

IN RE: PETITION FOR VARIANCE
SE/S Rosebank Avenue, 919' SW of
Edgewater Place
(8213 Rosebank Avenue)
15th Election District
7th Council District

Cameron J. Bartko, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-350-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Cameron J. and Cheryl L. Bartko. The Petitioners seek relief from Section 255.2 (243.2) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 30 feet in lieu of the required 50 feet for a proposed warehouse. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Cameron J. Bartko, property owner, and David Billingsley, who prepared the site plan for this property. There were no Protestants or other interested persons present; however, a letter of opposition was received from Melissa J. Wisniewski, adjacent property owner.

Testimony and evidence offered revealed that the subject property is comprised of three lots, identified as Lots 38, 39 and 40 of Rosebank, an older subdivision which was platted many years ago. Collectively, the property contains a gross area of 1.9 acres, more or less, zoned M.L., and is approximately 150 feet wide by 530 feet deep. The property is currently vacant; however, the Petitioners propose to construct a 6,000 sq.ft. warehouse on the lot. Due to the unique shape of the property in terms of its relative narrow width and significant depth, the building will be situated perpendicular to Rosebank Avenue. As shown on the site plan, the Petitioners also propose to construct a paved driveway from Rosebank Avenue to the interior of the site, with a small accessory parking area. The Petitioners anticipate that the building will be divided into three

ORDER RECEIVED FOR FILING

Date

By

sections for use by different tenants and that the uses thereon will be as allowed in the M.L. zone. It is also to be noted that the building will be somewhat similar in orientation to a warehouse/service garage building located on adjacent Lots 36 and 37.

Following the hearing on this matter, I visited the site and inspected the neighborhood. Indeed, this community does contain mixed uses. As noted in the letter received from Ms. Wisniewski, "...some properties in this area are in an atrocious state." She also indicates that the "...general area is becoming a dumping ground." My observations were that both of these conclusions are well-founded. Although there are some well-maintained residences in the immediate area, including across Rosebank Avenue from the property and on the adjacent Lot 41, the general area is commercial in character and somewhat unkempt. Indeed, the rear of the subject lot abuts a lumber storage yard, and, as noted above, there is an existing service garage/warehouse building next door. It also appears that some of the residential uses in the vicinity have been converted to commercial uses.

Variance relief is requested to permit a 30-foot side yard setback for the proposed building. The controlling regulation here (Section 255.2) is of note. That Section requires a minimum 30-foot setback for any part of an M.L. lot which is located within 100 feet of a residential zone line. The only impacted residential zone line relevant here is located across from the front of this property. Thus, if the subject building were placed more towards the interior of the site than proposed, variance relief would not be required. However, the building where shown on the site plan requires variance relief. In view of this factor, I questioned the Petitioner and his consultant at the hearing about shifting the building further towards the interior of the property. It was suggested that this would be an appropriate alternative and would eliminate the need for variance relief. Additionally, placing the building further away from Rosebank Avenue would be more consistent with the location of the adjacent warehouse/service garage immediately next door. It would also result in an increased distance between the proposed commercial building and accessory parking area, the residences across Rosebank Avenue, and the adjacent residence known

as 8217 Rosebank Avenue. For all of these reasons, it was felt that relocating the building further from Rosebank Avenue into the interior of the site would be desirable and preferable.

Mr. Billingsley testified that he had considered that option and had recommended same to his client. Unfortunately, he advised that this option was not acceptable to Baltimore County's Department of Environmental Protection and Resource Management (DEPRM). As noted within their Zoning Advisory Committee (ZAC) comment, the subject property is located within the Chesapeake Bay Critical Areas and therefore subject to those regulations. As such, there is a limitation on the amount of impervious surface (i.e. 15%) allowed on the property. Mr. Billingsley indicated that relocating the building towards the interior of the site would result in a longer driveway and thus, a greater area of impervious surface. In fact, the proposal as presented under the current plan, provides for a 15% impervious surface coverage, the limit allowed under the Chesapeake Bay Critical Areas regulations. Although relocating the building but a modest distance further towards the interior of the property would increase the impervious surface by only 1% to 16% of the total lot area, DEPRM is unwilling to grant a waiver to the strict 15% requirement. Subsequent to the hearing, I confirmed with that agency their unwillingness to deviate from that strict requirement. Although I believe that DEPRM's inflexibility is inappropriate, I have no authority to reverse their decision, but must accept same as a constraint associated with this property.

Obviously, there are other options available. The driveway could be made of a non-durable and pervious surface; however, such an option is unadvisable. The property will be used commercially and no doubt, truck traffic will visit the site. A macadam/asphalt, durable and dustless driveway is necessary under those circumstances. Moreover, arguably the building could be downsized in order to reduce the total area of impervious surface. Although this is an obvious option, the Petitioner's argument that the proposal is consistent with the size of the property and buildings in the area has merit. A 6,000 sq.ft. building on a site of nearly 2.0 acres in area is not unreasonable or out of scale. Moreover, the service garage building immediately adjacent to the

ORDER RECEIVED FOR FILING
Date 5/11/11
By [Signature]

site dwarfs the size of the proposed building. A reduction of the building's size seems to make little practical sense in view of these factors.

Based upon the testimony and evidence offered, I am persuaded to grant the variance. From a legal perspective, the property is unique by virtue of its location within the Chesapeake Bay Critical Areas and required compliance with those regulations. It is these requirements at law which create an unreasonable burden upon the Petitioner; that is, whether the strict tenants of the zoning code should be followed or strict enforcement of the Chesapeake Bay Critical Areas regulations. Although I disagree with DEPRM's unwillingness to grant a slight variance from the Chesapeake Bay Critical Areas regulations, I defer to their jurisdiction in that regard.

After due consideration of the testimony and evidence offered, I will grant the variance. However, in so granting, I will require compliance with the recommendations made by the Office of Planning regarding screening of this site by the installation of landscaping and the submission of building elevation drawings to insure reasonable compatibility. Adoption of those requirements will also address certain of the concerns raised by Ms. Wisniewski.

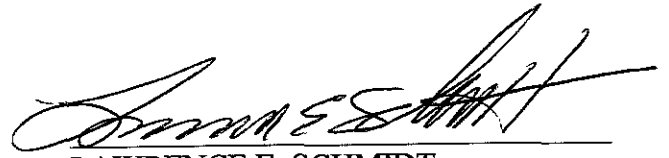
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of May, 2001 that the Petition for Variance seeking relief from Section 255.2 (243.2) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 30 feet in lieu of the required 50 feet for a proposed warehouse, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the ZAC comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated March 21, 2001.

ORDER REQUIRED FOR FILING
Date: 5/16/01
By: [Signature]

- 3) Prior to the issuance of any building permits, the Petitioners shall submit a landscape plan and building elevation drawings to the Office of Planning for review and approval.
- 4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 5/11/11
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 9, 2001

Mr. & Mrs. Cameron J. Bartko
1815 Belle Avenue
Baltimore, Maryland 21222

RE: PETITION FOR VARIANCE
SE/S Rosebank Avenue, 919' SW of Edgewater Place
(1815 Belle Avenue)
15th Election District – 7th Council District
Cameron J. Bartko, et ux - Petitioners
Case No. 01-350-A

Dear Mr. & Mrs. Bartko:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance 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 the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. David Billingsley
Central Drafting & Design, 601 Charwood Court, Edgewood, Md. 21040
Chesapeake Bay Critical Areas Commission,
1804 West Street, Suite 100, Annapolis, Md. 21401
Office of Planning; DEPRM; People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8213 ROSEBANK AVENUE

which is presently zoned ML

This Petition shall be filed with the Department of Permits and Development Management. 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(s)

255.2 (243.2) TO PERMIT A SIDE YARD OF 30 FEET INSTEAD OF THE REQUIRED 50 FEET.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(indicate hardship or practical difficulty)

SEE ATTACHED

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

City

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

CAMERON J. BARTKO

Name - Type or Print

Signature

CHERYL L. BARTKO

Name - Type or Print

Signature

1815 BELLE AVENUE (410) 288-6645

Address

Telephone No.

BALTIMORE, MD.

State

21222

Zip Code

Representative to be Contacted:

DAVID BILLINGSLEY
CENTRAL DRAFTING AND DESIGN, INC.

Name

day & eve.

601 CHARWOOD COURT (410) 679-8719

Address

Telephone No.

EDGEWOOD, MD.

21040

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

BR

Date

3/6/01

Case No. 01-350-A

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

By

REASONS FOR VARIANCE REQUEST

8213 ROSEBANK AVENUE

The subject property is located within the Chesapeake Bay Critical Area (Limited Development Area) and is restricted to a maximum impervious area equal to or less than 15% of the area of the property. The Environmental Impact Review Section of the Department of Environmental Protection and Resource Management will not support a request for a waiver to allow an impervious area in excess of the 15% permitted.

The owner wishes to construct a 6000 square foot building to be utilized for warehousing. The site plan submitted with this petition shows the minimum parking and loading requirements for the warehouse type use while maintaining a maximum 15 % impervious area coverage.

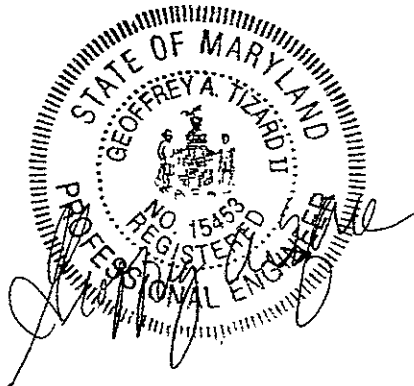
Locating the proposed building to provide a 100 foot front yard setback would permit a 30 foot side yard and eliminate the need for a variance, however, the 15 % coverage of impervious area would be exceeded.

Locating the proposed building to provide the required 50 foot side yard setback does not allow sufficient area for the required parking and loading areas.

ZONING DESCRIPTION

8213 ROSEBANK AVENUE

Beginning for the same at a point on the southeast side of Rosebank Avenue (30 feet wide) at a distance of 919 feet southwest of the centerline of Edgewater Place, thence being all of lots 38, 39 and 40 as shown on the plat entitled Rosebank recorded among the plat records of Baltimore County in plat book 6 folio 184. Containing 1.9 acres of land more or less. Being located in the Fifteenth Election District, Seventh Councilmanic District of Baltimore County.



01-350-A

#350

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 93020

DATE 7/6/01 ACCOUNT R001-006-6150

AMOUNT \$ 250.00

RECEIVED FROM: Cashs Touring a Report

FOR: 2.0000 variance

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item # 350

PAID RECEIPT

PAYMENT ACTUAL TIME
3/06/001 3/06/2001 15:19:18
PER MFGS CASHIER LWIL LDM DRAAF
> RECEIPT # 172403
DATE 5 570 TESTING VERIFICATION
CP NO. 093000

Kept Int 250.00
150.00 PK 100.00
Baltimore County, Maryland

CASHIER'S VALIDATION

01-350-A

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 01-350-A
6213 Rosebank Avenue
SE/8 Rosebank Avenue,
919' SW of centerline
Edgewater Place
15th Election District
7th Councilmanic District
Legal Owner(s): Cheryl &
Cameron Bartko
Variance: to permit a side
yard of 30 feet instead of
the required 50 feet.
Hearing: Wednesday, April
18, 2001 at 10:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Ave-
nue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT 4/6/26 Apr. 3 C460514

CERTIFICATE OF PUBLICATION

4/5, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 4/3, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-350-A

Petitioner/Developer: _____

CHERYL AND CAMERON BARTKO

Date of Hearing/Closing: APRIL 18, 2001

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

8213 ROSEBANK AVENUE

The sign(s) were posted on APRIL 2, 2001
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

ZONING NOTICE

CASE # 01-350-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
ON

ROOM 407, COUNTY COURTS

PLANT BLDG. 401 BOSLEY AVENUE

WEDNESDAY, APRIL 18, 2001

ONE AND TWO AT 10:00 A.M.

REVEST VARIANCE TO PERMIT

A SIDEYARD OF 20 FEET

INSTEAD OF THE REQUIRED

50 FEET

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 01-350-A
Petitioner: ~~CARTA~~ CAMERON BARTKO
Address or Location: 8213 ROSEBANK AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: CAMERON BARTKO
Address: ~~8213 ROSEBANK AVE~~ 1815 Belle Ave.
BALTO, MD. 21222
Telephone Number: (410) 288-6645



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

March 20, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-350-A
8213 Rosebank Avenue
SE/S Rosebank Avenue, 919' SW of centerline Edgewater Place
15th Election District – 7th Councilmanic District
Legal Owners: Cheryl & Cameron Bartko

Variance to permit a side yard of 30 feet instead of the required 50 feet.

HEARING: Wednesday, April 18, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with the initials "GJR" written below it.

Arnold Jablon
Director

C: Cheryl & Cameron Bartko, 1815 Belle Avenue, Baltimore 21222
David Billingsley, Central Drafting & Design Inc, 601 Charwood Court,
Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 3, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 3, 2001 Issue – Jeffersonian

Please forward billing to:
Cameron Bartko
1815 Belle Avenue
Baltimore MD 21222

410 288-6645

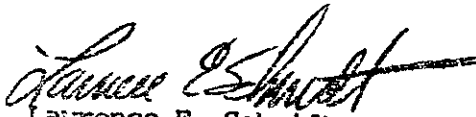
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-350-A
8213 Rosebank Avenue
SE/S Rosebank Avenue, 919' SW of centerline Edgewater Place
15th Election District – 7th Councilmanic District
Legal Owners: Cheryl & Cameron Bartko

Variance to permit a side yard of 30 feet instead of the required 50 feet.

HEARING: Wednesday, April 18, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt
G D Z

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

April 17, 2001

Lawrence Schmidt
Commissioner's Office
Towson, MD

Dear Sir:

I am writing this letter with concern on the zoning case number 01-330-A. This states the owner of the property wishes to decrease the side yard from 50 feet to 30 feet. I own the property located to the left of this, 8217 Rosebank Avenue as well as the property diagonally, 8218 Rosebank Avenue.

The property in question is a fairly large piece of land. I particularly do not see a reason to construct a building so close to my property line or in this vicinity. There is also marsh area that runs on this side of the property. This property already creates run-off to my property because it does not drain appropriately.

The neighborhood is a fairly old one that has not been monitored and the some properties in the area are in an atrocious state. Because I own the properties closest to this property, I am very concerned that the marsh lands will be depleted and my property value will also be decreased due to buildings such as this going up. The general area is becoming a dumping ground for various owners of commercial property in the area. We need this type of business to decrease in this area. This area is located on crucial waterways that run behind the area. Due to that waterway, residentially zoned property owners have difficulty getting approval for adding additional space on their homes, therefore, how can we allow building of this side to be erected?

I apologize for writing to you as opposed to being at this hearing, however, I cannot always get out of work each time our neighbors want to change things. We also have an elderly woman on the street that lives directly across from this property. She is house-bound and cannot get around very well. Her feelings on this matter are mutual.

If you would like pictures of the run-off or marsh lands discussed earlier, I would be happy to send you copies. Please take this into consideration on this ruling and contact me if you have any questions.

Sincerely,

Melissa J. Wianiewski



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

April 13, 2001

Cheryl L & Cameron J. Bartko
1815 Bell Avenue
Baltimore MD 21222

Dear Mr. & Mrs. Bartko:

RE: Case Number: 01-350-A, 8213 Rosebank Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 6, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards Jr.

W. Carl Richards, Jr. 602-
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: David Billingsley, Central Drafting & Design Inc, 601 Charwood Court,
Edgewood 21040
People's Counsel



Les
4/18

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: March 27, 2001

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 8213 Rosebank Avenue

INFORMATION:

Item Number: 01-350

Petitioner: Cameron Bartko

Zoning: ML

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit a side yard of 30 feet in lieu of the required 50 feet contingent upon the following:

1. Submit building elevations to this office for review and approval prior to the issuance of any building permits.
2. Adequate evergreen screening should be provided along Rosebank Avenue and along the northwestern side lot line extending to the rear building elevation of the proposed structure. A landscape plan should be provided to this office for review and approval prior to the issuance of any building permits.
3. Be advised that the subject site is located within the Wells-McComas Community conservation Plan study area.

Prepared by: Mark A. Cunniff

Section Chief: Jeffrey W. Long
AFK:MAC:

MAR - 0

ORDER RECEIVED FOR FILING

Date

By

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *rc/rbs*
DATE: March 21, 2001
SUBJECT: Zoning Item #350
8213 Rosebank Avenue

Zoning Advisory Committee Meeting of March 19, 2001

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- _____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- _____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

ORDER RECEIVED FOR FILING

Date 3/21/01

By [Signature]

Reviewer: Keith Kelley

Date: March 21, 2001

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: March 28, 2001

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 26, 2001
Item Nos. 346, 348, 350, 351, 352, 354,
355, and 356

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

March 19, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner:

Location: DISTRIBUTION MEETING OF March 19, 2001

Item No.: 350

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.15.01

Ms. Ronnay Jackson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 350 BR

Dear Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

/s/ Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE

8213 Rosebank Avenue, SE/S Rosebank Ave,
919' SW of c/l Edgewater Pl
15th Election District, 7th Councilmanic

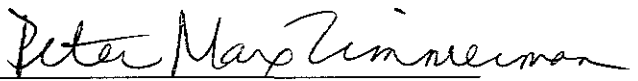
Legal Owner: Cameron J. & Cheryl L. Bartko
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-350-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to David W. Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood, MD 21040, representative for Petitioners.


PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

DAVID BILLINGSLEY

601 CHARWOOD CT.
EDGEWOOD, MD. 21040

CAMERON J. BARTKO

1815 BELLE AVE.
BALTO. MD. 21222



RC.50

PIERS

DR-5.5

EDGEWATER

D.R.3.5

ML

SITE

ROSEVIEW

ROSEBANK

RD.

RD.

COVE

D.R.5.5

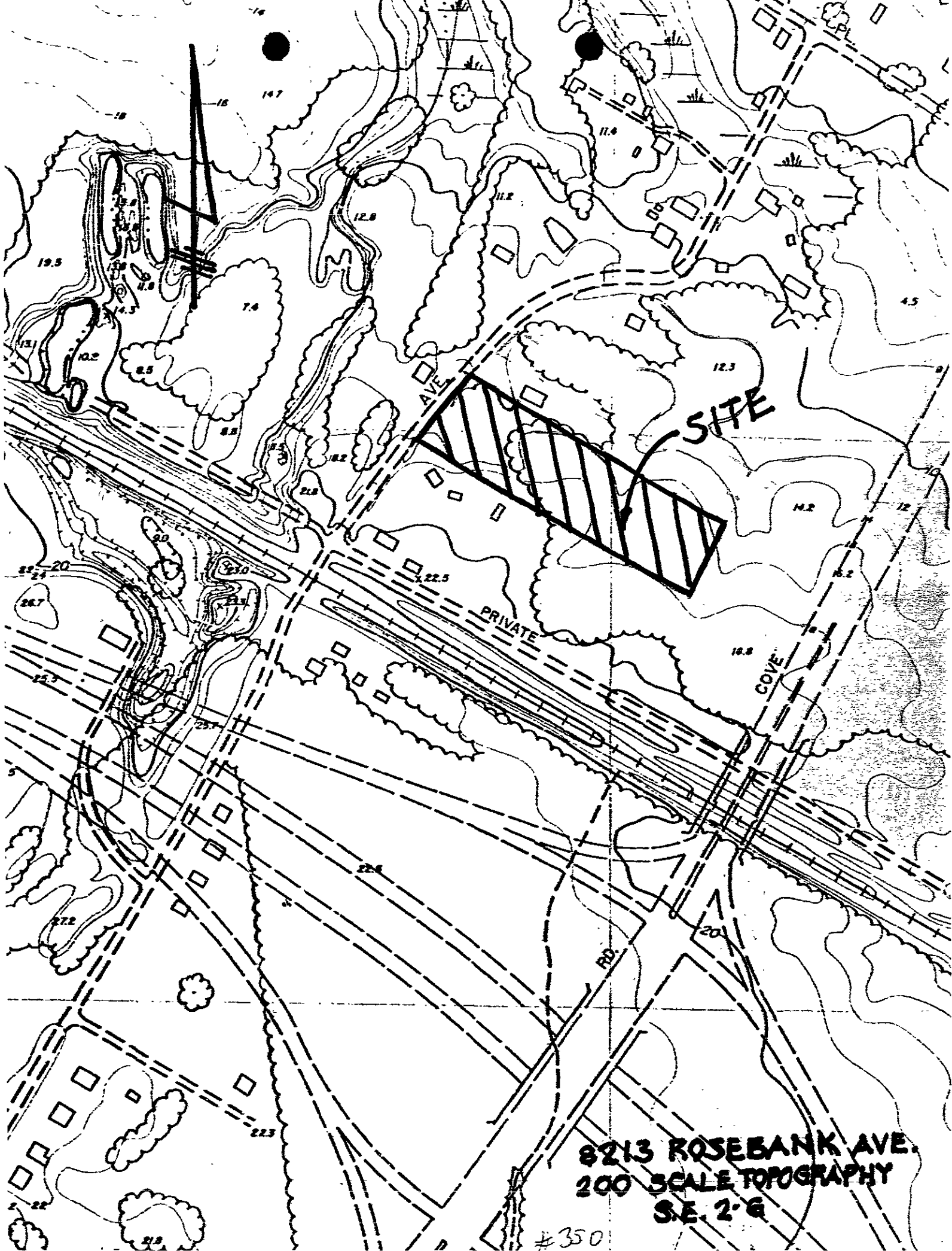
DR3.5

8213 ROSEBANK AVENUE

200 SCALE ZONING MAP S.E.2-G

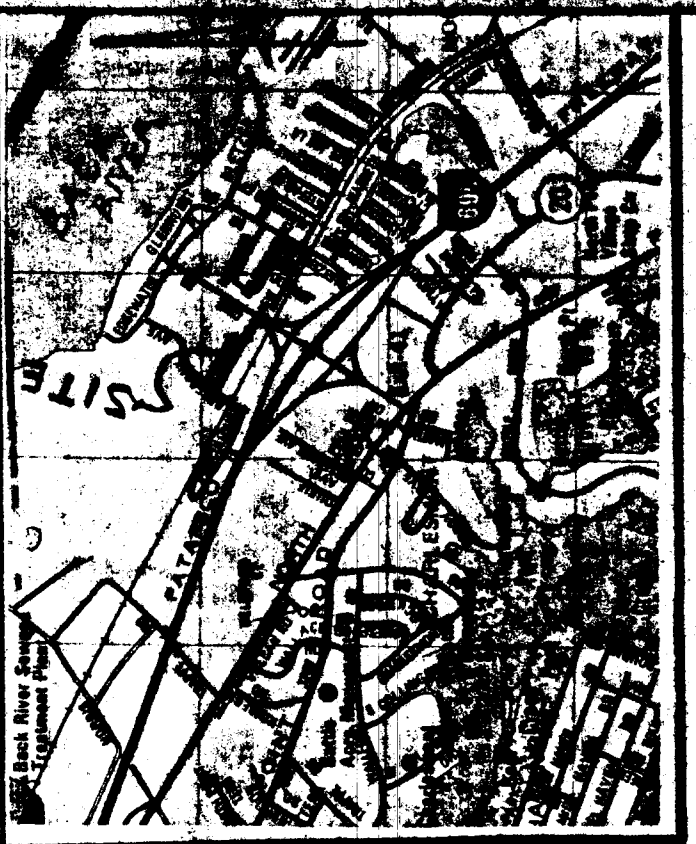
01-350-A

#350



8213 ROSEBANK AVE.
200 SCALE TOPOGRAPHY
S.E. 2-6

#350



VICINITY MAP
SCALE: 1"=2000'

01-350-A

NOTES

1. EXISTING ZONING: ML 200 SCALE MAP SE 2-Q
2. AREA OF SITE: 1.9 ACRES (GROSS AND NET)
3. EXISTING USE: VACANT
4. PROPOSED USE: WAREHOUSE
5. BUILDING AREA: 6000 SQ. FT. F.A.R. = 0.07
6. PARKING DATA:
REQUIRED: 6 EMPLOYEES @ 1 SPACE/EMPLOYEE = 6 SPACES
PROVIDED: 6 SPACES
ALL SPACES 8.5' X 18' MIN
7. THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA (CBA). IMPERVIOUS SURFACE PERMITTED = 1.9 ACRES X 15% = 12,415 S.F. CRITICAL AREA PLANTING REQUIREMENT = 25 TREES. WHITE PINE TREES WILL BE UTILIZED TO SATISFY THE PLANTING REQUIREMENT AND TO PROVIDE SCREENING ALONG THE NORTH AND WEST PROPERTY LINES. * * * * *

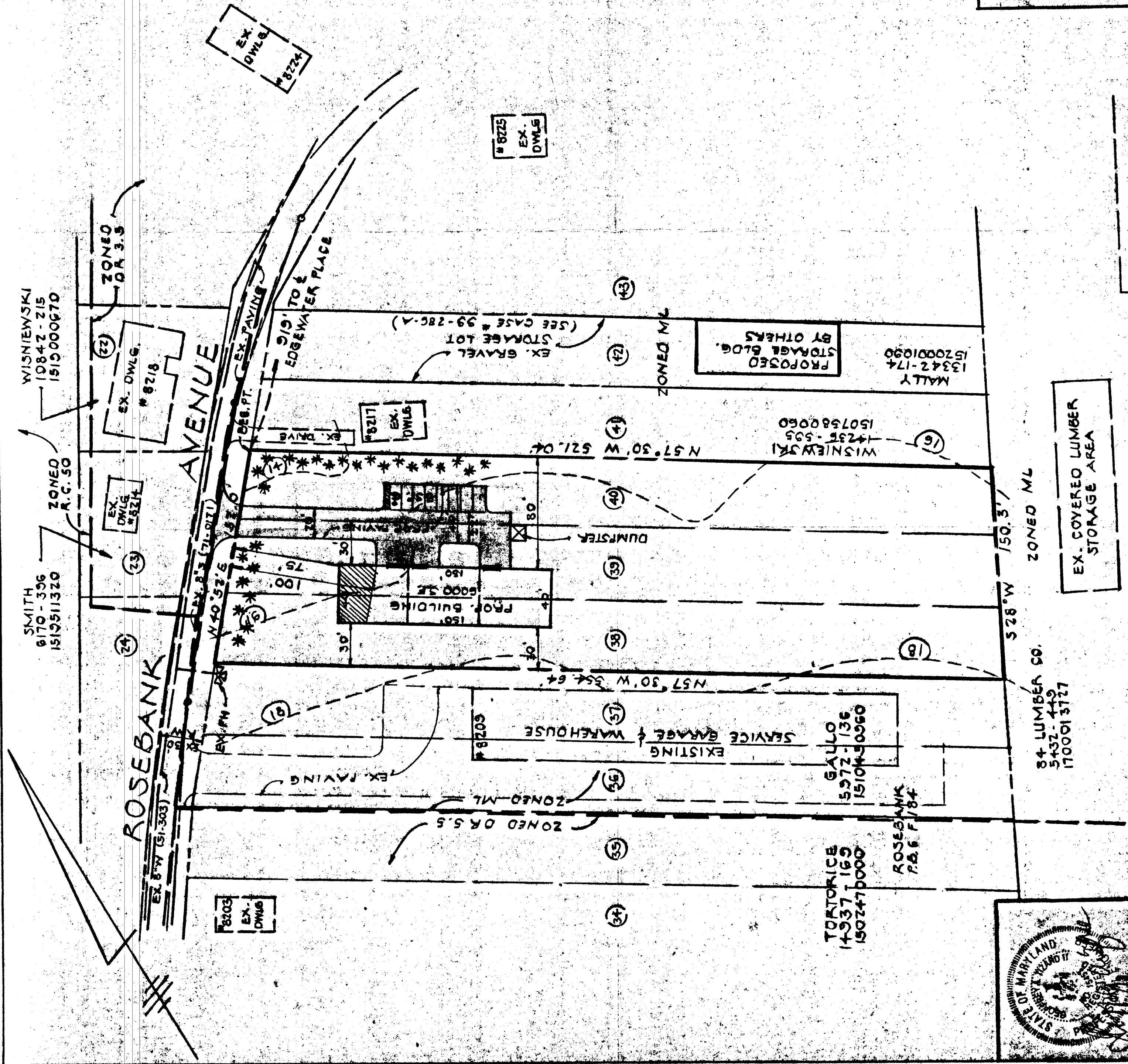
VARIANCE REQUEST

A VARIANCE IS REQUESTED TO PERMIT A SIDE YARD OF 30 FEET INSTEAD OF THE REQUIRED 50 FEET. THAT PORTION OF THE PROPOSED BUILDING AFFECTED IS SHOWN THUS

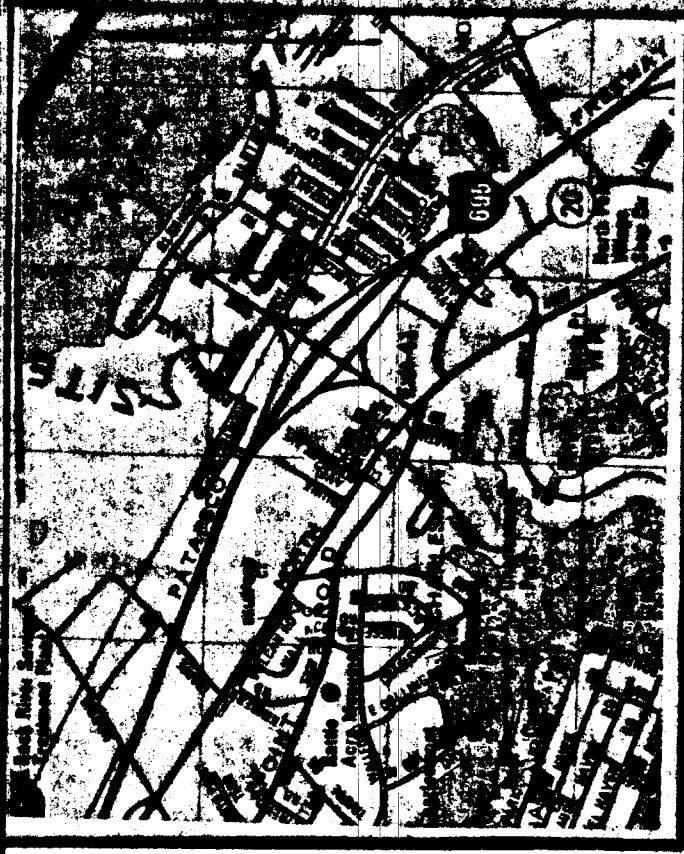
Ed No 1

OWNER
CAMERON J. & CHERYL L. BARTHO
1815 BELLE AVENUE
BALTO., MARYLAND 21222
LI3761 F559 LI8150032

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE
LOTS 38-40 ROSEBANK P.B. 6 F.184
8213 ROSEBANK AVENUE
ELECTION DISTRICT 15, C7
BALTIMORE COUNTY, MD.
SCALE: 1"=50' FEB. 23, 2001



CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719



VICINITY MAP
SCALE: 1"=2000'

01-350-7

NOTES

1. EXISTING ZONING..... ML (200 SCALE MAP S.E. 2-3)
2. AREA OF SITE..... 1.9 ACRES (GROSS AND NET)
3. EXISTING USE..... VACANT
4. PROPOSED USE..... WAREHOUSE
5. BUILDING AREA = 6000 SQ. FT. F.A.R. = 0.07
6. PARKING DATA
REQUIRED..... 6 EMPLOYEES @ 1 SPACE / EMPLOYEE = 6 SPACES PROVIDED..... 6 SPACES
ALL SPACES 8.5' X 18' MIN.
7. THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA (C.B.A.) IMPERVIOUS SURFACE PERMITTED = 1.9 ACRE X 15% = 12,415 S.F.
8. CRITICAL AREA PLANTING REQUIREMENT = 25 TREES. WHITE PINE TREES WILL BE UTILIZED TO SATISFY THE PLANTING REQUIREMENT AND TO PROVIDE SCREENING ALONG THE NORTH AND WEST PROPERTY LINES: * * * * *

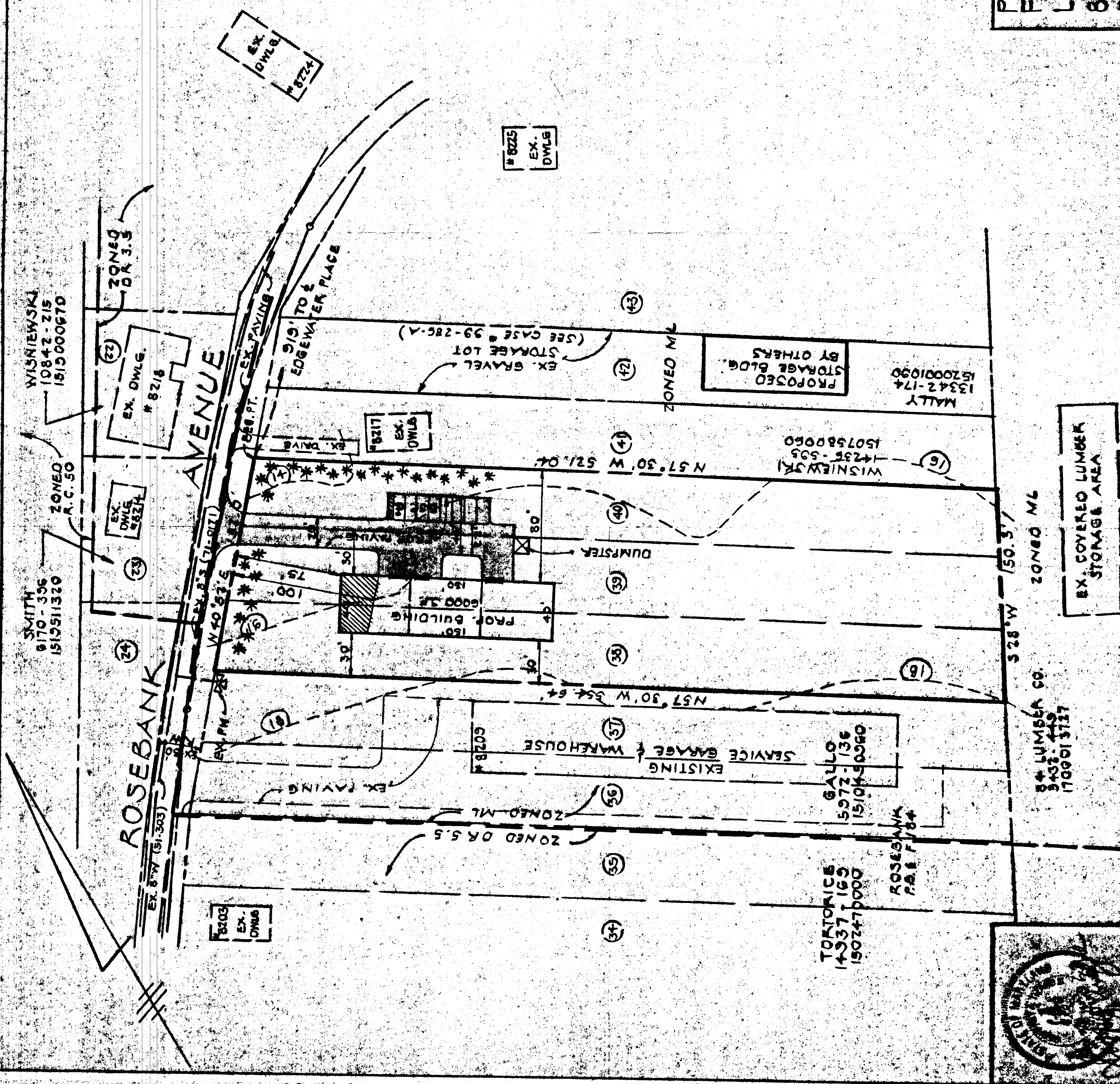
VARIANCE REQUEST

A VARIANCE IS REQUESTED TO PERMIT A SIDE YARD OF 30 FEET INSTEAD OF THE REQUIRED 50 FEET. THAT PORTION OF THE PROPOSED BUILDING AFFECTED IS SHOWN THUS

OWNER
CAMERON J. & CHEYL L. BARTKO
1818 BELLS AVENUE
BALTO., MARYLAND 21222
L13764, R. 553 1818130032

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE
LOTS 38-40 ROSEBANK P.B. 6 F. 184
8213 ROSEBANK AVENUE
ELECTION DISTRICT 15, C7
BALTIMORE COUNTY, MD.
SCALE: 1"=50' FEB. 23, 2001

#350



EX. RETAIL SALES
& STORAGE BLDG.
84 LUMBER

EX. COVERED LUMBER
STORAGE AREA

CENTRAL DRAFTING & DESIGN, INC.
401 CHESTNUT COURT
EDGEWOOD, MD 21041
(410) 675-0719