

IN RE: PETITION FOR ZONING VARIANCE BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 88-346-A Robert A. Renna, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an existing accessory structure (shed) to be located 0 feet from the side property line in lieu of the required 2.5 feet, and 7.5 feet from the center of the alley in lieu of the required 15 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Robert A. Renna, appeared and testified. There were no Protestants.

Testimony indicated that approximately six (6) months ago, the Petitioner constructed a 10' x 12' shed in a corner of the rear yard, inside the fence abutting the side property line and alley. Subsequent to the installation of the shed, the Petitioner was advised by a County Building Inspector that he needed a building permit and was required under the Baltimore County Zoning Regulations (B.C.Z.R.) to place the shed 2.5 feet from the property line and 7.5 feet from the center of the alley. The Petitioner contends the requested variance is necessary due to the size of the lot and the location of existing improvements on the property. He testified that the shed is necessary for storage. He further testified that the placement of the shed on the property line is similar to the location of numerous other sheds in the area. The Petitioner testified that prior to purchasing the shed, he discussed the matter with his neighbors who indicated they had no objection to the location he proposed.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, it is the opinion of the Deputy Zoning Commissioner

that the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variances should be granted. There is no evidence in the record that the subject variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, in the opinion of the Deputy Zoning Commissioner, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of March, 1988 that an existing accessory structure (shed) be located 0 feet from the side property line in lieu of the required 2.5 feet, and 7.5 feet from the center of the alley in lieu of the required 15 feet, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ Deputy Zoning Commissioner of Baltimore County

AMN:bjs

DESCRIPTION FOR VARIANCE 2157 REDTHORN ROAD 15TH ELECTION DISTRICT

Located on the northwest side of Redthorn Road, 60 feet wide, at a distance of 90.5 feet southwest of the point of curve of Kingston Road and being known as Lot No. 75, Block 8, as shown on the Plat entitled "Blocks Nos. 9, 10 & 11 and Parts of Blocks Nos. 8 & 12, Section No. Four, Hawthorne", which Plat is recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 19, folio 77.

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., Feb. 18, 1988 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 Feb. 18, 1988

THE JEFFERSONIAN,

Susan Sledge Oberst Publisher

\$ 33.96

NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein in Room 108 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland on Friday, March 2, 1988 at 9:00 a.m. Case number: 88-346-A Petition for Zoning Variance NW/S Redthorn Road, 90.5' SW Kingston Road, 15th Election District, 5th Councilmanic District Petitioners: Robert A. Renna, et ux DATE/TIME: Wednesday, March 2, 1988 at 9:00 a.m. Variance to permit an accessory structure (shed) to be located 0 feet from the side property line in lieu of the required 2.5 feet and 7.5 feet from the center of the alley in lieu of the required 15 feet. In the event that the Petitioner is granted a building permit and is issued within the 30 day appeal period, the Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during that period if good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing. J. ROBERT HAINES Zoning Commissioner of Baltimore County 2192 Feb. 18.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 2/17/88 Posted for: Variance Location of property: NW/S Redthorn Rd, 90.5' SW Kingston Rd, 15th Election District, 5th Councilmanic District Location of Sign: NW/S Redthorn Rd, 90.5' SW Kingston Rd, 15th Election District, 5th Councilmanic District Remarks: Posted by: [Signature] Date of return: 2/18/88 Number of Signs: 1

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 400.1 and 400.2 to permit an accessory structure (shed) to be located zero feet from the side property line in lieu of the required 2.5 feet and 7.5 feet from the center of the alley in lieu of the required 15 feet.

NOT Enough room in yard for shed to go any place

MAP NE 21 DATE 5-5-88 200 BF 1000 BF 6-5100

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.

Contract Purchaser: (Type or Print Name) Signature Address City and State Attorney for Petitioner: (Type or Print Name) Signature Address City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted City and State

ORDERED By the Zoning Commissioner of Baltimore County, this 29th day of December, 1987, 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 held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 9th day of March, 1988, at 9 o'clock A.M.

J. Robert Haines Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION Office of THE AVENUE NEWS

Eastern Blvd. Balto., Md. 21221 Feb. 18, 1988

THIS IS TO CERTIFY, that the annexed advertisement of PO#97466 REQ#10793 TO ADVERTISE, NW/S REDTHORN RD, 90.5' SW KINGSTON RD, (2157 REDTHORN RD), HEARING: WED, MARCH 9, 1988 at 9:00am. PETITIONERS: ROBERT A. RENNA, ET UX PETITION FOR ZONING VARIANCE 15th E.D. 82 Lines at \$40.20

Printed in The Avenue News a weekly newspaper published in Baltimore County, Maryland once a week for one successive week(s) before the 19th day of Feb. 1988 that is to say, the same was inserted in the issues of 2/18/88 1988.

The Avenue Inc. per publisher

By Dean Blacwell

NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein in Room 108 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland on Friday, March 2, 1988 at 9:00 a.m. Case number: 88-346-A Petition for Zoning Variance NW/S Redthorn Road, 90.5' SW Kingston Road, 15th Election District, 5th Councilmanic District Petitioners: Robert A. Renna, et ux DATE/TIME: Wednesday, March 2, 1988 at 9:00 a.m. Variance to permit an accessory structure (shed) to be located 0 feet from the side property line in lieu of the required 2.5 feet and 7.5 feet from the center of the alley in lieu of the required 15 feet. In the event that the Petitioner is granted a building permit and is issued within the 30 day appeal period, the Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during that period if good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing. J. ROBERT HAINES Zoning Commissioner of Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21284 494-3333 J. Robert Haines Zoning Commissioner Date: MAR 02 1988

Mr. & Mrs. Robert A. Renna 2157 Redthorn Road Baltimore, Maryland 21220 Re: Case number: 88-346-A Petition for Zoning Variance NW/S Redthorn Road, 90.5' SW Kingston Road (2157 Redthorn Road) Petitioners: Robert A. Renna, et ux Dear Mr. & Mrs. Renna:

Please be advised that \$33.96 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign(s) from the property from the time it posted by this office until the day of the hearing itself.

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.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 50293 DATE: 2/17/88 ACCOUNT: [Signature] AMOUNT: \$ 33.96 RECEIVED FROM: [Signature] FOR: [Signature] J. Robert Haines City

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING



Dennis F. Rasmussen
County Engineer

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Case number: 88-346-A
Petition for Zoning Variance
NW/8 Redthorn Road, 90.5' SW Kingston Road
(2157 Redthorn Road)
Petitioners: Robert A. Renna, et ux
DATE/TIME: MARCH 9, 1988 at 9:00 a.m.

Variance to permit an accessory structure (shed to be located zero feet from the side property line in lieu of the required 2.5 feet and 7.5 feet from the center of the alley in lieu of the required 15 feet.

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

No. 45669

DATE: 11-17-87 ACCOUNT: 01-615

AMOUNT: \$ 35.00

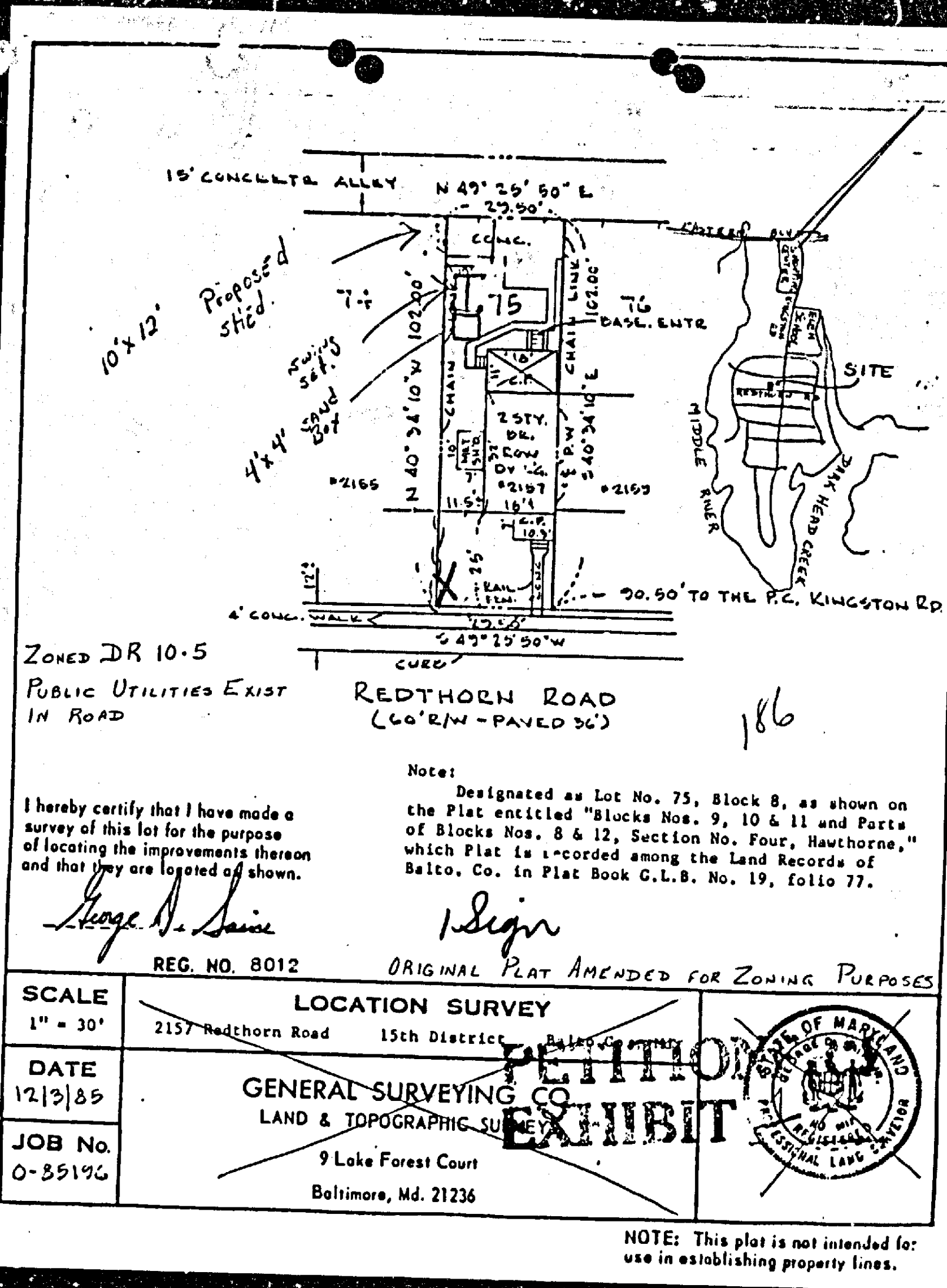
RECEIVED BY: ROBERT A. RENNA (CHECK # 0794)

FOR: FILING FEE FOR VARIANCE ITEM 186

B BOND*****3550013 2106F

VALIDATION OR SIGNATURE OF CASHIER

permit may be issued within one year will, however, entertain during this period for good and sufficient cause shown in this office by the date



I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown.

George A. Saine
1 Sign

REG. NO. 8012

ORIGINAL PLAT AMENDED FOR ZONING PURPOSES

EXHIBIT

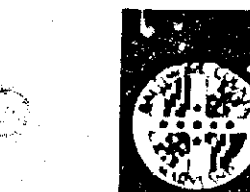
NOTE: This plat is not intended for use in establishing property lines.

Baltimore County
Fire Department
Townson, Maryland 21204-2586
494-4500

Paul H. Reinecke
Chief

December 9, 1987

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Townson, MD 21204



Dennis F. Rasmussen
County Engineer

Re: Property Owner: Robert A. Renna, et ux (Critical Area)

Location: NW/8 Redthorn Rd., 90.5' SW Kingston Rd.

Item No.: 186

Zoning Agenda: Meeting of 12/1/87

Contentions:

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 of _____ 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.

REVIEWER: [Signature] 12/10/87
Approved: [Signature] Fire Prevention Bureau
Special Inspection Division

7/1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner

Date: February 22, 1988

FROM: P. David Fields
Director of Planning and Zoning
Zoning Petition Nos. 88-367-A, 88-369-A,
88-370-A, 88-344-A, 88-345-A,
SUBJECT: 88-346-A, 88-347-A, 88-353-X, 88-371-A

RECEIVED
MAR 1 1988
ZONING OFFICE

There are no comprehensive planning factors requiring comment on this petition.

P. David Fields per [Signature]
P. David Fields
Director

PDF:dm

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

CP5-006

88-346-A

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 29th day of December, 1987.

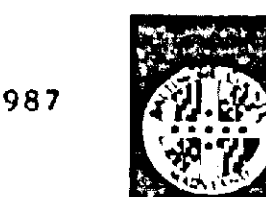
J. Robert Haines
ZONING COMMISSIONER

Petitioner: Robert A. Renna, et ux
Petitioner's Attorney: _____
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Townson, Maryland 21204
494-3334

December 14, 1987

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Townson, Maryland 21204



Dennis F. Rasmussen
County Engineer

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 184, 185, 187, 188, 189, 190, 191, 192, and 193.

Very truly yours,

[Signature]
Michael S. Flanigan
Traffic Engineer Associate II

MSF:mb

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 25, 1988

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

Mr. Robert A. Renna
2157 Redthorn Road
Baltimore, Maryland 21220

RE: Item No. 186 - Case No. 88-346-A
Petitioner: Robert A. Renna, et ux
Petition for Zoning Variance

Dear Mr. Renna:

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.

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,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

RECEIVED
JAN 20 1988
ZONING OFFICE