia Road)
11th Election District
6th Councilmanic District

J. Gibson McIlvain Co.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-021-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, J. Gibson McIlvain Company, by J. Gibson McIlvain, III, through their attorney, Benjamin Bronstein, Esquire. The Petitioners seek relief from Section 255.1 (Sections 238.1, 238.2 and 102.2) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a separation between principal structures of less than 30 feet in lieu of the required 60 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held in this case were James Burley, Foreman, for the J. Gibson McIlvain Company, owners of the subject property, and Frederick Thompson, Professional Engineer who prepared the site plan for this property. The Petitioners were represented by Benjamin Bronstein, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is approximately 15.08 acres in area, zoned M.L., and is located on the southeast side of Philadelphia Road, not far from its intersection with Ebenezer Road in White Marsh. As shown on the site plan, the property is improved with a series of buildings used in conjunction with a lumber business. The J. Gibson McIlvain Company is a lumber mill establishment which has been in existence for over 200 years. Testimony indicated that the lumber yard has been at the subject location for approximately 20 years. Lumber is shipped to the property, dried and processed in a number of kilns on site, then cut

ORDER RECEIVED FOR FILING

Date

By

to specification and sold. The site plan depicts the numerous buildings located throughout the site which are used in connection with this operation.

The Petitioners propose to construct a one-story shed in the middle of the site. The proposed shed will have a roof and two end walls and will be used to accommodate the storage of lumber products. However, due to the location of other buildings on the site, this shed will be located as close as 30 feet to another building. Thus, a variance is necessary. There are no residential properties in the immediate vicinity of the subject site, and the area at large is commercial/manufacturing in character. As noted above, the property is zoned for light manufacturing.

Based on the testimony and evidence offered, I am persuaded to grant the variance. The variance at issue here is clearly internal in nature in that there is no relief requested from any property line, only for a reduced distance between buildings. I am satisfied that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. for relief to be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of September, 1999 that the Petition for Variance seeking relief from Section 255.1 (Sections 238.1, 238.2 and 102.2) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a separation between principal structures of less than 30 feet in lieu of the required 60 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

September 16, 1999

Benjamin Bronstein, Esquire
George & Bronstein
29 West Susquehanna Avenue, Suite 205
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
SE/S Philadelphia Road, 1,080' SE of Cowenton Avenue
(10701 Philadelphia Road)
11th Election District - 6th Councilmanic District
J. Gibson McIlvain Company - Petitioners
Case No. 00-021-A

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been 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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. J. Gibson McIlvain, III
10701 Philadelphia Road, White Marsh, Md. 21162
Mr. Fred Thompson
429 East Lake Avenue/Baltimore, Md. 21212
People's Counsel; Case/File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10701 Philadelphia Road

which is presently zoned ML

This Petition shall be filed with the Department of Permits and 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)

less

255.1 (238.1, 238.2 and 102.2) BCZR to permit a separation between principal structures as ~~less~~ as 30 feet in lieu of the required 60 feet

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. Topograph of the site.
2. Configuration of the site.
3. And such other and further reasons as may be demonstrated at the time of hearing.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Benjamin Bronstein

Name - Type or Print

Signature

George & Bronstein, LLP

Company

29 West Susquehanna Avenue, Suite 205

410-296-0200

Address

Telephone No.

Towson

Maryland

21204

City

State

Zip Code

Legal Owner(s):

J. Gibson McIlvain Co.

Name - Type or Print

Signature

Name - Type or Print

Signature

10701 Philadelphia Road

410-335-9600

Address

Telephone No.

White Marsh

Maryland

21162

City

State

Zip Code

Representative to be Contacted:

Fred Thompson, P.E. Gower Thompson, Inc.

Name

429 East Lake Avenue

410-532-0101

Address

Telephone No.

Baltimore

Maryland

21212

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

SM

00-21-A

ORDER RECEIVED FOR FILING

Case No.

RECEIVED 9/15/98

Date

By

ZONING DESCRIPTION
10701 PHILADELPHIA ROAD

BEGINNING AT A POINT ON THE SOUTHEAST SIDE OF PHILADELPHIA ROAD LOCATED 1080 FEET SOUTHEAST ALONG THE RIGHT OF WAY LINE OF PHILADELPHIA ROAD FROM THE INTERSECTION OF PHILADELPHIA ROAD AND COWENTON AVENUE. THENCE EXTENDING ALONG THE SOUTHEAST RIGHT OF WAY LINE OF PHILADELPHIA ROAD FOR THE FOLLOWING 6 COURSES AND DISTANCES:

1. SOUTH 38 DEGREES 42 MINUTES 30 SECONDS WEST, 89.76 FEET;
2. SOUTH 44 DEGREES 00 MINUTES 40 SECONDS WEST, 142.89 FEET;
3. SOUTH 42 DEGREES 40 MINUTES 10 SECONDS WEST, 52.25 FEET;
4. SOUTH 50 DEGREES 25 MINUTES 10 SECONDS WEST, 86.24 FEET;
5. SOUTH 50 DEGREES 25 MINUTES 10 SECONDS WEST, 183.54 FEET;
6. SOUTH 56 DEGREES 55 MINUTES 00 SECONDS WEST, 96.71 FEET.

THENCE EXTENDING THE FOLLOWING 6 COURSES AND DISTANCES TO THE PLACE OF BEGINNING:

1. SOUTH 56 DEGREES 40 MINUTES 00 SECONDS EAST, 210.81 FEET;
2. SOUTH 52 DEGREES 38 MINUTES 50 SECONDS EAST, 732.54 FEET;
3. NORTH 37 DEGREES 21 MINUTES 10 SECONDS EAST, 255.13 FEET;
4. NORTH 37 DEGREES 21 MINUTES 10 SECONDS EAST, 430.00 FEET;
5. NORTH 52 DEGREES 38 MINUTES 50 SECONDS WEST, 566.00 FEET;
6. NORTH 64 DEGREES 11 MINUTES 50 SECONDS WEST, 366.18 FEET.

BEING OWNED BY J. GIBSON MCILVAIN CO. AND RECORDED IN LIBER 5053 FOLIO 166

CONTAINING 15.08 ACRES MORE OR LESS.

ALSO KNOWN AS 10701 PHILADELPHIA ROAD AND LOCATED IN THE 11TH ELECTION DISTRICT.



SDA
00-21-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 170507

DATE 7-16-99 ACCOUNT R-001-GISC.

AMOUNT \$ 250.00

RECEIVED FROM: GSC & SNESTER (F&S GSC)

FOR: COMMERCIAL DR. 250.00
ETC

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
0071A

PAID RECEIPT

PROCESS ACTUAL TIME
7/19/1999 7/16/1999 15:21:31
REB 4804 CASHIER JIKR JIK DROMER 5
DEPT 5 528 ZONING VERIFICATION
Receipt # 080499
CR NO. 070507

Receipt Tot 250.00
250.00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE 00-021-A
PETITIONER/DEVELOPER:
[J. Gibson McLlvain Co.]
DATE OF Hearing
[Sept. 8 1999]

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
10701 Philadelphia Road Baltimore, Maryland 21162_____

The sign(s) were posted on _____ 8-24-99 _____
[Month, Day, Year]

Sincerely,

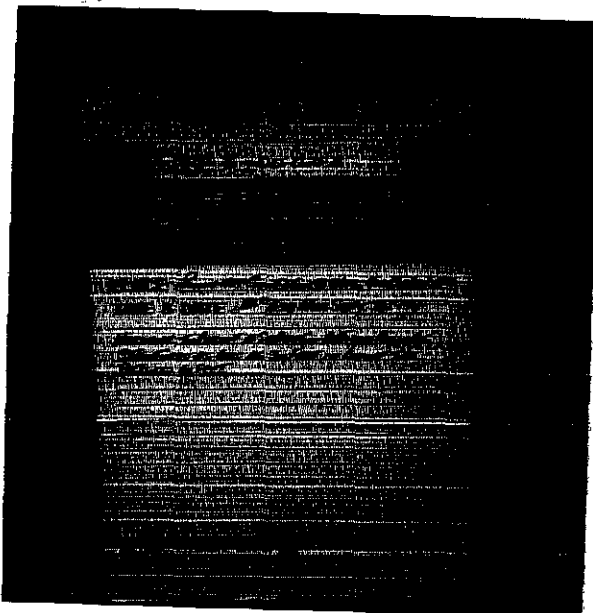

[Signature of Sign Poster & Date]

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
[Telephone Number]



BALTIMORE COUNTY, MARY
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

VD

No. 070507

DATE

7-16-99

ACCOUNT

R-001-G150

AMOUNT

\$ 250

GA

RECEIVED
FROM:

George & Shuster (For 5635011)

FOR:

Communicate Inc.

\$ 250

total

PAID RECEIPT

PROCESS ACTUAL

1 PM

7/19/1999 7/16/1999 15:21:34

REG 0604 CASHIER JAR JLK DRAWER 5

DEPT 5 528 ZONING VERIFICATION

Receipt # 080699

OPEN

CR NO. 070507

Receipt Tot

250.00

250.00

OK

.00 PA

Baltimore County, Maryland

RE: PETITION FOR VARIANCE
10701 Philadelphia Road, S/S Philadelphia Rd.,
1080' SE of Cowenton Ave.
11th Election District, 6th Councilmanic

Legal Owner: J. Gibson McIlvain Co.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-21-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's 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.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of August, 1999 a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esq., George & Bronstein, 29 W. Susquehanna Avenue, Suite 205, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN

**NOTICE OF ZONING
HEARING**

The Zoning Commission of Baltimore County, Maryland, of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #00-021-A
10701 Philadelphia Road
S/S Philadelphia Road, 1080'
SE of Cowenton Avenue
11th Election District
6th Councilmanic District
Legal Owner: J. Gibson
McKain Co.

Variance: to permit a separation between principal structures as less as 30 feet in lieu of the required 60 feet.

Hearing: Wednesday, September 8, 1999 at 10:00 a.m., in Room 407, County Courts Bldg., 401 Bonley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations, please contact the Zoning Commissioner's Office at 410-887-4386.

(2) For information concerning the File and/or Hearing, contact the Zoning Review Office at 410-887-3391.

JTU/8/24 Aug. 24 C334144

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/26, 1999

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 Tues. 8/24, 1999.

THE JEFFERSONIAN,

S. McKain Sr.

LEGAL ADVERTISING



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 11, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-021-A
10701 Philadelphia Road
S/S Philadelphia Road, 1080' SE of Cowenton Avenue
11th Election District – 6th Councilmanic District
Legal Owner: J. Gibson McIlvain Co.

Variance to permit a separation between principal structures as less as 30 feet in lieu of the required 60 feet.

HEARING: Wednesday, September 8, 1999 at 10:00 am. In Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, reading "Arnold Jablon" with a stylized flourish at the end.

Arnold Jablon
Director

c: Benjamin Bronstein, Esquire, 29 W. Susquehanna Ave., Suite 205, Towson 21204
J. Gibson McIlvain Co., 10701 Philadelphia Road, White Marsh 21162
Fred Thompson, 429 East Lake Avenue, Baltimore 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 24, 1999.**
(2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
(3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**



TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 24, 1999 Issue – Jeffersonian

Please forward billing to:

Mr. Benjamin Bronstein	410-296-0200
Law Offices Susquehanna Bldg.	410-296-3719 (fax)
Suite 205	
29 W. Susquehanna Ave.	
Towson, MD 21204	

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-021-A
10701 Philadelphia Road
S/S Philadelphia Road, 1080' SE of Cowenton Avenue
11th Election District – 6th Councilmanic District
Legal Owner: J. Gibson McIlvain Co.

Variance to permit a separation between principal structures as less as 30 feet in lieu of the required 60 feet.

HEARING: Wednesday, September 8, 1999 at 10:00 am. In Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-21-A.
Petitioner: S. GIBSON McILLOAN Co.
Address or Location: 10701 PENNSYLVANIA RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. BENJAMIN BROWNSTEIN
Address: LAW OFFICES, SUSQUEHANNA BLDG. SUITE 205,
29 W. SUSQUEHANNA AVE., TOWSON, MD. 21204.
Telephone Number: 410-296-0200; FAX: 410-296-3719.



Baltimore County
Department of Permits and
Development Management

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

September 3, 1999

Benjamin Bronstein, Esq.
George & Bronstein, LLP
29 West Susquehanna Avenue, Suite 205
Towson, MD 21204

Dear Mr. Bronstein:

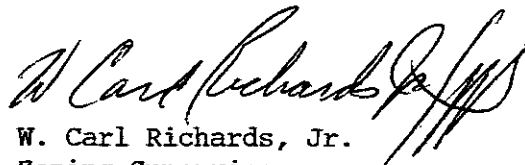
RE: Case No.: 00-21-A, Petitioner: J. Gibson McIlvain, Co.,
Location: 10701 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on July 16, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

c: Fred Thompson, P.E., 429 East Lake Ave., Balto., MD 21212

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

August 26, 1999

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

RE: Property Owner: SEE BELOW.

Location: DISTRIBUTION MEETING OF AUGUST 9, 1999

Item No.: 018, 020, 021 AND 037 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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. HERB TAYLOR

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: August 16, 1999

FROM: *fw* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for August 16, 1999
Item Nos. 016, 017, 018, 019, 020,
021, 022, 023, 024, 026, 028, 030,
031, 032, 033, 034, 035, 042, 043,
044

and

Case Number 99-200-SPHXA
1010 Eastern Avenue and
1017 Eastern Boulevard

Item #37 (commercial)
Radcliffe Shopping Center
1017 York Road

Item #38 (residential)
OXEYE ROAD - Greengate
2208 OXEYE ROAD

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZAC08169.NOC

for
9/13

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: August 13, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 10701 Philadelphia Road

INFORMATION:

Item Number: 021

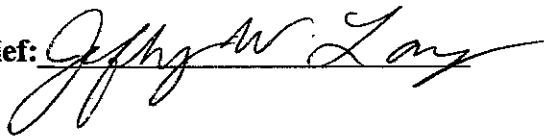
Petitioner: J. Gibson McIlvain Company

Zoning: ML

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the subject request, provided the petitioner paints or replaces the chain link fence along Philadelphia Road and improves the property with a landscaped buffer in front of the chain link fence along the street edge.

Section Chief: 
AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 8.10.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

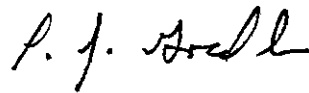
RE: Baltimore County
Item No. 021 JRA

Dear Ms. Stephens:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 7 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


/s/ Michael M. Lenhart, Chief
Engineering Access Permits Division

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

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

Case # 00-021A

NAME

ADDRESS

Ben Bernstein

FRED THOMPSON

JAMES J. BURLEY

29 W. Susquehanna Ave 21204

429 E. Lakes Ave 21212

10701 Phila Rd 21162



LAW OFFICES
GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

CONSTANCE K. PUTZEL
OF COUNSEL

July 14, 1999

Arnold Jablon, Director
Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: 10701 Philadelphia Road

Dear Mr. Jablon:

In reference to the above entitled property I am hereby enclosing the following:

1. Petition for Administrative Variance in triplicate;
2. Twelve (12) copies of the Plat to Accompany Petition for Variance (the Plat);
3. Three copies of the description under seal;
4. Copy of the 200 Scale Zoning Map; and
5. My check to cover costs.

The Plat was reviewed by John Alexander of your office. There are no violations.

Please enter my appearance on behalf of the Petitioner and advise me as to the hearing date.

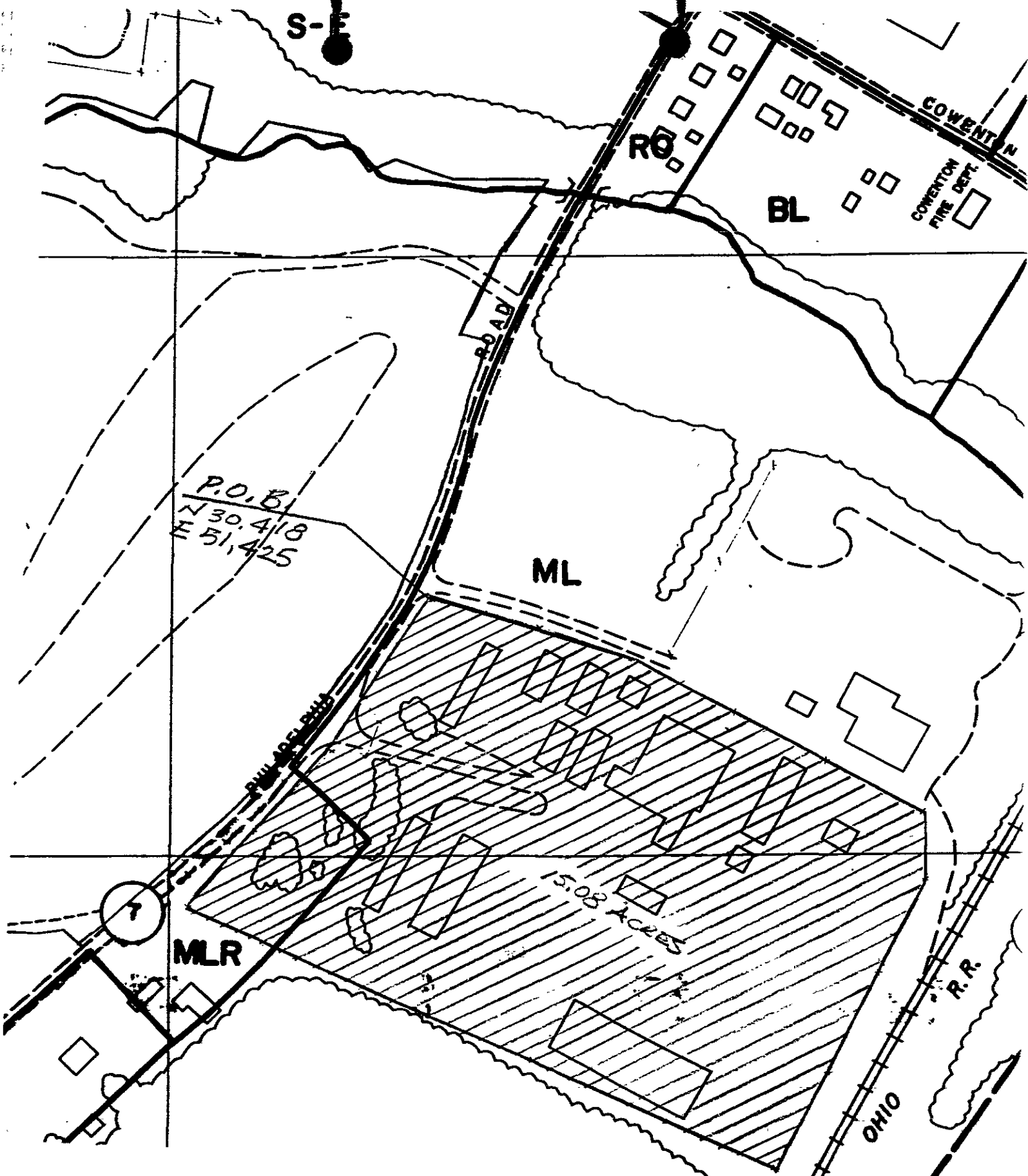
Very truly yours,

GEORGE & BRONSTEIN, LLP


Benjamin Bronstein

BB/mlh
Enclosures

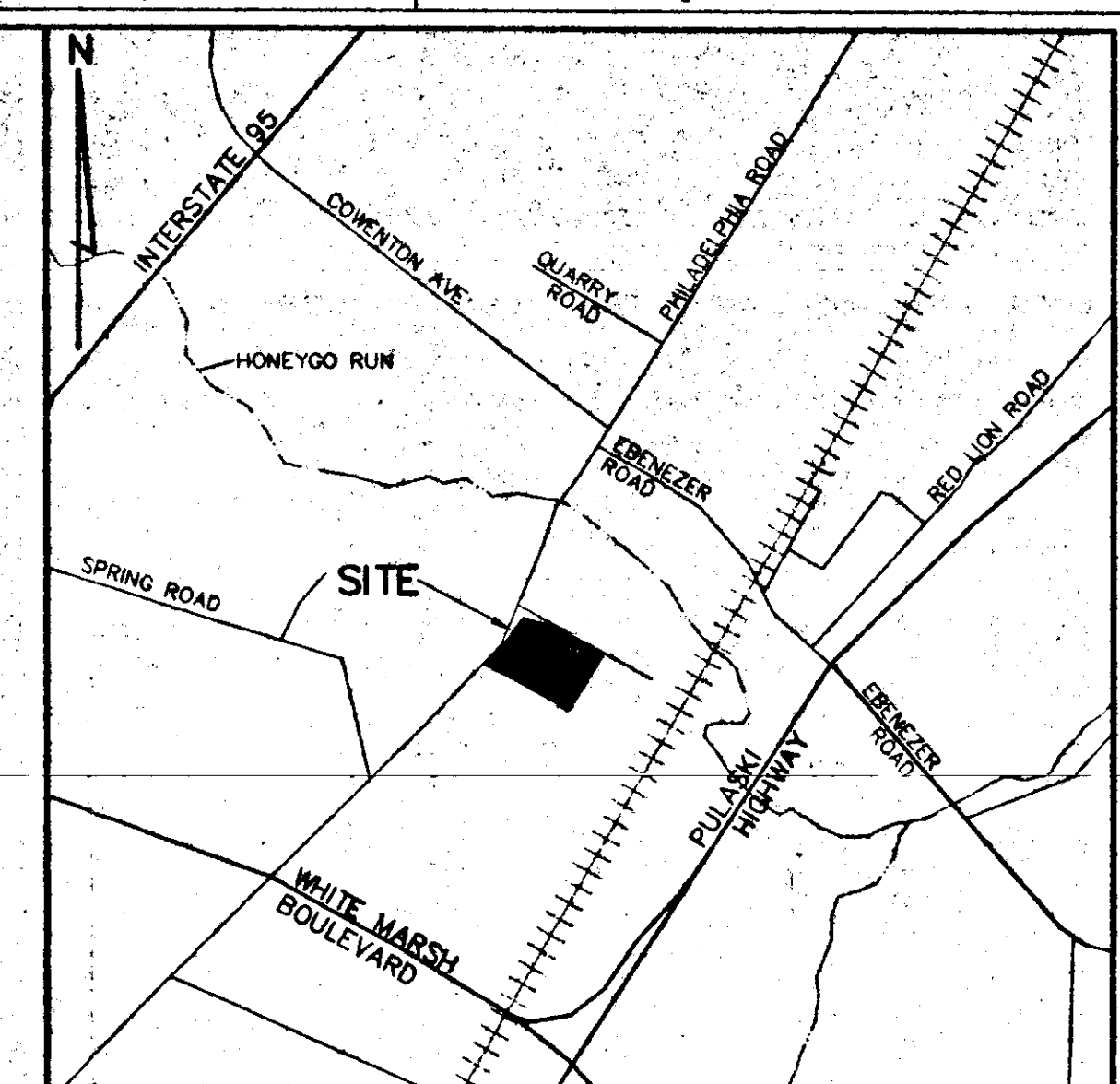
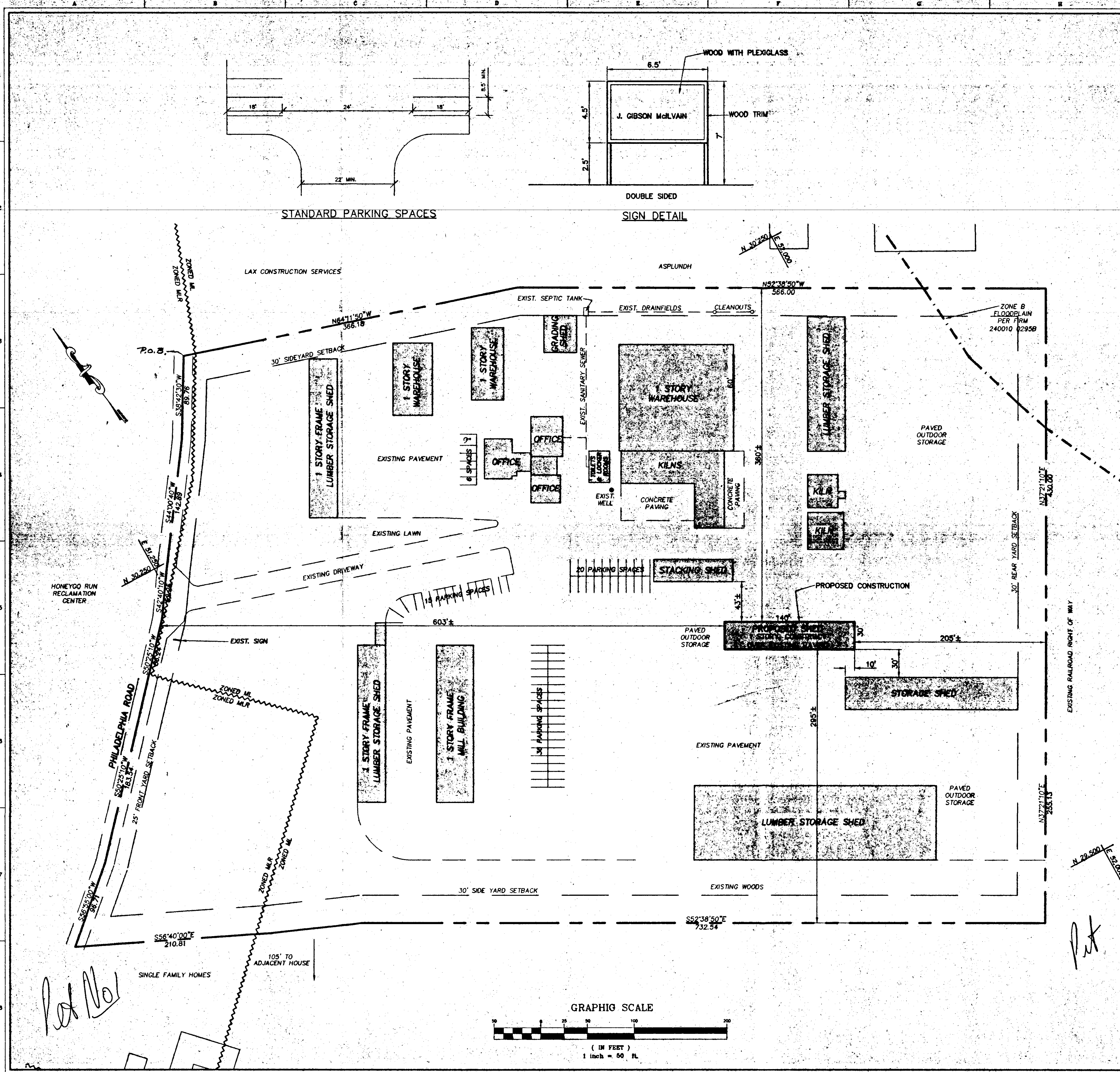
STH
00-21-A



MCILVAIN LUMBER

10701 PHILADELPHIA ROAD
PORTION OF 1996 COMPREHENSIVE ZONING MAP OF BALTIMORE COUNTY NE 8-1 COWENTON

5007
00-21-A



ELECTION DISTRICT 11 COUNCILMANIC DISTRICT 6

PARKING:
 REQUIRED: 6,820 SF @ 3.3/1,000 = 22.5
 OFFICE: 50 @ 1/EMPLOYEE = 50
 TOTAL REQUIRED = 73

PROVIDED: 77 SPACES

F.A.R.:
 PERMITTED: 2.0 PROPOSED: < 1.0

BUILDING HEIGHT:
 PERMITTED: 40' PROPOSED: 22' (EXISTING)

SETBACKS:

	FRONT	SIDE	REAR
PERMITTED	25'	30'	30'
PROPOSED	60'±	72'±	205'±

LAST COMMERCIAL PERMIT ON SITE: NO. B214890 (1994)

THERE ARE NO STREAMS, WETLANDS OR STORMWATER MANAGEMENT SYSTEMS ON THE SITE. AN AFFECTED PORTION OF THE SITE IS WITHIN A ZONE B FLOODPLAIN PER FIRM PANEL 0298B.

ZONING HISTORY

CASE NO. 90-387-A REQUEST FOR SETBACK VARIANCES BETWEEN AN OFFICE ADDITION AND EXISTING BUILDINGS (NOT RELATED TO THE PROPOSED IMPROVEMENTS OF THIS PLAN).

THEREFORE, IT IS ORDERED BY THE DEPUTY ZONING COMMISSIONER FOR BALTIMORE COUNTY THIS 17TH DAY OF APRIL, 1990 THAT THE PETITION FOR ZONING VARIANCE TO PERMIT A DISTANCE OF 54 FEET IN LIEU OF THE REQUIRED 60 FEET BETWEEN EXISTING BUILDING B AND A PROPOSED OFFICE ADDITION TO EXISTING BUILDING E, A DISTANCE OF 42 FEET IN LIEU OF THE REQUIRED 60 FEET BETWEEN EXISTING BUILDING C AND A PROPOSED OFFICE ADDITION TO EXISTING BUILDING E, A DISTANCE OF 38 FEET IN LIEU OF THE REQUIRED 60 FEET BETWEEN EXISTING BUILDINGS C AND E, A DISTANCE BETWEEN EXISTING BUILDING D AND THE WAREHOUSE OF 48 FEET IN LIEU OF THE REQUIRED 60 FEET, A DISTANCE BETWEEN THE EXISTING TOILETS AND EXISTING OFFICE SPACE OF 38 FEET IN LIEU OF THE REQUIRED 60 FEET, A DISTANCE BETWEEN EXISTING BUILDINGS B AND C OF 42 FEET IN LIEU OF THE REQUIRED 60 FEET, A DISTANCE BETWEEN EXISTING BUILDINGS C AND D OF 40 FEET IN LIEU OF THE REQUIRED 60 FEET, AND A DISTANCE BETWEEN BUILDINGS G AND H OF 25 FEET IN LIEU OF THE REQUIRED 60 FEET, IN ACCORDANCE WITH PETITIONER'S EXHIBIT 1, BE AND IS HEREBY GRANTED.

OWNER: J. GIBSON McILVAIN CO.
 10701 PHILADELPHIA ROAD
 WHITE MARSH, MD 21162
 410-335-9800

TAX ACCOUNT NO.: 11-13-011386

DEED REFERENCE: 5063/106

AREA OF SITE: 15.08 ACRES (NET)
 15.28 ACRES (804,728 SF) (GROSS)

EXISTING USE: LUMBER MILL

PROPOSED USE: ONE ADDITIONAL STORAGE SHED AREA TO BE CONSTRUCTED OVER EXISTING PAVING PLUS MAINTENANCE OF EXISTING USES.

ZONING: ML (ZONING MAP N.E. 4-C)

ORC NO. 03238J (TABLED PENDING ZONING HEARING)

SITE AREA DISTURBANCE AS A RESULT OF THIS WORK IS LIMITED TO THAT NEEDED FOR FOUNDATION CONSTRUCTION ONLY AND IS LESS THAN 5,000 SF

THERE WILL BE NO CHANGE IN HARD SURFACE AREA AS A RESULT OF THE PROPOSED CONSTRUCTION

REVISIONS		COMMENTS	
NO.	DATE		

GT

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PROJECT TITLE: BUILDING ADDITION & NEW STORAGE SHED

PROJECT NO.: Mvllvain

DATE: 7/7/99

DRAWING NO.: C-1

SHEET: 1 OF 1