

RE: ALLEGED ZONING VIOLATION : BEFORE THE  
4217 Fitch Avenue : ZONING COMMISSIONER  
14th Election District :

84 Lumber Company : OF  
c/o David Darchuk :  
Land Development Director : BALTIMORE COUNTY  
P.O. Box 300 :  
Joppa, Maryland 21085 : 93-146-V, C-83-318  
Defendant :

84 Lumber Company :  
c/o Lee Steiner, Manager :  
4217 Fitch Avenue :  
Baltimore, Maryland 21236 :  
Defendant :

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A complaint has been filed with the Zoning Office concerning an alleged violation of the Baltimore County Zoning Regulations on property at the above location. A hearing was held to determine whether a violation exists.

The following Baltimore County Zoning Regulations are involved:

Section 102.1 - "No land shall be used or occupied and no building or structure shall be erected, altered, located, or used except in conformity with these regulations and this shall include any extension of a lawful nonconforming use."

Section 248 - "Use Regulations (M.L.R. Zone)."

Section 409.2.c(1) - "Screening - Offstreet parking facilities for more than five vehicles shall be screened by a wall, fence, or compact planting when adjoining or facing the side or rear lot line of residential or institutional premises or when they are across the street from such premises. Screening shall be at least 4 feet high. Planting shall not encroach on adjoining property. Screening shall not be so placed or maintained as to provide a traffic hazard through obstruction of visibility."

Section 413 - "Signs"

Section 500.9 - "The Zoning Commissioner shall have the power to require the production of plats of developments or subdivisions of land, or of any land in connection with which application for building or use permits or petitions for a Special Exception, a reclassification, or a temporary use shall be made, such plats to show the location of streets or roads and of buildings or other structures proposed to be erected, repaired, altered, or added to. All such plats shall be drawn to scale and shall clearly indicate the proposed location, size, front, side and rear setbacks from property lines and elevation plans of proposed buildings or other structures. Such details shall conform in all respects with Zoning Regulations. No such plats or plans, showing the opening or laying out of roads or streets, shall be approved by the Zoning Commissioner unless such plats or

plans shall have been previously approved by the Office of Planning and the Department of Public Works of Baltimore County."

Testimony at the hearing indicated that the Defendant is guilty of violating the above referenced Baltimore County Zoning Regulations in that full compliance with the site plan, approved June 4, 1982, has not been attained.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17<sup>th</sup> day of May, 1983, that any inconsistencies with the site plan must be corrected within 90 days from the date of this Order as set forth and agreed to by both parties:

1. 84 Lumber Company will plant evergreen trees at a distance similar to those planted on Fitch Avenue in accordance with the sketch shown on Attachment 2. The evergreens will be maintained in a living condition and if they turn brown or die, they will be replaced immediately or when agreed to by the parties concerned, upon notification by the residents of St. Thomas Drive.

2. 84 Lumber Company will install an additional section of screening on the fence as shown on Attachment 2.

3. 84 Lumber Company will maintain and regravell the gravelled area as necessary to keep the gravelled area from becoming muddy.

4. Parking of automobiles, trucks, vans, campers, etc., will be restricted to the designated parking areas shown on the overall site plan. Parking will not be permitted in the storage shed areas.

5. Lighting will be corrected to ensure that the residential homes adjacent to the 84 Lumber Company property are not illuminated.

6. 84 Lumber Company will take any necessary action to ensure that the area outside the fenced area of their property will be properly maintained, i.e., picking up litter, etc.

7. 84 Lumber Company will either remove the commercial sign which has been erected near Fitch Avenue or obtain a permit to keep it there. The sign is not shown on the existing site plan.

Any appeal from this decision must be in accordance with  
Section 500.10 of the Baltimore County Zoning Regulations with  
30 days.

A handwritten signature in black ink, appearing to read "William H. ...", is written over a horizontal line. The signature is enclosed within a hand-drawn oval.

Zoning Commissioner  
of  
Baltimore County