IN RE: PETITION FOR VARIANCE E/Side of Red Lion Road, 1,155' SE	*	BEFORE THE
Side of Proctor Road	*	ZONING COMMISSIONER
(11012 Red Lion Road) 11 th Election District 5 th Council District	*	OF
. Council District	*	BALTIMORE COUNTY
I.S.I. Properties, Inc. Petitioner	*	Case No. 07-416-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, I.S.I. Properties, Inc. (f/k/a Interior Specialties, Inc.), through its managing member, Dino Trombette. The Petitioner requests variance relief from Section 255.1 [Section 238] of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing building with a side yard setback (west side) of 9 feet to an internal property line and 17 feet from the tract boundary in lieu of the required 30 feet. The subject property and requested relief 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 in support of the request was Vincent Moskunas, on behalf of Site Rite Surveying, Inc., the consultants who prepared the site plan, (Petitioner's Exhibit 1) for this property. There were no Protestants or other interested persons present.

The subject property is approximately 1.08 acres in size and zoned M.L. and located in White Marsh. As more particularly shown on Petitioner's Exhibit 1, the property is irregularly shaped and narrows along the western boundary. It has 102 feet of frontage on Red Lion Road, then widens to 165 feet along the rear (northern) boundary. As noted above, it is owned by I.S.I

Date 6-18-07 FILING

Properties, Inc. and has previously been granted a limited exemption under Baltimore County Code (B.C.C.) Section 32-4-106(a)1(b)(i). See Petitioner's Exhibits 2 and 3, Building Permit No. B196016, DRC No. 06134E, evidencing that all necessary environmental, zoning and landscape requirements had been reviewed for a 80' x 42' storage/warehouse building located on the northern portion of the site.

Testimony and evidence presented revealed that, in addition to the warehouse, the property is improved with an existing 1-1/2 story frame dwelling known as 11012 Red Lion Road, which was built in 1945. The Petitioner proposes the construction of a 2-story addition, 18' x 32' on the eastern or internal side of this structure which will be used for office space. Development Review Committee considering the request (DRC No. 012907G) tabled their review pending resolution of the instant zoning petition filed in order to legitimize the existing conditions. The unique configuration and width of the property, unlike other lots in the area, justifies the requested setback variances for the existing residence. As noted above, the site narrows by some 63 feet along its western boundary (from rear to front) as it reaches Red Lion Road. The first variance of 9 feet is completely internal to the subject property and will not have any adverse impact.¹ The second variance as set forth above is for existing conditions and relates to the tract boundary. This side yard variance will not impact any adjoining lot owner as the structure in question has existed on the property where located for over 60 years. There were no adverse comments from any reviewing agency and no one voiced any objection to the proposal. Thus, I find that there will be no detriment to the health, safety or general welfare of

As to the request for a variance to the internal property line, the doctrine of zoning merger recognized in *Friends of the Ridge v. Baltimore Gas & Electric Co.*, 352 Md. 645 (1999) and *Remes v. Montgomery Co.*, 387 Md. 52 (2005) would indicate to this Zoning Commissioner that the very thin shaped parcel shown on the site plan as running between the tract boundary and the existing dwelling has been combined or consolidated by operation of law – and therefore merged for zoning purposes rendering this request moot.

the surrounding locale and that the relief requested should be granted.

After due consideration of all of the testimony and evidence presented, I am persuaded to grant the petition. I find that the Petitioners would suffer a practical difficulty and unreasonable hardship if strict compliance with the regulations were required. Moreover, there were no Protestants present, no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency, and the adjacent community property owner has no objection to the proposal. Thus, it appears that the relief requested should be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of June 2007 that the Petition for Variance seeking relief from Section 255.1 [Section 238] of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing building with a side yard setback (west side) of 9 feet to an internal property line and 17 feet from the tract boundary in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 1, be and the same is hereby GRANTED, subject to the following restriction:

1. <u>ADVISORY:</u> This Order approves the variances but does not address the proposed addition which is being reviewed by the Development Review Committee in its consideration and processing of Petitioner's B.C.Z.R. Section 32-4-106.A(ix) exemption request.

WJW:dlw

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

June 18, 2007

Mr. Vincent Moskunas Site Rite Surveying, Inc. 200 East Joppa Road, #101 Towson, Maryland 21286

RE: PETITION FOR VARIANCE

E/Side of Red Lion Road, 1,155' SE Side of Proctor Road (11012 Red Lion Road)

11th Election District - 5th Council District

I.S.I. Properties, Inc. - Petitioner

Case No. 07-416-A

Dear Mr. Moskunas:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with restrictions 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw Enclosure

c: Dino Trombette, I.S.I. Properties, Inc., P.O. Box 41, White Marsh, Md. 21162-0041 People's Counsel; Development Review Committee, DPDM; File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11012 RED LIONED

which is presently zoned ML

Legal Owner(s):

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 BCZR

TO PERMIT AN EXISTING BUILDING WITH A SIDE SETBACKS OF 9 FT & 17 FT IN LIEU OF THE REQUIRED 30 FT.

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

- 1. Deed traced back to November 16, 1962 has not changed.
- 2. Primary structure built in 1995 as a residential dwelling which meets zoning.
- 3. The owner now would like to convert existing building to general offices to support the existing storage building constructed in 1995 under DRC #06134E.

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.

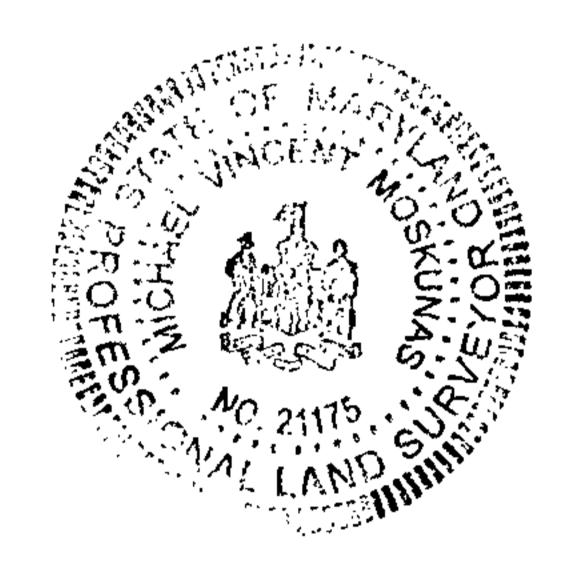
Contract Purchaser/Lessee:

, ,			T.S.L. PROPERTIES INC.
Name - Type or Print		Name	- Type or Print
Signature	<u></u>		Signature Dino Irom bette
Address	<u></u>	Telephone No.	Name - Type or Print
City	State	Zip Code	Signature P.O. BOX 41 P.D. 410 - 335-03
Attorney For Petition	<u>er:</u>	-	Address Telephone No
Name - Type or Print	<u></u>	City	WHITE MARSH MD ZII 62-0041 State Zip Code
		· 	Representative to be Contacted:
Signature		·	Site Rite Surveying, Inc.
Company			Name 200 E. Joppa Road, #101 (410(828-9060
Address	<u> </u>	Telephone No.	Address Telephone No. Towson MD 21286
City	State	Zip Code	City State Zip Code
•			OFFICE USE ONLY
Case No	416-A		ESTIMATED LENGTH OF HEARING
Case No.		Deviewed Rv	UNAVAILABLE FOR HEARING JE / AT Date 3//6/07
DEV/ 0/15/08		Matingary n	

VIMMUM @ Ad. Com

ZONING DESCRIPTION #11012 RED LION ROAD

BEGINNING at a point on the east side of Red Lion Road which is 60 feet wide at the distance of 1155 feet from the southeast side of Proctor Road which is 30 feet wide. Thence the following courses and distances, viz: N39°56'W, 160.20', N14°35'W, 143.68', N75°12'E, 11.15', N73°30'E, 164.70', S16°30'E, 259.50', S16°30'E, 15', S50°36'W, 102.30', N39°56'W, 30' to the PLACE OF BEGINNING, containing 1.08 Acres, more or less as recorded in Deed Liber 9991, Folio 001. Also known as 11012 Red Lion Road and located in the 11th Election District, 5th Councilmanic District.



Michael Moskuman

Michael V. Moskunas Reg. No. 21175

Site Rite Surveying, Inc. 200 E. Joppa Road, Suite 101 Towson MD 21286 (410) 828-9060

#416

F. Si.	THE WEST STRAND STRAND STRANDS OF THE STRANDS OF TH	From St.		CASHIER'S VALIDATION
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE 3 /6 07	RECEIVED FROM:	LOR TO THE PARTY OF THE PARTY O	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

DFICE OF ZONING 199 HEARING

thority of the Zoning Act and Regulations 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: # 07-416-A

11012 Red Lion Road Exide of Red Lion Road at the distance of 1155 feet from the southeast side of Proctor Road

11th Election District Eestin Councilmanic District Legal Owner(s): 1.3.f.

Properties, Inc.

Variance: to permit an existing building with a side yard sethack of 9 feet she yard sethack of the leading: Tuesday, June 5, 2007 at 9:00 a.m. in Room 407, Counts Building, 401 Bosiet Avenue, Towrson 21204.

WILLIAM J. WISEMAN, IllZoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible;
for special accommodations Please Contact the
Zoning Commissioner's Office at (410) 887-3868.

(2) For Information concerning the File and/offile Hearing, Contact the Zoning Review Office at (410)
887-3391.

TE OF PUBLICATION

_, 206_7

Ty, that the annexed advertisement was published successive weeks, the first publication appearing newspaper published in Baltimore County, Md., THIS IS TO CERTII in the following weekly each of once in

¥ The Jeffersonian Arbutus Times

- Catonsville Times
- Towson Times
- Owings Mills Times
- NE Booster/Reporter
 - North County News

Wullings

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 07-416-A

Petitioner/Developer: T.S.I. PROPORTICS, INC.

Date of Hearing/Closing: June 5, 2007

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Christen Matthews

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 propery located at
#11012 RED LION ROAD
· · · · · · · · · · · · · · · · · · ·
The sign(s) were posted on MAY 18, ZOO (Month, Day, Year)

<u></u>	(Month, Day, Y
ZONING NOTICE CASE # 07-416-A	Sincerely, Sincerely, (Signature)
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD	CARL
PLACE: Towson, MD. 21204	3225
DATE AND TIME: AT 9:00 A.M.	
REQUEST: VARIANCE TO PERMIT	BALTI
AN EXISTING BUILDING WITH A SIDE YARD	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
SETBACK OF SPEET AND 17 FEET IN LIEU	
OF THE REQUIRED BOFEET EACH,	(410)
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 827-3391	
DO, NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW HANDICAPPED ACCESSIBLE	

Sincerely,

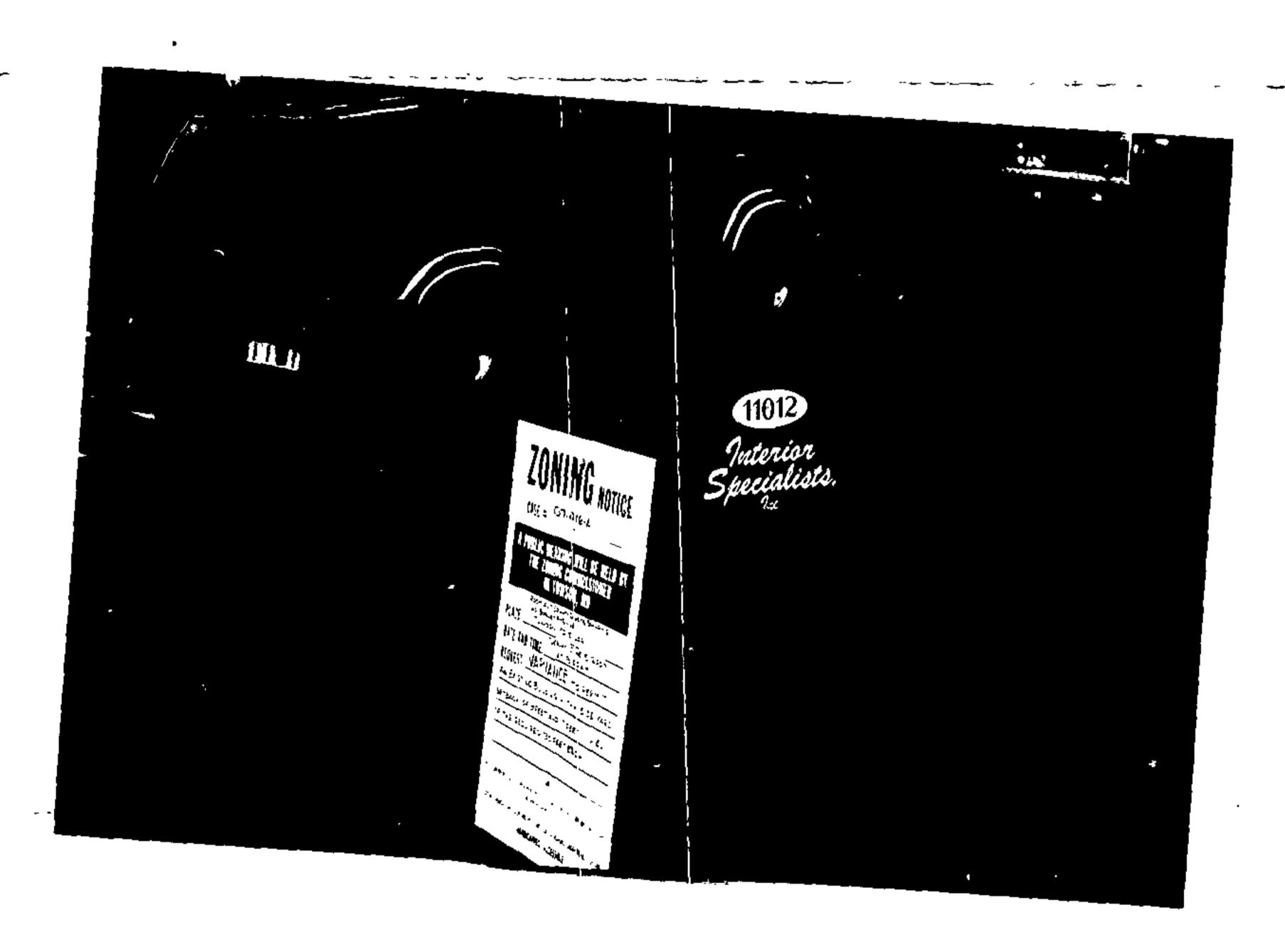
Barland P. Mone
(Signature of Sign Poster and Date)

CARLAND E, MORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD, 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)



..



JAMES T. SMITH, JR. County Executive

TIMOTIHI7M210017ROCO, Director Department of Permits and Development Management

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: 07-416-A

11012 Red Lion Road

E/side of Red Lion Road at the distance of 1155 feet from the southeast side of Proctor Road 11th Election District – 5th Councilmanic District

Legal Owners: I.S.I. Properties, Inc.

Variance to permit an existing building with a side yard setback of 9 feet and 17 feet in lieu of the required 30 feet each.

Hearing: Tuesday, June 5, 2007 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Dino Trombette, P.O. Box 41, White Marsh 21162-0041 Site Rite Surveying, Inc., 200 E. Joppa Road, #101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MAY 21, 2007.

- (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, May 22, 2007 Issue - Jeffersonian

Please forward billing to:

I.S.I. Properties, Inc.

Attn: Dino Trombette

P.O. Box 41

White Marsh, MD 21162-0041

410-335-0381

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: 07-416-A

11012 Red Lion Road

E/side of Red Lion Road at the distance of 1155 feet from the southeast side of Proctor Road 11th Election District – 5th Councilmanic District

Legal Owners: I.S.I. Properties, Inc.

Variance to permit an existing building with a side yard setback of 9 feet and 17 feet in lieu of the required 30 feet each.

Hearing: Tuesday, June 5, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

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 <u>Baltimore County Zoning Regulations</u> (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: 07 - 416 - A
Petitioner: IST Properties, INC.
Address or Location: 11012 RED LION RD.
PLEASE FORWARD ADVERTISING BILL TO: Name: TSI PROPERTIES, INC.
Address: <u>Po.Rox 41</u>
WHITE MARSH, MO. 21162-0041
Telephone Number: 410-335-0381



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

May 30, 2007

I.S.I. Properties, Inc. Dino Trombette P.O. Box 41 White Marsh, MD 21162-0041

Dear Mr. Trombette:

RE: Case Number: 07-416-A, 11012 Red Lion Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 16, 2007. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

u. Callibal)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

Site Rite Surveying, Inc. 200 E. Joppa Road, #101 Towson 21286

RE: PETITION FOR VARIANCE
11012 Red Lion Road; E/S Red Lion Road,
1155' SE/S of Proctor Road
11th Election & 5th Councilmanic Districts
Legal Owner(s): I.S.I. Properties, Inc
Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-416-A

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and documentation filed in the case.

RECEIVED

APR 0 4 2007

Per-----

PETER MAX ZIMMERMAN

Perele's Councel for Baltimore Ca

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 4th day of April, 2007, a copy of the foregoing Entry of Appearance was mailed Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 18, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

11012 Red Lion Road

INFORMATION:

Item Number:

7-416

Petitioner:

ISI Properties

Zoning:

ML

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. There does not appear to be any significant impacts to the surrounding community with respect to the proposed request for side yard building to property line setbacks of 9 feet and 17 feet in lieu of the required 30 feet.

For further information concerning the matters stated here in, please contact Kevin Gambrill at 410-887-3480.

Reviewed by:

Division Chief:

AFK/LL: CM.

RECEIVED

APR 27 2007 07-692

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

Martin O'Malley, Governor Anthony Brown, Lt. Governor



John D. Porcari, Secretary Designate Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: APRIL 2, 2007

Ms. Kristen Matthews Baltimore County Office Of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: **Baltimore County** Item No. 7-416-A 11012 RED LION ROAD

1.5.1. PROPERTIES INC.

VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-416-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits

Division

SDF/MB

My telephone number/toll-free number is Maryland Relay Service for Impaired Hearing or Speech: 1,800,735,2258 Statewide Toll Free

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 29, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 2, 2007

Item Nos. 07-230, 410, 411, 413, 414, 415, 416, 417, 418, 419, 420, 423, 424, 425, and 426

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

DAK:CEN:clw

·cc: File

ZAC-NO COMMENTS-03282007.doc

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 March 28, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 26,2007

416

Item Number: 410 through 426

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



RED CON

CASE NAME CASE NUMBER DATE 6-050:

-050-

PLEASE PRINT CLEARLY

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	3											
ADDRESS	10 ZOO E. TOPA RD.	- 1										
	SITE RITE SUBVERIUCIT											

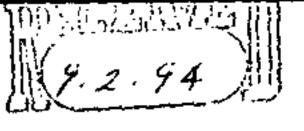
Case No.: 07-416 A 11012 KED LION RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1		
	SITE PLAN	
No. 2	Limited Exemption - 6/13/94	
No. 3	COUNTY COUNCILMAN GARDINA'S SUPPORT OF LIMITED EXEMPTION	
No. 4		
No. 5	=	
No. 6		
No. 7		
No. 8	·	
No. 9		
No. 10		
No. 11		
No. 12		





COUNTY COUNCIL OF BALTIMORE COUNTY

Court House, Towson, Maryland 21204

VINCE GARDINA COUNCILMAN, FIFTH DISTRICT

COUNCIL OFFICE: 887-3196 ESSEX DISTRICT OFFICE: 887-0470 435c EASTERN BLVD ESSEX, MD 21221

August 31, 1994

Mr. Donald T. Rascoe Development Manager Zoning Administration & Development Management 111 West Chesapeake Avenue Towson, MD 21204

Dear Don:

I have been contacted by the owners of Interior Specialties, Inc. regarding a project currently being considered by the DRC, Building Permit No. B196016, DRC No. 06134E. 11C5.

This project has already been granted a limited exemption under Section 26-171(b)(9), which exempts the project from the Community Input Meeting and the Hearing Officers Hearing. The owners are requesting a limited exemption under Section 26-171 (a)(7), which exempts the project from the requirement for a development plan.

The owners maintain that processing a development plan would take several months and delay the project into inclement weather. The building permit process will review all necessary environmental, zoning and landscape requirements.

The project has been revised to eliminate any new toilet fixtures in the proposed warehouse eliminating any additional septic capacity. The property is served by public water and private septic. The project has also been revised to keep the disturbed area under 5000 square feet to eliminate the requirement for a grading permit.

Given the scope of this project, I support Interior Specialties request for a limited exemption under Section 26-171(a)(7), thereby exempting the project from the required development plan.

Thank you for your consideration of this matter.

Sincerely,

Unce Gardina Vince Gardina, Councilman

5th District

PETITIONER'S

EXHIBIT NO.





