TO THE ZONING C. MMISSIONER 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) (301.1) to permit a set back of two feet in lieu of the required 22.5 feet, and a rear yard of 16 feet in lieu of the required 22.5 feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) BALTIMORE COUNTY OFFICE OF PLANNING & ZONING koofing required for loading and unloading of trucks for safety County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 purposes, protection of materials for inclement weather. BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE Your petition has been received and accepted for filing this BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON MARYLAND 21204 day of October , 1985. October 23, 1985 Property is to be posted and advertised as prescribed by Zoning Regulations. NORMAN E GERBER DIRECTOR 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 Ballimore County adopted pursuant to the Zoning Law For Baltimore County. COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Julian S. Brewer, Jr., Esquire 5420 Carville Avenue Baltimore, Maryland 21227 I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property RE: Item No. 91 - Case No. 86-211-A OCTOBER 31, 1985 Mr. Arnold Jablon which is the subject of this Petition. Petitioners - Charles W. Ruff, et ux Petitioner Charles W.Ruff, et ux Received by: Zaning Commissioner County Office Building Variance Petition Contract Purchaser: Chairman, Zoning Plans Legal Owner(s): Petitioner's Towson, Maryland 21204 Julian S. Brewer, Jr., Esq. Advisory Committee Attorney Re: Zaning Advisory Meeting of SEPTEMBER 17, 1985
Item # 91
Property Owner: CHARLES W. RUFF, QUIX Dear Mr. Brewer: Bureau of (Type or Print Name) Engineering The Zoning Plans Advisory Committee has reviewed the plans sub-Department of Location: NE/S OF KNECHT AVE. 370 NW Traffic Engineering mitted with the above-referenced petition. The following comments OF BENSON AVE . are not intended to indicate the appropriateness of the zoning action State Roads Commiss The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are requested, but to assure that all parties are made aware of plans or Bureau of problems with regard to the development plans that may have a bearing (Type or Print Name) on this case. The Director of Planning may file a written report with Realth Department (X)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 the Zoning Commissioner with recommendations as to the suitability of Project Planning City and State the requested zoning. Building Department forward by the Sureau of Public Services. Attorney for Petitioner: Enclosed are all comments submitted from the members of the)This site is part of a larger tract; therfore it is defined as a Board of Education Subdivision. The plan must show the entire tract.

A record plat will be required and must be recorded prior Committee at this time that offer or request information on your JULIAN S. BREWER, JR. 1420 Knecht Avenue Zoning Administration petition. If similar comments from the remaining members are received, (Type or Print Name) to issuance of a building pensit. I will forward them to you. Otherwise, any comment that is not inform-Industrial)The access is not satisfactory. Development ative will be placed in the hearing file. This petition was accepted The circulation on this site is not satisfactory. Baltimore, Maryland 21227 The parking arrangement is not satisfactory.

Parking calculations must be shown on the plan. for filing on the date of the enclosed filing certificate and a hearing)This property contains soils which are defined as wetlands, and scheduled accordingly. 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 5420 Carville Avenue Name, address and phone number of legal owner, contract purchaser or representative to be contacted Baltimore, Maryland 21227 ()Development of this site may constitute a potential conflict with the Baltimore County Master Plan. Charles W. Ruff James E. Ryer, he City and State)The amended Development Plan was approved by the Planning Board Attorney's Telephone No.: 242-1200 JAMES E. DYER 1420 Knecht Avenue 242-2400 On Chandscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Chairman Zoning Plans Advisory Committee ORDERED By The Zoning Commissioner of Baltimore County, this ____14th ____ day Capacity Use Certificate has been issued. The deficient service)The property is located in a traffic area controlled by a "D" level _, 19_85_, 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 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.)Additional comments: cc: Mr. Michael B. Dallas 7008 Harford Road _____ day of ___November ____, 19_85 , at 1:30 __o'clock Baltimore, Maryland 21234 Chief, Current Planning and Davelooment Zoning Commissioner of Baltimore County. cc: James Hoswell BALTIMORE COUNTY, MARYLAND BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586 DEPARTMENT OF PERMITS OF TOWSON, MARYLAND 21204
494-3610 BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES November 5, 1985 494-4500 INTER-OFFICE CORRESPONDENCE DEPARTMENT OF TRAFFIC ENGINEERING TOWSON MARYLAND 21204 PAUL H. REINCKE Arnold Jablon TED ZALESKI, JR. September 24, 1985 TO Zoning Commissioner Date November 4, 1985 DIRECTOR Mr. Arnold Jablon Norman E. Gerber, Director STEPHEN E COLLINS DIRECTOR Zoning Commissioner FROM Office of Planning and Zoning Office of Planning and Zoning Baltimore County Office Building Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning Towson, Maryland 21204 September 25, 1985 SUBJECT Zoning Petitions No. 86-191-A, 86-192-A, 86-193-A, 86-196-A, 86-201-A, 86-203-A, 86-204-A, 86-207-A, 86-208-A, 86-209-A, Towson, Maryland 21204 Attention: Nick Commodari, Chairman Mr. Arnold Jablon 86-211-A and 86-217-A Zoning Plans Advisory Committee Comments on Item # 91 Zoning Advisory Committee Meeting are as follows: Zoning Commissioner Property Owner: Charles W. Ruff, et ux County Office Building RE: Property Owner: Charles W. Ruff, et ux NE side of Knecht Avenue, 370 'NW of Benson Avenue Towson, Maryland 21204 Districts Location: NE side of Knecht Avenue, 370' NW of Benson Avenue APPLICABLE ITEMS ARE CIRCLED: Meeting of September 17, 1985 Item No. Zoning Agenda: Meeting of 9/17/85 All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.S.I. #117-1 + 1980) and other applicable Codes and Standards. Item No.: 01 Freerty Owner: Location: There are no comprehensive planning factors requiring comment Existing Zoning: E A building and other miscellaneous permits shall be required before the start of any construction. on these petitions. Proposed Zoning: Pursuant to your request, the referenced property has been surveyed by this C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data. 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. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable. ($^{ extbf{X}}$) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the B. All Tse Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. Ho openings are permitted in an exterior wall within 3'-0 of an interior lot lire. District: Department of Public Works. () 2. A second means of vehicle access is required for the site. Dear Mr. Jablon: NEG: JGH: slm F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department () 3. The vehicle dead end condition shown at The Department of Traffic Engineering has no comments for items numbers 91 92, 94, 95, 96, & 97. G. The requested variance appears to conflict with Section(s) ______, of the Baltimore County Building Code. EXCEEDS the maximum allowed by the Fire Department. H. When filing for a required Change of Use/Docupency Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plane indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland architectural or Engineer seals are usually required. The change of Use Groups are from Use to Use . See Section 312 of the Building Code. () 4. The site shall be made to comply with all applicable 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 I. The proposed project appears to be iccated in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above see level for the lot and the finish floor levels including basement. Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy. Domental Roof shall be of non-combustible construction as a minimum and could possible require a one hour rating due to the proximity of the interior lot line. See Table 401 also for column ratings, etc. If storage includes materials listed under high hazard uses of Table 306.2 then the whole structure () 6. Site plans are approved, as drawn. REVIEWER: Of the Prevention Bureau has no comments, at this time.

Noted and Fire Prevention Bureau

Planning Group

Planning Group

Special Inspection Division MS&/bld K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office Shall be of Planning and Zoning and are not intended to be construed as the full extent of any permit. If testred sprinklered the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapenke Avenue, Towson, Maryland Z.204.

86-211-4-91

PETITION FOR ZONING VARIANCE

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NUG 1 1 1986.

86.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Caltimore 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

min university T.F.

in the contraction of the contra

LOCATION:

DATE AND TIME:

PUBLIC HEARING:

IN RE: PETITION ZONING VARIANCES N//S of Knecht Avenue, W of Benson Avenue (1420 Knecht Avenue) - 13th Election District

Charles W. Ruff, et ux,

OF BALTIMORE COUNTY Case No. 86-211-A

ZONING COMMISSIONER

BEFORE THE

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

Petitioners *

The Petitioners herein request variances to permit a side yard setback of 2 feet instead of the required 22 1/2 feet and a rear yard setback of 16 feet instead of the required 22 1/2 feet, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by Charles W. Ruff, appeared and testified and were represented by Counsel. Michael B. Dallas, a registered land surveyor, also appeared on behalf of the Petitioners. There were no Protestants.

The subject property, zoned M.L. and located on Knecht Avenue, is improved with the Petitioners' business. A driveway extends the length of the side of the property from Knecht Avenue, which allows the Petitioners' trucks to reach the warehouse in the rear. The Petitioners propose to place a 28' x 120' roof, supported by columns, extending from the warehouse to the northwest property line to provide protection for the men, trucks, and materials.

The Petitioners seek relief from Sections 255.1, 238.2, and 301.1, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner 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 burdensome;
- 2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief;
- 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. or Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR 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 granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the requested variances 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 requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of November, 1985, that the Petition for Zoning Variances mit a side yard setback of 2 feet instead of the required 22 1/2 feet and 2 rear yard setback of 16 feet instead of the required 22 1/2 feet be and the same is hereby GRANTED, from and after the date of this Order, subject to

- 2 -

ED

AJ/srl

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

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

November 14, 1985

- 3 -

1. The Petitioners may apply for their building

permit and be granted same upon receipt of this

Order; however, Peritioners are hereby made aware

that proceeding at this time is at their own

risk until such time as the applicable appellate

process from this Order has expired. If, for

whatever reason, this Order is reversed, the

Petitioners would be required to return, and be

responsible for returning, said property to its

original condition.

cc: Julian S. Brewer, Jr., Esquire

People's Counsel

Julian S. Brewer, Jr., Esquire 5420 Carville Avenue Baltimore, Maryland 21227

RE: Petition for Variance
N/S Knecht Avenue, 370 W/Benson Ave.
(1420 Knecht Ave.) 13th Election District Charles W. Ruff, et ux - Petitioner Case No. 86-211-A

Dear Mr. Brewer

This is to advise you that \$47.90 is due for advertising and posting of the above property. This fee must be paid before an

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit

BALTIMORE COUNTY, MARYLAND No. 012402 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT PROMITED Charles D Rulh ron Herertrane + Posting 86-211-A as B0380++++ 2 0:5 =212F

MICHAEL B. DALLAS Registered Surveyor
7008 HARFORD ROAD BALTIMORE, MD. 21234 254-4555

BEGINNING for the same on the northeast side of Knecht Avenue (50 feet wide) at a point distant 370.00 feet northwesterly from its intersection with Benson Avenue (50 feet wide) thence, with said side of Knecht Avenue north 37-30 west 100.00 feet thence, leaving said Avenue and running the three following courses and distances; north 52-30 east 220.00 feet, south 37-30 east 100.00 feet and south 52-30 west 220.00 feet to the place of beginning.

CONTAINING 22,000 square feet or 0.505 acres of land more or less.

THE improvements thereon being known as 1420 Knecht Avenue.

N/S Knecht Ave., 370' W of Benson Ave. (1420 Knecht Ave.), 13th Dist. CHARLES W. RUFF, et ux, Petitioners

RE: PETITION FOR VARIANCES

::::::

ENTRY OF APPEARANCE Please enter the appearance of the People's Counsel in the above-

captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final

> Phyllis Cole Friedman Phyllis Cole Friedman People's Counsel for Baltimore County

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 86-211-A

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

I HEREBY CERTIFY that on this 22nd day of October, 1985, a copy of the foregoing Entry of Appearance was mailed to Julian S. Brewer, Jr., Esquire, 5420 Carville Ave., Baltimore, MD 21227, Attorney for Petitioners.

Being the property of <u>Charles W. Ruff, et ux</u> the plat filed with the Zoning Office. 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

PETITION FOR VARIANCE

North Side of Knecht Avenue, 370 feet West of

Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

ARNOLD JABLON

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Wednesday, November 20, 1985 at 1:30 p.m.

13th Election District

Benson Avenue (1420 Knecht Avenue)

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 from Sections 255.1 (238.2) (301.1) to permit

rear yard setback of 16 feet in lieu of the required 22.5 feet.

a side yard setback of 2 feet in lieu of the required 22.5 feet, and a

ZONING DESCRIPTION For Variance Charles F. Ruff & Co., Inc. 10750 Little Patuxent Pkwy. Columbia, MD 21044

> 19 85 October 31

THIS IS TO CERTIFY, that the annexed advertisement of

Petition for Variance

was inserted in the following:

Catonsville Times

Settener G. unit, will haid a pathin beauty:
Publice for Visitances from Surtions 205.1 (205.2) (201.1) to parent;
a citic yard estimate of 2 frost in lime of the required 22.5 frost, and a rear yard estimate of 16 frost is fine of the expelled 22.5 frost.

Sering the property of Cleanles W. Full, of use as shown on the year, that with the Zening Office.
In the execut that this Publice in granted, a legisling points may be instead within the Writy (20) dayreport pared. The Zening Claraminimater will, homeour, embetchin any respect for a stay of the inments of sold points shown. Such
request start be received in writing by the date of the housing set above or monte at the housing set above or monte at the hearing.

COUNTY, IN EQUITY

IN THE CIRCUIT COURT

x Arbutus Times weekly newspapers published in Baltimore County, Maryland

once a week for one __successive weeks before the 2 day of November 19 85, that is to say, the same was inserted in the issues of

October 31, 1985

October 16, 1985

Julian S. Brewer, Jr., Esquire 5420 Carville Avenue Baltimore, Maryland 21227

NOTICE OF HEARING

RE: PETITION FOR VARIANCE N/S Knecht Ave., 370' W/Benson Avenue (1420 Knecht Ave.) 13th Election District
Charles W. Ruff, et ux - Petitioners Case No. 86-211-A

TIME: 1:30 p.m. Wednesday, November 20, 1985 PLACE: Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland

Zoning Commissioner - Haltimare County

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

No. 012643

R. Ol 615 - 70 AMOUNT \$ 1077 RECEIVED 8011*****10000:a \$336F

VALIDATION OR SIGNATURE OF CASHIER

86-211-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

vistrict	Date of Posting Colorer 25,1985
osted for: Variances	
etitioner: Charles W. Ruff it	el.
ocation of property: 115 of Kneelet an	et. 370' 11/of Benson are.
(1420 Knecht and	
ocation of Signs: 31 Sent of 1420	Knucht axe
emarks:	*************************************
osted by S.J. Anala	Date of return: Morenbey 1, 1985
umber of Signs:	

PETITION FOR VARIANCE
13th Election District

LOCATION: North Side of Knecht Arenue, 370 feet West of Benson Avenue (1420 Knecht Avenue) DATE AND TIME: Wednesday, November 20, 1965 at 1:30 p.m. PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Balti-more County, by suthority of the Zon-ing Act and Regulations of Baltimore. County, will hold a public hearing: Petition for Veriances from Sections: 255.1 (238.2) (301.1) to permit a side yard setback of 2 feet in lies of the required 22.5 feet, and a rear yerd setyard setbeck of 2 feet in lies of the required 22.5 feet, and a rear yard setback of 16 feet in lies of the required 22.5 feet.

Being the property of Charles W. Ruff, at us as shown on the pist filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be assed within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of and 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 JABLON,

Zoning Commissioner of Baltimore County 86:211-A

CERTIFICATE OF PUBLICATION

October 31

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 31

THE JEFFERSONIAN,

Cost of Advertising

24.75

