PETITION FOR ZONING VALIANCE 84-249-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 238.1 (303.2) to permit a front yard setback of

5 feet instead of the required average of 51.5 feet. and

238.2 to allow a side yard setback of 10' instead of the required 30'. 109.2.b.(3) to permit 97 parking spaces in lieu of the required 104. 103/2/8 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- Construction of beef pit on either side or front of building would hinder the flow of traffic on parking lot.

 The site now being petitioned for would be more visible to roadway and customers and in turn better for business.
- Recommended as the best location by the State Highway Administration. Neighboring businesses have expressed approval of location for beef

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

178

	which is the subject of this Petition.
Contract Purchaser:	Legal Owner(s):
	AMEDIO GEORGE LORENZO
(Type or Print Name)	(Type or Print Name)
Signature	Signature Storal Joseph Morro
Address	Type or Print Name)
City and State	Mary Am Loungo
Attorney for Potitioner:	O INUL LA
(Type or Print Name)	8014 PULASKI Hwy 686-1126
Signature	BALTO . MD. 21237
Address	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted
City and State	Name
Attorney's Telephone No.:	
	Address Phone No.
Okpered By The Zoring Commissioner of	Baltimore County, this day

County, on the _____ 29th ____ day of __March ____, 19_84 , at _10:15 o'clock

A. M.

Case No. 84-249-A (Item No. 178) Petitioner - Amedio G. Lorenzo, et ux Page 2

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. hearing scheduled accordingly.

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

NBC:mch Enclosures



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO._Zoning_Commissioner____

Date__Merch_13, 1984

Norman E. Gerber, Director PROM Office of Planning and Zoning

Amedio G. Lorenzo, et ux SUBJECT 84-249-A

> Please note that a CRG meeting is required. Further, please consider the comments to ZPAC from Current Planning and Development to be part of this comment.

> > Norman E. Gerber, Direct Office of Planning and Zoning

NEG/JGH/sf

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 15, 1984

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Mr. & Mrs. Amedio G. Lorenzo 8014 Pulaski Highway Nicholas B. Commodar. Baltimore, Maryland 21237

MEMBERY

Bureau of Engineering

Department of Traffic Engineering State Roads Commission Bureau of Fire Prevention Health Detartment Project '/lanning Buil' no Departmen

Board of Education Toning Administration

Industrial

Development

RE: Case No. 84-249-A (Item No. 178) Petitioner - Amedio G. Lorenzo, etux Variance Petition

Dear Mr. & Mrs. Lorenzo:

The Zoning Plans Advisory Committee has reviewed the The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriatenss 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 locate a beef stand on the front of the subject property, this variance for parking and setback is required.

If you are not aware, the rear of this property, currently used for parking, was the subject of a previous hear-ing (Case *68-11-SPH). In this file is an approved plan with the notation of "dustless and durable surface" for the parking in the rear. I discussed the requirement of a paved parking surface with Mr. Jablon, Zoning Commissioner, and he felt if the plan was approved with that requirement then with the addition of the beef pit, this office should not require that area to be paved. He stated that the entire matter should be discussed at the hearing.

In addition to the above, the site plan should be re-vised to indicate the square footage of the existing building and the proposed beef stand.



BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204

HARRY I PISTEL P. E. DIRECTOR

February 29, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #178 (1983-1984) Property Owner: Amedio G. Lorenzo, et ux N/S Pulaski Highway 385' E. Chesaco Avenue Acres: 151.17/154.65 X 305/205.45 District: 15th

Dear Mr. Jablon:

The following comments are furnished in aggard to the plat scomitted to this office for review by the Zoning Mivisory Committee in connection with the subject

General:

Pulaski Highway (U.S. 40) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

Sediment Control:

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.

Storm Drains:

There is a drainage course along the southwesterly outline of this site, tributary to Red House Pun in a 30 and 42-inch R.C.C.P. (See Drawing 53-0961, File 4).

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 install cion of drainage facilities, would be the full responsibility of the Petitioner.

Itam #178 (1983-1984) Property Owner: Amedio G. Lorenzo, et ux February 23, 1984

Storm Drains: (Cont'd)

A Baltimore County storm drainage system exists within utility exsements both onsite and contiguous to this property. (See Drawing 76-0573, File 4)

Water and Sanitary Sewer:

There are public 12 and 36-inch water mains and 8-inch public sanitary sewerage in Pulaski Highway.

Bureau of Public Services

RAM: EAM: FWR: 88

J-SE Key Shint 9 NE 20 Pas. Enset NE 3 E Tobo 89 Tax Map



Maryland Department of Transportation

January 27, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 1-24-84 ITEM: #178. Property Owner: Amedic G. Lorenzo, at ux Location: N/S Pulaski Highway, Route 40-E, 385' E. Chesaco Avenue Existing Zoning: B.R.-CS-1 Proposed Zoning: Variance to permit a front yard setback of 5' in lieu of the required 51.1". Acres: 151.17/154.65 X 305/305.45 District: 15th

Dear Mr. Jablon:

On review of the site plan and field inspection for the proposed "Beef Stand", the State Highway Administration finds the proposal generally acceptable.

All business associated with the Beef Stand must be conducted outside the State Highway Administration Right of Way.

On the day of inspection, it was noted an existing outdoor advertising sign was located within the existing S.H.A. Right of Way at the center island of Route 40-E.

> My telephone number is (301) 659-1350 Teletypewriter to Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Tori Free P.O. Box "17 / 707 North Calvert St., Baltimore, Maryland 21233 - 0717

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/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this --day of ------, 19-----, that the herein Petition for Variance(s) to permit

Mr. 8 Mrs. Amedio G. Lorenzo 8014 Puluski Highway Baltimore, Maryland 21257

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.

Petitioner Amedia G. Lorenzo etux Received by: Micholas B. Commo Nicholas B. Commo Attorney

Chairman, Zoning Plans Advisory Committee

Mr. A. Jablon

January 27, 1984

This sign must be relocated outside the State Highway Administration right of way.

All additional comments regarding the outdoor advertising sign should be through Mr. Morris Stein at 659-1640.

-2-

Very truly yours, Charle Ru Charles Lee, Chief Bureau of Engineering Access Permits

CL:GW:maw

By: George Wittman

Attachment

cc: Mr. J. Ogle Mr. M. Stein OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Zoning Advisory Meeting of 1/24/84 Property Owner: Amedia & Lovenzo, +444 Location: NIS Parlaske Hong ., 385' # of Chromes Aus.

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

There are no site planning factors requiring comment. A County Review Group Meeting is required.)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.)A record plat will be required and must be recorded prior to issuance of a building permit.)The access is not satisfactory.)The circulation on this site is not satisfactory. The parking arrangement is not satisfactory. Parking calculations wust be shown on the plan.)This property contains soils which are defined as wetlands, and development on these soils is prohibited.)Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations. Development of this site may constitute a potential conflict with the Baltimore County Master Plan.)The amended Development Plan was approved by the Planning Board)Landscaping should be provided on this site and shown on the plan.
)The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Roserve Capacity Use Certificate has been insued. The deficient service)The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council, Beef Pit be gristouted up/add has to existing building; grasse total in will interfere with monworing on authorit gooding

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Zoning Item # 178, Zoning Advisory Committee Meeting of JAN 24,1954 Property owner: Amedia G. Lorenzo, et ux Location: M/S Pulaski Highway ___ District _15

Sewage Disposal _ Oublic

COMMENTS ARE AS FOLLOWS:

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility. complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

() Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain require-

ments for such installation/s before work begins. () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts

(V) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunes, whirlpools, het tubs, water and sewerage familities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

88 20 1082 (1)

() Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.

() Soil percolation tests have been conducted.

Zoning Item # 178

The results are valid until Nevised plans must be submitted prior to approval of the percolation

() Prior to occupancy approval, the potability of the water supply must be verified by collection of Secteriological and chemical water sumples.
() In accordance with Section 13-117 of the Baltimore County Code, the water

well yield test chall be valid until is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit

() All roads and parking areas should be surfaced with a dustless, bonding material.

() No health hazards are anticipated.

Applications.

(V) Others A copy of the Bacro, Co. Heaven Dept.

- togetherements garding beef-pit operations has been mailed to the owner.

> Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON MARYLAND 21204
494-3550

STEPHEN E. COLLINS DIRECTOR

February S, 1984

Mr. Arnold Jablon Zoning Cormissionor County Office Building Towson, Maryland 21204

Existing Zoning:

-ZAC- Moeting of January 24, 1984 Amedio G. Lorenzo, et ux N/S Pulaski Highway 385' E. Chesaco Avenue B.R.-CS-1 Variance to permit a front yard setback of 5' in lieu of the required 51.1'.

151.17/154.65 X 305/305.4U Acres: Postriat:

Dear Mr. Japion:

The proposed beef stand is too close to this entrance to this site. The stand should be moved away from the entrance or the entrance or the entrance width should be reduced.

> Michael S. Planigan Traffic Engineering Assoc. Il

MSF/ccm

L'ALTIMORE COUNTY
FINE DEPARTMENT
TOWSON MARYLAND 21204-2586

PAUL H REINCKS

February 14, 1984

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

Att stion: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Amedio. et ux

Location: N/S Pulaski Hwy. 385' E. Chesaco Avenue

Item No.: 178 Zoning Agenda: Meeting of January 24, 1984

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 Sational Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

1) 6. Site plans are approved, as drawn.

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

Planning Group Pil Special Inspection Division Fire Prevention Burea

SS 20 1080 (2)

Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

February 1, 1984

Dear Mr. Jablon:

Comments on Item # 178 Zaming Advisory Committee Meeting are as follows:

Property Owner: Amedio C. Lorenzo, et ux Location: N/S Pulaski Highway 385' E. Chesaco Avenue Existing Zoning: B.R. -CS-1

Proposed Zoning. Variance to permit a front yard setback of 5' in lieu of the required 51.1'

Acres: 151.17/154.65 x 305/305.45 District: 15th.

The items checked below are applicable:

All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Fundicapped and Aged; and other appli-

(E. A building/ & other permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer real is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Cormercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shell be of one hour fire registive construction, no openings permitted within 3'n of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

P. Requested variance appears to conflict with the Baltimore County Building Code, Section/s ______

G. 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 neet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Defore this office can compent on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engiseer 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 401.

I.) Comments - No additional comment unless for some reason the location is changed.

NOTE: These comments reflect only on the information passided by the drawings sub-mitted 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 (Plans Review) at 111 W. Chesapeake Ave.,

PITTIONER'S

Attention Zening Commissiona:

I have been appearable by Michael

DiGARD concerning his possible construction
of A beet stand At the tavern next door
to my bussiness, I have no problems with
this AS A. Meighboring bussiness At All.

Attention Zoning CommissionAR 3

I have been Appropriate 3

DIGACIO CONCERNING his possible construction of A beet stand at the towern next down to my bussiness. I have no problems with this as a neighboring bussiness at All.

FENCE MATERIALS

BALTIMORE FENCE BUPPLY CORFORATIF 9034 PULASKI HIGHWAY BALTIMORE, MARYLAND 21237 301 - 391-1041

JEFF KEMPTON

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 26, 1984

Mr. Arnold Jablen Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: January 24, 1984

RE: Item No: 174, 175, 176, 177, 178, 179, 180, 181, 182, 183,184, 185, 186, Property Owner: 187, 188, 189, & 190. Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Jablon

The above items have no bearing on student population.

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

WNP/1h

Enclosures - 17

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 1, 1984

Mr. & Mrs. Amedio Lorenzo

8014 Pulaski Highway Baltimore, Md. 21237

111 W. Chesapeake Ave. Towson, Maryland 21204

000 sicholas B. Commodir Chairman.

MEMBERS Bureau of Engineering

Department of Traffic Engineering State Poads Commission Bureau of Fire Prevention Bealth Department Project Planning Building Department Board of Etucation Luning Administration

Indistrial.

RE: Jtem No. 178 -Amedio G. Lorenzo, et ux Variance Petition

Dear Mr. Lorenzo:

Recently, a meeting was held with various members of this Committee in order to discuss the above referenced petition. At that time, it was verbally indicated that revised site plans, reflecting comments from the following department(s), would be required.

Traffic Engineering - Mr. Michael Flanigan - 494-3554

In order to avoid any future delays in processing this petition, I urgs you to personally contact the representative(s) from the above department(s) and discuss the required revisions. When discussing this petition, it should be referred to by the item number. Since it will save you approximately 3-4 weeks in the processing of your petition, this matter should be pursued immediately.

After discussing the comments with the above representative(s), you should contact me at 494-3391 in order to determine the outcome of said discussion and what your future course of action will be.

Very touly yours,

NICHOLAS B. COMMODARI, Chairman

Zoning Plans Advisory Committee

AMEDIO G. LCRENZO, et ux, Petitioners ENTRY OF APPEARANCE

N/S Pulaski Hwy., 385' E of

Chesaco Ave. (8014 Pulaski

RE: PETITION FOR VARIANCES

Hwy., 15th District

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this catter and of the passage of any preliminary or final Crder.

> Phyllis Cole Friedman People's Counsel for Baltimore County

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 84-249-A

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, MD 21204 494-2188

I HEREBY CEPTIFY that on this 19th day of March, 1934, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Amedio G. Lorenze, 8014 Pulaski Highway, Baltimore, MD 21237, Petitioners.

AMEDIO GEORGE LO SUZO, strux

Junuary 11, 1984

I have recently filed a petition for a zoning variance with the balcimore

County Zoning Department. I also am aware of the time involved before a

hearing is scheduled and would very much like this hearing to take place as

soon as possible. The reason for this is that I have much work to do, if I

am to open in the spring. The business I am undertaking is seasonal and now

is the ireal time to take care of these things. To apply for permits, build

stand and order equipment new would be foolish if yetition for variance was

Your cooperation would be greatly appreciated.

Date 1. 178

To prok

1/13/N

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & UCENSES
TOWSON, MARYLAND 21204
494-3610

March 7, 1984

TED ZAIESKI JA Mr. Arnold Jablon, Zoring Commissioner Office of Planning and Zoning

County Office Building

Towson, Maryland 21204

Comments on Item # 178/Scoing Advisory Committee Meeting are as follows:

Property Owner: Amedio G. Lorenzo, et ux Location: N/S Pulaski Highway 385' E. Chesaco Avenue Existing Zoning: B R. -CS-1 Proposed Zoning: Variance to permit a front yard setback of 5' in lieu of the required 51.1'

Acres: 151.17/154.65 x 305/305.45 District: 15th.

The items checked below are applicable:

(A. Al) structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other appli-

B. a building/ & other permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file s permit application. Architect/Engineer seal is/is not required. Won-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of nonstruction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table LOL, line 2, Section 11.07 and Table 11.02, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code. Dection/s _____

G. A charge 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 charge. Drawings may require a professional seal.

thru the services of a Engistered 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 905 and the required construction classification of Table 401.

H. Before this office can comment on the above structure, please have the owner,

I. Comments - a permit is required for the proposed beef stand and any other improvements to the property.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Boning and are not intended to be con-strued as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 V. Chesapeake Ave..

harles S. Burnham, Chief Plans Review



ARNOLD JABLON ZONING COMMISSIONER

April 4, 1984

Mr. Michael DiCarlo 5916 Claycon Avenue Ealtimore, Maryland 21206

RE: Petition for Variance N/s Pulaski Highway, 385' E of Chesaco Avenue (8014 Pulaski Highway) - 15th Election District Amedio G. Lorenzo, et ux - Petitioner NO. 84-249-A (Item No. 178

Dear Mr. DiCarlo:

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

Sincerely.

Attachments

cc: People's Counsel

Mr. Arnold Jablon Zoning Commissioner

Dear Mr. Jablon:

denied.

Michael DiCarlo

5916 Clayton Avenue

Baltimora, Maryland 21206

111 W. Chesapeake Avenue

Towson, Maryland 21204

AJ:eoh

Mr. & Mrs. Amedio G. Lorenzo 8014 Pulaski Highway Baltimore, Maryland 21237

> NOTICE OF HEARING Re: Petition for Variances N/S Pulaski Hwy., 385' E of Chesaco Ave. (8014 Pulaski Highway) Amedio G. Lorenzo, et ux - Petitioners Case No. 84-249-A

TIME: 10:15 A.M.

DATE: Thursday, March 29, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland

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

No. 124042

6 059ecses 1000016 5118A

VALIDATION OR SIGNATURE OF CASHIER

DALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON ZONING COMMISSIONER

March 19, 1984

Mr. & Mrs. Amedio George Lorenzo 8014 Pulaski Highway Bakimore, Maryland 21237

> Re: Petition for Variances N/S Pulaski Hwy., 385' E of Chesaco Avenue (8014 Pulaski Highway) Case No. 84-249-A

Dear Mr. & Mrs. Lorenzo:

This is to advise you that \$54.20 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

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

BALTIMORE COUNTY, MARYLAND OFFICE OF FININCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIFT

Me. 128263

OLD JABLON ng Commissioner

Sincerely.

DATE 4-3-84 ACCOUNT R-01-615-000 MOUNT 54.02 -NONEYCHER

MECETVED M. DI CARLO 8541.20 TOTAL

FOR Sedentining + posting Cast 84-249-A

6 058******** 342010 8035A

VALIDATION OR SIGNATURE OF CASHIER

Date of Postler 3-23-84 andie and marianne Lorenge Location of property: 50 14 Pulachi High sony Location of Bloom Metallication of Bularti Neghory in fint

84-249-A

Rumber of Signat

DESCRIPTION

Located on the north side of Pulaski Highway approximately 385 feet east of Chesaco Avenue and running the following courses and distances:

N 58º 57' 00" E 151.17'

N 34° 09' 00" W 305.45'

S 580 57' 00" W 154.65'

S 31° 03' 00" E 305' to the place of beginning. Also known as 8014 Pulaski Highway.

CERTIFICATE OF PUBLICATION

OFFICE OF Dundalk Eagle

March 12,

38 N. Dundelk Ave. Dundelk, Md. 21222

19 84

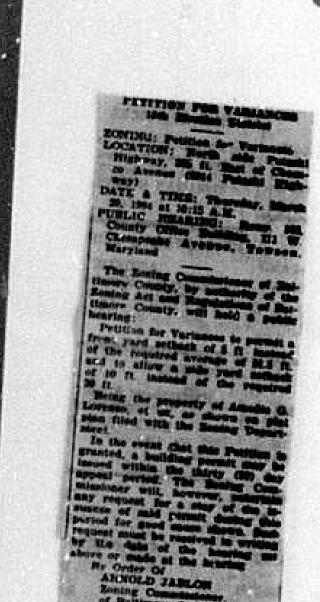
THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #53189 Req. #L59193. The Dundalk Eagle a weekly newswas inserted in

paper published in Baltimore County, Maryland, once a week successive weeks before the

19 84 ; that is to say,

the same was inserted in the issues of

Kimbel Publication, Inc. per Publisher.



84-249-4 CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed

and published in Towson, Baltimove County, Md., associanceson

THE JEFFERSONIAN

Cost of Advertisement, \$ 20.00

PETITION FOR VARIANCES

15th Election District

ZONING: Petition for Variances

LOCATION:

North side Pulaski Highway, 385 ft. East of Chesaco Avenue (8014 Pulaski Highway)

DATE & TIME:

Thursday, March 29, 1984 at 10:15 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 Variances to permit a front yard setback of 5 ft. instead of the required average of 51.5 ft. and to allow a side yard setback of 10 ft. instead of the required

Being the property of Amedic G. Lorenzo, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF ARNOLD JAMLON ZONING COMMISSIONER OF BALTIMORE COUNTY

IN RE: PETITION FOR VARIANCE BEFORE THE N/s Pulaski Highway, 385' E of Chesaco Avenue ZONING COMMISSIONER (8014 Pulaski Highway) - 15th Election District OF BALTIMORE COUNTY Amedio G. Lorenzo, et ux Case No. 84-249-A Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit a front yard setback of 5' instead of the required average of 51.5', to permit a side yard setback of 10' instead of the required 30', and to allow 97 parking spaces instead of the required 104, as are more fully described on Petitioners' Exhibit 1.

The Petitioners, by their lessee Mike DiCarlo, appeared and testified. There were no Protestants.

Testimony indicated that the Petitioners own and operate a tavern on their property, which is bifurcated by a zoning line. The portion of the property fronting Pulaski Highway, and on which the tavern is located, is zoned B.R. The rear portion of the property is zoned D.R. 5.5. In 1967, the Petitioners received a special permit to allow off-street parking on the portion zoned D.R. 5.5, pursuant to Section 409.4 of the Baltimore County Zoning Regulations,

(BEZZ), to serve their commercial business. (see Case No. 68-11-SPH) The preparty in its entirety has 97 parking spaces.

The lessee wishes to place a "beef pit" on the site, and has entered into lease agreement with the Petitioners to do so. Placement of the beef pit tooks be along Pulaski Highway, and would need to be to the side to avoid ruption of traffic flow onto and off the site. The tavern is located in center of the property, approximately 51' from the front property line, and

ingress and egress is provided from Pulaski Highway around either side of the building to the parking in the rear. Placement elsewhere but proposed would not be possible. If moved to the rear, it would cause interference with the free flow of traffic, thereby causing congestion. If moved to the front of the building, but closer, it would still need a variance and still create congestion.

All agree that the proposed location is best. In fact, the immediate neighbors agree and are in support of the proposed placement and variances. (see Petitioners' Exhibits 2 and 3) Mr. DiCarlo testified that he is intimately familar with the site and, in fact, has been employed by the Petitioners at the tavern. He testified that his business would in no way cause additional parking problems. During the hours of his operation, he stated he has never seen more than 12 vehicles on the site. Although the parking lot at times is utilized to the maximum, this only occurs on weekends after 11:00 p.m. and the beef pit would not be open. There would be no need for additional parking.

The Petitioners seek relief from Section 238.1 (303.2), Section 238.2, and Section 409.2.b.(3), pursuant to Section 307 of the BCZR.

An area variance may be granted where strict application of the zoning regulation to the Petitioners and their property would cause practical difficulty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

> 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily

2. whether the grant would do substantial injustice to applicant as well as property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were to be granted, such use as proposed would not be contrary to the spirit of the regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not to be granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4 day of Cetal . 1984, that the Petition for Variances to permit front yard setback of 5' instead of the required average of 51.5', a side d setback of 10' instead of the required 30', and 97 parking spaces instead the required 104 be and are hereby GRANTED, from and after the date of this order, subject to the following restrictions:

> 1. The Petitioners may apply for the building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding

PHILA. RD. - 5'COMETET VICINITY MAP EVERG !! SEA DUSTLESS 7 DURAS'E ____ NOTE: RAILHGAD TIES TO SURROUND PARKING DR 5.5 BR. CSI NO BLOSS. > BYISTING GARLGE WITHIN 100 /m / 1 .--PKISTING PROPO . HO - 385 - CHESICO LIE + PULLSKI HGWY. PLAT FOR TON WARIANCE PARKING DUTA! OWNERS ANEDIC : MARJANNE LORENTO . EXPOND 5105 = 5053 50.FT IS TO BLEST DIST, SCHEU BR. CS-1 . SEAR = 100 .. SOME /"= 501 TOTAL - 5.158 "" CECTION - DAY PARKING IN TESTER THE -91. ... REQ. = 5/5 = 104 ZONE THIN BU EN CHIE 65-1-500

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NO DLOCS. W/THIN 100' DLDG PROPOSEDT (101x101) COMMENY BEEF STAND Ortdoor PULASKI Plat FOR VARIANCE FOR FRONT SETERKI MER : AMEDIO + MARIANNE LORENZO strict 15th Zones: BRCS -1

PARKING Space for each 50 sp.ft SPACES REQUIRED SPACES ShowN WHORD TIES WILL JURROUND PARKING AREA

Parking DATA

STATE RUADS CUITMISSION

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Pulask, Huy

THE DATE NAME

at this time is at their risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is re-versed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

 The beef pit shall only be open from April 1 through November 30 each year, operating during the hours of 10:00 a.m. until 8:00 p.m. each day.

. The Lessee shall submit a lease agreement entered into and executed by and between the Lessee and the Petitioner.

Baltimore County