PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 __255.2 (243.2) to permit a side yard setback of Zero (0) feet instead of the required Fifty (50) feet.

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

Present BCZR regulations limit expansion of our facility south towards the ML Zone boundary and west, except to within the 50 ft. side yard setback limit. The severe topographical conditions to the north where expansion would be permitted by BCZR create extremely high building costs for a warehouse type facility. With ownership by the railroad of the property to the west and the topographical features created by the deep cut of the track profile as it passes beneath Patapsco, the property, though zoned F.R.5.5, is not occupied or developable. Adhering to the 50 ft. setback would reduce expansion feasibility by 30% and the 50 ft. strip would present additional security and groundskeeping costs. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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.

Zoning Commissioner of Baltimore County

206

Contract Purchaser: Legal Owner(s): R. E. MICHEL COMPANY, INC. (Type or Print Name) (Type or Print Name) for Petitioner BALTIMORE, MARYLAND Name, address and phone number of legal owner, contract purchaser or representative to be contacted R. E. MICHEL COMPANY, INC. Attorney's Telephone No.: ______ 2801 W. PATAPRICO_AVENUE ___252-5500_ Address HALTIMORE, MD 21230 Phone No. ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of April 1982, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation E.roughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the _____ 29th ____ day of ____ June ____, 19_82 __ at 9:30 o'clock

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550 STEPHEN E. COLLINS DIRECTOR

__A.M.

May 20, 1982

Mr. William Bammond Zoning Cummissioner County Office Building Towson, Maryland 21204

RE: ZAC Comments for 4/20/82 Menting

Dear Mr. Hammond:

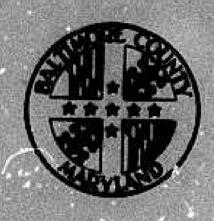
The Department of Traffic Enginerring has no comments for Item numbers 203 through 206 and Items 208 and 209.

Very truly yours,

C. Richard Moore Assistant Traffic Engineer

CRM/GMJ/tlj

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 22, 1982

COUNTY OFFICE BLbG. Towson, Maryland 2120

Nicholas B. Commodari Chairman

Mr. Robert E. Michel, Jr. 2801 West Patapaco Avenue Baltimore, Maryland 21230

MEMBERS .Bureau of Engineering

Department of Traffic Engineering State Foads Commiss Bureau of

Health Department Project Planning Building Department Board of Education Zoning Administration Industrial Development

Fire Prevention

RE: Item No. 206 Petitioner - R. E. Michel Company, Inc. Variance Petition

Dear Mr. Michel:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced potition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to construct an addition to the wide of the existing building, this hearing is required.

Particular attention should be afforded to the comments of the Department of Permits and Licenses. If any explanation is required, you may contact Mr. Charles Burnham at 494-3987.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> niklas B. Commudari ; NICHOLAS B. COMMODARI, Chairman Zoning Plans Advisory Committee

NDC:bsc Enclosures cc: Basil Acey Associates 715 Park Avenue Baltimore, Md. 21201

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 TOWSON, MARYLAND 21204

HARRY J. PISTEL P. F.

May 19, 1982

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #206 (1981-1982) Property Owner: R. E. Michel Company, Inc. Centerline of Smith Avenue 690' W. from centerline of Bryant Street Acres: 6.5202 District: 13th

Dear Mr. Hammond:

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.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Fetitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review.

Mobert A. MORTON, P.E., Chief Bureau of Public Services

April 22, 1982

RAM: EAM: FWR: SS

G-SE Key Sheet 16 SW 8 & 9 Pos. Sheets SW 4 & 5 C, SW 4 B Topo 102 Tax Map

BALTIMORE COUNTY:
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3900

Office of Planning and Boning

County Office Building Towson, Maryland 21206

Dear Mr. Harmond;

are as follows:

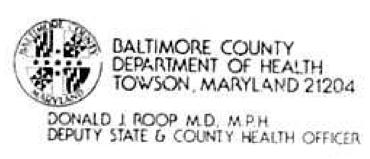
Property Owners

Existing Fonings

Rr. William E. Hommond, Zoning Cummissioner

Comments on Item # 206 Zoning Livisory Committee Meeting

TED ZALESKI IN



June 16, 1982

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 206, Zonicg Advisory Committee Meeting of April 20, 1982, are as follows:

> Property Owner: R. E. Michel Company, Inc. Location: Centerline of Smith Avenue 690' W. from centerline of Bryant Street

Proposed Zoning: Variance to permit a side yatd setback of O' in lieu of the required 50'. Acres: / 5202

Pistrict 13th

Existing Zoning, M.L. & D.R. 5.5

Metropolitan water and sewer exist.

Prior to new installation/s of fuel burning aquipment the owner should contact the division of Air Pollution Coptrol, 494-3775, to obtain requirements for such installation/s before work begins.

> Very tryly yours, Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF: ru

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204 825-7310

June 14, 1982

Nr. William Hammord Coming Commissioner Office of Planning and Zoning Towson, Maryland 21204

Zoning Plans Advisory Committee

RE: Property Owner: R.E. Michel Company, Inc.

Location: Centerline of Smith Avenue 690' W. from centerline of Bryant Street

Gentlemen:

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

(X) 1. Fire hydrants for the referenced property are required and shall be accordance with Baltimore County Standards as published by the Papartment of Public Works.

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

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applica le parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X; 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior

) 6. Site plans are approved, as drawn.

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

REVIEWER OF JE JOSEPH KOL Planning Group Special Inspection Division Noted and Alergem Megamed Fire Prevention Bureau

Charles S. Burnham, Chief Plane Review

Coparry.

PAUL H REINCHE

Baltimore County Office Building

Attention: Nick Commodari, Chairman

Item No.: 206

Zoning Agenda: Meeting of April 20, 1982

The items checked below are applicables

XA. All structure shall conform to the Baltimore C. unty Suilding Code 1981/ Council Bill 4-82 State of Maryland Code for the Handicepyed and Aged; and other applicable Codes.

of the required 50'.

XB. A building/_____permit shall be a vaired before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Stringer seal is/is not required.

R. E. "ichel Company, Inc. Centerline of Smith Avenue 690' W. from centerline of M.L. & D.R. 5.5 Rryant St. Variance to permit a side yard setback of C' in lieu

XD. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer small be required to file a permit application.

E. In wood frame construction an exterior wall erected within 6'0 of an adjacent

lot line shall be of one hour fire resistive construction, no openings permitted within)'-0 or lot lines. A firewall is required if construction is on the lot line, See Table LO1, line 2, Section 1407 and Table 1402.

7. Requested variance conflicts with the Baltimore Coursy Building Code. Section/s ______

G. A charge of occupancy shall be applied for, wlong with an alteration permit application, and three required sets of drawings indicating how the structure will seet the Code requirements for the proposed change. Drawings may require a professional seal.

Xr. Before this office car/comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed charge in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

NOTE: XI. Comments Unless the structure is of type 1A or 1B construction and sprinkled or one of several other alternatives, problems could be encountered with fire exposure where the proposed structure paralells the interior lot line. See Article 5, General Building Limitations.

> NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plane Review) at 111 Vest Chesapeake Ave., Towns. Yery truly yours.

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/wastexustx result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested with will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /shouldcourt be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this - 1977 day of July 19 82, that the hancing Petition for Variance(s) to permit a side yard setback of zero feet in lieu of the required fifty feet, for the expressed purpose of constructing additional warehouse space to the existing improvement, in accordance with the site plan prepared by Basil Acey Associates, dated April 5, 1982, and marked Petitioner's Exhibit 1, except that the four-foot-high compact screening shown parallel to Smith Avenue may be relocated at or near the fence line along Smith Avenue, is hereby GRANTED, from and after the date of this Order, subject, however, to the approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning, including landseaper and screening required for approval by the Current Planning and Develop-

> Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE

REFORE THE ZOINIT'S COMMISSIONER

N/S of Smith Ave., 590' W of the centerline of Bryant St. 10th District

OF BALTIMORE COUNTY

: Case No. 82-297-A R. E. MICHEL CO., INC., Petitioner

111111

ORDER TO ENTER APPEARAINCE

Mr. Commissioner:

FILING

RECEIVED FOR F

ORDER

ment Pivision.

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2168

I HEREBY CERTIFY that on this 8th day of June, 1982, a copy of the foregoing Order was mailed to Robert E. Michel, Jr., President, R. E. Michel Co., Inc., 2801 W. Patapsco Avenue, Baltimore, Maryland ?1230, Petitioner.

John W. Hessian, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Nicholas B. Commodari TO Zoning Advisory Committee Date April 20, 1982

Sharon M. Caplan PROM_ Economic Development Commission

SUBJECT_____ Item #206 -- Property Owner: R. E. Michel Company, Inc. tocation: Centerline of Smith Avenue 690' West from centerline of Bryant Street

Existing Zoning: ML & DR 5.5 Proposed Zoning: Variance to permit a side yard setback of 0' in lieu of the required 50'.

In recognition of Baltimore County's desire to foster a healthy economic growth, we request the zoning officer to evaluate the above request in the best interest of inquistrial expansion.

Jun 11, 1982

Very truly yours,

John L. Wimbley

Current Planning and Development

SMC:jet

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204

Zoning Advisory Committee

Towson, Maryland 21204

Dear Mr. Hammond:

Cifice of Plannung and Zoning Baltimore County Office Building

Acres: 6.5202

District, 13th

bearing on this petition.

Mr., William E., Hammond, Zoning Commissioner

Landscaping should be shown on the site plan.

Property Owner: R. E. Michel Company, Inc.

NORMAN E GERGER

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: April 21, 1982

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: April 20, 1982

RE: Item No: 202, 263. 204, 205, 206, 207, 208, 209 Property Owner: Location: Present Zoning: Proposed Zoning:

> District: No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours, Wm. Nick Petrovich, Assistant Department of Planning

W. 2/pp



WILLIAM E HAMMOND ZONING COMMISSIONER

June 24, 1982

R. E. Michel Company, Inc. c/o Robert E. Michel, Jr., Pres. 2301 W. Patapago Avenue Baltimore, Maryland 21230

> Re: Petition for Variance N/S of Emilth Avarue. Foo! W of centerline of Bryant Street R. E. Michel Company, Inc. - Petitioner Case #82-287-A Item #206

It - Mr. Fichel:

This is to advise you that _______is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours.

WILLIAM E. HAMMOND Zoning Commissioner

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

No. 108917

DATE 7/17/82 ACCOUNT 0:-662 AMOUNT_ \$55.90 R. E. Michel Company, Inc. Advertising & Posting Cree #82-287-A

6 074*****559010 B186A

VALIDATION OR SIGNATURE OF CASHIER

R. E. Michel Company, Inc. c/o Robert E. Michel, Jr., Pres. 2801 W. Fatansco Avenue Baltimore, Maryland 21230

BOTICE OF HEARING

Re: Petition for Variance N/S Smith Ave., 690' W of the centerline of Bryant St. R. E. Michel Company, Inc. - Petitioner Case #82-287-A

June 1, 982

TDE: 9:30 A. M.

DATE: Tuesday, June 29, 1982

PLACE: ROCH 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOUSON, MARYLAND

County of School County Supering of Special School County States of States o Serving and according once when purpose of Businessy City, the side metadas 200,000 Mg R or 6,5002 Ramp to property of it. It. Michael Company, Inc., 30 stones on pice pair. One may be about Direct

Dffice of **PATUXENT** 10750 Little Pätuxent Pkwy Columbia, MD 21044

JUNE 10, 19 H2

L-38033

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE

was asserted in the following: Catonsville Times

× Arbutus Times weekly newspapers published in Baltimore County Maryland once a week for ONE successive weeks before once a week for successive weeks before JUNE ___ 19 82 __, that is to say. day of the same was inserted in the issues of

JUNE 10, 1982

PATUXENT PUBLISHING CORP.

BALLTIMORE COUNTY

17

JLW:rh

Comments on Item \$206, Zoning Advisory Committee Meeting, April 20, '982, are as follows:

This office has reviewed the subject petition and offers the following comments. These comments

are not intended to indicate the appropriateness of the Loning 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

RE: Description of Site

Zoning Description

Beginning at a point in the centerline of Smith Avenue at the distance of 690 ft. west from the centerline of Bryant Street: thence N 68°, 08' 35" W for 706.49 ft. thence easterly

N 52°, 52' 30" E for 326.70 ft.: thence N 59°, 32' 30" E for 198.60 ft.: thence easterly N 37°, 33' 10" E for 113.02 ft. to the Baltimore County Line: thence 77.95 ft. to the property line abutting the south R.O.W. of Patapsco Avenue; thence easterly S 68°, 16' 50" E for 336.39 ft.: thence southerly S 2°, 40' E for 150.23 ft. to the Paltimore City Line; thence southerly S 61°, 29° 30" W 150 ft.: thence southerly S 19°, 14° 06" W for 369.78 ft. also known as 2801 West Patapsco Avenue, Baltimore, Maryland 21230.

Saving and excluding area within jurisdiction of Baltimore City, the site includes 284,020 sq. ft. or 6.5202 acres.

12-215-2

19.82

CERTIFICATE OF PUBLICATION

TOWSON, MD., _____June_10____, 19__82_ THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper print d and published in Towson, Baltimore County, Md., Executive County one time management before the __29th____ day of ______ June ____, 19_82_, the and publication appearing on the 10th day ofJune

82-287-A

Cost of Advertisement, \$_____

CERTIFICATE OF POSTING ZOMING DEPARTMENT OF BALTIMORE COUNTY

District 13th	Date of Posting Sever 12 1983
Posted for: Variance.	
Petitioner: P.C. Smithe	mith arome 690'W of the
Location of property: N.S. T.	mith arome 690 M of The
Location of Signa Atouthe Dis	L of Smith are apprex. 1150
west of Bryant.	<i>st</i>
Remarks:	[10] - 12]
Posted by A. Q. anata	Date of return Luns 15, 1982
/ Signature	

July 19, 1982

Mr. Robert E. Michel, Jr., President R. E. Michel Company, Inc. 2801 West Patapsco Avenue Baltimore, Maryland 21230

> RE: Petition for Variance N/S of Smith Avenue, 690' west of the centerline of Bryant Street -13th Election District R. E. Michel Company, Inc. -Petitioner NO. 82-287-A (Item No. 206)

Dear Mr. Michel:

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

Very truly yours,

WILLIAM E. HAMMOND Zening Commissioner

WEH/srl

Attachments

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

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this

WILLIAM E. HAMMOND Zoning Commissioner

Petitioner E. E. Mabel Company, Inc. Petitioner's Attorney

Reviewed by Julia B. Commodari Chairman, Zoning Plans

Advisory Committee

PETITION	MAPPING		PROGRESS			SHEE	T			
	Wall Map		Original		Duplicate		Tracing		200 Sheet	
Descriptions checked and outline plotted on map	date	by	910E	by_	date	by	date	by	date	by
Petition number added to outline										
Denied										
Cranted by ZC, BA, CC, CA						-				
Reviewed by: MM	7	-	(Change	d Pla	tline	or desc	riptic	`n	

PETITION FOR VARIANCE

13th Election District

ZONING:

Petition for Variance

LOCATION:

North side of Smith Avenue, 690 ft. West of the centerline of Bryant Street

DATE & TIME: Tuesday, June 29, 1982 at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake

Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

> Petition for Variance to permit a side yard setback of 0' instead of the required 50'

The Zoning Regulation to be excepted as follows:

Section 255. 2 (243. 2) - minimum side yard setback in a M. L. zone within 100' of a residential zone

All that parcel of land in the Thirteenth District of Baltimore County

Being the property of R. E. Michel Company, Inc., as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, June 29, 1982 at 9:30 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

> BY ORDER OF WILLIAM E, HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

111 W. Chesapeake Avenue Towson, Maryland 21204 Your Petition has been received this Filing Fee \$ d Received: No. 106887 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH, RECEIPT the Petition for assignment of a

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building





