

PETITION FOR ZONING VARIANCE 83-150-A
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 255-1 (238.2) To allow a side yard setback of one (1) foot instead of the required thirty (30) feet.

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

To require the owner of the instant property to use the same pursuant to the side yard setback regulations contained in Section 255-1 (238.2) would work an unnecessary hardship upon the owner because of the size and shape of said lot. The instant lot has frontage on John Avenue of 101.48 feet and a depth of 410.96 feet. Compliance with 30 foot setbacks from each side of said lot would reduce the available space for construction and car parking to an extent that the improvement of said lot for use in an industrial zone economically unfeasible.

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 do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	John F. Rezendes
Signature	<i>John F. Rezendes</i>
Address	(Type or Print Name)
City and State	Signature
Name of Petitioner:	Address
L. Fleury	4805 Benson Avenue 247-3321
Signature	Baltimore, MD 21227
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
219 West Joppa Road	Lewis L. Fleury
Baltimore, MD 21204	Address
City and State	219 West Joppa Road 337-0010
Attorney's Telephone No. 337-0010	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of December 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 throughout 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 6th day of January 1983 at 10:45 o'clock A.M.

William E. Hammond
Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SE/S Benson Ave. 719' :
SW of Knecht Ave., :
13th District : OF BALTIMORE COUNTY

JOHN F. REZENDES, Petitioner : Case No. 83-150-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 24.1 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.

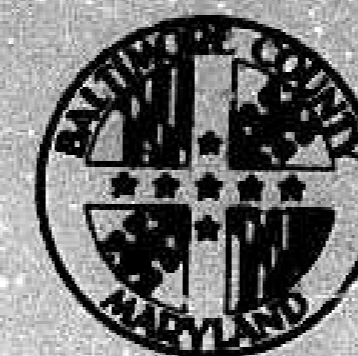
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 23rd day of December, 1982, a copy of the foregoing Order was mailed to Lewis L. Fleury, Esquire, 219 W. Joppa Road, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hessian, III

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 21, 1982

COUNTY OFFICE BLDG.
112 W. Chateaufort Ave.
Towson, Maryland 21286

Lewis L. Fleury, Esquire
219 West Joppa Road
Baltimore, Maryland 21204

RE: Item No. 62 - Case No. 83-150-A
Petitioner - John F. Rezendes
Variance Petition

Dear Mr. Fleury:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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 client's proposal to construct a combination warehouse/office building within one foot of the side property line, this hearing is required. This property was the subject of a previous hearing (Case 80-15-A) in which a request to construct the proposed building within 7 feet of the side property line was granted.

It is my understanding that the proposed Vero Road, indicated in the previous comment, dated February 6, 1979, from the Bureau of Engineering, is no longer planned to be constructed. However, I suggest that at the time of the scheduled hearing you discuss this matter.

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.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

NBC:bcc
Enclosures
cc: E.F. Raphael & Assoc., 201 Courtland Avenue 21204

Item #134 (1978-1979)
Property Owner: John F. Rezendes
Page 7
February 6, 1979

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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 Petitioner.

Water and Sanitary Sewer:

There is a public 12-inch water main in Benson Avenue (Drawing 043-0437, File 3). Any relocation of the existing fire hydrant will be the entire responsibility of the Petitioner.

There is public 8-inch sanitary sewerage in Benson Avenue and also in John Avenue, (Drawings 070-0074 and 070-0435, File 1, respectively).

Very truly yours,

(SIGNED) EDWARD A. MULLOUGHER

EDWARD A. MULLOUGHER, P.E.
Chief, Bureau of Engineering

END: EAM: PWR: ss

cc: J. Tremar
J. Loe
W. Munchel
C. R. Moore
J. Wimbley

G-W Key Sheet
15 & 16 SW 13 & 14 Pos. Sheets
SW 4 D Topo
101 Tax Map

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

Re: Item #134 (1978-1979)
Property Owner: John F. Rezendes
S/ES Benson Ave. 719' S/W Knecht Ave.
Existing Zoning: M-L-1-R
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 30'.
Acres: 1.0 District: 13th

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.

Highways:

Benson Avenue, an existing public road, is proposed to be improved in the future as a 40-foot closed section roadway on a 60-foot right-of-way adjacent to this property.

John Avenue, partially improved with macadam paving from Knecht Ave. as south-westerly approximately 500 feet, is not paved adjacent to the rear of this property. John Avenue, if improved in the future as a public road will also be as a 40-foot closed section roadway on a 60-foot right-of-way.

Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

The indicated location of the proposed entrance on Benson Avenue conflicts with proposed Vero Road (A County road on a 70-foot right-of-way) traffic movement; and there is also conflict with an existing fire hydrant. However, the entrance location is subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization would 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.

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR
October 29, 1982

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

Re: Item #62 (1982-1983)
Property Owner: John F. Rezendes
S/ES Benson Ave., 719' S/W from centerline of Knecht Ave.
Acres: 1 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:

The comments supplied in conjunction with the zoning Advisory Committee review of this property in connection with Zoning Item 134 (1978-1979), and those supplied by the Baltimore County Bureau of Public Services M. on 24, 1981 in connection with Commercial Building Application C-98-81, (Project 81037) are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 62 (1982-1983).

Very truly yours,

Robert A. Horton
ROBERT A. HORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:PWR:iss

cc: Jack Wimbley

G-W Key Sheet
15 & 16 SW 13 & 14 Pos. Sheets
SW 4 D Topo
101 Tax Map

Attachments

BALTIMORE COUNTY
DEPARTMENT OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
454 1700

WILLIAM E. HAMMOND

December 15, 1982

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

Dear Mr. Hammond:

Comments on Item # 62, Zoning Advisory Committee Meeting, October 5, 1982, are as follows:

Property Owner: John F. Rezendes
Location: SE/side Benson Avenue 719' S/W from centerline of Knecht Avenue
Acres: 1
District: 13th

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 bearing on this petition.

Landscaping should be provided on the subject site and indicated on the site plan.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

HLW:rh

ORDER RECEIVED FOR FILING

DATE: February 1, 1983

John F. Rezendes
SE/S Benson Ave., 719' SW of Knecht Ave.
13th District
83-150-A
83-150-A

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/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~be~~ be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 1st day of February, 1983, that the herein Petition for Variance(s) to permit a side yard setback of one foot in lieu of the required 30 feet, for the expressed purpose of construction, a warehouse/office building, in accordance with the site plan prepared by E.F. Raphael & Associates, dated September 10, 1982, and marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- The entire first floor shall be utilized only for warehousing. The offices shall be located in a 48' x 50' second floor area over the northernmost portion of the building.
- A sprinkler system shall be installed.
- All runoff shall be directed toward the storm drain in John Avenue.
- Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning, including landscaping as required for approval by the Current Planning and Development Division.

Joan M. Caplan
Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., MPH
DEPUTY STATE & COUNTY HEALTH OFFICER

October 25, 1982

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

Dear Mr. Hammond:

Comments on Item #62, Zoning Advisory Committee Meeting of October 5, 1982, are as follows:

Property Owner: John F. Rezendes
Location: SE/S Benson Avenue 719' S/W from centerline of Knecht Avenue
Existing Zoning: M.L.-IM
Proposed Zoning: Variance to permit a side yard setback of 1' in lieu of the required 30'.
Acres: 1
District: 13th

Metropolitan water and sewer are available.

Prior to new installation/s of fuel burning equipment the owner should contact the division of Air Pollution Control, 491-175, to obtain requirements for such installation/s before work begins.

Very truly yours,

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

JJF/als

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENCKE
CHIEF

December 20, 1982

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: John F. Rezendes

Location: SE/S Benson Avenue 719' S/W from centerline of Knecht Avenue

Item No.: 62 Zoning Agenda: Meeting of October 5, 1982

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.

1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department 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 applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
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 to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *[Signature]*
Planning Group
Special Inspection Division

Noted and Approved: *[Signature]*
Fire Prevention Bureau

JY/mb/jcm

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
484-3900

JO ZALESKI
DIRECTOR

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

Dear Mr. Hammond:

Comments on Item # 62 Zoning Advisory Committee Meeting

are as follows:
Property Owner: John F. Rezendes
Location: SE/S Benson Ave. 719' S/W from centerline of Knecht Ave.
Existing Zoning: M.L.-IM
Proposed Zoning: Variance to permit a side yard setback of 1' in lieu of the required 30'.

Acres: 1
District: 13th

The items checked below are applicable:

- All structures shall conform to the Baltimore County Building Code 1961/ Council Bill 1-82 State of Maryland Code for the Handicapped and Ageed and other applicable Codes.
- A building and other miscellaneous permits shall be required before beginning construction.
- Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.
- Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 1'-0" of lot lines. A firewall is required if construction is on the lot line. See Table 101, line 2, Section 107 and Table 102.
- Requested variance conflicts with the Baltimore County Building Code, Section/.
- A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- Before this office can 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 change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

X I. Comments: Existing problems could result due to the 1'-0" setback from the property line should there be multiple tenants. Two exits are required from tenant spaces in excess of 2000 sq. ft. they shall be remote & opposite of one another, and you cannot exit over a property line. Show handicapped Code compliance, Building Access, Parking, etc. **NOTE:** Plans shall be 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 (Plan Room) at 111 West Chesapeake Ave., 21204.

Very truly yours,

Charles E. Zurbach
Charles E. Zurbach, Chief
Plan Review

CED:rl

ROOM 1-122

BALTIMORE COUNTY PUBLIC SCHOOLS

111 West Chesapeake Avenue, Towson, Maryland 21204

Date: October 30, 1982

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

J.A.C. Meeting of: October 5, 1982

RE: Item No.: 51, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63
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,

Nick Petrovich
Mr. Nick Petrovich, Assistant
Department of Planning

WNP/bp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 83-150-A
John F. Rezendes

Date: December 20, 1982

On November 30, 1979, the Zoning Commissioner granted a setback variance of 7' in lieu of 30' for this property (see petition no. 80-15-A). Now the petitioner is requesting a variance to permit a setback of 1'. This office cannot support this subject request.

It should be noted that there is a proposed road, the alignment of which appears to impact the subject property. Obviously, this matter will have to be dealt with at the building permit application stage.

Norman E. Gerber
Director of Planning and Zoning

NEG:ur/sic

cc: Arlene Janucy
Shirley Hess

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Nicholas E. Commodari,
Zoning Advisory Committee
TO: _____ Date: October 1, 1982
Sharon M. Caplan,
FROM: Economic Development Commission

SUBJECT: Item #62 - Property Owner: John F. Rezendes
Location: SE/S Benson Ave. 719' S/W from centerline of Knecht Ave.
Existing Zoning: M.L.-IM
Proposed Zoning: Variance to permit a side yard setback of 1' in lieu of the required 30'.

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 industrial expansion.

Sharon M. Caplan
SHARON M. CAPLAN

SMC/sb

December 8, 1982

Lewis L. Floury, Esquire
219 West Joppa Road
Baltimore, Maryland 21204

NOTICE OF HEARING

Re: Petition for Variance
SE/S Benson Ave. 719' SW of
Knecht Avenue
John F. Rezendes - Petitioner
Case #83-150-A

TIME: 10:45 a.m.

DATE: Thursday, January 6, 1983

PLACE: Room 106, County Office Building, 111 West

Chesapeake Avenue, Towson, Maryland

[Signature]
ZONING COMMISSIONER OF BALTIMORE COUNTY

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

No. 111214

DATE: 1-24-82 ACCOUNT: R-01-615-000

AMOUNT: 100.00

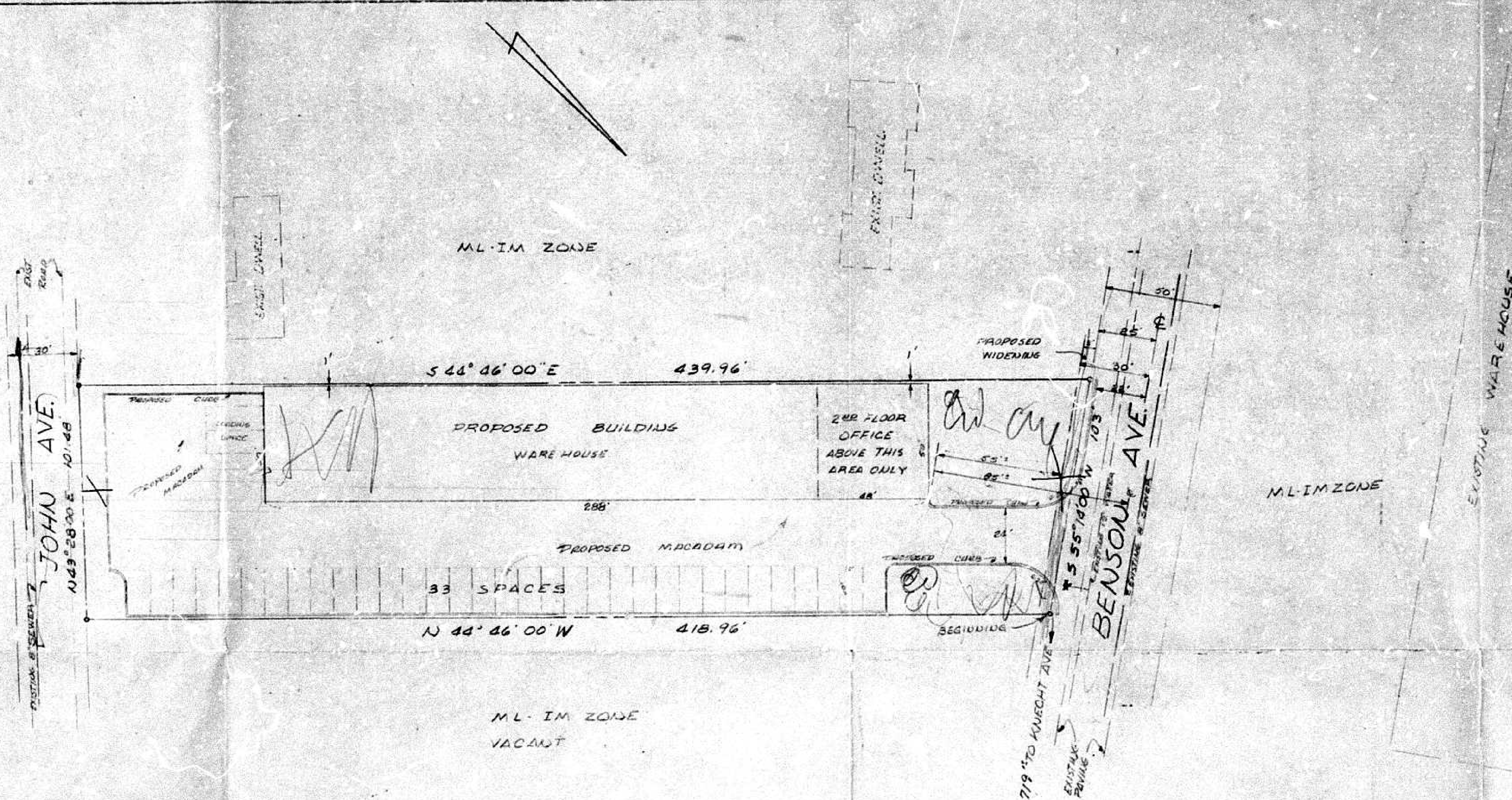
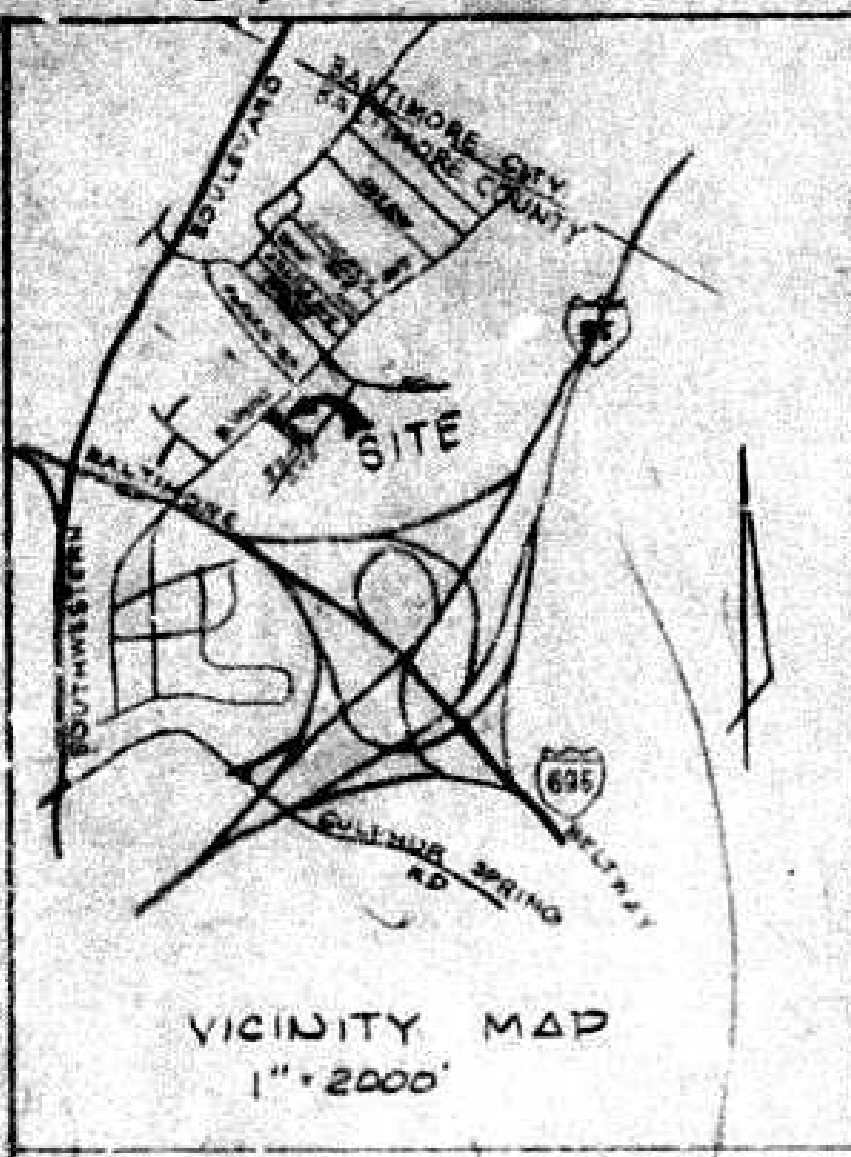
RECEIVED FROM: *[Signature]*
FOR: *[Signature]* = 62
John F. Rezendes

104*****1500010 8278A

VALIDATION OR SIGNATURE OF CASHIER



0891



GENERAL DATA

AREA OF PROPERTY	1 AC
EXISTING ZONE	ML-IM
EXISTING USE	VACANT
PROP. ZONE	ML-IM
PROP. USE	OFFICE & WAREHOUSE

PARKING DATA

AREA OF BLDG.	
1 ST FLOOR WAREHOUSE	14,400
2 ND FLOOR OFFICE	2,400
PARKING RATIO	
OFFICE - 1 SPACE / 300 ^{sq}	8 SPACES
WAREHOUSE - 3 EMPTY	1 SPACE
REQUIRED	9 SPACES
PROVIDED	33 SPACES + 210 PARKING SPACES

VARIANCE REQUESTED FROM SECTION 255-1 (23B.2) TO ALLOW A SIDE YARD OF 1' INSTEAD OF THE REQUIRED 30'



E. F. RAPHAEL & ASSOC.
REGISTERED PROFESSIONAL LAND SURVEYORS
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

NOTE: OUTLINE SHOWN HEREON WAS PLOTTED FROM DEEDS PLATS & OTHER SOURCES, & IS NOT A SURVEY

PROPERTY OF
JOHN F. REZENDES
4707 BENSON AVE.

13TH ELECTION DIST. BALTO. CO. MD.
SCALE 1" = 30' SEPT. 10, 1982

270m 162
PETITIONER'S EXHIBIT 1