hereby petition for a Variance from Section 303-2 to permit a front yard netback

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

See attached description

of 13.86! instead of the required 130!.

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

1, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this tion, and further agree to and are to be bound by the zoning regulations and restrictions of the dependent of the property of

Contract purchaser Address 5211 BELLENH HELMUL. Beatimore, hurrains 2012 Protestant's Attorney DERED By The Zoning Commissioner of Baltimore County, this ____3rd _____

of Nay 197 7, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public bearing be had before the Zoninstoneou of Baltimore County in Boom 166, County Office Building in Towson, Baltimore

day of June of 197 20 2013 botock County, on the 27thM.

RECEIVED FOR FILING

ORDER F

M

Zoning Commissioner of Baltimore County.

DISCRIPTION OF PROPERTY TO ACCOMPANY PETITION FOR ZONING VARIENCE

Beginning at a point on the northeast side of Berkshire Road 454.81 feet south of Old North Point Road, and running thence S OL 45'30' E 90', thence S 70' 39'25" E 189.83' to intersect a line drawn parallel to the transmission line right-of-way 54.36 feet more or less westerly therefron, thence N 14' 55'45" W170.19 feet, thence S 85' 14' 30" W143.23', to the

PETITION FOR SPECIAL HEARING

236 Har

Commissioner should approve a 3-Bay expansionto the existing service garage ---building grapted as a result of Cose #67-143 RX

Property is to be posted and advertised as prescribed by Zuning Property is to be posted and advertised as preservine by somely in-gellations. I, or we, agree to pay expenses of above Special Rearing advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted_gursuant to the Zoning Law for Baltimore County

Brike & Brigani Legal Owner Contract Purchaser ----Petitioner's Attorney Protestant's Attorney

OMMERED By the Zoning Commissioner of Baltimore County, this__3rd___ at_10:30_o'clock_A___M.

(over)

RE: PETITION FOR VARIANCE

47-258.P

1000

IN JA

. REFORE THE ZONING COMMISSIONES

and
PETITION FOR SPECIAL HEARING OF BALTIMORE COUNTY NE/S of Berkshire Rd. 454,81' S of Old North Point Rd., 12th District Care No. 77-258-A

REPTERO I BASIGNANI et al

.....

ORDER TO ENTER APPEARANCE

Mr. Commissioner

Pursuant to the authority contained in Section 524. 1 of the Baltimore County Charter, I hereby enter my appearance in this praceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter dasignated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles I Kount Je Charles E. Kountz, Jr. Deputy People's Counsel

John W. Hessian, III People's Counsel
County Office Building
Tow.on, Maryland 21204
494-2186

I HEREBY CERTIFY that on this 21st day of June, 1977, a copy of the aforegoing Order was mailed to Mr. Bertero L. Besignani, 5710 Bellona Avenue, Raltimore, Maryland 21212, Petitioner.

> John To) Herring John W. Hessian, Illi



July 6. 1977

Mr. Bertero L. Basignani 15722 Falls Road Sparks, Maryland 21152

> RE: Petitions for Special Hearing and Variance NE/S of Berkshire Road, 454.81'S of Old North Point Road - 12th Flection District Bertero I., Basigosni, et si -Petitioners NO. 77-258-A (Item No. 236)

Dear Mr. Basignanti

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very puly yours, A Whating GEORGE J. MARYENAK

GJM/mc

ces Mr. Charles Kimmel Baltimore, Maryland 21212

John W. Heuslan, III. Esquire



THORNTON M. MC-URING, P.L. DIRECTUR

Mr. S. Eri Di Nenna Zoning Com. seioner County Office Building Towson, Maryland 2:204

> Re: Item #236 (1976-1977) Property Owner: Bertero L. Basignani, et al N/EN Bertshire Ed. 455' S. Old North Point Rd. Existing Zoning: B.L. Proposed Yould's Variable to permit a front setback of 13,86° in lieu of the required 100° and Special Rewring to amend Case No. 69-143 NX, to allow a 3 bay expension to existing servi e garage. Acr.s: 0.4544 District: 12th

Dear Mr. DiNenna-

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Baltimore County highway and utility improvements are not directly involved and act as secured by Public Works Agreements \$126902 executed in commenction with development of the property "C.E. Kimmel and Company" - Retail Tire Salest

May 25, 1977

This office has no further comment in regard to the plan submitted for Zonin, Advisory Committee review in connection with this Item #236 (1976-1977).

Donald W. Joseph Co Mac DONALD W. TUCKS, P.E. Acting Chief, Bureau of Engineering

DWT-EAM-FWE-SS cc: R. ' wnes

E-NW Key Sheet 4 SE 21 Pos. Sheet SE 1 F Topo



INTER-DEFICE CORRESPONDENCE

TO S. Eric DiNenno, Zoning Commissioner Date June 14, 1977

FROM Norman E. Gerber Acting Director of Planning

77-258-A. Petition for Variance for a Front Yard. Petition for a Special Hearing to approve a 3 Bay expansion to the existing service garage Northeast side of Berkshire Road 454, 81 feet South of Old North Point Road Petitioner – Bertero L. Basignani, et al

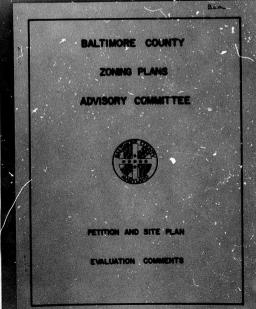
12th District

HEARING: Monday, June 27, 1977 (10:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

n E. Gerber ing Director of Plannin

NEG: JGH: rv



Pursuant to the advertisement, posting of property, and public hearing on the above petition
and it appearing that by reason of the following sinding of facts that strict compliance with
the Baltimore County Zoning Regulations would result in practical difficulty and
unreasonable hardship upon the Petitioners
A
the above Variance should be had; and it further appearing that by reason of the granting of
the Variance requested not adversely effecting the health, safety and general
welfare of the community,
to permit a front yard setback of 13.86' instead of the
a Variance required 130 feet should be granted.
Deputy IS ORDERED by the/Zoning Commissioner of Baltimore County this 674
day of July
should be and the same is GRANTED, from and after the date of this Order, subj
to he approval of a site plan by the Department of Public Works and the Office of
Planning and Zoning.
Deputy Zoning Commissioner of Baitimore County
Pursuant to the advertisement, posting of property and public hearing on the above petition
and it appearing that by reason of

the above Variance should NOT BE GRANTED.
IT IS ORDERED by the Zoning Commissioner of Baltimore County, thisday
of, 197, that the above Variance be and the same is hereby DENIED.
Zoning Commissioner of Baltimore County

bearing on the above petition and it appearing that by reason of the following finding of facts that in accordance with the power granted unto the Deputy Zoning Commissioner by Section 500. 7 of the Baltimore County Zoning Regulations, it is hereby determined that the use, as herein requested, will not be detrimental to the health, safety, and general welfare of the community and would be within the spirit and intent of said regulations and, therefore, the Special Hearing a 3 bay expansion to the existing service garage should be granted.

Deputy
IS ORDERED by the /Soning Commissioner of Baltimore County this , 196.77, that the herein Petition for

ntioned Special Hearing, should be and the same is GRANTED, from and The affermentioned Special Hearing, should be and the same is CRAYTED, from and waiter the date of this Order, subject to \$6 perceval of a site plan by the Department of Dile Works and the Office of Pinding and Zong.

Deputy Sould's Company of Saltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of_____ the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _day of_____, 196__, that the above Special Hearing be and the same is hereby DENTED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Commodari

DEPARTMENT OF TRAFFIC ENGINEERING

STATE BOADS COMME

BUREAU OF

HEALTH DEPARTMENT

PROJECT PLANNING BOARD OF EDUCATION

ZONING ADMINISTRATIO INDUSTRIAL DEVELOPMENT

June 20, 1977

Mr. Bertero L. Rasignani Mr. Albert R. Marani 5710 Bollona Avenue Baltimore, Maryland 21212

RE: Variance and Special Hearing Petition Icem No. 236 Petitioner - Bertero Basignani Albert R. Marani

The foning Plans Advisory Committee has reviewed the plans submitted with the above referenced potition and has made ar on site field imapertion of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made server. The server is a server that all parties are made server that the tary have a bearing on this case. The Director of Flanning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property, described as being located the northeast side of Berkhire Road approximately of the northeast side of Berkhire Road approximately of the state of the st

This combination Special Hearing/Variance is necessitated by your proposal to construct a 3-Bay

Mr. Bertero L. Basignani Mr. Albert R. Marani Page 2, Item No. 236 June 20, 1977

addition to the front of the existing building. Since this would constitute an expansion of the previously approved special Exception, as well as a conflict with Section 303.2 of the Zoning Regulations, this hearing is requested.

As indicated in the comments of the Office of Project and Development Planning, all the parking area to the rear of the existing building, shown as "existing paving" on the submitted site plan, must be paved.

This petition is accepted for filing on the date of the enclosed filing sertificate. Notice of the hearing date and time, which will be held not less than 30, nor more tian 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours. Michael Commoderi
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf



ORDER

Mr. Eric S. DiNenno, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. DiNenno

Comments on Item #236, Zoning Advisory Committee Meeting, May 3, 1977, are as follows:

Property Owner: Bertero L. Basignani, etal Location: NE/S Berkshire Road 455' S. Old North Point Road

Location: 1473 services 8.1.,
Proposed Zoning: Variance to permit a front serbock of 13.86' in lieu of the required 130' and Special Mearing to amend Case No. 69-143 RX, to allow a 3 bay expansion ond Special Hearing to ome to existing service garage. Acres: 0.4544 District: 12th

This affice has reviewed the subject patition and affers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made owere of plans or problems with regard to development plans that may have a bearing on this petition.

All norking great must be paved.

Very truly yours,



May 18, 1977

Mr. Eric S. DiNenna Zoning Commissioner 2nd Floor, Courthous

TERM NO. 256 - 2AC - Ney 3, 1977
Property Chemer: Section L. Basignani, et al.
Eastling School Section 1875 Section 1875
Eastling Douling Hariance to permit a front setback of 13.86 feet
In lies of the resulted 1976 sec

Acres: 0.4544 District: 12th

No traffic problems are anticipated by the requested variances to the front yard setback and to allow a 3 bay expansion to an existing service garage.

Very truly yours. Twichaefs. Han Michael S. Flanigan Traffic Engineer Associate

MSF/110



Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Comments on 236, Zoning Advisory Committee Meeting, May 3, 1977, are as follows:

May 9, 1977

Bertero L. Basignani, et al.

185/5 Bertahlre Bd. 185/5 B Old North Poirt Bd.

185/5 Bertahlre Bd. 185/5 B Old North Poirt Bd.

184/5 Bertahlre Bd. 185/5 B Old North Poirt Bd.

184/5 In lies of the required 130' and Special

184/5 Bertahl Bd. 185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

185/5 B Old Bd.

1

Metropolitan water and sewer exist.

If lubrication work and oil changes are performed at this location, revised plans must be submitted showing method providing for the elimination of waste oil in accordance with Mater Resources Administration requirements.

Very truly yours,

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

THIN/RIW/fth



Office of Planning and Zoning Ealtimore County Office Building Towers, Maryland 2120;

110

Re: Property Owner: Bertero L. Basignani, et al

Location: NE/S Berkshire Road 455' S Old North Ptint Rd

Zoning Agenda May 3, 1977

Item En. 236

Pursuant to your request, the referenced property has been surveyed by this Burson and the comments below marked with an "x" are applicable and required to be oversected or 'monaporated into the final plans for the property.

(y) 1. Fire hydrants for the relaxon of property are required and shall be loosted at intervals or 300 feet along an approved road i accordance with initiator County Standards at published by the Department of Publish Cocks.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead and condition shown at ____ EXCERNS the maximum allowed by the Fire Department.

() b. The site shall be sade to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations

The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the Entional Fire Protection Association Straderd Bo. 19 "Mife Safety Code", 1970 Edition purior to complete.

() 6. Site plane are approved as drawn.

() 7. The Pire Prevention Burew has no comments, at this time.

Planning Group
Special Inspection Mivision

Hoted and Leonge M Wegandt



May 3, 1977

Mr. S. Eric DiNenna, Zoning Commissioner Office of Flanning and Zoning County Office Building Towson, Maryland 21204

Comments on Item #236 Zoning Advisory Committee Meeting, May 3, 1977

Froperty Owner: Bertero L. Basignani, et al Location: M/E/S Berkshire Rd 455' S Old North Point Road

The items checked below are applicable:

 $(\overline{\mathbf{X}})$ A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.

Fire walls required at property lines.

(X) B. A building permit shall be required before construction can begin.

(_) C. Three sets of construction drawings will be required to file an application for a building permit.

(X) D. Three sets of construction drawings with a registered Maryland Architect or Engineer's ordinal seal will be required to file an application for a building permit.

E. Wood frame walls are not permitted within 3'0" of a property line. Contact building Department if distance is between 3'0" and 6'0" of property line.

(_) G. Requested setback variance conflicts with the Saltimore County

very truly yours,

Mark E. Sunham

Plans Review Chief

CERTIFICATE OF PUBLICATION THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., omen in each mt. one time suscensive weeks before the 27th appearing on the 9th day of June THE JEFFERSONIAN.

Cost of Advertisement, \$.

BOARD	OF	ED	UCATI	ON
OF BALT	IM	ORE	COUN	ITY

TOWSON, MARYLAND - 21204

Date: May 9, 1977

Mr. S. Eric DiNenna Zoning Commissioner Baltimore County Office Building Towson, Maryland 21204

Z.A.C. Meeting of: May 3, 1977

Property Owner:
Location: LK/S Berkshire Rd. 455' S. Old North Point Rd.
Present Zoning:
B.L. RE: Item No:

Proposed Zoning: B.L.

Ariance to permit a front setback of 13.86'
in lieu of the required 130' and Special Hearing
to amend Case No. 69-143 RX, to allow a 3 bay expansion to existing service garage.

District: 12th No. Acres: 0.4544

Dear Mr. DiNenna:

No bearing on student population

Very truly yours, W Wil Killow w Wick Petrovich. Field Representative

MNP/bp

LOCATION NUMBER OF ST

MAS LORRAINE F CHIRCUS ROGER B. HAYDEN

ALVIN LORECE ----

SOSTAT V. DUDEL SUPERINTENDEN

OFFICE OF HILM DE NEWSPAPERS

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE AND SPECIAL HEARING was inserted in the following Bertero L. Basignani

☐ Catonsville Times Dundalk Times

TOWSON, MD. 21204

☐ Towson Times ☐ Arbutus Times

☐ Essex Times ☐ Suburban Times East

☐ Community Times ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland. once a week for one successive weeks before the 10th day of June 19.77, that is to say, the same was inserted in the issues of June 9, 1977

STROMPERG PUBLICATIONS, INC.

By Foth, Burge

County Office Building 111 W. Chesapeake Ave. Towson, Maryland 21204

CENTRE OF POSTING CONING EXPARTMENT OF BALTIMORE COUNTY #77-252-85/14

Date of Posting 6. 9.27 Posted for Mering Murdey Jame 22-1978 & 16. 30 BM. Pelitioner Botine L. Bossignami Lecation of property NEIS of Bulalin Cd. 454.11 da gent in St. Ed Location of Signe I Sign Roll to Share Plat in Front f Kemmel Tire Co Posted by Miles H. Mass. Date of return. 1.13. 21.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received * this 1978 day of ____1977. Item |___ APRIL

Petitioner Bertero Basishas + Albert Par Submitted by _Reviewed by_ Petitioner's Attorney_

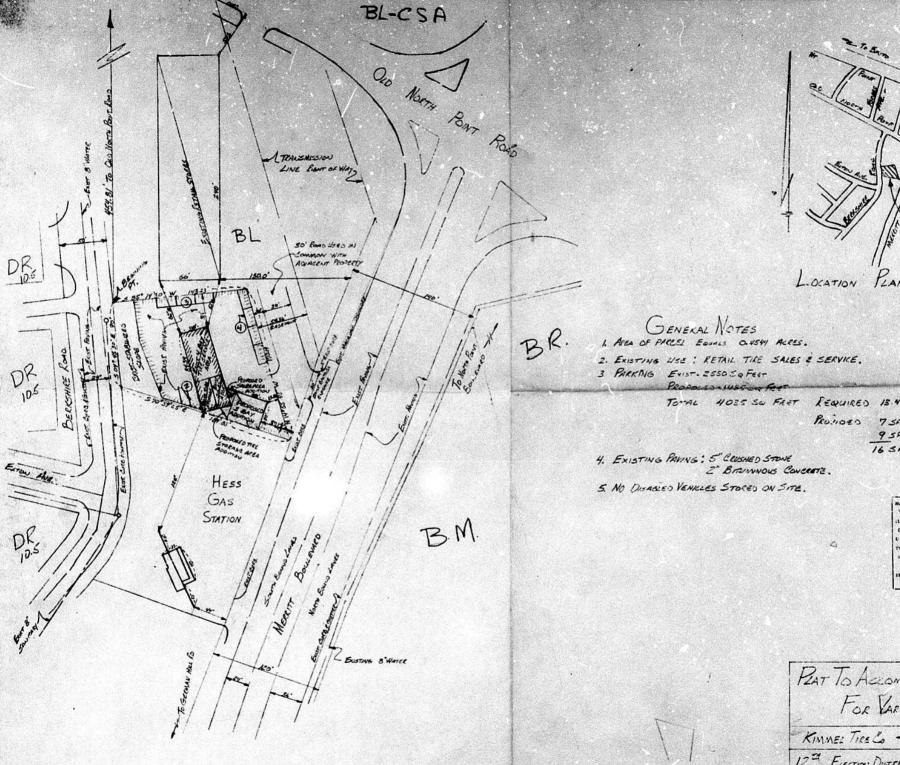
* This is not to be interpreted as acceptance of the Petition for



VALIDATION OR SIGNATURE OF CASHIER







REQUIRED 13.45 SPACES 7 SPACES IN BAY 9 SPACES ON LOT 16 SANCES TOTAL



PLAT TO ACCOMPANY PETITION. FOR VARIANCE

KIMMEL TIES CO - MERRITT BLUD

12 Econo Dister Scale 1" Some

