RE: PETITION FOR SPECIAL EXCEPTION for Service Garage SE/S of St. Helena Aver SW of Dundalk Avenue 12th District COUNTY BOARD OF APPEALS OF Filleti, Inc. BALTIMORE COUNTY File No. 78-108-X

> . . . . . . . . ORDER OF DISMISSAL

Petition of Filleti, Inc. for special exception for service garage on property located on the southeast side of St. Helena Avenue 61.36' southwest of Dundalk Avenue, in the 12th Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of appeal filed April 16, 1979 (a copy of which is attached hereto and made a part hereof) from the

WHEREAS, the said Petitioners-Appellants request that the appeal filled on behalf of said Petitioners be dismissed.

It is hereby ORDERED, this 17th day of April, 1979, that said appeal be and the same is Dismissed.

> COUNTY BOARD OF APPEALS OF EARTYMORE COUNTY

Patricia Milliana

RE: PETITION FOR SPECIAL EXCEPTION BEFORE THE SE/S of St. Helena Avenue, 61, 36 SW of Duadalk Avenue - 12th Election District : ZONING COMMISSIONER Filleti, Inc. (Carmen Filleti, et us) -Petitioner NO. 78-108-X (Item No. 48) : BALTIMORE COUNTY

. .. ... ... ... ... ...

This matter comes before the Zoning Commissioner as a result of a Petition for a Special Exception for a servi · garage. The subject property is located on the southeast side of St. Helena Avenue, 61.36 feet southwest of Dundalk Avenue, in the Twelfth Election District of Baltimore County. Said property contains 2,660 square feet, more or less.

Testimony on behalf of the Petitioner indicated that the subject property formerly enjoyed the use of a restaurant which had been destroyed by fire in February of 1977. The proposed use of the subject property is a service garage and, more specifically, a motorcycle repair facility. Hours of operation would be between 8:00 am, and 6:00 pm, six days a week, Monday through Saturday

The subject property was described as one of an old strip of commercial stores on St. Helena Avenue near its intersection at Dundalk Avenue. The other uses in this commercial stripping include a drug store, a beauty salon, There is no off-street parking for these uses

Residents of the area and adjacent commercial users, in protest to the ubject Petition, indicated that they felt the granting of the Special Exception for a service garage (motorcycle repair shop) would be detrimental to their health, safety, and general welfare in that it would create excessive noise not only inside the building but outside by individuals coming to the subject property for motorcycle repair.

evidence presented at the hearing, in the judgment of the Zoning Commissioner, the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations have not been met. In order for a Special Exception to be granted, it must appear that the use for which the Special Exception is requested would not be detrimental to the health, safety, and general welfare of the locality involved. In the instant case, the potential excessive noise in a tight commercial situation would be bothersome to possible adjoining commercial users and customers, and could be detrimental to their health, safety, and geners, welfare. The Petitioner was unable to prove to the contrary. Secondly, a Special Exception can be granted if it does not tend to create congestion on roads. streets and alleys therein. In the instant case there is no provision for the storage and parking of motorcycles other than indoors. Potential customers could very easily park on the sidewalk immediately in front of the subject property. thereby creating congestion on the street and road.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_\_ day of January. 1978, that a Special Exception for a service garage be and the same is hereby DENIED.

Zoning Commissioner of

Without reviewing the evidence further in detail but based on all the

PETITION OR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Carmen Filleti, President
Lorwe Elaine Filleti, Socty. legal waters of the property attents in Hallmore County and which is described in the description and plat attached herric and made a part terror county and which is described in the description and plat attached herric and made a part terror hereby petition (1) that the zoning status of the herein described property he re-raisified pursuant to the Zoning Law of Baltimore County, from an

.....zone, for the following reasons

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Control (2) Baltimore County to use the herein described property for mission with the contract was a second county to the herein described property for the county of the county CATAGO SETVICE

Property is to be posted and advertised as prescribed by Zoning Regulation L or we, agree to pay expenses of above re-classification and or Special Exception advertising

to use agree to pay expenses in above reclassionation and or special exception americal posting, etc., upon filing of this petition, and further agree to and are to be bound by the root posting, etc., upon ning of this petition, and turrier agres to and are to be beautifully the coming of the coming and restrictions of Baltimore County adopted pursuant to the Zoning Law for Talemore.

George D. Edwards, Esquire 207 Dunkirk Building Baltimore, Maryland 21222

Andres 105 t. Malona Normal Address 105 t. Malona Normal Baltimore, Maryland 21222

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County this 6th

. 1914 that the subject matter of this petition be advertised as \*\*Preserved to the subject matter of the persons on suscenses at the by the Zoning Law of Baltimore (surf) in two newspapers of general circulation through requires of one coming Law or maintance overly in two newspapers of general circulation through our Baltimore County, that property be posted, and that the public hearing be had before the Zoning out battimore county, that property se postest and that the pulsar nearing se had before the Zoning Commissioner of Baltimore County in Room the counts (effect Building in Towson Baltimore day of Bovenher . P. . . M . 1077 . at 1:00 ...perk

Zoning Commissioner of Bultimore County

RE: PETITION FOR SPECIAL EXCEPTION SE/S of Helena Ave. 61.36' SW of Dundalk Ave., 12th District

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

FILLETTI, INC., Petitioner : Case No. 78-108-X

......

ORDER TO ENTER APPEARANCE

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

Charles E. Kountz, Jr. Deputy People's Course

John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204 494–2188

I HEREBY CERTIFYthat on this 25th day of October, 1977, a copy of the foregoing Order was mailed to George D. Edwards, Esquire, 207 Dunkirk Building, Baltimore, Maryland 21222, Attorney for Petitioners.



· FILLETIS, INC. Inite m. O . min Well you please cancel Care # 18-108-X ## Time SE Service Garage. Thank You

Mr. + Mr. C. Jest.

MICROTILMED

Bed 4/16/79

DAI

THIS IS TO NOTIFY THE ZONING COMMISSION THAT THE UNDERSIGNED CITIZENS OF DUNDALK DO HEREBY DECLARE WE ARE AGAINST THE ZONING OF 105 ST. HELENA AVE. 21222 BEING ZONE AS A GARAGE SERVICE.

NAME	ADDRESS	TEL. NO.
Vatricia Koz	90 admins Sund 90 adminst Bled 90 adminst Bled 19 Bayang 18	512-3283
Eugene La	90 admiral Bled	882 3783
Maky & Lindat	19 Bayshy Pd	285-1674
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They berns	3 Enrich PCK	274-7353
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		284-4280
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toses G. tom	1 7105 Dewshootly As	284-1522
acione St. W	engers 1934 Howfan Ke	1 385-2316
Fora m 9h	delines 1656 Tay Fi	28.2-2172
Julia Beckha	m 2946 wheren	7.85-6604
Kary Jones Chicel	E 1648 Heary Haven Ct.	282-2658
Loulan Ges	no Admiral Biod.	333-3383
SUCCLE THUIS	2016X Driv Mac	252-2777
Ellet 70 Shis	elite 2030 ERMAND KE	L AT4-1187

April 17, 79

285-0800 Petitioner's At

with is a copy of the Order of Disabled period today by the County Board of Appeals in the above

Very truly yours,

79.707

Muriel E. Bedderseler

December 1. 1977

Baltimore County Zoning Commissioner Commissioner S. Eric DiNenna County Office Building Towson, Md. 21201

Dear Commissioner Di Nanna.

Request that you consider this protest from the residents of St. Helens to the proposed Motorcacle Shop that the Filleti Corporation has filed an application for. It's existance would present the following:

s. A decibel rating above and in excess of an acceptable community noise level as permitted by the Maryland Department of Health.

b. The exhaust fans tentetively enticipated to be sure, would only be pumping obnaxious funes into the neighbor-hood.

It is imperative that in view of the need for new businesss to come to the sid of this community, we must not sacrifice human life for the sake of economic gains.

May I take this apportunity to thank you in advance for your kind ottention to this letter and further request that " may be given a copy of the Commissioner's decision.

> Respectfully. Manuel . sugar Maurice H. Tedges President

> > () A

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Survey of Straigh Supervi Project Pleasing

patentes.

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David W. Dallas, Ja

SANTON DESCRIPTION

SPECIAL EXCEPTION FOR

STOWICE GARAGE IN A St. ZOWE

(SECTION 230.13)

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CONTAINING 2,660 sq. fe. of land wore or less.

July 27, 1977

January 31, 1976

A. Quel a. Parison à Per-ment desant

Zoning Commissioner County Diffice Building Tomes, Beautand 11204

Patition for Appetat Exception BFIS of 32. Natura Avenue, 51.36. SW of Dundeth Avenue. 1218 Election Plattict Plattic, Inc. - Carmen Piletti, et ux -Patitionals. No. 78-188-X (Itam No. 48)

Please be advised that this office tepresents Carmen and Alaine filetti of 185 St. Nelena Avenue, Battimore, Matyland 21821.

Me, and Mes. Filetti have asked this ejite to enter an Appeal from the January 25, 1972 Order of the Louing Com-missioner of Matthorn County, a copy of which is attached becato.

My check in the amount of 675.00 is enclosed between the sepresenting the costs due for the above mentioned Appent.

Thank you for your cooperation.

Very truly yours,

Comerce Ck George D. Edwards

BA



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I have the date proved my O

The Dening Plane Advisory Committee has reviewed plane committed with the above referenced pritties has made as an eith field inspection of the preparty feelbooksy comments are a result of this review

his visuant building, formerly utilized as a rest, is part of an integrated group of others I on the contents corner of Edint Brison and Brisonse for the 10th Ederlin Histories. Adjacent that the north and south one imposed with a content of the same of the content of the corner of the corn

resta rest operation and complet with the fact that no perting was astually provided, it was decided that this now spection would not be required to that this now spection would not be required to fact the strip of starce in isometed to the wast and franting being this misses, this content of the wast and convenient or an experient corneating chemid has indicated on a new vised aits plan puter to the cachellad bearing.

In addition to the above and an indicated in the comments of the office of Project and Develop-ment Planning, the method of maring the vehicles in and out of the building and the locality and beauting areas should be indicated on the Povised plan.

date this potition is accepted for filing on the date of the ancient filing certificate. Notice of the basing this and time, this will be had not less than \$0 mer mers than \$0 days after the date on the filing certificate, will be formerted

Willelo B. Connolar.

Mr. S. Srie Dilbone Soning Commissioner County Office Smildin

Item 000 (1977-1970) Property Owner: Cormon a Eleino Filloti S/NS St. Deleno Are. 61.36' S/N Sundalk Fre.

Bristing Sening: B.L. Proposed Sering: Special Snouption cale of parts and or series. Acres: 0.061 Distil: 12th

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When Imment America Present, ENC. 210 MAPLE AVENUE

MDALK MARYLAND 2122

December 1, 1977

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COUNTY OFFICE BLOG.

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COUNTY, MARTING

S. Ede Dillione, Zoolog Commissioner

Lealin H. Grani, Director of Planning

Publics F70-100-X. Publics for Special Exception for Garage, Service authors side of Holone Assence 41, 26 feet Southwest of Dundelle Assence

LHG:JGH:rw

HEARING: Manday, November 14, 1977 (1:00 P.M.)

There are no comprehensive planning factors requiring comment on this part Zoning Staff commented that provident for parking have been agreed upon.

NN 4 77 AR

OHEE OF PLANTS & COM

EICROFILMED

David W. Dullas, In

ZONENG DESCRIPTION

SPECIAL EXCEPTION FOR

CTRVICE CARAGE

IN A PL ZONE

(SECTION 230.13)

CONTAINING 7,660 eq. fr. of land more or lone.

fully 27, 1977

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BARROND ROAD

CIVIL ENGINEER Registered Professional Engineer & Land Surveyor

January 31, 1978

Les Offers

PRICESAN, PACIFICO & PRICESA

loning Commissioner County Office Building Towson, Maryland 21204

RE. Petition for Special Exception SE/S of St. Helena Arenue, 61.35' SW of Dundath Arenue - 12th Itection plathict flettic, Inc. - Carmen Filotti, ct ux redictioners No. 718-7181-A (Item No. 48)

Peat Sitt

GDE/ck

Please be advised that this office represents Carmen and Ataine Filetti of 105 St. Helena Avenue, Ballimore, Manyland 11211.

No. and Mas. Filetti have asked this office to enter an Appeal from the January 25, 1916 Order of the Zenting Com-missioner of Battimere County, a copy of which is attached hereto.

My check in the amount of \$75.00 is enclosed betweenth representing the costs due for the above mentioned Appeal.

Thank you for your cooperation.

Very truly yours.

. . George P. Edwards

mc + 70 ;\*

cc: Nr. and Nrs. Carmen Filetti 105 St. Helena Avenue Battimore, Maryland 21222

SH

January 25, 1978

George D. Edwards, Esquire 207 Dunkirk Building Rattimore, Maryland 21222

RE: Petition for Special Exception SE/S of St. Helena Avenue, 61. of Dundalk Avenue - 12th Electi we, 61.36' SW NO. 78-108-X (Item No. 48)

Dear Mr. Edwards:

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

Very truly yours. S. ERIC DI NENNA

Mr. Albert Linde: 101 St. Helena Avenue Dundalk, Maryland 21222

BALTIMORE COUNTY ROWING PLANS ADVISORY COMMITTEE

November 3, 1977

George D. Edwards, Esquire 207 Dunkirk Building Beltimore, Maryland 21222

Special Exception Petition Item Number 48 Petitioner - Carmen Filleti Elaine Filleti

Dear Mr. Edwards:

The Soning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The Collowing comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but o assure that all parties are developed to assure that all parties are development plans that or problems bearing on this case. The Director of Planning may file a written report with the Sonied Commissioner with recommendations as to the appropriateness of the requested sonieg-

This vecant building, formerly utilized as a constraint is part of an intered group of stores located on the since of Saint Molena and located on the sin the 12th Election District Adjacent properties to the north and south are improved with a church and a store, respectively.

This petition is necessitated by your client's proposal to convert this vacant building into a moto-cycle repair and retail parts store. Since this use would not require as much parking as the previous

George D. Edwards, Esquire

resta rant operation and coupled with the fact that no parking was actually provided, it was decided that this new operation would be a second to the think of the couple of the strip of stores is located to the west and fronting Saint Helena Newner. This area as well as required acreening should be indicated on a revised site plan prior to the scheduled hearing.

In addition to the above and as indicated in the comments of the Office of Project and Develop-ment Planning, the method of soving the vehicles in and out of the building and the loading and un-loading areas should be indicated on the revised plan.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 10 nor more than 30 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

KICHCTTLMED

MICHOLAS B. COMMODARI Chairman Soning Plans Alvisory Committee

MBC:rf

oc . David W. Dallas, Jr. Civil Engineer \$100 Harford Road Baltimore, Maryland 21234

September 23, 1977

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

> Re: Item #48 (1977-1978) Property Owner: Carmen & Elaine Pilleti B/ES St. Helena Ave. 61.36' S/W Dundalk For. Existing Coming: 8.1.
> Proposed Zoning: Special Exception for m tormale repair,
> sale of parts and a sories.
> Acres: 0.661 Distia: 12th

Dear Mr. DiMenna

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. General:

Beltimore County highway and utility improvements are not direct) - involved,

This office has no further comment in regard to the plan submitted for Zoning Edvisory Committee review in connection with this Item 448 (1977-1978).

Very truly yours,

ELISHORTH H. DIVER, P.E.

DD: KM: 78:44

SE 4E Topo 103 Tax Map

Elokui iLmcD

Income I LONED

OFFICE PRET

MICAUS ILINED



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

Comments on Item #48. Zoning Advisory Committee Meeting, September 6, 1977, are as fall

Property Owner - Carmern and Eleine Filleti Location: Se/S St. Helena Avenue 61.36' SW Dundalk Avenue Existing Zongies B.L.
Proposed Zoning: Special Exception for motorcycle repair, sale of parts and accessories
Acress: 0.05

This office has reviewed the subject petition and offers 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 aware of plans or problems with regard to development plans that may have a

This office is concerned about the means of deliveries to the property; where will loading and unloading take place, customer and employee parking, also how the vehicles will be moved in and out of the

John Leven bles John L Wimbley Planner III

DONALD J. ROOP, M.D., M.P.H.

Pr. S. Bric DiBerns, Joning Co Office of Flamming and Zoning County Office Building Townon, Maryland 21204

Comments on Item #45, Zoning Advisory Committee Meeting, September 6, 1977, are as follows:

Common à Elaine Filleti SE/B St. Selema Ave. 61.36: Se Dandalk Ave. Belie Special Exception for motorcycle repair, sale of parte and accessories. 0.061

October 17. 1977

Retropolitan water and sewer are available, therefore no health are anticipated.

Low M. when Thomas H. Devlin, Director

THE ACE/fth

MICHOFILME



Item No. 48 - 2AC - September 6, 1977 Property Owner: Carmen & Elaine Filleti Location: SE/S St. Helena Ave. 61.36' SW Dundalk Ave. Location: 82/8 St. Helena Ave. 61.36° SW Dundalk Ave. Existing Roning: B.L. Proposed Joning: Special Exception fo. motorcycle repair, sale of parts and accessories.

The requested special exception for a motorcycle repair, sale of parts and accessories store can be expected to cause some traffic problems due to the lack of parking.

Very truly yours michaelf Hanning Michael S. Flanigan Traffic Engineer Associa

MICROFILMED

TOWSON, MARYLAND 21204

Paul H. Reincke

Office of Planning and Zoning Baltimore County Office Building Torson, Maryland 2100

Attention: Mr. Commodari, Chairman Zoning Advisory Committee

Rc: Property O'mor: Carmen & Elaine Filleti

Location: SE/S St. Helena Ave. 61.36' SW Dundalk Ave.

Zoning Agenda September 6, 1977

Pursuant to your request, the referenced property has been surveyed by this Dureau and the comments beloe marked ofth an Mer are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fir: hydrants for the referenced property are graquized and shall be located at intervals of the foot along an approval road in accordance with Baltimore County Standards as published by the Department of Public bries.

( ) % A second means of vehicle across is required for the site.

( ) . The webiele dead-end condition shows at

RESERVE the maximum allowed by the Fire D martnerst.

( ) 4. The site shall be each to comply with all applicable points of the Pir. Provention Gods prior to occupancy or beginning of expensions,

() 5. Th. buildings are brushum and state, or proposed on the site hash comply with all applicable, registrating of the National Formation association Sandard No. 101 This Sariny Note, 1970 Edition prior to occupancy.

( xx) 5. Site plans are approved as drawn.

( ) 7. The Pire Provention Durman has no commente, at this time.

Planning Group Special Amprotion Division

Sentember 28, 1977

Mr. 5. Eric Disenna, Zoning Commissioner Office of Flamning and Soning County Office Building Towson, Maryland 2120L

Comments on Ites # L8 Zoming Advisory Committee Meeting, September 6, 1977 are as follows:

Property Owner: Carmen & Elaine Filleti Location: S/E/S St. Helena Ave. - 61.36' S/W Dundalk Ave.

S/E/S St. Helena Ave. - 01, 70 ...
Existing Zoning: B.L.
Proposed Zoning: Special Exception for notorcycle repair, sale of parts and

The items checked below are applicable:

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

(x) B. A building permit shall be required before construction can begin. (X) 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 original 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 Beltimore County Bullding Code. See Section \_\_\_\_\_\_

Jules E. Burnham / 97hink

West from 18 Mg

oppeal STATICATE OF POSTING

till 1 1 st A St. Select Location of Signer A. Africa. Bold ... Al. Begannel Butterfor Posted by Track V Date of return 17776

2 Posting + used & lyin. CONTENTATE OF POSTURE #.78-105-X 11 11-1-77 10 Date of Passed 10-27-77

Dendal of Major Marked to Gety Blog formy St. John Posted by Meel M. Heart. Date of return 11-3-27

Party of Barrier Breezes Comments of the control of the contr



TOWSON, MD. 21204 October 27

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR SPECIAL EXCEPTION - Filleti, Inc. 5E/S. Helena Ave.

Catonsville Times

☐ Towson Times ☐ Arbutus Times ☐ Community Times

Dundalk Times T Free Times Suburban Times East Suburban Times W

weekly newspapers published in Baltimore, County, Maryl: once a week for one successive weeks before

25th day of October 19.77, that is to say, the same was invited in the issues of October 27, 197

> STROMBERG PUBLICATIONS, INC By Esthe Burger -



TOWSON MD actouer 27 1977. THIS IS TO CERTIFY, that the annexed advertisement was day of Foregher 19.37, the fiff publication appearing on the 275th day of October & Leanh Structure George D. Edwards, Empline 217 Demakar Bullding Rallings, Bullding Ballings, Ballings, COUNTY OFFICE OF PLANNING & SONING TTEN 8 48

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

Your Petition has been received and accepted for filing feb day of Emptarher 1977,

Petitions Filleti
Petitions Tattorney Goo. D. Founds Neviewed by Micholas B. Company
Micholas B. Company
Chairman, Tomas Plans
Nevisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received \* this 2/ day of 1977 Filing Fee \$ 57 . Received Chock

\_\_Other

Petitioner Com eller F. Wet. Submitted by

Petitioner's Attorney Gang Edund Reviewed by 100 \* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

## PETITION OR ZONING RE-CLE SIFICATION 78-108 X AND/OR SPECIAL EXCEPTION

Carman Pilleti, Procident
Ler us. Sision Pilleti, Senty, hepterson, of the property close in Balls
Ler us. Sision Pilleti, Senty, hepterson, of the property close in Balls easily and which to described in the description and plot attached barries and made a part barriel make publish (1) that the resing status of the borries described property be re-described, pursuant



mig to use the herein described property, for 🕮

L or we, agree to pay expenses of above re-classifi ting, etc., upon filing of this petition, and further agree to and are to be bound by the suning plations and restrictions of Baltimore County adopted pursuant to the Zenier Low for Baltimore

Sem D Ca George D. Mounda, Require 207 Dunkirk Building Baltimore, Maryland 21222

ORDER RECEIVED FOR FILING

-P----

1 4 ANNE

Arment Sellet Prop. of Fillott, Inc.

11/14/17

, 1979 ... that the subject matter of this petition be advartised, at od by the Zoning Law of Baltimore County, in two new

> 1977 at 8 and .o'cloc Acri la Genea 1:00P

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Con prerequisites of Section 502. 1 of the Baltimore County Zoning Regulation en met. In order for a Special Exception to be granted, it must that the use for which the Special Exception is requested would not be tal to the health, safety, and general welfare of the locality involved In the instant case, the potential excessive noise in a tight commercial situould be bothersome to possible adjoining commercial users and cusand could be detrimental to their health, safety, and general walfare per was unable to prove to the contrary. Secondly, a Sp very easily park on the sidewalk immediately in front of the subject property

Therefore, IT IS ORDERED by the Zoning Commis County, this 25th day of January, 1978, that a Special Exception for a

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

#### CROSS TO SINTER APPEARANCE

I handle enter my appearance in this proceeding. You are requested to notify are of any handing data or dates which may be now or horselfor designated th and of the second of the publishers or final Order in connection therewise

John W. Healen, III Resplo's Councel County Office Buildin

MENY CENTIFYthat on this 25th day of October, 1977, a capy of the Order was mailed to Goorge D. Edwards, Esquire, 207 Dunkirk Building

W. Herringt



THIS IS TO MOTIFY THE SONING COMMISSION THAT THE UNDERSIGNED DALK DO HEREBY DECLARE WE ARE AGAINST THE CHING OF 105 ST. HELENA AVE. 21222 BEING SONE AS A GARAGE

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John W. Dawson 1935 Brydeller 285-1217
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RE: PETITION FOR SPECIAL EXCEPTION for Service Garage SE/S of St. Helena Ave SW of Dendalls Ave

behalf of sold Potitioners be dismissed.

OF

BALTIMORE COUNTY File No. 78-148-X

ORDER OF DESMISSAL

WHEREAS, the Board of Assesses is in receipt of a letter of dismissed of ap-

filled April 16, 1979 (a capy of which is attached herete and made a part hereal) from the -Assellants in the above entitled matter. WHEREAS, the said Patitioners-Appellants request that the appeal filed on

It is hareby ORDERED, this 17th day of April, 1979, that said appeal be

Tother Miller on

VED FOR FIL ORDER DATE RE: PETITION FOR SPECIAL EXCEPTION Petitioner NO. 78-108-X (Item No. 48)

: BALTIMORE COUNTY

10 10 10

This matter comes before the Zoning Commissioner as a result of a Petition for a Special Exception for a service garage. The subject property is located on the southeast side of St. Helena Avenue, 61.36 feet southwest of Dundalk Avenue, in the Twelfth Election District of Baltimore County. Said property contains 2,660 square feet, more or less.

Testimony on behalf of the Petitioner indicated that the subject property formerly enjoyed the use of a restaurant which had been destroyed by fire in February of 1977. The proposed use of the subject property is a service garage and more specifically, a motorcycle repair facility. Hours of operation would be between 8:00 am and 6:00 pm, six days a week, Monday

The subject property was described as one of an old strip of commercial stores on St. Helena Avenue near its intersection at Dundalk Avenue. The

safety, and general welfare in that it would create excessive noise not only inside the building but outside by individuals coming to the subject

29-101-Molens Improvement Association FILLETTI, ENC.

NFC 5 '77 PM +++> 000

210 MAPLE AVENUE

Baltimore County Zoning Commissioner Commissioner S. Eric DiNenna County Office Building Towson, Ed. 2420h

Dear Commissioner DiNenna

Request that you consider this protest from the residents of St. Helens to the proposed Motorcurle Shop that the Fillet! Corporation has filed an application for. It's existance would present the following:

a. A decibel rating above and in excess of an acceptable community noise level as permitted by the Meryland Department of Health.

t. The exhaust fans tentatively anticipated to be sure, wild only be pumping obnexious fumes into the neighbor-

It is imperative that in view of the need for new businesss to come to the mid of this community, we must not sacrifice human lift for the make of economic gains.

May I take this opportunity to thank you in advance for your kind attention to this letter and further request that I may be given a copy of the Commissioner's decision.

> Respectfully. Maurice H. Hedges President

# BALTIMORE COUNTY, MARYLAND

S. Eric DiNenna, Zoning Commissioner Leslie H. Graef, Director of Planning

Petition #78-108-X. Petition for Special Exception for Garage, Service Southeast side of Helena Avenue 61, 36 feet Southwest of Dundalk Avenue Petitioner – Filleti, Inc.

12th District

HEARING: Monday, November 14, 1977 (1:00 P.M.)

There are no comprehensive planning factors requiring comment on this perition Zoning Staff commented that provisions for parking have been agreed upon.

Leslie H. Godef

LHG-IGH



office a copy of the Order o

Law Office of AN, PACHINO & PRINCIPALAN SUMMING SULDING "MANYLAND SIZES

January 31, 1978

Zoning Commissioner County Office Building Towson, Maryland 21204

RE: Petition for Special Exception SE/S of St. Netena Avenue, 61.36' SW of Dundath Avenue - 11th Election District Filetti, Inc. - Carmen Filetti, et ux -Petitioners No. 18-108-X (Item No. 48)

Please be advised that this office represents Carmen and Alaine Filetti of 105 St. Helena Avenue, Ballimore, Maryland 21222.

Ma, and Mrs. Filetti have asked this office to .nter an Appeal from the January 15, 1978 Order of the Toning Commissioner of Battimore County, a copy of which is attached hereto.

My check in the amount of \$75.00 is enclosed horewith representing the costs due for the above mentioned Appeal.

Thank you for your cooperation.

Very truly yours, George D. Edwards ICK

cc: Mr. and Mrs. Carmen Filetti 105 St. Helena Avenue Baltimore, Maryland 21222





January 25, 1978

George D. Edwards, Esquire 207 Dunkirk Building Baltimore, Maryland 21222

RE: Petition for Special Exception SE/S of St. Helena Avenue, 61.36' SW of Dundalk Avenue - 12th Election District
Filleti, Inc. (Carmen Filleti, et un) Petitioner NO. "8-108-X (Item No. 48)

. .

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

Very truly yours, 10 S. ERIC DI NENNA

SED/mc

cc: Mr. Albert Linderbaum 101 St. Helena Avenue Dundalk, Maryland 21222

John W. Hessian, III, Esquire People's Counsel

David W. Dallas, Jr.

CIVIL ENGINEER

B713-OLO HARFORD ROAD BALTIMORE, MD. 21234

Registered Professional Engineer & Land Surveyor

SECURAL EXPERSION FOR

CHANGE CARRIES

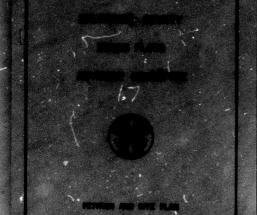
(S-CCION 233.43)

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fully 27, 1922





## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 M. Chesapeake Ave. Townen, Maryland 2120

Bureau of Engineering Department of Traffic Engine Bureau of Fire Prevention

Project Planning Building Department Board of Education Boning Administrat: Industrial Development

November 3, 1977

George D. Edwards, Esquire 207 Dunkirk Building Baltimore, Maryland 21222

RE: Special Exception Petition Item Number 48 Petitioner - Carmen Pilleti Elaine Pilleti

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection 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 composed to the zoning action requested, but composed to the zoning action report with the zoning appropriate the zoning and zoning and zoning action recommendations as to the appropriateness of the sequented zoning.

This vacant building, formerly utilized as a restaurant, is part of an integrated group of stores local and an area of the stores local boundain whence in the 12th Election District and properties to the north and south are improved with a church and a store, respectively.

This petition is recessitated by your client's proposal to convert this vacant building into a motor-cycle repair and retail parts store. Since this use would not require as much parking as the previous

George D. Edwards, Esquire

restaurant operation and coupled with the fact that no parking was actually provided, it was decided not be seen to be se

In addition to the above and as indicated in the comments of the Office of Project and Develop-ment comments of the Office of Project and Develop-ment of the Berkhold of moving the Vehicles in and out of the Berkhold of moving the loading areas should be indicated on the revised plan.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the file of the state of th

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

NBC:rf

cc: David W. Dallas, Jr. Civil Engineer 8108 Harford Road Baltimore, Maryland 21234



Mr. S. Eric DiNenna Zoning Commissioner County Office Buildin Towson, Maryland 212

Pa: Item 848 (1977-1978)

Property Owner: Carmen & Elaine Filleti
5/SS 51. Belena Ave. 61.36 " " Dundalk Ave.
Existing Zoning: Bal.

Proposed Zoning: Special Exception for motorcycle repair,
sale of parts and soccessories.
Acres 0.060 | Datairt, 12th

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. General:

Baltimore County highway and utility improvements are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #48 (1977-1978).

Very truly yours,

Chours I Dim Corpe ELISHORTH N. DIVER, P.E. Chief, Bureau of Engineering

P-SE Key Sheet 14 SE 17 Pos. Sheet SE 4E Topo 103 Tax Map



Mr. Eric S. DiNenna, Zoning Co Zoning Advisory Committee Office of Planning and Zoning Battimore County Office Building Towson, Maryland 21204

Comments on Item #48, Zoning Advisory Committee Meeting, September 6, 1977, are as follows:

Property Owner: Cormern and Elaine Filleti Location: Se/S St. Helena Avenue 61,36' SW Dundalk Avenue

Location: 30,331, International Control of the Cont District: 12th

This office has reviewed the subject petition and offers the following comments. These comare not intended to indicate the appropriateness of the zoning in question, but are to easer that all parties are made oware of plans or problems with regard to development plans that may have a bearing on this petition.

This office is concerned about the means of deliveries to the property; where will loading and unloading take pioce, customer and employee parking, also how the vehicles will be moved in and out of the building?

Very truly yours,

John Levenbly John L Wimbley Planner III



Rr. S. Bric Different, Koning Commissioner Office of Flamming and Zoning County Office building Towon, Maryland 21204

THD/KS/fth

Comments on Item #48, Zoning Advisory Committee Heeting, September 6, 1977, are as follows:

Carmen & Elaine Filleti SE/S St. Helena Ave. 61.36' SM Dundalk Ave. B.L. Special Exception for motorcycle repair, sale of

October 17, 1977

Metropolitan water and sewer are available, therefore no health are anticipated.

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.

them 1. when

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

September 22, 1977

Item No. 48 - ZAC - September 6, 1977 Property Owner: Carmen & Elaine Filleti Location: SE/S St. Nelena Ave. 61.36 SM Dundalk Ave. Location: mayor. The manuscript of motorcycle repair, sale of parts and accessories.

The requested special exception for a motorcycle repair, sale of parts and accessories store can be expected to cause some traffic problems due to the lack of panking.

muchaeld Hange Michael S. Planigan Traffic Engineer Associate

MSF/kar

Office of Flanning and Zoning Baltimore County Office Building Town, Maryland 21204

Attention: Mr. Commodari, Chairman Zoning Advisory Committee

Ro: Property Owner: Carmen & Elaine Filleti

Location: SE/S St. Helena Ave. 61.36' SM Dundalk Ave.

Zoning Agenda September 6, 1977

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "to" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Pire hydrants for the referenced property are grequired and shall be located at intervals of four along an approved read in accordance with Matthews Community Chandards an published by the Department of Rublic Nortes.

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

( ) 3. The vehicle dead-end condition shown at\_\_\_

RCEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Pire Provention Code prior to occupancy or beginning of operations.

Fig. revenues one prior to occuping or Degining of Operations.

() : To buildings and structures calcidate or revenues on the site shall comply with all applicable reports after of the Rational Fire Protection association of Sendard No. 101 "Life Safety Opto", 1970 Ration prior to occupancy.

( xx) 6. Site plans are approved as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

Roviower: AF) Color Ho Ap

Hoted and Levy 11, it igand Pire Prevention Burnau

September 28, 1977

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

Comments on Item # 48 Zoming Advisory Committee Meeting, September 6, 1977 are as follows:

Property Owner: Carmen & Elaine Filleti Location: \$7/25 St. Helena Ave. - 61.36' S/W Dundalk Ave. Entiting Zoning: B.L. Proposed Zoming: Special Exception for motorcycle repair, sale of parts and

The items checked below are applicable:

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

(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 original 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 Bullding Department if distance is between 3'0" and 6'0" of property line.

( ) P. No comment.

G. Requested setback variance comflicts with the Baltimore County Building Code. See Section \_\_\_\_\_\_\_.

Very truly yours.

Charles E. Burndon / golhaid

Charles E. Burnham Plans Review Chief CEB:rTj

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

Petitioner & Attorney Con. B. Monrie Reviewed

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avenu-Towson, Maryland 21204

1977 Filing Fee \$ 57

Petitioner Comm + Elare F. Wet Submitted by

Petitioner's Attorney Gange Chand Reviewed by 683

\* This is not to be interpreted as acceptance of the Pecition for assignment of a hearing date.

Your Petition has been received \* this 2/

Zoning Commissioner

\_\_. Received <u>~\_\_</u>Check

Cash

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

movid W. Dallas, Sr. 9100 mardest hand Saltimore, 10 21224

#78-108-X

CERTIFICATE OF POSTING

District 12 N

Date of Posting 2 16 78 Petitioner Full & Xx Location of grapaty SEE 1 Side of At Helican Ola 61.36 SM of Dundall or

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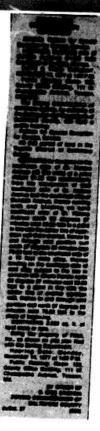
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STREET OF BALTIMORS COUNTY #78-108-X 11 11-1-77 1 Date of Posting 10-27-77 Posted for Heaving Monday Mol. 14. 1927 & L'ac B. H.

Posted by Merel ) Island Date of return 11-3-27

78 Sun =





TOWSON, MD. 21204

October 27

1977

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR SPECIAL EXCEPTION - Filleti, Inc., SE/S Helena Ave. was inserted in the following:

- ☐ Catonsville Times
- Dundalk Times
- ☐ Essex Times
- ☐ Suburban Times East
- □ Community Times
   □ Suburban Times West

☐ Towson Times

☐ Arbutus Times

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 28th day of October 19\_77, that is to say, the same was inserted in the issues of October 27, 1977

STROMBERG PUBLICATIONS, INC.

BY Esth Burgue

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# CERTIFICATE OF PUBLICATION

TOWSON, MD.,Qctqber_27, 1977.
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., ence in casch
ofxone time successive weeks before the
day of November 19.77 the first publication
appearing on the 27th day of October
19.77
THE JEFFERSONIAN.
D. Frank Structur

BALTIMORE COUNTY, MARYLAND OFFICE OF FEMICE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 57248

Oct. 280 20, 1977 01-662

AMOUNT \_\_\_ \$50.00

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For Politics for Special Exception for Filleti, Inc.s.
F/6-105-X

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VALIDATION OR SIGNATURE OF CASHIER

BALTH	MORE	COUNTY,	MARYLAND
OFFICE	OF F	NANCE - RE	VENUE DIVISION
			RECEIPT

DATE Peb. 1, 1978 01-662

AMOUNT \_\_ 875.00

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BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVEN DIVISION MISCELLANEOUS CASH RECEIPT

DATE TOT. 14. 1977 ACCOUNT

AMOUNT\_ 847.25

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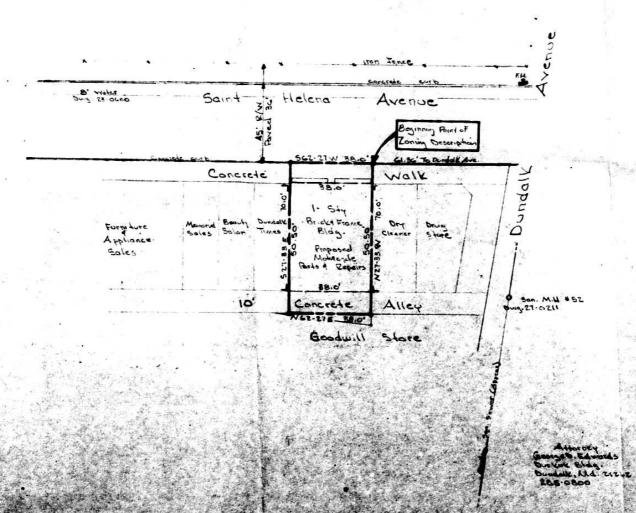
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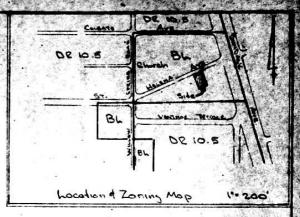
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VALIDATION OR SIGNATURE OF CASHIER

First Baptist Church





ZONING DATA

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God Ac.

2. Existing Zoning 3. Proposed Zoning

BL BL with Special Exception For Service Garage Section 230,18

191958

4. Building Area
5. Parking Calculations
Freezes Use Real

Restaurant Se se spaces

Motorcycle Point & Expris



ZONING PLAT Filleti 12th Election Dist. Roperty Md. Scale 1" - 20" Huly 28, 1977

Owner & brvelages Cornine Doneride Fileti, Wall 1826 Horald &d Dundalk, Md. 21222



First Baptist Church

DR 10.5 00 05 BL 2.01.90 Location & Zoning Map 1000

ZONING DATA

1. Gross Acreage

2. Existing Zoning 3. Proposed Zoning

BL BL with Special Exception For Service Gorage Section 230.13

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Proposed Use

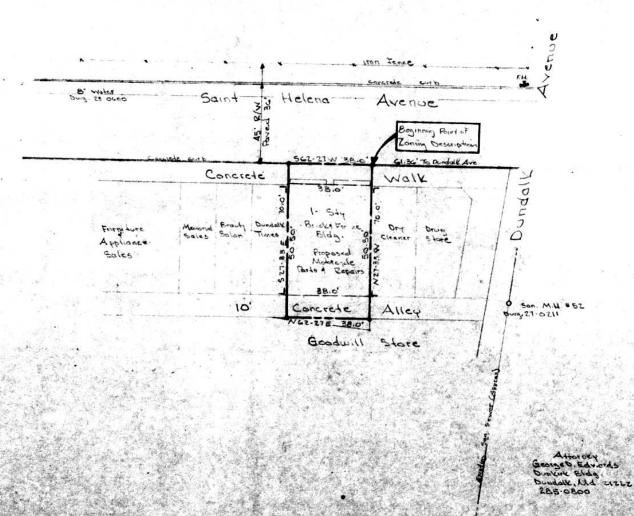
Residencent
1919/100 = 38.38 spaces
1919/100 = 36.38 spaces
Motorcycle Bart & Repairs
1919/200 = 9.59 spaces

Parking Regid 9.59 spaces in less than 38.38 Actual Parking Regid. O spaces

ZONING PLAT Filleti 12th Election Dist. Scale 1" - 20 Waly 28, 1977

Owner & Developer Carrième Domernak Flich, edel 1820 Harold Ro. Duddill Md. Erezz





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