

RE: PETITION FOR SPECIAL HEARING BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
 64' W of the e/1 of Gable Avenue, 193' S of Patapsco Avenue, 13th Election District - 1st Councilmanic District
 Joseph G. Prestianni - Petitioner
 DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
 Case No. 91-469-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve that parking on the subject property for educational activities located on the same lot is exempt from Residential Transition Requirements (RTA) per Section 1801.1B(1)(C)(10), although the building and balance of the required parking are located in Baltimore City, and to permit business parking in a residential zone, all as more particularly described in Petitioner's Exhibit 1.

The Petitioner, Joseph G. Prestianni, appeared, testified and was represented by Anthony Paliagos, Esquire. Also appearing on behalf of the Petitioner were William P. Monk, Land Use Planning and Zoning Consultant, and Frederick J. Bachman. There were no Protestants.

Testimony indicated that the subject property, known as 2699 Patapsco Avenue, consists of 21,780 sq.ft., of which 19,894 sq.ft. is zoned B-3-1 and is located in Baltimore City, and the remaining 1,886 sq.ft. is zoned D.R. 5-5 and is located in Baltimore County. The entire parcel is presently vacant. Petitioner is desirous of constructing a three-story building on the B-3-1 zoned portion of the property for use as an educational training center in accordance with Petitioner's Exhibit 1. Testimony presented by Frederick Bachman indicated that the subject training center will operate four nights a week from 5:00 PM to 11:00 PM and

Saturday mornings from 8:00 AM to 1:00 PM. He testified that as a result of the lot line configuration, a portion of the parking area falls within the RTA requirements set forth in Section 1801.1B.1 of the B.C.Z.R. thereby necessitating the requested relief. Further testimony indicated that said parking area is also located within the D.R. 5-5 zoned portion of the site and as such requires a use permit for parking in the residential zone. Mr. Bachman testified he spoke with all the neighbors in the immediate vicinity of the subject property, including Benjamin and Rose Long, the adjoining and most affected property owners at 2306 Gable Avenue in Baltimore County, who have no objections to the proposed parking area, as evidenced by a signed Petition marked Petitioner's Exhibit 13. Petitioner further testified that he would be willing to allow the Longs to park on two of the proposed parking spaces at any time. Testimony indicated that parking on the subject property would be more convenient for the Longs as they currently must park down the street from their property and Mr. Long suffers from a heart condition. Testimony further indicated that a 5-foot wide landscape buffer is planned along the entire length of the subject parking area adjoining the Longs' property as depicted on Petitioner's Exhibits 1 and 5.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief 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 relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of October, 1991 that the Petition for Special Hearing to approve that parking on the subject property for educational activities located on the same lot is exempt from Residential Transition Requirements (RTA) per Section 1801.1B(1)(C)(10), although the building and balance of the required parking are located in Baltimore City, and to permit business parking in a residential zone, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day 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.
- 2) Prior to the issuance of any permits, Petitioner shall submit a landscape plan for approval by the Deputy Director of Planning and the Baltimore County Landscape Planner. Said plan shall provide sufficient screening of the subject property from the adjoining residential property known as 2306 Gable Avenue in Baltimore County.
- 3) Petitioner's Exhibit 9 indicates that at one time the property owners to the west of the subject site, namely, IBEW Local Union, had access to a 24-foot wide strip of land running along the southern property line to Gable Avenue. Petitioner's Exhibit 1 does not reflect that this strip of land ever existed. Prior to the issuance of any permits, Petitioner shall submit a revised site plan for the adjoining property owned by IBEW which addresses the status of that 24-foot wide strip of land. Said site plan shall be revised pursuant to this Order and made to be consistent with the site plan filed in this case. Petitioner shall

submit certified and documented proof of said status for review and approval by the Deputy Zoning Commissioner prior to the issuance of any permits. (See Exhibit A attached hereto.)

- 4) There shall be no access from the subject property to the adjoining property at 2701 West Patapsco Avenue.
- 5) All lighting for the subject property shall be directed away from the adjoining residential property known as 2306 Gable Avenue in Baltimore County.
- 6) Within sixty (60) days of the date of this Order, Petitioner shall provide a written, irrevocable license to Benjamin and Rose Long, the adjoining property owners of 2306 Gable Avenue in Baltimore County, which shall permit the Longs to park in two designated parking spaces on the subject property for as long as they reside at 2306 Gable Avenue. At such time as the Longs no longer reside at 2306 Gable Avenue, this restriction shall terminate. The two designated parking spaces shall be marked "Reserved" on the parking lot so that the Longs will not have a problem with students parking in their spaces.
- 7) The relief granted herein is conditioned upon the proposed building being used for educational training purposes only. In the event there is a change in such use, the variances granted herein shall be rescinded and Petitioner would be required to file a new Petition to determine its appropriateness.
- 8) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.
- 9) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. ROTROCCO
 Deputy Zoning Commissioner
 for Baltimore County

COPIES RECEIVED FOR FILING
 10/16/91
 JSP

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 10/16/91
 JSP

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning
 111 West Chesapeake Avenue
 Towson, MD 21204
 887-3353
 October 16, 1991
 Anthony Paliagos, Esquire
 1200 Mercantile Bank & Trust
 2 Hopkins Plaza
 Baltimore, Maryland 21201-2914
 RE: PETITION FOR SPECIAL HEARING
 64' W of the e/1 of Gable Avenue, 193' S of Patapsco Avenue
 (2699 Patapsco Avenue)
 13th Election District - 1st Councilmanic District
 Joseph G. Prestianni - Petitioner
 Case No. 91-469-SPH
 Dear Mr. Paliagos:
 Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.
 In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.
 Very truly yours,
 TIMOTHY M. ROTROCCO
 Deputy Zoning Commissioner
 for Baltimore County
 TMK:bjs
 cc: Mr. William P. Monk
 100 W. Pennsylvania Avenue, Suite 305, Towson, Md. 21204
 People's Counsel
 File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County 91-469-SPH

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 Special Hearing under Section 508.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve parking to be exempt from residential transition requirements per section 1801.1B(1)(C)(10) for educational activities located on the same lot of record although the building and balance of the parking is located in Baltimore City and to permit business parking in a residential zone.
 Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing 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.

Contract Purchaser/Lessee: (Type or Print Name) Signature Address City and State	Legal Owner(s): Joseph G. Prestianni Signature (Type or Print Name) Signature Address City and State
Attorney for Petitioner: Anthony Paliagos (Type or Print Name) Signature Blum, Yunkas, Mailman, Gutman & Denick 1200 Mercantile Bank & Trust 2 Hopkins Plaza Baltimore, MD 21202 City and State	10109 Lyons Mill Road, 301-922-3181 Address Phone No. Owings Mills, MD 21117 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted William Monk 100 W. Pennsylvania Ave. Towson, MD 21204 494-8931 Address Phone No.

COPIES RECEIVED FOR FILING
 10/16/91
 JSP
 OFFICE USE ONLY
 ESTIMATED LENGTH OF HEARING - 1/2 HR.
 AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS
 ALL OTHER DATE 7/27/91
 REVIEWED BY: [Signature] DATE 7/27/91

ZONING DESCRIPTION
 PART OF
 2699 PATAPSCO AVENUE
 BALTIMORE COUNTY, MARYLAND
 91-469-SPH
 Beginning for the same at a point distant North 86 Degrees 38 Minutes 09 Seconds East, 64 Feet more or less from the centerline of Gable Avenue, said point being 193 Feet, more or less, from the intersection with the centerline of Patapsco Avenue, thence proceeding the following courses and distances:
 1) North 60 Degrees 52 Minutes 08 Seconds West, 91.21 Feet
 2) South 03 Degrees 16 Minutes 51 Seconds East, 49.00 Feet more or less
 3) North 86 Degrees 38 Minutes 09 Seconds East, 77.00 Feet more or less to the point of beginning
 Containing 1,886 Square Feet of land more or less.



CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 District: 13
 Date of Posting: 10/16/91
 Posted for: [Signature]
 Petitioner: [Signature]
 Location of property: [Signature]
 Location of Sign: [Signature]
 Remarks:
 Posted by: [Signature] Date of return: [Signature]
 Number of Signs: 1

CERTIFICATE OF PUBLICATION
 THIS IS TO CERTIFY, that the annexed advertisement was published in the ARBUTUS TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/11/91.
 ARBUTUS TIMES
 S. Zeke [Signature]
 Publisher
 160-78

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21284

Account: R-001 6150
Number

Date

HR100422 ✓

PUBLIC HEARING FEES	QTY	PRICE
100 - SPECIAL HEARING (OTHER)	1 X	\$175.00
TOTAL:		\$175.00

LAST NAME OF OWNER: PRESTIANNI

04A04#0022MICRRC \$175.00
Please Make Checks Payable To: Baltimore County #003#00P405-30-91

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21284

Account: R-001 6150
Number

Date

91-1169

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21201

887-3553

DATE: August 26, 1991

Joseph G. Prestianni
10109 Lyons Mill Road
Owings Mills, Maryland 21117

RE:
Case Number: 91-469-SPH
64' W of e/1 Gable Avenue, 193' (1/2) S of Patapasco Avenue
2699 Patapasco Avenue
13th Election District - 1st Councilmanic
Petitioner(s): Joseph G. Prestianni
HEARING: THURSDAY, SEPTEMBER 5, 1991 AT 9:00 A.M.
Thursday, September 5, 1991, 9 a.m.

Dear Petitioner(s):

Please be advised that \$ 85.78 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Anthony Paliagos, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21201

887-3553

DATE: 9/15, 1991

COPY

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 identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-469-SPH
64' W of e/1 Gable Avenue, 193' (1/2) S of Patapasco Avenue
2699 Patapasco Avenue
13th Election District - 1st Councilmanic
Petitioner(s): Joseph G. Prestianni
HEARING: THURSDAY, SEPTEMBER 5, 1991 at 9:00 a.m.

Special Hearing: parking to be exempt from residential transition requirements for educational activities located on the same lot of record although the building and balance of parking is located in Baltimore City and to permit business parking in a residential zone.

J. Robert Haines
Zoning Commissioner of
Baltimore County

cc: Joseph G. Prestianni
Anthony Paliagos, Esq.
William Monk

CERTIFICATE OF PUBLICATION

TOWSON, MD. 10/12, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of the successive weeks, the first publication appearing on 10/12, 1991.

THE JEFFERSONIAN,
S. Zebe Orlean
Publisher

\$110.75

COPY

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21201

887-3553

JUNE 24, 1991

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 identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-469-SPH
64' W of e/1 Gable Avenue, 193' (1/2) S of Patapasco Avenue
2699 Patapasco Avenue
13th Election District - 1st Councilmanic
Petitioner(s): Joseph G. Prestianni
HEARING: TUESDAY, AUGUST 13, 1991 at 2:00 p.m.

Special Hearing: parking to be exempt from residential transition requirements for educational activities located on the same lot of record although the building and balance of parking is located in Baltimore City and to permit business parking in a residential zone.

J. Robert Haines
Zoning Commissioner of
Baltimore County

cc: Joseph G. Prestianni
Anthony Paliagos, Esq.
William Monk

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21201

887-3553

July 18, 1991

Mr. Anthony Paliagos, Esquire
Blum, Yunkas, Mailman, Gutman & Denick
1200 Mercantile Bank & Trust
2 Hopkins Plaza
Baltimore, MD 21202

RE: Item No. 462, Case No. 91-469-SPH
Petitioner: Joseph G. Prestianni
Petition for Special Hearing

Dear Mr. Paliagos:

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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Joseph G. Prestianni
10109 Lyons Mill Road
Owings Mills, MD 21117

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21201

887-3553

Your petition has been received and accepted for filing this 12th day of June, 1991.

Pat Keller
ARNOLD CABLOW
DIRECTOR

Received By:
James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Joseph G. Prestianni
Petitioner's Attorney: Anthony Paliagos

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: June 17, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Joseph G. Prestianni, Item No. 462

Should the petitioner's request be granted, this office recommends that a landscape plan be filed with the Baltimore County landscape planner. Said plan shall specifically address the need for landscape treatment along the south property line which is adjacent to an existing dwelling.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM462/ZAC1

DATE: June 25, 1991

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Rahee J. Famill

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: June 11, 1991

This office has no comments for items number 452, 454, 455, 456, 457, 461, 462 and 466.

Rahee J. Famill
Rahee J. Famill
Traffic Engineer 11

RJF/lvd

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 19, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
For June 11, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 452, 454, 456, 457, 462 and 466.

For Items 455 and 461, a County Review Group Meeting may be required for these sites.

Robert W. Bowling
Robert W. Bowling, P.E., Chief,
Developers Engineering Division

RWB:s

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

July 5, 1991

Anthony P. Palaigos, Esq.
Blum, Yumkas, Mailman, Gutman & Denick, P.A.
1200 Mercantile Bank & Trust Building
2 Hopkins Plaza
Baltimore, Maryland 21202-2914

Re: Case Number(s): 91-469-SPH
2699 Patapsco Avenue
Petitioner(s): Joseph G. Prestianni
Your File: 11625(1)

Dear Mr. Palaigos

This to acknowledge receipt of your June 28, 1991 correspondence requesting postponement of the above captioned matter. Accordingly, the case has been pulled from August 13, 1991 docket.

Notice of the new hearing date will be forwarded to you shortly.

Very truly yours,

G. G. Stephens
G. G. Stephens
(301) 887-3391

cc: Joseph G. Prestianni
William Monk

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

November 27, 1991

Anthony P. Palaigos, Esquire
Blum, Yumkas, Mailman, Gutman & Denick
1200 Mercantile Bank & Trust Building
2 Hopkins Plaza
Baltimore, Maryland 21201-2914

RE: Petition for Special Hearing
S/S Patapsco Avenue, 94' W of the c/l of Gable Avenue
(2699 Patapsco Avenue)
13th Election District, 1st Councilmanic District
Joseph G. Prestianni - Petitioner
Case No. 91-469-SPH

Dear Mr. Palaigos:

I am in receipt of your letter dated November 18, 1991 in which you enclosed an executed copy of the License Agreement between Electrical JATC Holding Company, Inc. and Benson and Rose Long in accordance with Restriction 6 of the Order issued October 26, 1991 in the above-captioned matter. Said agreement shall be included in the case file and made a part of the record.

Thank you for your prompt attention in this matter.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjjs

cc: Case File

LAW OFFICES
BLUM, YUMKAS, MAILMAN, GUTMAN & DENICK, P.A.
1200 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201 2914

301 385 4000
FAX 301 385 4070

WRITERS DIRECT DIAL

385-4027

June 28, 1991

J. Robert Haines
Zoning Commission of Baltimore County
Baltimore County Government Office of
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 91-469-SPH
64' W of C-1 Gable Avenue
193' - or - S of Patapsco Avenue
2699 Patapsco Avenue
13th Electric District - 1st Councilmanic
Petitioner: Joseph G. Prestianni
Our File No. 11625(1)

Dear Mr. Haines:

Please be advised that I received the notice of hearing dated June 24, 1991 in regards to the above referenced matter scheduling the hearing for August 13, 1991 at 2:00 p.m.

Please be advised that I have already scheduled my vacation for the week of August 10 through August 17, and as such, I specifically request that this hearing date be postponed and rescheduled at the next earliest available date.

Should you have any questions, please do not hesitate to call.

Very truly yours,
Anthony P. Palaigos
Anthony P. Palaigos

APP/hp
cc: William P. Monk
Frederick J. Bachman

LAW OFFICES
BLUM, YUMKAS, MAILMAN, GUTMAN & DENICK, P.A.
1200 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201-2914

301 385 4000
FAX 301 385 4070

WRITERS DIRECT DIAL

(301) 385-4027

September 13, 1991

Timothy Kotroco
Deputy Zoning Commissioner
Baltimore County Government
Zoning Commissioner
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 90-469-SPH2699
West Patapsco Avenue
Petitioner: Joseph G. Prestianni
Date of Hearing: 9/5/91
Our File No. 11625(1)

Dear Mr. Kotroco:

Following up on the hearing held before you in the above captioned matter on September 5, 1991, please be advised that the Petitioner has consulted with the neighbor, Benson Long and his wife Rose, and they have indicated that their preference is that there be 24 hour lighting at the subject property.

I can also advise you that this request of the neighbor for 24 hour lighting is acceptable to the Petitioner.

Should you need any additional information in regards to same, please do not hesitate to call.

Very truly yours,
Anthony P. Palaigos
Anthony P. Palaigos

APP/hp
cc: Frederick Bachman

RECEIVED
SEP 16 1991
ZONING OFFICE

LAW OFFICES
BLUM, YUMKAS, MAILMAN, GUTMAN & DENICK, P.A.
1200 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201 2914

301 385 4000
FAX 301 385 4070

WRITERS DIRECT DIAL

(301) 385-4027

September 25, 1991

Timothy Kotroco, Deputy Zoning
Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 90-469-SPH
Property: 2699 W. Patapsco Avenue
Petitioner: Joseph G. Prestianni
Date of Hearing: 9/5/91
Our File No. 11625(1)

Dear Deputy Zoning Commissioner Kotroco:

I am enclosing herewith two original Consents signed by the IBEW Local Union 24 Building, Inc. indicating not only their consent to the site plan and the relief requested in the above captioned case, but in addition thereto, relinquishing any and all rights that it may have, had, or does have to use any portion of the property, more particularly described therein as a lane or travel way between 2701 W. Patapsco Avenue and Gable Avenue.

My understanding is that you wanted two originals of this document, one to be placed in Case No. 91-469-SPH file and the other to be placed in the file pertaining to Plan No. 752-72, which was introduced as an Exhibit in the above captioned case.

I, therefore, look forward to receiving your decision in Case No. 91-469-SPH.

Very truly yours,
Anthony P. Palaigos
Anthony P. Palaigos

APP/hp
Enclosure
cc: Frederick Bachman
Electrical JATC Holding Co., Inc.

RECEIVED
SEP 26 1991
ZONING OFFICE

LAW OFFICES
BLUM, YUMKAS, MAILMAN, GUTMAN & DENICK, P.A.
1200 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201 2914

301 385 4000
FAX 301 385 4070

WRITERS DIRECT DIAL

(301) 385-4027

November 18, 1991

ANTHONY P. PALAIGOS

Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Property: 2699 Patapsco Avenue
Name of Petitioner: Joseph G. Prestianni
Case No. 91-469-SPH
Our File No. 11625(1)

Dear Deputy Commissioner Kotroco:

Enclosed for your records please find an original License Agreement which has been fully executed by Electrical JATC Holding Co., Inc. and Benson and Rose Long, satisfying the requirements of Paragraph 6 of your Order dated October 16, 1991.

Should you need any additional information or documentation, please do not hesitate to call.

Very truly yours,
Anthony P. Palaigos
Anthony P. Palaigos

APP/hp
Enclosure
cc: Frederick Bachman, President
Electrical JATC Holding Co., Inc.
William Monk, President
William Monk & Associates

RECEIVED
NOV 19 1991
ZONING OFFICE

EXHIBIT 11

IN THE MATTER OF THE
PETITION FOR SPECIAL HEARING BY
JOSEPH G. PRESTIANNI FOR A
PART OF 2699 PATAPSCO AVENUE,
BALTIMORE COUNTY, MARYLAND TO
PERMIT BUSINESS PARKING
IN A RESIDENTIAL NEIGHBORHOOD

ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 91-469-SPH
DATE OF HEARING: 9/5/91

CONSENT

IBEW Local Union 24 Building, Inc. ("IBEW"), owner of the real property known as 2701 West Patapsco Avenue, Baltimore, Maryland, certifies to the Deputy Zoning Commissioner of Baltimore County, under penalty of perjury, the following:

1. That IBEW is the record title owner of the real property known as 2701 West Patapsco Avenue, which adjoins the property which is the subject of Case No. 91-469-SPH.
2. That IBEW is aware of the request made by Joseph G. Prestianni on behalf of Electrical JATC Holding Co., Inc. with respect to 2699 West Patapsco Avenue, to permit parking in that portion of the property that is shaded in yellow on the drawing that is attached hereto, which parking will be for the development of that portion of the property located in Baltimore City and to be used as an education training center.
3. IBEW affirmatively states that it has no objection whatsoever to granting the relief requested and further states that it relinquishes any and all rights that it may have had or does have to use any portion of the property between the proposed building as shown on the attached site plan, and the southern

LICENSE AGREEMENT

THIS LICENSE AGREEMENT is made this 27th day of November, 1991, by and between ELECTRICAL JATC HOLDING CO., INC. ("Licensor") and BENSON LONG and ROSE LONG, his wife, ("Licensees").

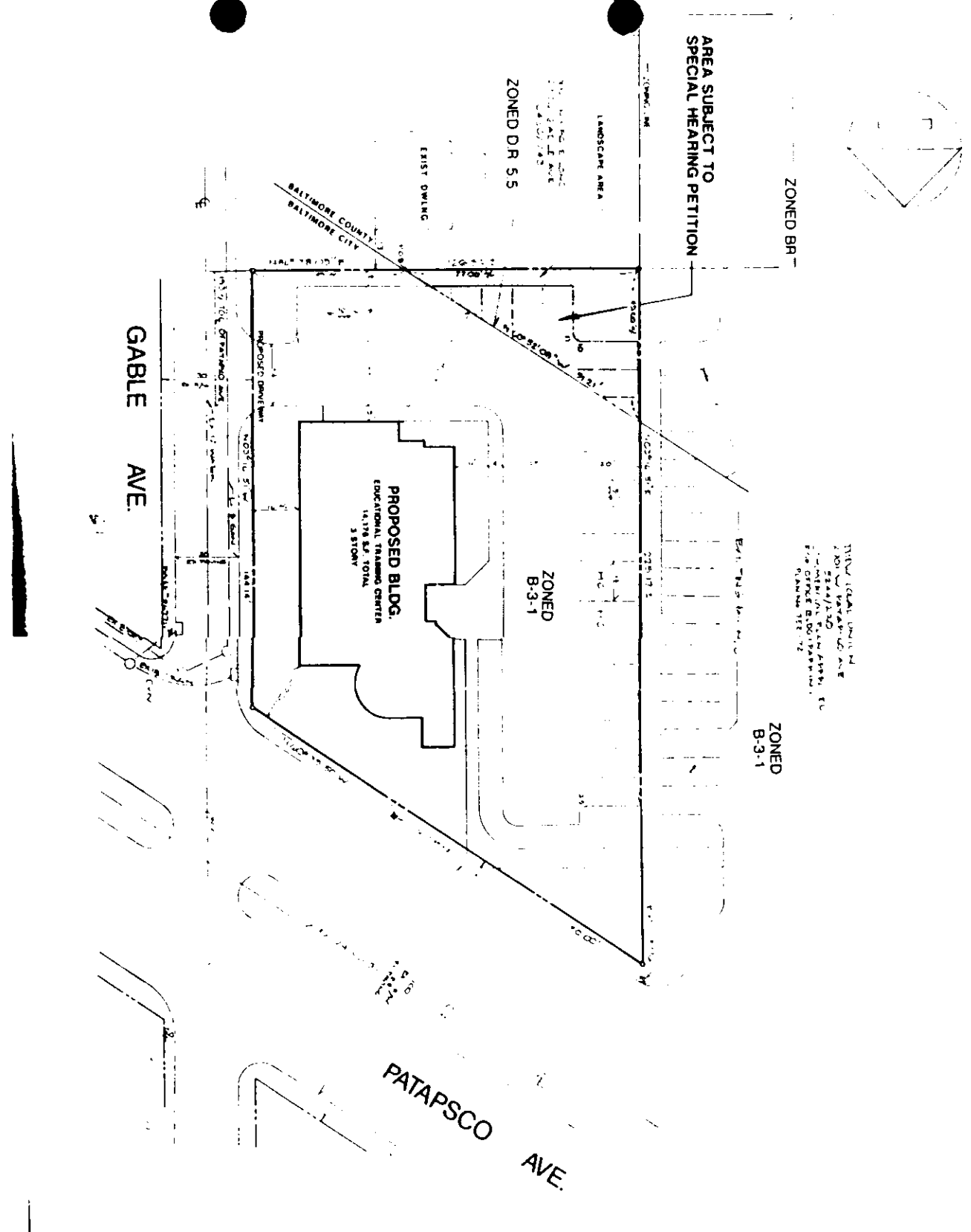
WHEREAS, the Licensor is the owner of certain real property known as 2699 Patapsco Avenue, Baltimore, Maryland ("Property") as more particularly shown on the drawing attached hereto and specifically made a part hereof; and

WHEREAS, the Licensor petitioned the Zoning Commissioner of Baltimore County for permission to use that portion of the Property shaded in yellow ("Parking Portion") on the drawing attached hereto for parking purposes as more fully set forth in Case No. 91-469-SPH; and

WHEREAS, Licensees, the owners of 2306 Gable Avenue, Baltimore, Maryland, which adjoins the Property, consented to the Licensor's request for such parking permission on condition that once the Property was developed and the parking spaces were in place that they be given the right to park in two spaces on the Property.

NOW, THEREFORE, WITNESSETH, that in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto mutually agree and covenant as follows:

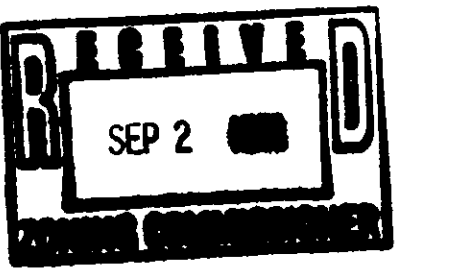
1. That for so long as the Licensees occupy the Property known as 2306 Gable Avenue, as their principal place of residence, the Licensor hereby irrevocably grants to them the right and privilege to park in two designated parking spaces on the Property adjoining their residence.
2. Once the development of the Property has been completed by the Licensor and the parking spaces placed thereon, the Licensor shall specifically identify and designate the two parking spaces and shall further mark them on the Property as "Reserved" so that no other persons using the Property and the facilities thereon can interfere with the Licensees' exclusive use of these designated and marked parking spaces.
3. The term of this License Agreement shall commence immediately upon the parking spaces being completed and made available on the Property and shall terminate automatically, without notice or demand, on the date Licensees cease occupying 2306 Gable Avenue as their principal place of residence.
4. This license granted to the Licensees is personal to them and as such Licensees agree that they will not assign



WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21284
301-494-8931



September 25, 1991

Mr. Tim Kotroco
Deputy Zoning Commissioner
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Case # 91-469 SPH, 2699 W. Patapsco Avenue, Baltimore County, Maryland

Dear Mr. Kotroco:

Pursuant to our conversation last week I am providing herewith an engineered drawing for the amended parking lot for 2701 W. Patapsco Avenue. The engineered drawing indicates the changes per the approved plan for 2699 W. Patapsco Avenue and most importantly the elimination of the travel way between the 2 sites. This modification in conjunction with the consent order (attached) would constitute the necessary documentation to insure the clarification of the proposed change.

If these exhibits meet with your request, we will provide you with signed consent orders for inclusion in the appropriate county files.

Cordially,

William P. Monk

WPM/slk

Enclosures

cc: Anthony Palaigos
Frederick Bachman

(WPM-11)kotroco.ltr

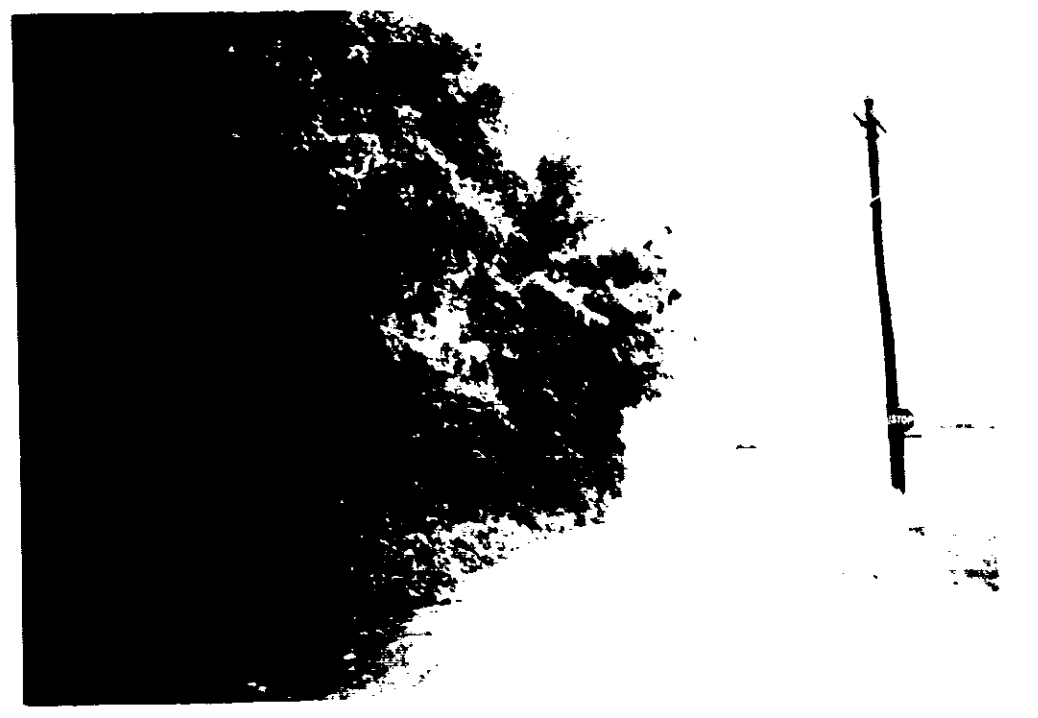
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Joseph G. Prestianni	2701 W. Patapsco Ave. Balt. Md 21230
Bill Monk	100 W. PENNSYLVANIA AVE SUITE 305 TOWSON, MD 21204

ANTHONY P. PALAIGOS
CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.
LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

GABLE AVENUE LOOKING NORTH



PETITIONER'S EXHIBIT 2 A through D

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ADJACENT PROPERTY AREA PROPOSED FOR LANDSCAPING AND PARKING

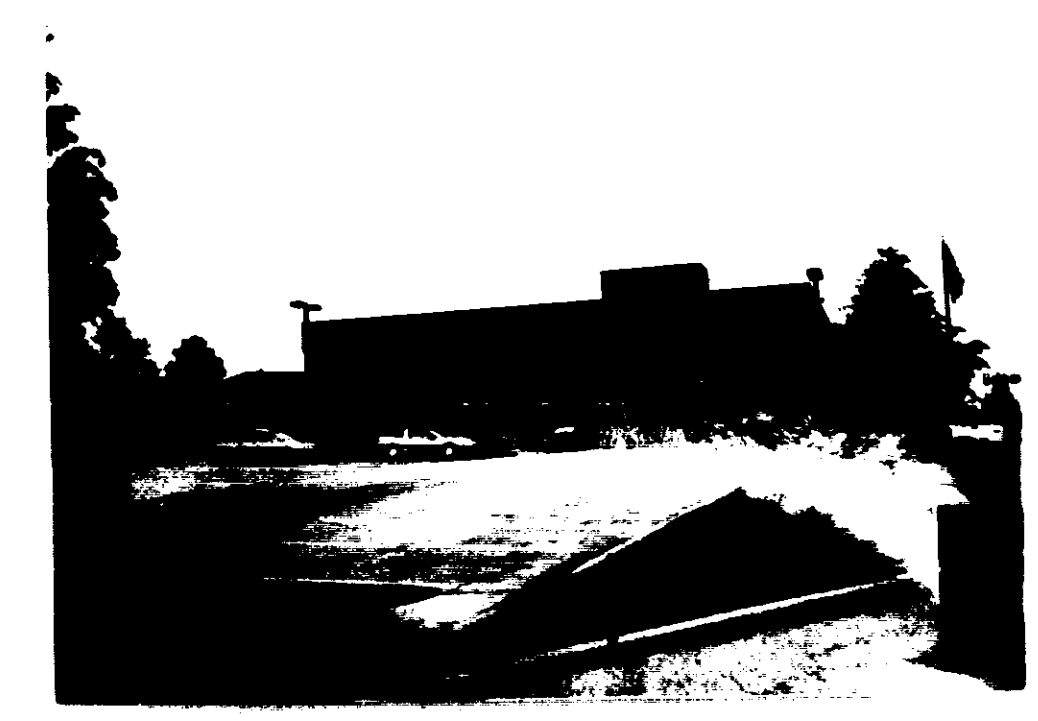


PETITIONER'S EXHIBIT 3

WILLIAM MONK, INC.

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ADJACENT LAND USE



PETITIONER'S EXHIBIT 6

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ADJACENT LAND USE



PETITIONER'S EXHIBIT 7

PETITIONER'S EXHIBIT 10

258 820
APPROVED FOR PAYMENT
10/26/97
THIS IS TO CERTIFY:
RECEIVED
MAY 26 1998
OFFICE OF THE CLERK OF THE COURT

ARTICLES OF INCORPORATION
OF
ELECTRICAL JATC HOLDING CO., INC.
(A Nonstock Corporation Pursuant to Maryland General Corporation Law)
FIRST: That I, the undersigned, Frederick J. Bachman, whose post office address is Suite 215, 2701 W. Patapsco Avenue, Baltimore, Maryland 21230, being of full legal age, do hereby form a corporation under and by virtue of the Maryland General Corporation Law authorizing the formation of corporations.
SECOND: The name of the Corporation (hereinafter the "Corporation") is: ELECTRICAL JATC HOLDING CO., INC.
THIRD: The Corporation shall be a non-stock corporation under Subtitle 2 of Title 5 of the Corporations and Associations Article of the Annotated Code of Maryland (The Maryland General Corporation Law) and shall be without authority to issue capital stock.
FOURTH: The purposes for which the Corporation is formed are:
To receive, accept, hold, invest, accumulate, administer, and distribute property exclusively for charitable, religious, educational, or scientific purposes, within the meaning of Section 501(c)(3), including the making of distributions to organizations that are described in Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision

92998427
7184 0535

CHICAGO TITLE INSURANCE CORPORATION
LIBER B 4 4 5 PAGE 2 / 1

App. No. 2-114339-07
Made in Duplicate
This Deed, Made this 15th day of March, in the year one thousand nine hundred and ninety, by and between CHRIS STUBBS, INC.

a body corporate of the State of Maryland party of the first part, Grantor, and ELECTRICAL JATC HOLDING CO., INC., a body Corporate of the State of Maryland, party of the second part, Grantee.
The actual consideration paid or to be paid is \$115,000.00
Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey and assign unto the said Grantee, its successors and assigns, in fee simple,

all that lot(s) of ground partly situate in Baltimore City and partly in Baltimore County in the State of Maryland, and described as follows, that is to say: in Exhibit "A" attached hereto and made a part hereof.

PETITIONER'S EXHIBIT 11

D. DC. F. 18.00
D. T. T. 5.75
D. DC. S. 7.50
DEER 31.25
SW. CLERK 31.25
MAY 19 1998

APPROVED FOR PAYMENT
MAY 26 1998
OFFICE OF THE CLERK OF THE COURT

CHICAGO TITLE INSURANCE COMPANY OF MARYLAND
110 ST. PAUL STREET, BALTIMORE, MD 21202 (301) 727-3700

JUNE 7, 1990
Anthony P. Palaigos, Esquire
1200 Mercantile Bank & Trust Building
2 Hopkins Plaza
Baltimore, Maryland 21201

RE: 2-114339-07
ELECTRICAL JATC HOLDING CO., INC., et al
2699 W. Patapsco Avenue
BALTIMORE CITY

Dear Mr. Palaigos:
Enclosed please find the following document(s) in connection with the above captioned property. If you have any question, please contact the undersigned.

Owner's Title Insurance Policy
(2) Recorded Deeds

Very truly yours,
William H. Stevens
Title Officer

PETITIONER'S EXHIBIT 12

IN THE MATTER OF THE
PETITION FOR SPECIAL HEARING BY *
JOSEPH G. PRESTIANNI FOR A * ZONING COMMISSIONER
PART OF 2699 PATAPSCO AVENUE, * OF BALTIMORE COUNTY
BALTIMORE COUNTY, MARYLAND TO * CASE NO. 91-469-SPH
PERMIT BUSINESS PARKING * DATE OF HEARING: 9/5/91
IN A RESIDENTIAL NEIGHBORHOOD *

PETITION

The undersigned, owners of real property within one mile of the real property known as 2699 Patapsco Avenue, Baltimore County, Maryland, owned by Electrical JATC Holding Co., Inc., each certifying to the Zoning Commissioner of Baltimore County, under penalty of perjury, the following:

1. Each of us are over the age of eighteen (18) years and competent to testify as to each of the matters and facts stated herein.
2. Each of us are fully aware that Joseph G. Prestianni, on behalf of Electrical JATC Holding Co., Inc., has requested a special hearing before the Zoning Commissioner of Baltimore County, to have declared that the parking on the Baltimore County portion of the above mentioned property be exempt from the residential transition area requirements and that parking be permitted in that portion of the property that is shaded in yellow on the drawing that is attached hereto, which parking will be for the development of that portion of the property located in Baltimore City and to be used as an education training center.

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING:

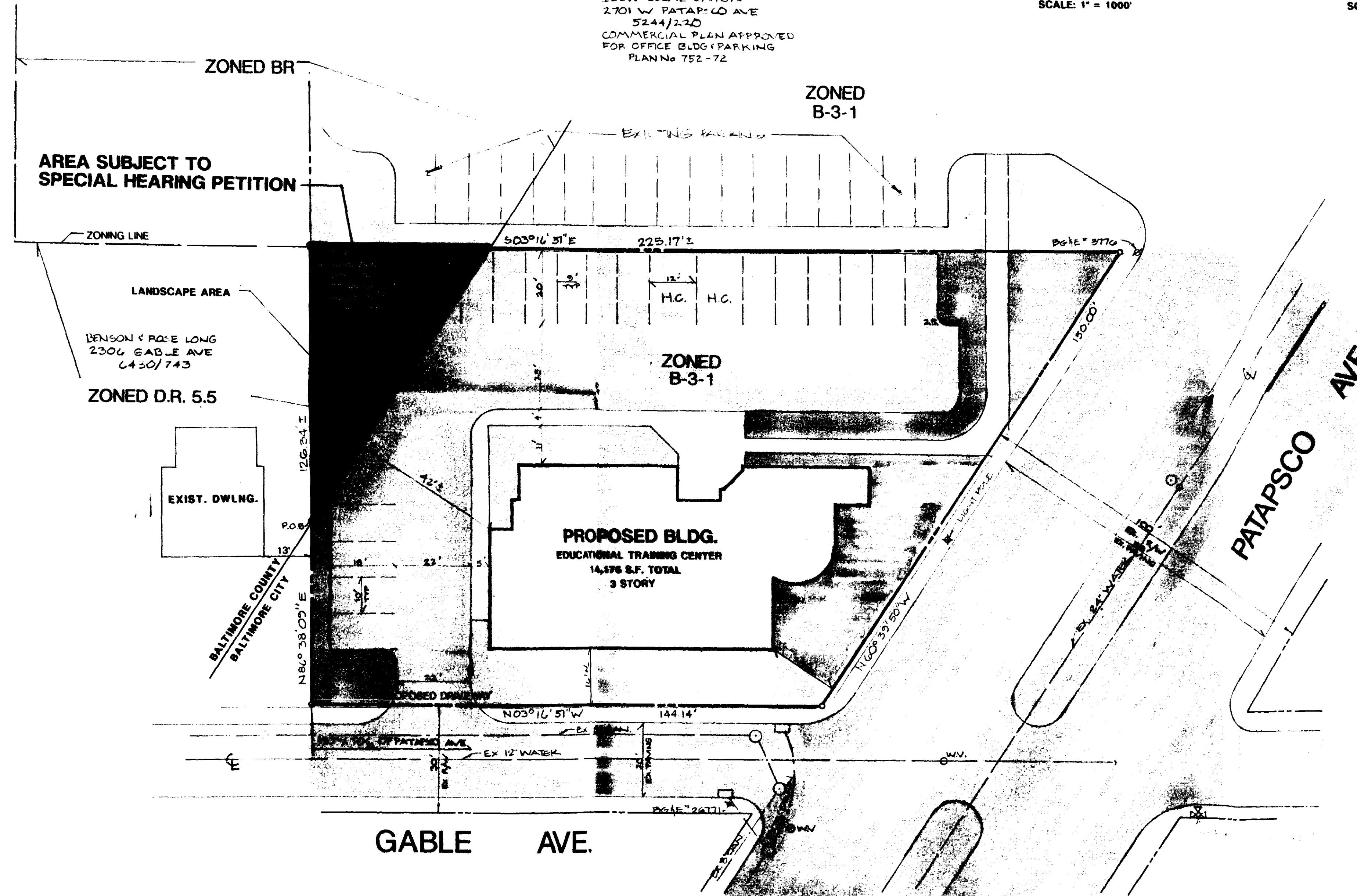
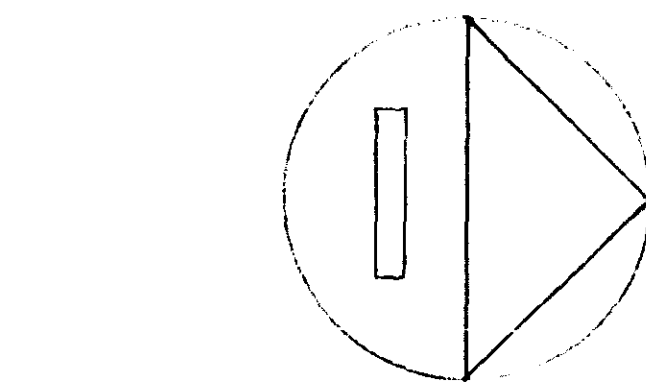
NOTES:

- 1) ZONING:
 EXISTING- D.R. 5.5
 PROPOSED- D.R. 5.5
- 2) LOT AREA: 21,740 S.F. (SEE NOTE # 20)
- 3) EXISTING USE: VACANT
- 4) PROPOSED USE: OFFICE BUILDING
- 5) BUILDING AREA: 14,176 SQ. FT.
- 6) BUILDING SETBACKS: REQUIRED PROVIDED
 FRONT- N/A
 INTERIOR SIDE- N/A
 REAR- N/A
 STREET CORNER SIDE- N/A
- 7) PARKING:
 REQUIRED- 1 SPACE / EACH 2 TEACHERS + EMPLOYEES
 (PER SECTION 10.03 (SCHOOLS), BALTIMORE CITY ZONING REG.) + 20 SPACES
 PROVIDED- 25 SPACES
- 8) UTILITIES:
 SEWER- PUBLIC (BALTO CITY)
 WATER- PUBLIC (BALTO CITY)
- 9) VARIANCES: NONE

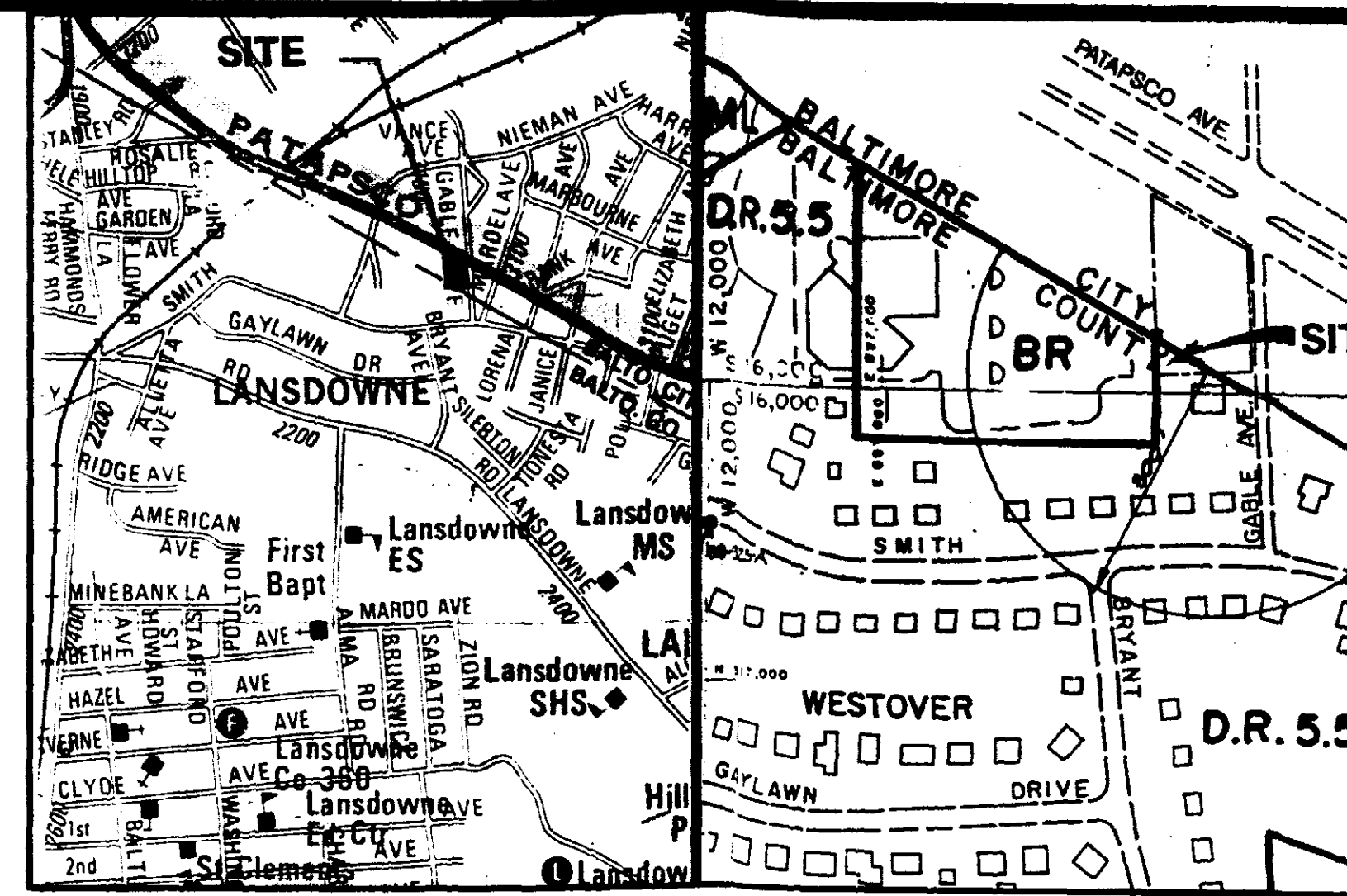
10) SPECIAL EXCEPTION/CONDITIONAL USE:
 SPECIAL HEARING TO ESTABLISH PARKING TO BE EXEMPT FROM PERCENTAGE REQUIREMENTS PER SECTION 10.01 (1)(C)(10) FOR EDUCATIONAL ACTIVITIES LOCATED ON THE SAME LOT OF RECORD ALTHOUGH THE BUILDING AND BALANCE OF THE PARKING IS LOCATED IN BALTIMORE CITY

- 11) Election District No. 13
- 12) Councilmanic District No. 1
- 13) Census Tract No. 4302
- 14) Water Shed No. 29
- 15) Subsewer Shed No. N/A
- 16) Deed Reference: 8445/271 (Balto. Co. Ref. No.)
- 17) Property Account No. 2000001155
- 18) Tax Map 102, Grid 21, Parcel 182
- 19) Floor Area: 14,176 Sq. Ft. (City)
- 20) Lot Area Computations:
 1,886 Sq. Ft. Baltimore County
 19,824 Sq. Ft. Baltimore City
 21,780 Sq. Ft. Total Area
- 21) All building data not applicable due to location in Baltimore City.
- 22) No. of Employees: 40
- 23) No critical areas, archeological sites, historic buildings, wetlands, streams or endangered species habitats on site.
- 24) This site does not contain hazardous materials to the best of our knowledge.
- 25) Any existing fuel tanks will be pumped and removed under the supervision of personnel of the waste management section of D.E.P.R.M. prior to grading. A permit is required for removal.
- 26) Landscaping/Buffers: Landscaping shall be provided in accordance with Baltimore County landscape standards where applicable. A landscape buffer will be provided along the southern residential property line.
- 27) All outdoor lighting will be directed away from the adjacent residential houses, where applicable.
- 28) Signs: No signs shall be located within the Baltimore County portion of the property.
- 29) Previous zoning cases:
 * 66-152 R: Approved Reclassification Petition
 * 69-110 R: Approved Reclassification Petition
- 30) Previous Commercial Permits: 752-72
- 31) See zoning map detail shown on plan for adjacent building locations.

PETITIONER'S EXHIBIT 1



IBEW LOCAL UNION
 2701 W PATAPSCO AVE
 21244/2120
 COMMERCIAL PLAN APPROVED
 FOR OFFICE BLDG/PARKING
 PLAN No 752-72



VICINITY MAP
 SCALE: 1" = 1000'

ZONING MAP (1988)
 SCALE: 1" = 200'

PRELIMINARY SITE PLAN

2699 PATAPSCO AVENUE
 BALTIMORE, MARYLAND

PREPARED BY:
 WILLIAM P. MONK, INC.
 PLANNING & ZONING - ENVIRONMENTAL
 CAMPBELL BUILDING
 SUITE 305
 100 W PENNSYLVANIA AVENUE
 TOWSON, MARYLAND 21284
 (301) 494-8931

APPLICANT/OWNER:
 ELECTRICAL JWC HOLDINGS CO., INC.
 BALTIMORE, MARYLAND 21213

SCALE:
 1" = 100'

DRAWN BY:
 EFB

DATE:
 5/28/90

REVISED:

NOTE: BOUNDARY IS BASED UPON DEED DESCRIPTION (3445/271)
 LOCATION OF EXISTING IMPROVEMENTS BASED UPON A PLAN PREPARED BY
 METERS AND DALEO, INC. DATED 7/6/1972.



SHEET 13-4-C

S 14,000

4,000

S 15,000

S 15,000

PETITIONER'S EXHIBIT 5

