

IN RE: PETITION FOR VARIANCE
SE/S Southwestern Boulevard,
180' SW c/l Leeds Avenue
13th Election District
1st Councilmanic District
(4103 Southwestern Boulevard)

Timothy Moran & Terry Geyer
Legal Owners/Petitioners
and
John Tibbo
Contract Purchaser

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-298-A
*
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Timothy Moran and Terry Geyer and the contract purchaser, Mr. John Tibbo. The variance request is for property located at 4103 Southwestern Boulevard, which property is zoned ML-IM. The subject property is located in the Arbutus area of Baltimore County. The variance request is from Section 255.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 2 ft. and 5 ft. in lieu of the required 30 ft. and a rear yard setback of 5 ft. in lieu of the required 30 ft.

Appearing at the hearing on behalf of the variance request were John Tibbo, the contract purchaser of the property, Patrick Malloy, and Joe Larson who prepared the site plan of the property. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request consists of 0.315 acres, more or less, zoned ML-IM. The subject property is improved with a 1 ½ story stone building located on the front of the site near Southwestern Boulevard. The Petitioners are desirous of constructing a warehouse building on the rear of the property as shown on the site plan submitted. In order to construct the building as shown, the variance

ORDER RECEIVED FOR FILING

Date 2/29/2000

By R. J. J. J.

request is necessary. Testimony further indicated that Mr. Tibbo has been in the remodeling business for the past 30 years. He is interested in purchasing the subject property, locating his offices within the 1 ½ story stone building along Southwestern Boulevard, and using the building to be constructed in the rear for storage purposes. His business is a family business which one day will be turned over to his son who was also in attendance at the hearing. He would like to keep his business in the Arbutus area and the property that is the subject of this request is ideal for his purposes.

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

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

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

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel.

CASE FILED FOR FILING
DATE 2/22/2000
BY R. J. G. J. G.

In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 29th day of February, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 255.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 2 ft. and 5 ft. in lieu of the required 30 ft. and a rear yard setback of 5 ft. in lieu of the required 30 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall be required to submit a lighting and landscape plan to Avery Harden, the Baltimore County Landscape Architect, for his review and approval.
3. When applying for a building permit, the site plan/lighting plan/landscape plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

RECEIVED FOR FILING
DATE 2/29/2000
BY R. Jameson



Baltimore County
Zoning Commissioner

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

February 29, 2000

Mr. Timothy G. Moran
Mr. Terry L. Geyer
4103 Southwestern Boulevard
Baltimore, Maryland 21229-5426

Re: Petition for Variance
Case No. 00-298-A
Property: 4103 Southwestern Boulevard

Dear Messrs. Moran & Geyer:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

C: Mr. John Tibbo
5909 Edmondson Avenue
Catonsville, Maryland 21228

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



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4103 Southwestern Blvd.

which is presently zoned ML-IM

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) 255.1 (238.2) to permit sideyard setbacks of 2' and 5' in lieu of the required 30' and a rear yard setback of 5' in lieu of the required 30'.

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

Reasoning for the Variance request and also the supporting evidentiary material will be provided at the Zoning 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:

Mr. John Tibbo

Name - Type or Print

Signature

5909 Edmondson Ave. 410-747-5200

Address

Catonsville, MD

Telephone No.

21228

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 00-298-A

REC 9/15/98

Legal Owner(s):

Timothy G. Moran

Name - Type or Print

Signature

Terry L. Geyer

Name - Type or Print

Signature

4103 Southwestern Blvd. 410-247-1221

Address

Baltimore, MD

21229-5426

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Joseph Larson

Name

105 W. Chesapeake Ave.

410-823-3535

Address

Towson,

MD

21204

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

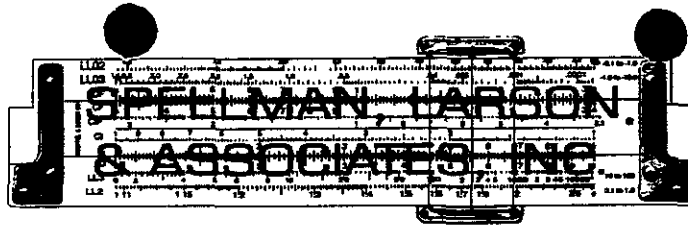
ESTIMATED LENGTH OF HEARING 1 1/2 hrs

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date 1-19-00

COPIES RECEIVED FOR FILING



ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

SUITE 408 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / (410) 823-3539--
FAX (410) 825-5215

Description for Zoning
No. 4103 Southwestern Boulevard,
13th District, Baltimore County, Maryland.

Beginning for the same at a point on the southeast side of Southwestern Boulevard (US Route No. 1), 145 feet wide, said point being at the distance of 180 feet, more or less, measured southwesterly along the southeast side of Southwestern Boulevard from the center line of Leeds Avenue running thence and binding on the southeast side of Southwestern Boulevard, 145 feet wide, south 27 degrees 59 minutes 35 seconds west 71.42 feet thence leaving the southeast side of Southwestern Boulevard and running south 46 degrees 33 minutes 09 seconds east 197.01 feet north 31 degrees 38 minutes 56 seconds east 70.32 feet and north 46 degrees 33 minutes 09 seconds west 201.66 feet to the place of beginning.

Containing 0.315 acres of land, more or less.

298

12/29/99



**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

#00-298-A No.

067905

DATE 1-19-00 ACCOUNT R-001-6450

AMOUNT \$ 250.00

RECEIVED FROM: T & T Home Services, Inc.

FOR: Commercial Vehicle Filing Fee
@ 4103 Southwestern Blvd.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY LOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
1/19/2000 1/19/2000 10:36:35
DEPT 506 CASHIER KAREN KIM DRAFTER
DEPT 508 ZIMING VERIFICATION
Receipt # 102218
CR NO. 067905

Receipt for 250.00
250.00 CR
Baltimore County, Maryland
CP

CASHIER'S VALIDATION

✓
See Page 5

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: #00-298-A
4103 Southwestern Boulevard
SE/S Southwestern Boulevard, 160' SW
of Gentlemen Lane Avenue
13th Election District - 1st Councilmanic District
Legal Owner(s): Terry L. Geyer & Timothy G. Moran
Contract Purchaser: John Tibbo

Variance: to permit side yard setbacks of 2 feet and 5 feet in lieu of the required 30 feet and to permit a rear yard setback of 5 feet in lieu of the required 30 feet.

Hearing: Friday, February 25, 2000 at 8:00 a.m. in Room 100, County Office Building, 111 West Chesapeake 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) 887-4388.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3381.

2/20/00 February 10 C36892Z

CERTIFICATE OF PUBLICATION

TOWSON, MD, 2/11, 2000

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 2/10, 2000.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 00-298-A
Petitioner/Developer: LARSON, ETAL
% SPELLMAN-LARSON
Date of Hearing/Closing: 2/25/00

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 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 #4103 SOUTHWESTERN BLVD.

The sign(s) were posted on

2/9/2000
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 2/10/2000
(Signature of Sign Poster and Date)

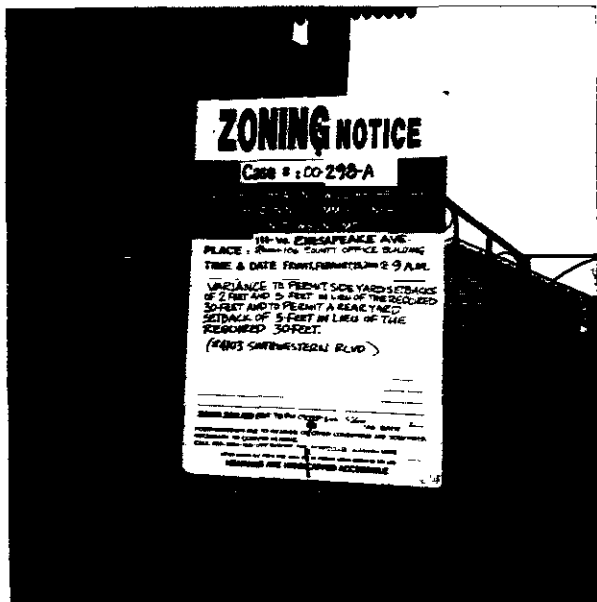
PATRICK M. O'KEEFE
(Printed Name)

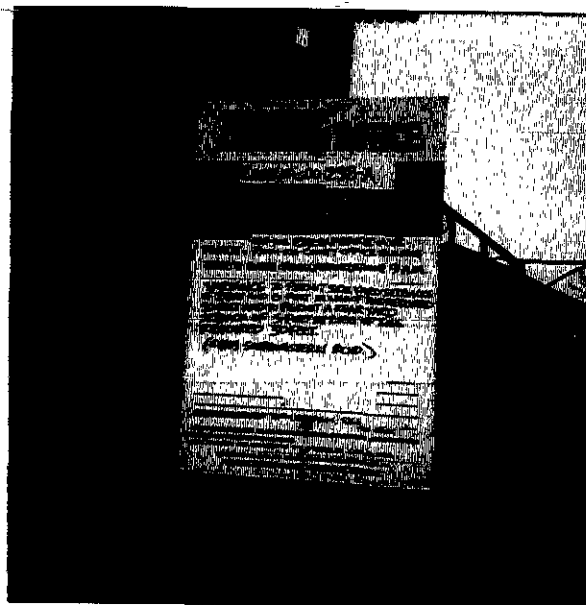
523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

To	it [®] Fax Note	7671	Date	# of pages
To	From			1
Co./Dept.	Co.			
Phone #	Phone #			
Fax #	Fax #			





CERTIFICATE OF POSTING

RE Case No 00-298-A
Petitioner/Developer JOHN TIBBO, ETAL
% JOS. LARSON.
Date of Hearing/Closing 2/25/00
AT 9 AM

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 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 # 4103 - SOUTHWESTERN
BLVD

The sign(s) were posted on 2/9/00
(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 2/9/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)

ZONING NOTICE

Case # : 00-298-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

111-W. CHESAPEAKE AVE.
PLACE : ROOM-106-COUNTY OFFICE BUILDING
TIME & DATE : FRIDAY, FEBRUARY, 25, 2000 @ 9 A.M.

VARIANCE TO PERMIT SIDE YARD SETBACKS
OF 2- FEET AND 5- FEET IN LIEU OF THE REQUIRED
30- FEET AND TO PERMIT A REAR YARD
SETBACK OF 5- FEET IN LIEU OF THE
REQUIRED 30 FEET.

(#4103 SOUTHWESTERN BLVD.)



ZONING NOTICE

Case # 100-298-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
ANTHONY J. TONSON, JR.

IN N. CHESAPEAKE AVE
PLACE Room 106 COUNTY OFFICE BUILDING
TIME & DATE FRIDAY FEBRUARY 20, 1964 @ 9 A.M.

VARIANCE TO PERMIT SIDE YARD SETBACKS
OF 2 FEET AND 5 FEET IN LIEU OF THE REQUIRED
30 FEET AND TO PERMIT A REAR YARD
SETBACK OF 5 FEET IN LIEU OF THE
REQUIRED 30 FEET.

(14103 SOUTHWESTERN BLVD.)

RE: PETITION FOR VARIANCE
4103 Southwestern Boulevard, SE/S Southwestern
Blvd, 180' SW of c/I Leeds Ave
13th Election District, 1st Councilmanic

Legal Owner: Timothy G. Moran and Terry L. Geyer
Contract Purchaser: John Tibbo
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-298-A

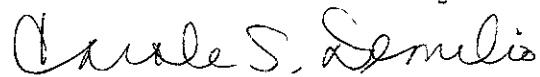
* * * * *

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 7th day of February, 2000 a copy of the foregoing Entry of Appearance was mailed to Joseph L. Larson, Spellman, Larson & Assoc., Inc., 105 W. Chesapeake Avenue, Towson, MD 21204, representative for Petitioners.



PETER MAX ZIMMERMAN



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

January 31, 2000

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: 00-298-A
4103 Southwestern Boulevard
SE/S Southwestern Boulevard, 180' SW of centerline Leeds Avenue
13th Election District – 1st Councilmanic District
Legal Owner: Terry L. Geyer & Timothy G. Moran
Contract Purchaser: John Tibbo

Variance to permit side yard setbacks of 2 feet and 5 feet in lieu of the required 30 feet and to permit a rear yard setback of 5 feet in lieu of the required 30 feet.

HEARING: Friday, February 25, 2000 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a date "2/1" written below it.

Arnold Jablon
Director

c: Terry Geyer & Timothy Moran, 4103 Southwestern Blvd., Baltimore 21229-5426
John Tibbo, 5909 Edmondson Avenue, Catonsville 21228
Joseph Larson, 105 W. Chesapeake Avenue, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FEBRUARY 10, 2000.**
(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
Thursday, February 10, 2000 Issue – Jeffersonian

Please forward billing to:

Terry L. Geyer 410-247-1221
Timothy G. Moran
4103 Southwestern Boulevard
Baltimore, MD 21229-5426

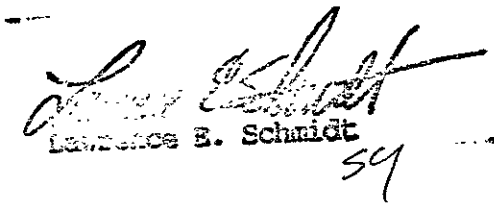
NOTICE OF ZONING HEARING

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: 00-298-A
4103 Southwestern Boulevard
SE/S Southwestern Boulevard, 180' SW of centerline Leeds Avenue
13th Election District – 1st Councilmanic District
Legal Owner: Terry L. Geyer & Timothy G. Moran
Contract Purchaser: John Tibbo

Variance to permit side yard setbacks of 2 feet and 5 feet in lieu of the required 30 feet and to permit a rear yard setback of 5 feet in lieu of the required 30 feet.

HEARING: Friday, February 25, 2000 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue



Lawrence E. Schmidt
sq

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.



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

February 17, 2000

Mr. Joseph Larson
105 W. Chesapeake Avenue
Towson MD 21204

Dear Mr. Larson:

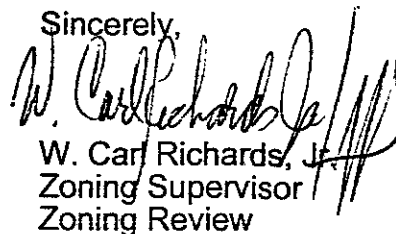
RE: Case Number 00-298-A , 4103 Southwestern Boulevard

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 19, 2000.

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, please do not hesitate to contact the commenting agency.

Sincerely,



W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



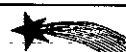
Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

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

DATE: February 4, 2000

FROM: Robert W. Bowling, Supervisor
 Bureau of Development Plans Review
 Department of Permits & Development
 Management

SUBJECT: Zoning Advisory Committee Meeting
 for February 7, 2000
 Item No. 298

 The Bureau of Development Plans Review has reviewed the subject
zoning item. No plan was submitted to this office.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

February 15, 2000

RECEIVED FEB 2 5 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JANUARY 31, 2000

Item No.: See Below

Dear Ms. Stephens:

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

296, 297, 298, 299, 300, 302, AND 304

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: February 9, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of January 31, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
296	10519 Marriottsville Road
297	8 Shad Court
298	4103 Southwestern Boulevard
299	55 Millstone Road
301	2010-2044 York Road
302	107 Forest Drive
304	Belfast Road

Jim
2/5

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 15, 2000

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

RECEIVED
FEB 16

SUBJECT:

INFORMATION: 4103 Southwestern Boulevard

Item Number: 298
Petitioner: Timothy Moran & Terry Geyer
Property Size: 13,721 sq.ft.
Zoning: ML-IM
Requested Action:
Hearing Date: February 25, 2000

The subject property is located within the Southwest Baltimore County Revitalization Strategy plan area. The purpose of the plan is to attract, expand and retain businesses.

This site is designated as an enterprise zone and an employment center.

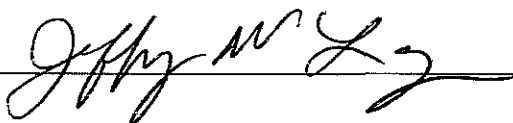
The proposal is to construct a 61' x 75' garage on the rear of the property, which will be used as storage for a remodeling contractor. The property is narrow in width, 60' wide, and contains an existing building on the front of the site. Therefore the proposal necessitates a variance from Section 255.1 (238.2) to permit a side yard of 2' and 5' in lieu of the required 30' and a rear yard of 5' in lieu of the required 30'.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends that landscape treatment should be provided along the Southwestern Boulevard frontage that is similar to the treatment shown on the landscape plan for the future adjacent car wash and EZ Storage warehouse known as 4001 Southwestern Boulevard. Lighting that impacts the public road should be included on the landscape plan.

These details should be shown on a landscape plan to be reviewed and approved by Avery Harden, County Landscape Architect.

Section Chief:



AFK:di



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 1.31.00

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

RE: Baltimore County
Item No. 298

JJS

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 1 & T. 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).

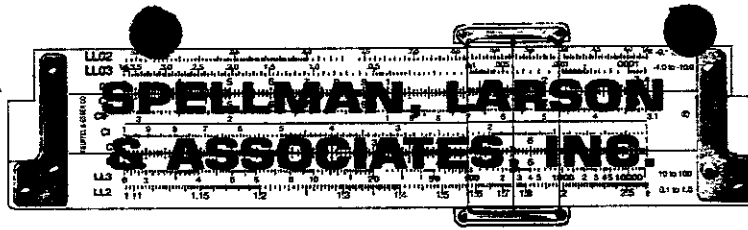
Very truly yours,

per Kenneth A. McDonald Jr., 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



ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / FAX (410) 825-5215

January 20, 2000

Mr. Carl Richards, Supervisor
Office of Zoning
Department of Permits & Dev. Mgmt.
Baltimore County

HAND DELIVERED

Re: 4103 Southwestern Blvd.
Case No. 00-298-A
Job No. 99094

Dear Carl:

I wish to herein make a very sincere request that consideration be afforded the above-captioned Case to assign an early Hearing date as expeditiously as practical.

I would appreciate your cooperation and indulgence in this matter since my client has very serious time constraints related to his settling on the subject property wherein the Zoning Hearing is paramount to this issue.

Whatever consideration you can provide would be greatly appreciated.

Very truly yours,
SPELLMAN, LARSON & ASSOC.

Joseph L. Larson
PRESIDENT

cc: John Tibbo

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JOSEPH LARSON

105 W. Chesapeake Ave 21204

PATRICK MANLY

3685 PARK AVE, GAITHERSBURG MD 21043

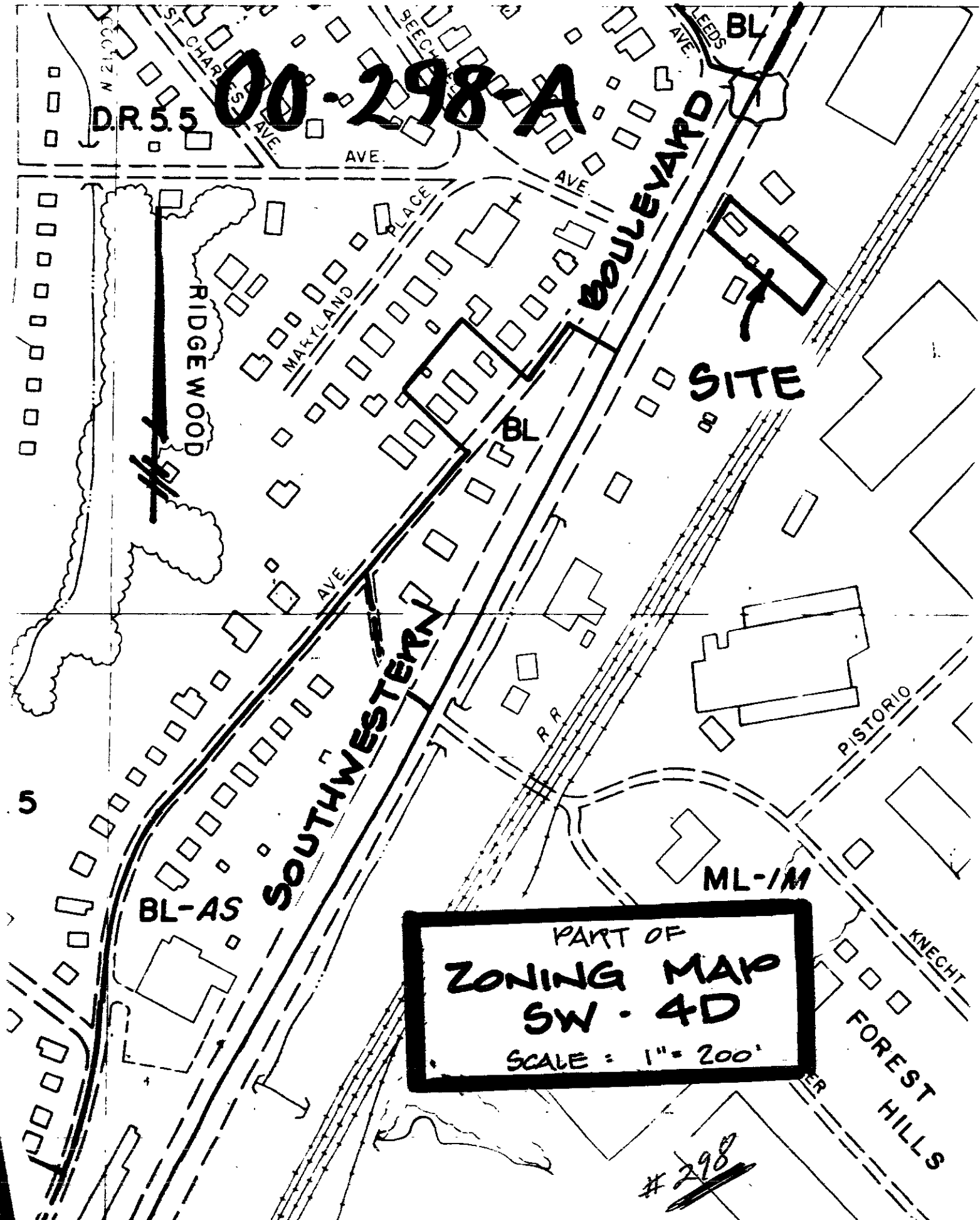
John m. Tibbo

5909 Edmondson Ave, 21228



D.R. 5.5

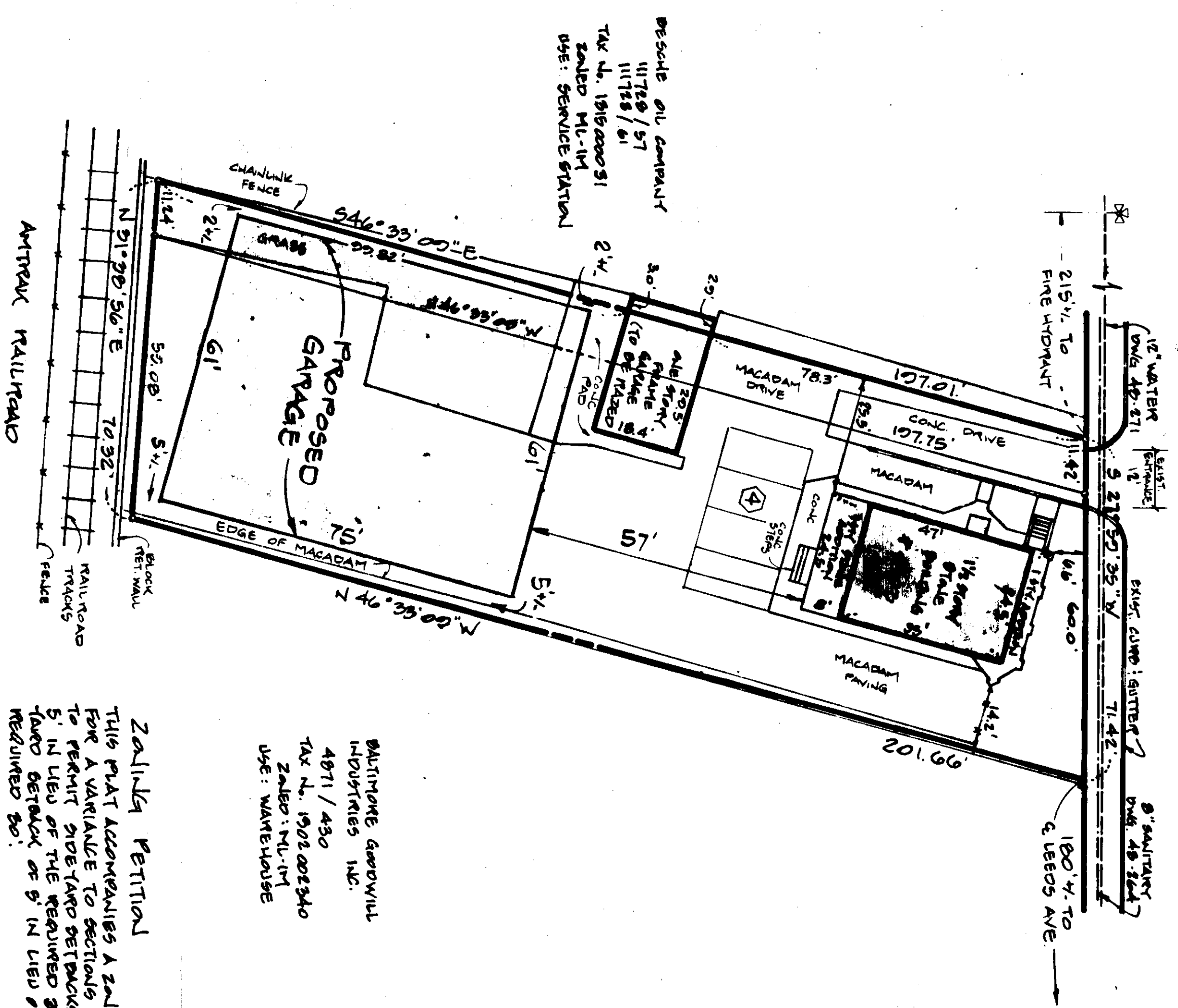
00-298-A



ZONED DR 55
ZONED ML-1M

SOUTHWESTERN BOULEVARD

US RTE 1 145' WIDE



BALTIMORE GARROWILL
INDUSTRIES INC.
4071 / 430
TAX N. 1902002340
ZONED: ML-1M
USE: WAREHOUSE

Zoning Petition
THIS PLAT ACCOMPANIES A ZONING PETITION
FOR A VARIANCE TO SECTION 255.1 (236.3)
TO PERMIT SIDEYARD SETBACKS OF 2' AND
5' IN LIEU OF THE REQUIRED 30' AND A REAR
YARD SETBACK OF 5' IN LIEU OF THE
REQUIRED 30'.

GENERAL NOTES

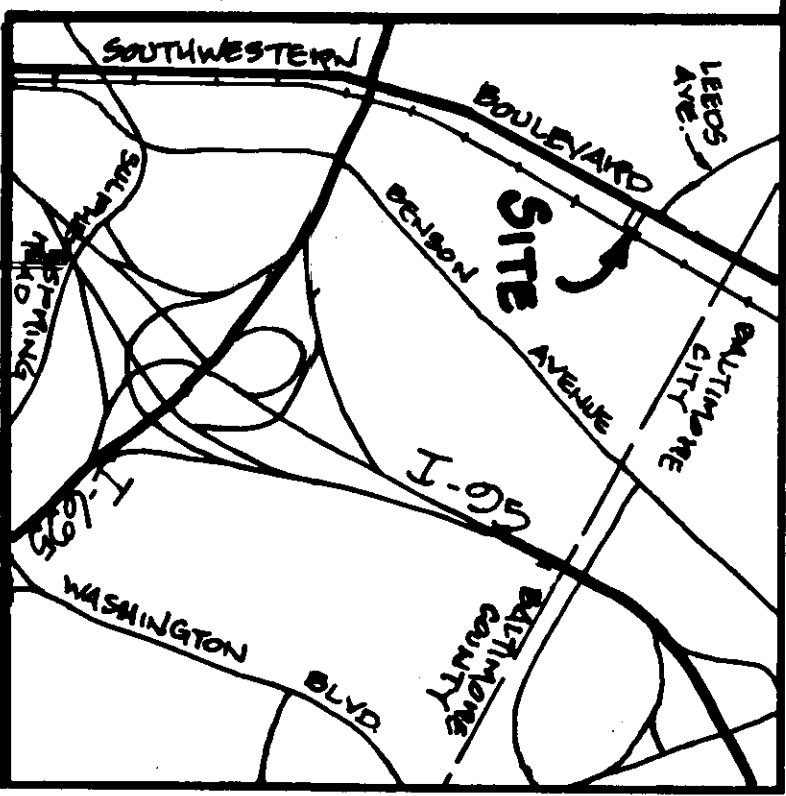
1. THE SUBJECT PROPERTY HAS NO ZONING CASE HISTORY.
2. THERE ARE NO STREAMS, WETLANDS, WELL OR SEPTIC AREAS ON OR WITHIN 100 FEET OF THE SITE.
3. THERE ARE NO PROPOSED SIGNS AT THIS TIME. ANY FUTURE SIGNS WILL COMPLY WITH THE SIGN REGULATIONS. EXISTING SIGNAGE WILL BE REMOVED.
4. ANY INCREASE IN (ADDITIONAL) OFFICE AREA (SEPARATE FOOTAGE) WILL REQUIRE A REVISED SITE PLAN WITH UPDATED PARKING CALCULATIONS SUBMITTED TO THE ZONING OFFICE.

PARKING TABULATION

EXIST. FLOOR - ADJACENT OFFICE USE	4 bps
1152 SF @ 33/1000 SF	
2ND FLOOR - STORAGE	0 bps
WALL REQUIRED	0 bps
PROP. GARAGE - STORAGE	0 bps
WALL REQUIRED	0 bps
TOTAL REQUIRED	4 bps
TOTAL PROVIDED	4 bps

FLOOR AREA RATIO - EXISTING

GRADE BUILDING FLOOR AREA: 2007 SF	
EXIST. GARAGE FLOOR AREA: 543 SF	
TOTAL EX. FLOOR AREA: 2550 SF	
EX. F.A.R. = 5552 ÷ 19,721 = 0.28	
FLOOR AREA RATIO - PROPOSED	
GRADE BUILDING FLOOR AREA: 2007 SF	
PROP. GARAGE FLOOR AREA: 4,575 SF	
PROP. FLOOR AREA: 6,584 SF	
PROP. F.A.R. = 6,584 ÷ 19,721 = 0.33	



VICINITY MAP
SCALE: 1" = 2,000'

SITE DATA

SITE AREA	0.315 AC +/- 19,721 SQ. FT.
VEED REFERENCE	6879 / 808
TAX ACCOUNT NOS	1902370121 1902370120
WATER SERVICE	EXIST. PUBLIC
SEWER SERVICE	EXIST. PUBLIC
COULUMINIC DIST.	
EXIST. ZONING	ML-1M
MAP SW 40	
EXISTING USE:	WAREHOUSING/STORAGE (NOT A CONTRACTOR'S EQUIPMENT STORAGE YARD)
PROPOSED USE:	

00-298-A1



PLAT TO ACCOMPANY
VARIANCE PETITION
#4103 SOUTHWESTERN
BOULEVARD

ELECT. DIST. NO. 19 BALTIMORE CO., MD
SCALE: 1" = 20' DATE: JAN 10, 2000
REMOVED 1/11/00 PER PLUMBING CONTRACTS

**SPELLMAN, LARSON
ASSOCIATES INC.**

CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON DRIVE, FOWSON, MD 21024
PHONE: 410-823-3935
FAX: 410-823-5215

Plat Ex #1