

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE – SE/Cor. Brentwood * ZONING COMMISSIONER
and Fifth Avenues, N of Holabird Avenue *
(6701 Brentwood Avenue) * OF BALTIMORE COUNTY
12th Election District *
7th Council District * Case No. 02-027-SPHA

Robert E. Rosso *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, Robert E. Rosso, through his attorney, Deborah C. Dopkin, Esquire. The Petitioner requests a special hearing to approve business parking in a residential zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, variance relief is sought from Section 1B01.1.B.1.e(5) of the B.C.Z.R. to permit a Residential Transition Area (RTA) parking setback of 10 feet in lieu of the required 75 feet, and an RTA landscape buffer of 10 feet in lieu of the required 50 feet. 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 requests were Robert Rosso, property owner, his wife, Janette Rosso, Richard E. Matz, the Professional Engineer who prepared the site plan for this property, and Deborah Dopkin, Esquire, attorney for the Petitioner. Appearing as Protestants in the matter were numerous residents from the surrounding community, all of whom signed the Protestants' Sign In Sheet circulated at the hearing. Serving as spokespersons for the group were Charles H. Creamer and John Heuchan.

The subject property is actually comprised of two parcels located on both sides of the southeast corner of the intersection of Brentwood Avenue and Fifth Avenue, just north of Holabird Avenue in Dundalk. In addition to the fact that the two parcels are separated by Fifth Avenue, the Baltimore County/Baltimore City line runs through the front portion of the site; however, the majority of the property is located in Baltimore County.

ORDER RECEIVED FOR FILING

Date

By

The parcel on the north side of Fifth Avenue is triangular in shape and is located at the apex of the angle created by the intersection of Brentwood Avenue and Fifth Avenue. This parcel contains 0.113 acres, more or less, zoned B.L., and is improved with a large, two-story building which occupies nearly the entire site. This building was previously used as a restaurant known as the Brentwood Inn, and more recently, as a hair salon; however, the building is now vacant and in need of repair. In fact, many of the concerns expressed by the Protestants were that Mr. Rosso had not kept up the building since he acquired same approximately one year ago and that the building is an eyesore and causes blight to the neighborhood.

The second parcel is located on the south side of Fifth Avenue, across from the building formerly known as the Brentwood Inn. Apparently this parcel has been used as a parking lot for many years. It contains approximately 0.464 acres, more or less, zoned D.R.5.5 and is unimproved. An alley, which runs along the rear of the site, separates the subject parcel from the rear of a number of commercial parcels which front Holabird Avenue. This alley is paved in part, but is not fully improved.

The location of these parcels is interesting in that they serve as a buffer between the adjacent residential community and the commercial uses along Holabird and Dundalk Avenues. That is, the plan shows that a residence owned by Douglas Baker is located immediately adjacent to the B.L. zoned parcel (formerly the Brentwood Inn). Likewise, the parcel containing the parking lot immediately abuts a residence owned by the Bednarek family. The nature of the properties as a buffer was evident during a site visit I conducted following the hearing. To the east of the properties is a long-established residential community of well-maintained, single family dwellings on modest lots. However, to the west and south, there are a number of businesses and commercial uses along the major thoroughfares, namely Dundalk Avenue and Holabird Avenue.

Testimony indicated that Mr. Rosso purchased the subject property approximately one year ago. He is in the contracting business and has stored some of his trucks and trailers on the parking lot parcel or in the neighborhood, much to the consternation of the neighbors. Mr. Rosso proposes to refurbish and repair the building for use in accordance with the B.L. zoning of the property. However, in that the building occupies the entire B.L.-zoned parcel, there is no on-site

ORDER FOR THE COMMISSIONER OF PUBLIC SAFETY
Date: 10/19/11
By: [Signature]

parking available. Thus, the Petitioner requests special hearing and variance relief as set forth above to permit parking on the adjacent parcel zoned D.R.5.5. Apparently, the use of the adjacent parcel for parking is an arrangement that has existed for many years. Nonetheless, the neighbors are concerned about not only the use of the subject site, but Mr. Rosso's construction business.

This case is made difficult because of a number of neighbors' concerns. They have fears regarding the potential use of the old Brentwood Inn building. In addition, they fear the use of the parking lot and adjacent public streets to support Mr. Rosso's business. I have no jurisdiction as to the use of the public streets. If Mr. Rosso parks his vehicles illegally on these streets, that is a matter for enforcement of the traffic laws by the Baltimore County Police Department.

As to the use of the old Brentwood Inn parcel, the record of the case will show that the hearing was suspended when the undersigned Zoning Commissioner required that Mr. Rosso need identify the specific use of that property before consideration of the instant Petitions could be given. After a recess, Mr. Rosso was recalled to the witness stand at which time he testified more specifically about his plans. In this regard, he indicated that he proposes rehabilitating the building and using same as a boarding house for up to six individuals and using a portion of the building as an office for his contracting business. It is to be noted that a boarding house is permitted by right in the B.L. zone, pursuant to Section 230.3 of the B.C.Z.R. Thus, Mr. Rosso has the absolute right to use the parcel containing the building as a boarding house. In this context, a boarding house is defined under Section 101 of the B.C.Z.R. as "a building which is not the owner's residence and which is occupied in its entirety by three or more adult persons not related by blood, marriage or adoption to each other." Again, it is to be emphasized that a boarding house is permitted by right in the B.L. zone.

The question presented under the Petition for Special Hearing is whether relief should be granted to permit parking for the tenants of the boarding house and storage of vehicles used in connection with Mr. Rosso's contracting business on the parking lot across the street. As noted above, this parking lot has apparently been in existence for a number of years. The undisputed testimony and evidence presented was that it is presently being used without the owner's express

permission, by a number of businesses in the area, including, but not limited to, certain medical offices located nearby on Holabird Avenue. The continued use of the parcel as a parking lot for the proposed use is certainly consistent with its historic use. Properly restricted, it appears that this arrangement should continue.

The variance relief requested relates to Residential Transition Area (RTA) standards. The RTA standards are set out in Section 1B01.1.B of the B.C.Z.R. That Section indicates that the purpose of the RTA is to assure that similar housing types are built adjacent to one another or that adequate buffers and screening are provided between dissimilar housing types. Although the RTA standards are applicable here, the identified purpose is not relevant to the issue.

As noted above, the undersigned Zoning Commissioner visited the site after the hearing and drove the neighborhood. I looked not only at the old Brentwood Inn building, but also drove through the residential neighborhood. I also went onto the parking lot and traveled up the unimproved alley that separates that lot from the businesses that front on Holabird Avenue. It is the responsibility of the Zoning Commissioner to insure that relief can be granted without detrimental impact to the surrounding locale. Nonetheless, it is clear that commercial and business uses exist immediately adjacent to the subject property and indeed, the triangularly shaped parcel on which the building is located is zoned B.L. As such, certain uses are permitted as of right.

Under all of these circumstances, I am persuaded to grant the requested relief. However, in granting the relief, I will impose a number of conditions which are designed to preserve and protect the health, safety and general welfare of the locale. First, the boarding house use will be limited to a maximum of six residents. Second, the office use will be restricted to the Petitioner's construction company, only, and none other. Third, the Petitioner shall comply fully with the requirements set out in Section 408.B of the B.C.Z.R., which regulates boarding houses in the D.R. zone. They require, for example, that the owner keep and preserve accurate tenant occupancy records. Moreover, upon 24-hour notice, County representatives shall be permitted to enter and inspect the premises or property. The Section further provides that the Director of Permits and Development Management (DPDM) may revoke the use and occupancy permit if the Petitioner fails to comply with the livability code, the applicable zoning regulations, or the noise,

ORDERED FOR FILING
Date 10/19/11
By [Signature]

litter, fire, health, or sanitation ordinances of Baltimore County. Fourth, the Petitioner shall be required to improve the parking lot with a durable and dustless surface. It is recognized, from a financial perspective, that the applicant may be limited in the amount of improvements that can be made to the building and parking lot, and it seems appropriate that the building be improved first, and the parking lot thereafter. Thus, the Petitioner shall be given a period of one year from the date of this Order to improve the parking lot. The Petitioner shall also install landscaping on the east and north sides of the parking lot. Landscaping to the south and west of that property is not practical, due to the commercial establishments which abut those sides; however, landscaping should be installed to buffer the lot from the residential community. The landscaping and improvements to the parking lot shall be completed within one year of the date of this Order. Fifth, the Petitioner shall only be allowed to park cars, vans and pick-up trucks on the parking lot. No vehicles over $\frac{3}{4}$ ton shall be stored or parked on the lot.

It is hoped that the restrictions imposed upon the relief granted will provide a reasonable solution to the contention presently existing between Mr. Rosso and the neighbors. Again, some degree of balance is appropriate between the business zoning of the property and nearby commercial uses, and the residential neighborhood abutting the other side of this property. If the property is cleaned up, and the proposed boarding house and parking lot are used in accordance with all applicable regulations and conditions as set forth above, I believe that the Protestants' concerns can be resolved.

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

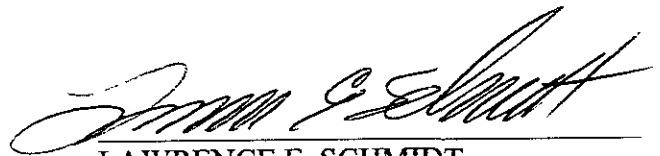
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of October, 2001 that the Petition for Special Hearing to approve business parking in a residential zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.1.B.1.e(5) of the B.C.Z.R. to permit a Residential Transition Area (RTA) parking setback of 10 feet in lieu of the required 75 feet, and an RTA landscape buffer of 10 feet in lieu of the

ORDER RECEIVED FOR FILING
Date 10/19/01
By [Signature]

required 50 feet, 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) The use of the existing building shall be limited to a boarding house for no more than six residents, and office space for the Petitioner's construction business, only, and no other. Moreover, the Petitioner shall comply with all requirements set out in Section 408.B of the B.C.Z.R., which regulates boarding houses in the D.R. zone. These include keeping and maintaining accurate tenant occupancy records and compliance with the livability code, the applicable zoning regulations, and the noise, litter, fire, health, and sanitation ordinances of Baltimore County.
- 3) The Petitioner shall be required to improve the parking lot with a durable and dustless surface. The Petitioner shall also install landscaping on the east and north sides of the parking lot to buffer same from the adjacent residential community. The landscaping and improvements to the parking lot shall be completed within one year of the date of this Order.
- 4) Only cars, vans and pick-up trucks owned by tenants of the boarding house or used by the Petitioner in connection with his construction business shall be parked on the parking lot; however, no vehicles weighing over $\frac{3}{4}$ ton shall be stored or parked on the lot.
- 5) 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.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDINANCE
Date 10/19/11
By [Signature]



Baltimore County
Zoning Commissioner

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

October 18, 2001

Deborah C. Dopkin, Esquire
409 Washington Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
SE/Corner Brentwood and Fifth Avenues, N of Holabird Avenue
(6701 Brentwood Avenue)
12th Election District – 7th Councilmanic District
Robert E. Rosso - Petitioner
Case No. 02-027-SPHA

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have 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,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Robert Rosso, 3111 Newton Road, Baltimore, Md. 21219
Mr. Richard E. Matz, Colbert, Matz, Rosenfelt, 2835-G Smith Ave., Baltimore, Md. 21209
Mr. Charles H. Creamer, 6707 Brentwood Avenue, Dundalk, Md. 21222
Mr. John Heuchan, 1528 Vesper Avenue, Dundalk, Md. 21222
Mr. & Mrs. Douglas Baker, 6703 Brentwood Avenue, Dundalk, Md. 21222
Mr. & Mrs. Marian Bednarek, 6725 Fifth Avenue, Dundalk, Md. 21222
Ms. Marianne Kondratenko, 6709 Brentwood Avenue, Dundalk, Md. 21222
Ms. Freida Hammonds, 6716 Brentwood Avenue, Dundalk, Md. 21222
Ms. Terry L. Godwin, 6814 Brentwood Avenue, Dundalk, Md. 21222
Mr. Frank Guido, 6717 Brentwood Avenue, Dundalk, Md. 21222
Mr. Joe Guido, 3101 Dunglew Road, Dundalk, Md. 21222
People's Counsel; Case File

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





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at: 6701 Brentwood Avenue
which is presently zoned BL and DR-5.5

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 of thereof, hereby petition for a Special Hearing under 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commission should approve

Business parking in a residential zone, in accordance with Section 409.8.B, BCZR.

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

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

Deborah C. Dopkin, Esq.

Name - Type or Print

Signature

Deborah C. Dopkin, P.A.

Company

409 Washington Avenue

410-494-8080

Address

Telephone No.

Towson

Md. 21204

City

State Zip Code

Legal Owner(s):

Robert E. Rosso

Name - Type or Print

Signature

Name - Type or Print

Signature

3111 Newton Road

410-388-1462

Address

Telephone No.

Baltimore

Md. 21219

City

State Zip Code

Representative to be Contacted:

Richard E. Matz, P.E.

COLBERT MATZ ROSENFELT, INC (h) 410-484-8757

2835 Smith Avenue, Suite G (w) 410-653-3838

Address

Telephone No.

Baltimore

MD 21209

City

State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By KDD/JP Date 7/16/01

ORDER RECEIVED
Date 7/19/01
By [Signature]

Case No. 02-027-SPHA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6701 Brentwood Avenue

which is presently zoned BL and DR-5.5

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 of thereof, hereby petition for a Variance from Section(s)

1B01.1.B.1.e(5), BCZR, for an RTA setback to parking of 10 feet in lieu of 75 feet required and for an RTA buffer of 10 feet in lieu of 50 feet required

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

The uniqueness and peculiarity of the property causes the zoning provisions to impact disproportionately upon the property. Practical difficulty and unreasonable hardship result from the disproportionate impact of the provisions of the zoning regulations caused by the property's uniqueness.

Property 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:

Deborah C. Dopkin, Esq.

Name - Type or Print

Signature

Deborah C. Dopkin, P.A.

Company

409 Washington Avenue

410-494-8080

Address

Telephone No.

Towson

Md. 21204

City

State Zip Code

Legal Owner(s):

Robert E. Rosso

Name - Type or Print

Signature

Name - Type or Print

Signature

3111 Newton Road

410-388-1462

Address.

Telephone No.

Baltimore

Md. 21219

City

State Zip Code

Representative to be Contacted:

Richard E. Matz, P.E.

COLBERT MATZ ROSENFELT, INC

h 410-494-8757

2835 Smith Avenue, Suite G

W 410-653-3838

Address

Telephone No.

Baltimore

MD 21209

City

State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

RDD/JP

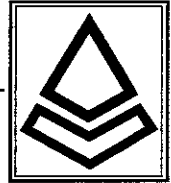
Date 7/16/01

Case No. 02-027-SPHA

ORDER NO. 02-027-SPHA
Date 7/16/01
By

Colbert Matz Rosenfelt, Inc.

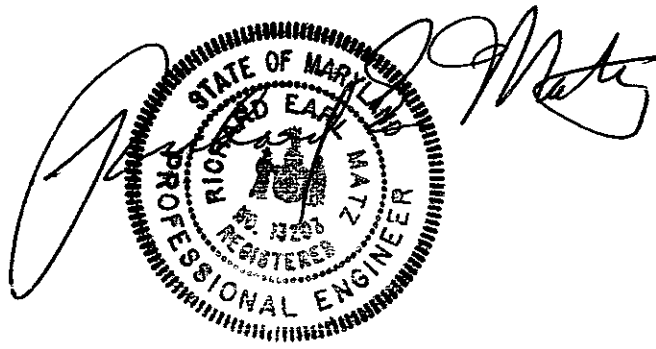
Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION

Beginning at a point on the south side of Fifth Avenue, which is 50 feet wide, at a distance of 270 feet from the centerline of Brentwood Avenue, which is 50 feet wide.

Being Lots 7, 8, 9, 10, 11, 12 and 13 in Block A and Lots 17 and 18 in Block H, in the subdivision of Fairlawn, as recorded in Baltimore County Plat Book 6, Folio 100, and containing 0.577 acres, more or less. Also known as 6701 Brentwood Avenue, and located in the 12th Election District., 7th Councilmanic District.



July 13, 2001.

Item #027

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

4032

DATE

7/10/01

ACCOUNT

001 006 6150

AMOUNT

\$ 500.00

RECEIVED
FROM:

FOR:

Zoning Special Hearing - Variance

Case # 02-027-SPHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
7/17/2001 7/16/2001 14:34:35

CO US01 CASHIER JRIC JAR DRAMER 1
RECEIPT # 051632 OFLN

Dept 5 528 ZONING VERIFICATION
CR NO. 004032

Receipt Tot 500.00
500.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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 #02-027-A
6701 Brentwood Avenue
S/S 8th Avenue, 270-E Centerline Brentwood Avenue
12th Election District -- 7th Councilmanic District

Legal Owner(s): Robert E. Rosso
Special Hearing: to allow business parking in a residential zone. Variance: to allow an RTA setback to parking of 10 feet in lieu of 75 feet required and for an RTA buffer of 10 feet in lieu of 50 feet required.

Hearing: Monday, September 24, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Basile Avenue.

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 concerning the file and/or Hearing Contact the Zoning Review Office at (410) 887-3391.

9/083 Sept. 6 C492379

CERTIFICATE OF PUBLICATION

9/6/2001

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 9/6/2001.

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

S. Wilkinson

LEGAL ADVERTISING

NOTICE OF ZONING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the 27th day of September, 2001, at 10:00 A.M. to consider the following identified herein as follows:

Case #02-027-A
6701 Brentwood Avenue
S/S 6th Avenue, 201 E
centerline Brentwood Ave
12th Election District
7th Councilmanic District
Legal Owner(s) Robert

Fosso

Special Hearing: to allow business parking in a residential zone. Variance to allow an RTA setback to parking of 10 feet in lieu of 75 feet required and for an RTA buffer of 10 feet in lieu of 50 feet required.

Hearing: Wednesday, October 10, 2001 at 10:00 a.m. in Room 407 County Courts Building, 401 B&B

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) 867-4386.

(2) For information concerning the file and/or hearing, contact the Zoning Review Office at (410) 867-3381.

JT/9/798 Sept26 C485994

CERTIFICATE OF PUBLICATION

_____ 9/27/2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on 9/25/2001.

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

S. Wilkins
LEGAL ADVERTISING

CERTIFICATE OF POSTING

LS

RE: Case No.: 02-027-A

Petitioner/Developer: R. MATZ, ETAL

494-8080 c/o D. DOPKIN, ESQ

Date of Hearing/Closing: 10/10/01

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

Attention: Ms. Gwendolyn Stephens /MR. GEORGE ZAHNER

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 BRENTWOOD AVE. @
5th AVE. (2)

The sign(s) were posted on

9/24/01
(Month, Day, Year)

Sincerely,

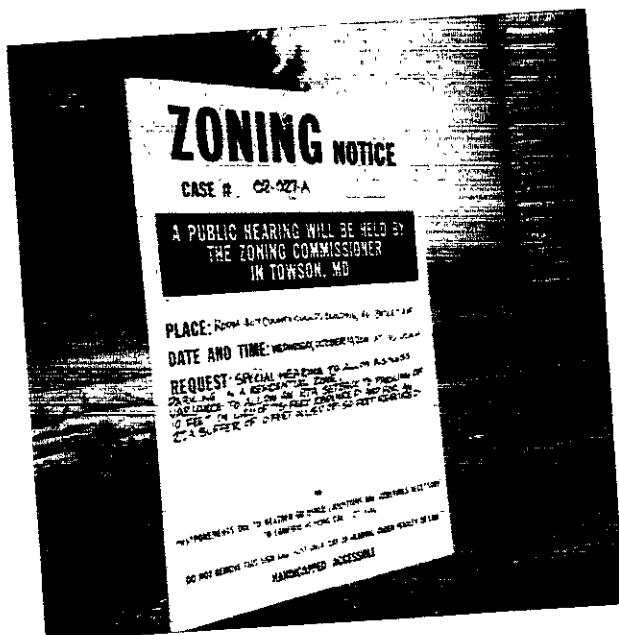
Patrick M. O'Keefe 9/26/01
(Signature of Sign Poster and Date)

Patrick M. O'Keefe
(Printed Name)

523 Penny Lane
(Address)

Hunt Valley, MD 21030

(410) 666-5366



CMR
- MATZ
02-027-A
BRENTWOOD AVE @ 5th AVE (2)
10/10/01

**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: 02-027-SPHA

Petitioner: ROBERT E. ROSSO

Address or Location: 6701 BRENTWOOD AVENUE

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT E. ROSSO

Address: 3111 NEWTON ROAD
BALTIMORE, MD 21219

Telephone Number: 410-388-1462

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 6, 2001 Issue – Jeffersonian

Please forward billing to:
Robert E Rosso
3111 Newton Road
Baltimore MD 21219

410 388-1462

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: 02-027-A
6701 Brentwood Avenue
S/S 5th Avenue, 270' E centerline Brentwood Avenue
12th Election District – 7th Councilmanic District
Legal Owner: Robert E Rosso

Special Hearing to allow business parking in a residential zone. Variance to allow an RTA setback to parking of 10 feet in lieu of 75 feet required and for an RTA buffer of 10 feet in lieu of 50 feet required.

HEARING: Monday, September 24, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G72
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.



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

August 29, 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: 02-027-A
6701 Brentwood Avenue
S/S 5th Avenue, 270' E centerline Brentwood Avenue
12th Election District – 7th Councilmanic District
Legal Owner: Robert E Rosso

Special Hearing to allow business parking in a residential zone. Variance to allow an RTA setback to parking of 10 feet in lieu of 75 feet required and for an RTA buffer of 10 feet in lieu of 50 feet required.

HEARING: Monday, September 24, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G.D.Z.
Director

C: Deborah C Dopkin, Esquire, 409 Washington Avenue, Towson 21204
Robert E Rosso, 3111 Newton Road, Baltimore 21219
Richard E Matz PE, Colbert Matz Rosenfelt Inc, 2835 Smith Avenue,
Suite G, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, SEPTEMBER 8, 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, September 25, 2001 Issue – Jeffersonian

Please forward billing to:
Robert E Rosso
3111 Newton Road
Baltimore MD 21219

410 388-1462

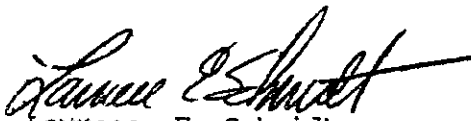
NOTICE OF ZONING HEARING

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: 02-027-A
6701 Brentwood Avenue
S/S 5th Avenue, 270 E Centerline Brentwood Avenue
12th Election District – 7th Councilmanic District
Legal Owner: Robert E Rosso

Special Hearing to allow business parking in a residential zone. Variance to allow an RTA setback to parking of 10 feet in lieu of 75 feet required and for an RTA buffer of 10 feet in lieu of 50 feet required.

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



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G72
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.



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

September 13, 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: 02-027-A
6701 Brentwood Avenue
S/S 5th Avenue, 270 E Centerline Brentwood Avenue
12th Election District – 7th Councilmanic District
Legal Owner: Robert E Rosso

Special Hearing to allow business parking in a residential zone. Variance to allow an RTA setback to parking of 10 feet in lieu of 75 feet required and for an RTA buffer of 10 feet in lieu of 50 feet required.

HEARING: Wednesday, October 10, 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".

Arnold Jablon G.D.Z.
Director

C: Deborah C Dopkin, Esquire, 409 Washington Avenue, Towson 21204
Robert E Rosso, 3111 Newton Road, Baltimore 21219
Richard E Matz PE, Colbert Matz Rosenfelt Inc, 2835 Smith Avenue
Suite G, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 25, 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.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

October 4, 2001

Deborah C Dopkin, Esquire
409 Washington Avenue
Towson MD 21204

Dear Ms. Dopkin:

RE: Case Number: 02-027-SPHA, 6701 Brentwood Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 16, 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. GDC
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Robert E Rosso, 3111 Newton Road, Baltimore 21219
Richard E Matz PE, 2835 Smith Avenue, Suite G, Baltimore 21209
People's Counsel



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 15, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For September 4, 2001
Item Nos. 027, 056, 058, 060, 061,
062, 063, 064, 065, 068

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**

Jim
PO
10/10/01
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

RECEIVED SEP 05 2001

September 4, 2001

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

SEP 13

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF August 27, 2001

Item No.: See Below

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

027, 056, 058, 060, 061, 062, 065, 068, 069

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



Les Jim
PP 9/29
10/10/01

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 19, 2001

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

SUBJECT: Zoning Advisory Petition(s). Case(s) 02-027, 02-061, 02-065, & 02-068

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

SEP 19

Section Chief:

Jeffrey W. Y

AFK/JL:MAC



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 9.5.01

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

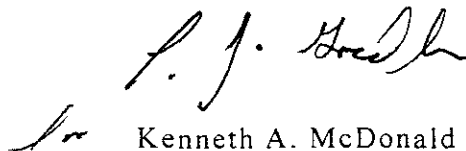
RE: Baltimore County
Item No. [REDACTED] ZDP

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,


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 SPECIAL HEARING
PETITION FOR VARIANCE
6701 Brentwood Avenue, S/S 5th Ave,
270' E of c/l Brentwood Ave
12th Election District, 7th Councilmanic

Legal Owner: Robert E. Rosso
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-27-SPHA

* * * * *

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 10th day of September, 2001 a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esq., 409 Washington Avenue, Suite 920, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



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

September 12, 2001

Richard E Matz PE
Colbert Matz Rosenfelt Inc
2835 Smith Avenue
Suite G
Baltimore MD 21209

Dear Mr. Matz:

RE: Case Number: 02-027-A, 6701 Brentwood Avenue

The above matter previously scheduled for Monday, September 24, 2001 at 10:00 a.m. in Room 407, County Courts Building, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large, sweeping "A" and "J".

Arnold Jablon GDZ
Director

AJ: gdz

C: Deborah C Dopkin, Esquire, 409 Washington Avenue, Towson 21204
Robert E Rosso, 3111 Newton Road, Baltimore 21209



File

DEBORAH C. DOPKIN, P.A.

ATTORNEY AT LAW

409 WASHINGTON AVENUE, SUITE 920

TOWSON, MARYLAND 21204

TELEPHONE 410-494-8080

FACSIMILE 410-494-8082

e-mail dbdop@erols.com

DEBORAH C. DOPKIN

January 15, 2002

Mr. Lawrence E. Schmidt
Zoning Commissioner for
Baltimore County
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

JAN 16

RE: Case No. 02-027-SPHA

Dear Commissioner Schmidt:

I represent Robert Rosso in connection with the above captioned case. I am enclosing for your reference a copy of the Findings of Fact and Conclusions of Law which you rendered on October 19, 2001.

As you may recall, this was a special hearing for business parking in a resident zone. The commercial property involved is the old Brentwood Inn, which my client is converting to use for his office and as a boarding house in accordance with your Order.

The testimony at the hearing was that for many years other people who either work or live adjacent to the parking lot have used it without complaint from the community. This includes the neighboring residents and a medical office building located on Holabird Avenue. Though Mr. Rosso has no lease and receives no remuneration from these individuals, he has not forbidden their use. Primarily out of an interest in not creating hostile relations with his neighbors, Mr. Rosso has taken no steps to prohibit these vehicles on parking on the lot, nor has he had such vehicles towed.

Someone has filed a complaint with the Zoning Office because of the motor vehicles being parked on the property that belong to individuals other than those working in Mr. Rosso's office or who would be residing in the boarding house. He wished to seek clarification whether it was your intention to, as of the date of the Order, to forbid parking by the neighbors that was previously acceded to within the community. Mr. Rosso is also contacting the

Mr. Lawrence E. Schmidt
Zoning Commissioner for
Baltimore County
January 15, 2002
Page 2

President of the Community Association to see if has any objection to this parking.

Since this matter is pending for zoning enforcement, I would appreciate your getting back to me with a clarification at your earliest opportunity.

Very truly yours,


Deborah C. Dopkin

DCD/kmc

Enclosure

cc: Mr. Robert E. Rosso

October 3, 2001

Dear Mr. Commissioner:

Re: Case # 02-27-SPHA

(6701 Brentwood Avenue, owned by Mr. Robert Rosso)

This letter is sent to inform you of my concern and lack of approval for case #02-27-SPHA to be approved. Unfortunately, I am unable to attend today's hearing due to a previous scheduled appointment. So, I am writing this letter in support of our community and its many members.

Mr. Rosso has been a consistent problem within our community. He continuously evades the laws when working on his property. I believe he actually tries to evade the law on purpose to see how far he can go before someone stops him. He never follows code enforcement regulations. He consistently puts our community in harms way. This is demonstrated by the various citations Mr. Rosso has received over the past year, through the Code Enforcement Division for Baltimore County. Below is a list of violations that I have kept a track of. I'm sure other community members are maintaining logs of violations as well, should this need further documentation.

Last September he was cited for sand blasting the building without checking for lead paint, while simultaneously not even bothering to clean up the debris left behind when he was forced to stop sand blasting, leaving the community to clean up the mess. (This violation was reported August 2000/to Balto.Co. Code Enforcement/Mr. Bill Clark).

He was cited for dumping hazardous waste in unsealed drums on the parking lot that he owns. Forcing Fire/Police departments to respond. This happened sometime in August of last year. (This violation was reported ~~Oct~~^{Aug} 2, 2000/to Fire Dept./Police Dept./Officer Scott Caprassi #4249 and Balto. Co. Code Enforcement/Mr. Creed).

He continuously sneaks to get building projects within the building completed during early morning (2:00-4:00 a.m.) and hours where most community members are working (10:00a.m.-2:00p.m.) and can't watch him. Mr. Rosso is in direct violation here, because no building activity is permitted on this property without proper permits. I have pictures supporting this, in that, trucks are at the entrance with the doors opened to the building. One neighbor witnessed him taking a wood framework into the building, by hiding it inside a dumpster. Thinking nobody was watching early in the morning, Mr. Rosso and his crew took the framework for walls out and into the building. Later in the day, myself along with other neighbors heard hammering and sawing. This is in direct violation of the law, because no building projects are supposed to be taking place on this property in question. (This violation was reported to Code Enforcement for Balto. Co./Mr. Mayer, September 2001).

Mr. Rosso has been repeatedly cited for violations of parking dump trucks on the parking lot, when in fact, no parking is permitted here.

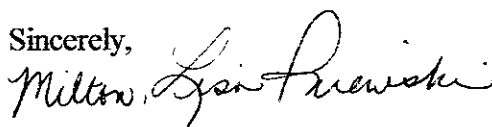
Mr. Rosso has been cited with Baltimore City Police Department/ for parking dump trucks on surrounding city streets. In Baltimore City, no parking of commercial vehicles is allowed on residential streets. Mr. Rosso repeatedly took tickets off the vehicles, and we suspect he erased the chalk lines placed on the street by the tires. Finally, after a 2 month battle, he lost. The City impounded his vehicles. (This violation was reported to Baltimore City Police, July 2001).

I could go on and on with the number of violations he has committed regarding this property, its use and his intentions. It seems Mr. Rosso is in the business of creating half-way houses within residential communities. This serves him well. He receives stipends for boarding these people. Then, he employs these individuals to work in his construction company. We currently have 11 half-way houses in a very small radius/high population of children and elderly. I believe it is his intent to place another one in our community.

Having two small children, I don't support this. I see the element these half-way houses are bringing to our community. This is supported by the increase of burglaries, drug trafficking and prostitution within the community. Some of these crimes are committed by members of these half-way houses. As reported by the Balto. Co. 7th District Police Dept. at our community meetings.

I will do everything in my power to fight this. Thank you for listening to our thoughts on this proposal for case #02-27-SPHA.

Sincerely,

A handwritten signature in cursive script that reads "Milton Pniewski".

Mr. & Mrs. Pniewski
6714 Brentwood Avenue

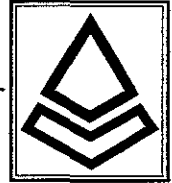
VIOLATIONS/INFRACTIONS
 FOR CASE: 02-027-A
 PROPERTY: 6701 Brentwood Avenue
 OWNED BY: Robert Rosso

VIOLATION DATE	DESCRIPTION OF VIOLATION	ACTION
Aug. 2000	Sand Blasting Bldg. Concern for lead paint Debris never cleaned up by Rosso <i>Community cleaned up.</i>	Code Enforc.
Oct. 2001	Rosso truck parked on street Loaded with debris remains parked. Parked for 3 months. Rec'd numerous Parking violations on truck. Then, when police threatened to move He parked on Dundalk Ave. for several Weeks. Then, returned to Brentwood again For 3 months, with flat tires before towing	B.C. Police Officer Hadee
Feb. 2001	Dumping Hazardous Materials On Parking Lot	Code Enforc.
April 2001	Cars from Brentwood Med. Ctr. Parking on lot-possible Mr. Rosso Renting lot (illegal)	Police
June 2001	Electrical Wiring hanging from Side of building	Code Enforc.
July 2001	Locks to Doors on Building Broken/Closed with rope	Code Enforc
August 2000	Rosso crew move a stove/bed Into the building	Code Enforc
August 2000	Rosso crew fixing roof to Building	Code Enforc
Sept. 2001	Building Construction suspected Hammering/Sawing daily for Several days	Code Enforce
Sept. 10, 2001	Wood framework for bldg. A wall Is brought into bldg. Via Dumpster	Code Enforce

Sept. 2001	Prostitutes arrested on parking lot For illegal activities. Mr. Rosso Has no signs that say "No Parking"	Police Dept.
Sept. 21, 2001	Big Dumpster arrives. Rosso crew Begin cleaning inside of bldg. Throwing Things into dumpster.	Code Enforce
July 2001	Mr. Rosso truck is broken into in Front of his Brentwood Bldg. Suspected that one of his own crew Members did it.	Police/ Mr. Rosso
October 2001 -	A tractor-trailer remains parked on this lot in question. Has been there for several weeks. (pictures included)	

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



9/11/01
George
OK
V

September 11, 2001

Mr. Arnold Jablon
Baltimore County Zoning Office
111 West Chesapeake Avenue
Towson, Md. 21204

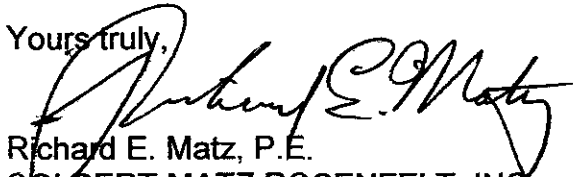
Re: Zoning Case No. 02-027-A
6701 Brentwood Avenue
CMR No. 2001080

Dear Mr. Jablon,

We hereby request a postponement of the above-referenced zoning case, due to my illness.

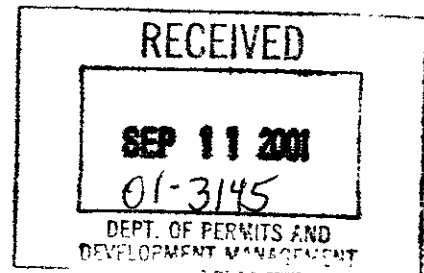
Please reschedule the case at the earliest possible date.

Yours truly,



Richard E. Matz, P.E.
COLBERT MATZ ROSENFELT, INC.

cc: Deborah Dopkin, Esq.
Robert Rosso



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Robert Rosso
Janette Rosso
RICHARD E. MATZ
Deborah Dopkin

ADDRESS

3111 Newton Rd. 21219
3111 Newton Rd. 21219.
2835 SMITH AVE. SUITE G. 21209
409 Washington Ave 21204



Case Number _____

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
JOHN HENCHAW	1528 Vesper Ave	Dundalk, MD	21222
Douglas A. Baker	6703 Brentwood Ave.	Dundalk, Md.	21222
Bertha Cremer	6707 Brentwood Ave	Dundalk Md	21222
Linda Hammonds	6716 Brentwood Ave	Dundalk Md	21222
Alleen BAKER	6703 Brentwood Ave	DUNDALK MD	21222
Jamino Bedmarek	6725 Fifth Ave	Dundalk Md	21222
Marion Bedmarek	6725 Fifth Ave	Dundalk Md	21222
Jerry L. Spohn	6814 BRENTWOOD AVE	DUNDALK MD	21222
Charles H. Cremer	6707 BRENTWOOD	DUNDALK	21222
Marianne Kondratenko	6709 Brentwood	"	21222
FRANK GUIDO	6717 BRENTWOOD AVE	"	21222
JOE GUIDO	3101 DUNGLON RA.	"	21222

COLBERT MATZ ROSENFIELD, INC.

 2835 Smith Avenue Suite G
 BALTIMORE, MARYLAND 21209

LETTER OF TRANSMITTAL

 (410) 653-3838
 FAX (410) 653-7953

 TO *Balt. County zoning office*
111 W. Chesapeake Ave
Johnson Rd 21204

DATE	<i>8/16/01</i>	JOB NO.	<i>2001080</i>
ATTENTION	<i>David Durrell</i>		
RE:	<i>Brentwood Ave.</i>		

 WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
<i>12</i>			<i>Buried Zoning file</i>

THESE ARE TRANSMITTED as checked below:

- ☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ ☐ PRINTS RETURNED AFTER LOAN TO US

 REMARKS _____

 COPY TO *File*

SIGNED

Judy Hoan

If enclosures are not as noted, kindly notify us at once.

***** ACTIVITY REPORT *****

TRANSMISSION OK

TX/RX NO. 1077
CONNECTION TEL 94104948082
CONNECTION ID
START TIME 09/24 10:18
USAGE TIME 00'49
PAGES 2
RESULT OK

Post-it® Fax Note 7671		Date 9/24/01	# of pages 2
To Deborah Dopkin		From ZONING COMM.	
Co./Dept.		Co.	
Phone #		Phone #	
Fax # 410-494-8082		Fax #	

*Comments from Fire & SHA sent
to Deborah Dopkin.*

***** ACTIVITY REPORT *****

TRANSMISSION OK

TX/RX NO.	1168
CONNECTION TEL	94104948082
CONNECTION ID	
START TIME	10/22 15:27
USAGE TIME	02'59
PAGES	7
RESULT	OK

Sept. 25, 2001

Regarding Property known as: 6701 Brentwood Ave.

Petitioning the approval of zoning for

6701 Brentwood Avenue. "We do not

want this zoning to be approved"

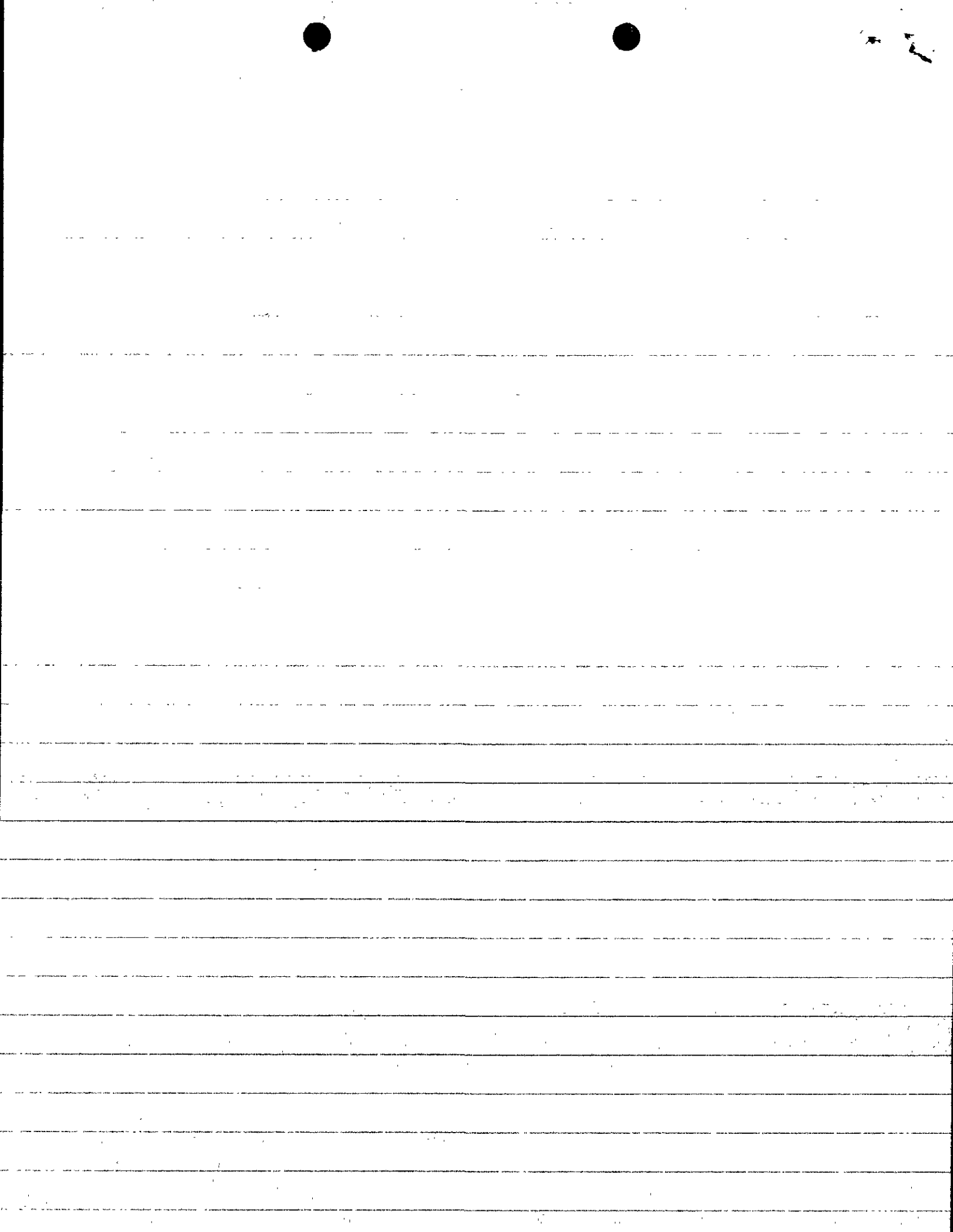
(See attached letters).

note: (These are single family homes)

resident name

resident address

- | | |
|----------------------------|---|
| ① Lila Lisa Prewski | 6701 BRENTWOOD AVE. |
| ② Michael Bodehew | 6738 BRENTWOOD AVE. |
| ③ Mrs. Stephanie Hopkins | 6740 Brentwood Ave. |
| ④ Mrs. Camal Singh | 6720 Brentwood Ave. |
| ⑤ Bernard G. Kuhn | 6728 BRENTWOOD AVE |
| ⑥ Anna L. Kuhn | 6728 Brentwood Ave |
| ⑦ Rosmary Stothey | 6726 Brentwood Ave |
| ⑧ Lina P. Hill | 6730 Brentwood Ave. |
| ⑨ Howard & Frieda Hammonds | 6716 Brentwood Ave. |
| ⑩ Rajinder Singh | 6718 Brentwood AVE |
| ⑪ Dronny & Martha Sergio | 6721 BRENTWOOD AVE |
| ⑫ George Hornum | 6719 Brentwood Ave |
| ⑬ Robert Gary Jones | 6723 BRENTWOOD AVE. |
| ⑭ Mrs. O. Mills | 1900 Monumental |
| ⑮ Nancy Gray | 6736 5th Ave |
| ⑯ Penelope Lipton | 6733 5TH AVE |
| ⑰ Michael (Brazzard) | Steelewood Manor Trp. Assoc. 410-633-7173 |
| ⑱ Mrs. Nancy Cernobal | Southwest Trp. Assoc. 410-633-1957 |



Petitioning the approval of zoning for
 6701 Brentwood Avenue. "We do not
 want this zoning to be approved"
 (See attached letters).

<u>resident name</u>	<u>resident address</u>
13. Tony Kondratenko	6709 Brentwood Ave
14. Charles Deussan 410-288-4144	6729 F.FTH AVE
15. Esther Nadolmi	7003 Brentwood Ave
16. Richard Nadolmi	6705 Brentwood Ave.
17. Charles H. Creamer	6707 Brentwood Ave
18. Maryanne Kondratenko	6709 Brentwood Ave
19. Solya Kondratenko	6709 Brentwood Ave
20. Nick Kondratenko	6709 Brentwood Ave
21. Totsie Jim Amaglia	6802 Long Place
22. Bernadette Gatta	6803 Long Place, 21224
23. Douglas A. Baker	6703 Brentwood Ave, 21222
24. Robert McJilton, Jr.	6727 Fifth Ave, 21222
25. Marian Bednarek	6725 Fifth Ave 21222
26. Janina Bednarek	6725 Fifth Ave. 21222
27. Riota Bednarek	6725 Fifth Ave, 21222
28. Bertha Creamer	6707 Brentwood Ave.

Petitioning the approval of zoning for
6701 Brentwood Avenue. "We do not
want this zoning to be approved"
(See attached letters).

<u>resident name</u>	<u>resident address</u>
(29) Brian Lynch	6726 Fifth Ave
(30) Allen Hannon	6716 Brentwood Ave
(31) Bernie & Minnie Di Achello	6808 Monumental

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – SE/Corner
Brentwood and Fifth Avenues
(6701 Brentwood Avenue)
12th Election District
7th Council District

Robert Rosso, Legal Owner
(Allan G. Harris, former Owner)

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-088-SPHA

* * * * *

ORDER OF DISMISSAL

This matter came before me at a public hearing held on October 10, 2000 to consider Petitions for Special Hearing and Variance filed by the then owner of the property, Allan G. Harris, through his attorney, C. William Clark, Esquire. The Petitioner sought special hearing relief for approval of a use permit for an existing parking lot on the subject property, zoned D.R.5.5, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R). In addition, the Petitioner requested variance relief from Sections 1B01.1.B.1(c)(2) and (e)(2) of the B.C.Z.R. to permit a tract boundary setback of 10 feet in lieu of the required 75 feet, and a Residential Transition Area (RTA) setback of 10 feet in lieu of the required 50 feet, for the existing parking lot. Apparently, the Petitions were filed as a result of a complaint registered with the Code Enforcement Division of the Department of Permits and Development Management (PDM) relative to the Petitioner's use of the subject property for parking facilities. The subject property and requested relief were more particularly described on the site plan submitted with the Petitions filed and accepted into evidence as Petitioner's Exhibit 1.

At the public hearing held in this case, Mr. Clarke appeared and advised that Mr. Harris had recently sold the property to Mr. Robert Rosso, and that he, Mr. Harris, and the engineer who prepared the site plan for this property, no longer had an interest in this case. Mr. Clarke then left. Mr. Rosso was not in attendance at the start of the hearing. Meanwhile, numerous individuals from the surrounding community appeared in opposition to the requests, and during the course of

this Zoning Commissioner answering their questions, Mr. Rosso arrived. Mr. Rosso indicated that he was not sure that he wanted to proceed with the matter, given the amount of neighborhood opposition. I gave Mr. Rosso 15 days from the date of the hearing to decide whether he wished to proceed and it was agreed that if no word was heard from him by October 25, 2000, the matter would be dismissed without prejudice. This agreement was confirmed in writing by my letter dated October 12, 2000 and the matter was continued, pending a decision by Mr. Rosso.

Inasmuch as the deadline for his response has passed and no word has been heard from Mr. Rosso, it is clear that he does not wish to proceed with this case.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 31st day of October, 2000 that the Petitions for Special Hearing and Variance filed in the above-captioned matter, be and the same are hereby DISMISSED without prejudice; and,

IT IS FURTHER ORDERED that the use of the subject property as a parking lot must cease immediately; it cannot be used to park or store vehicles or equipment and must be kept free of all trash and debris.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

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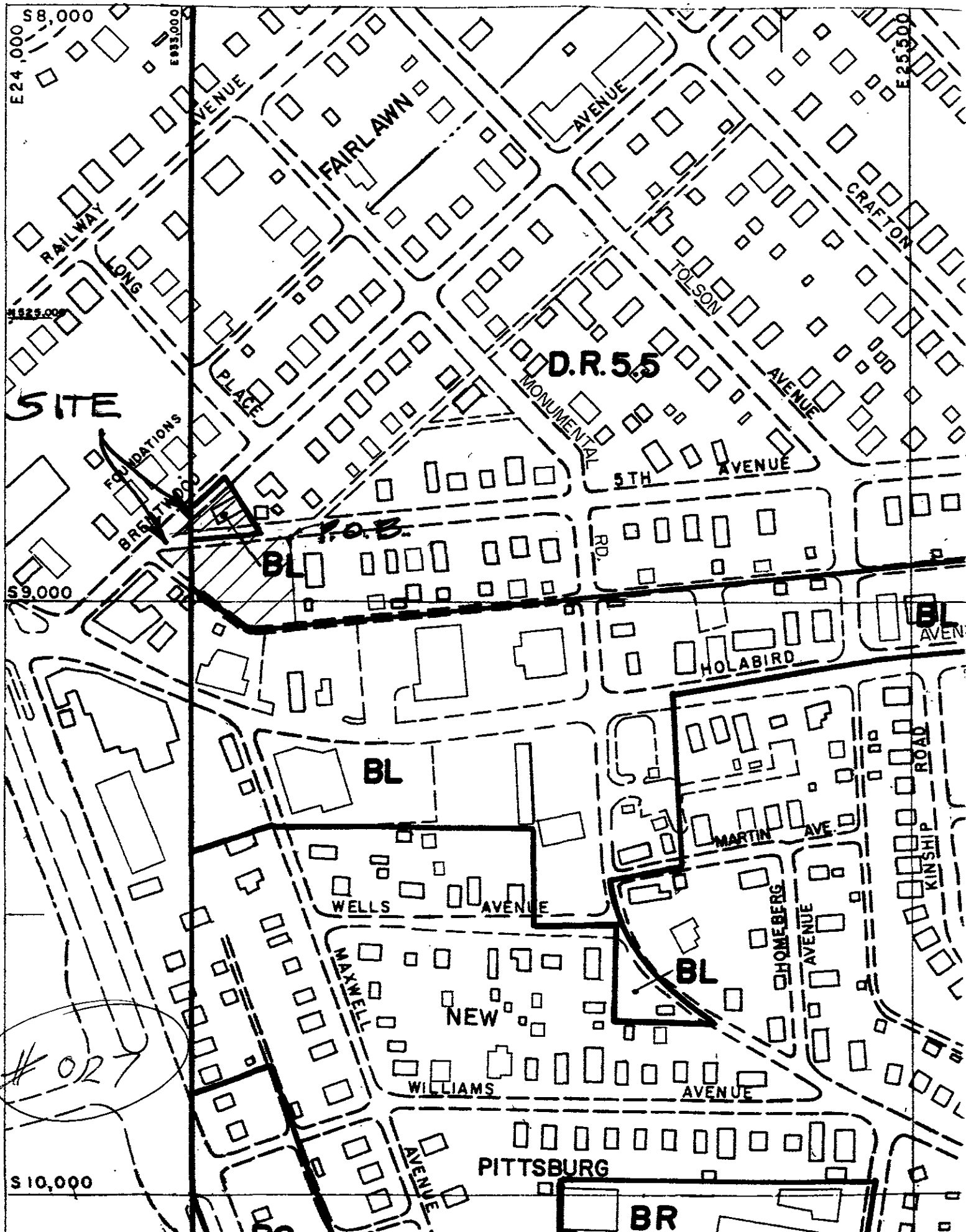
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LAWRENCE E. SCHMIDT
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LES:bjs





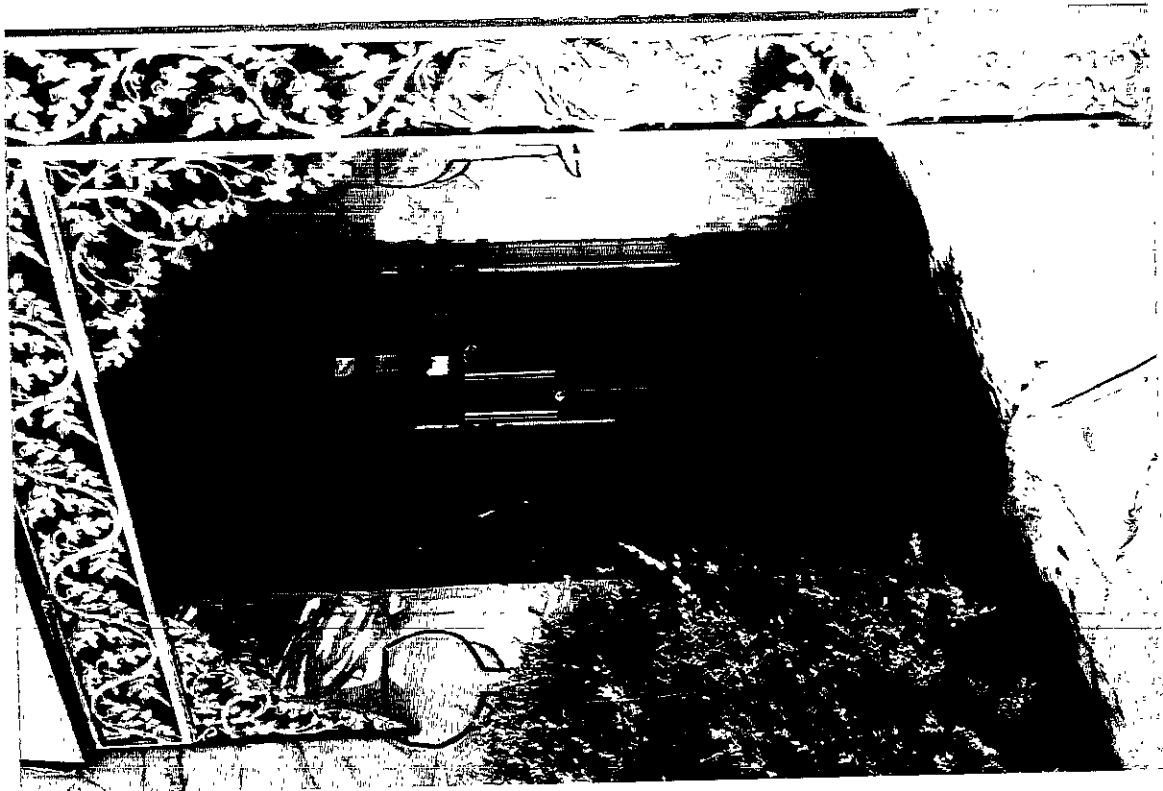


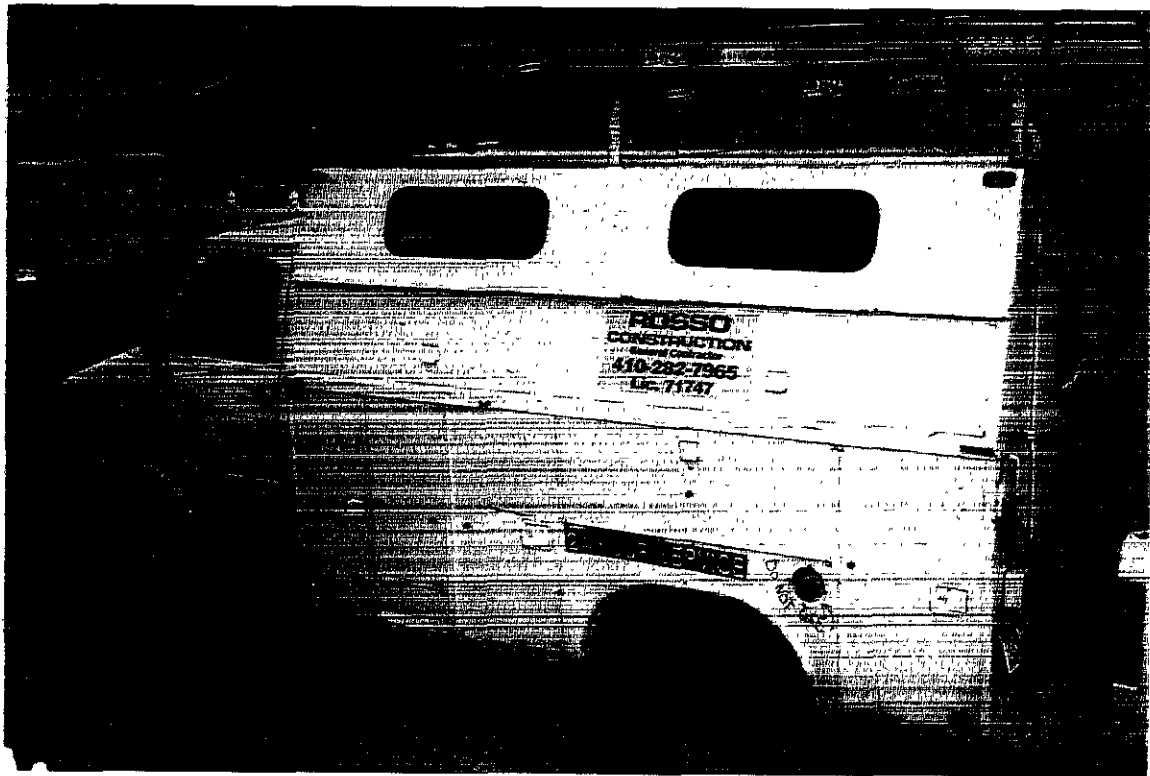
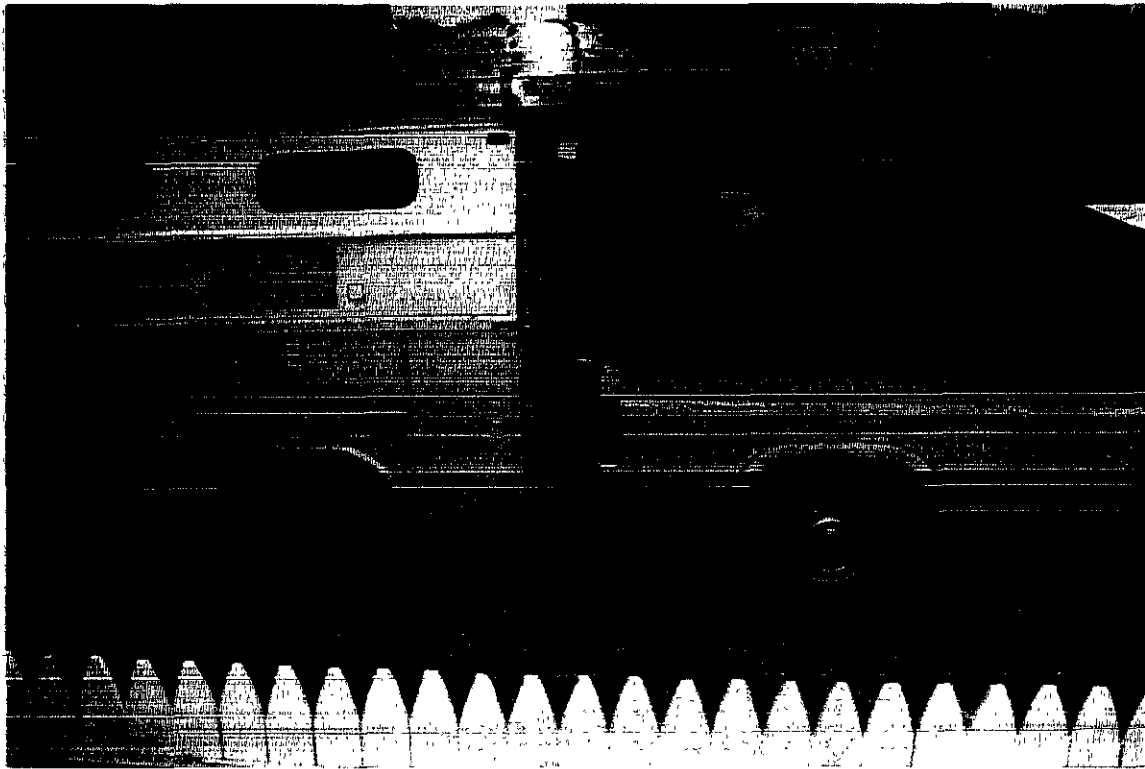


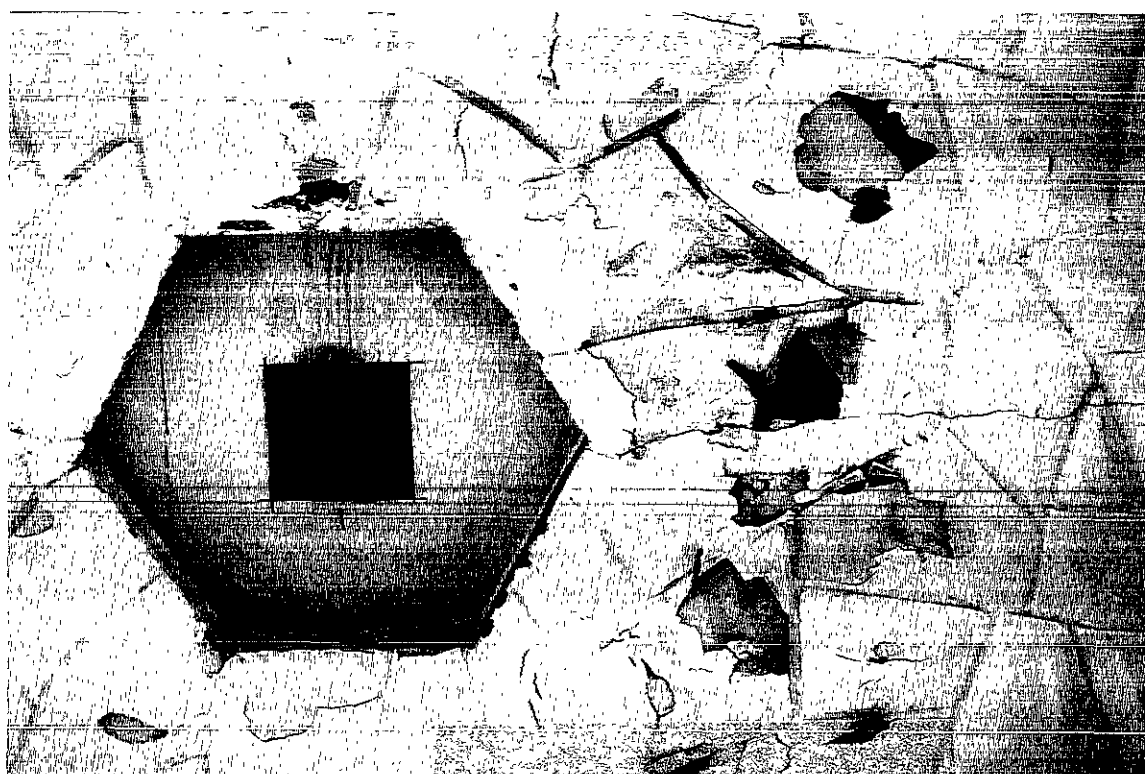


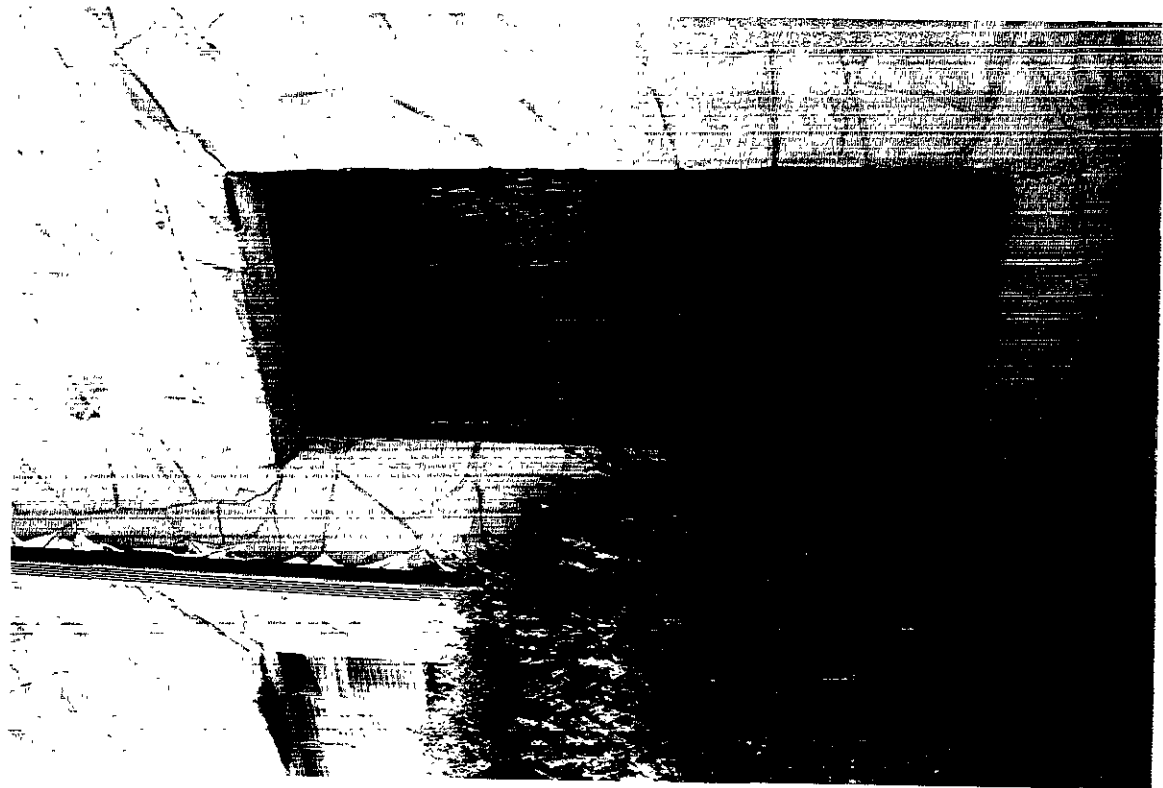
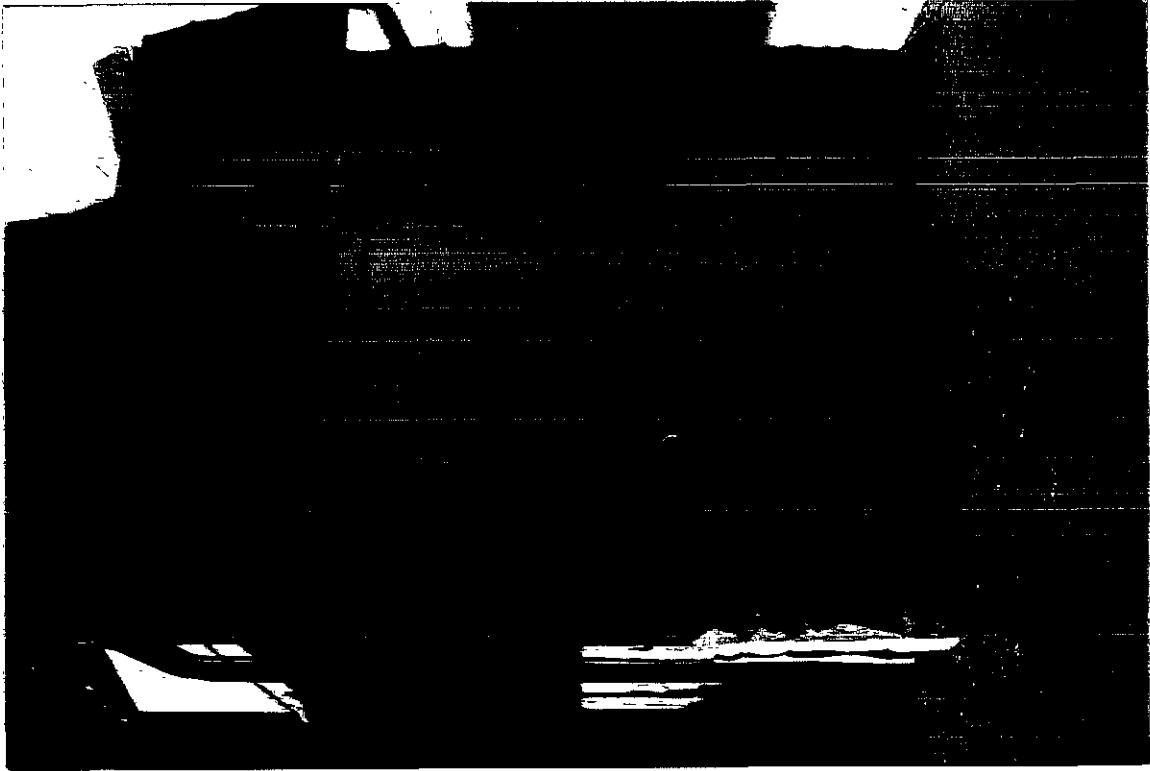
Protestant
photographs

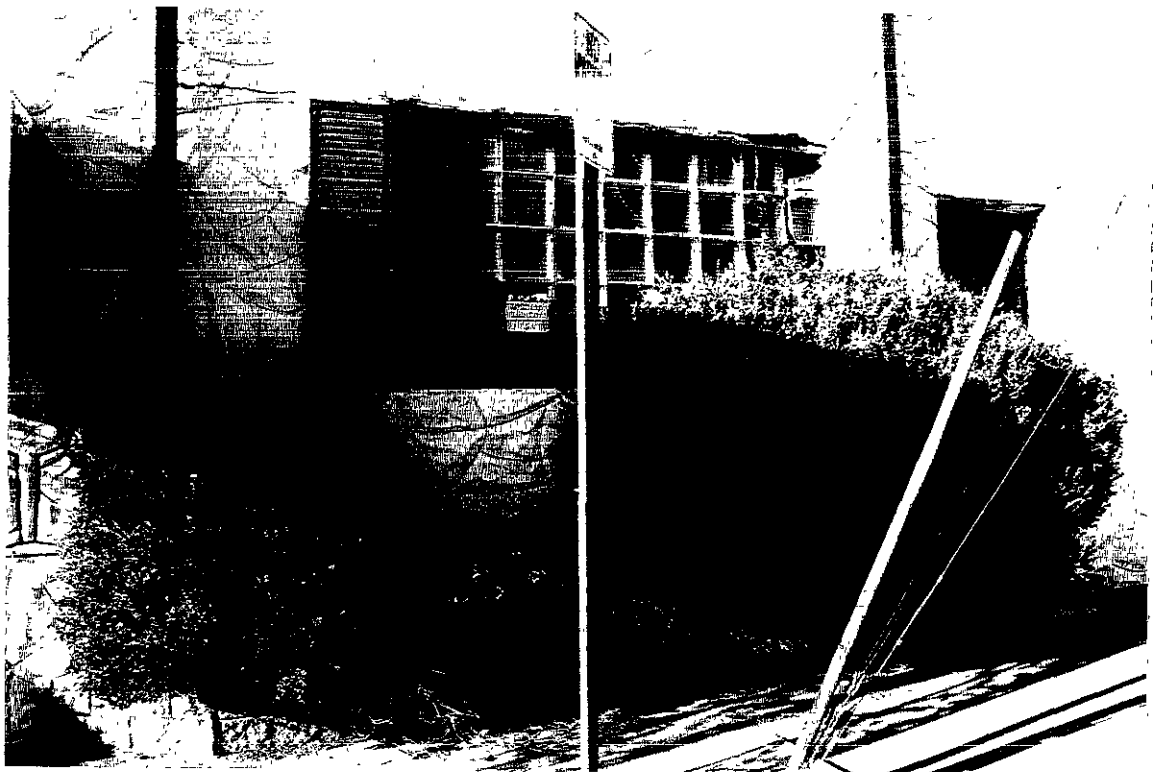
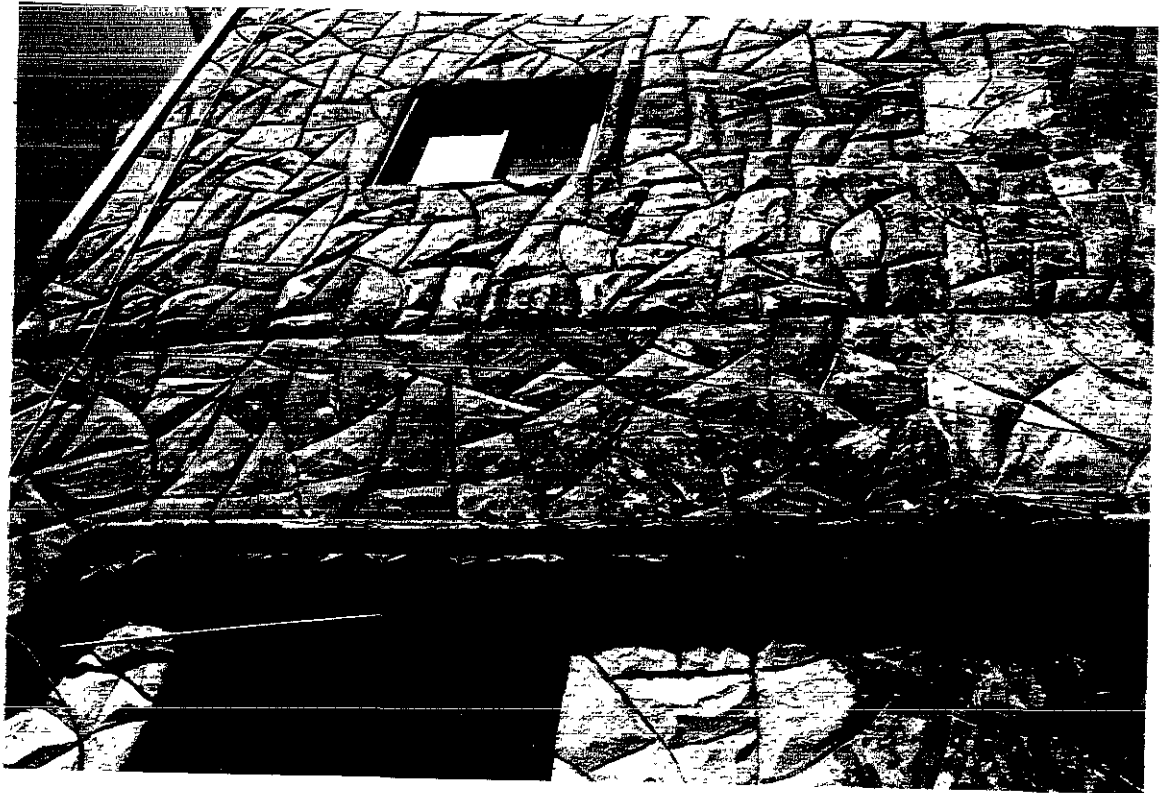
Case # 02 027-
SPNA



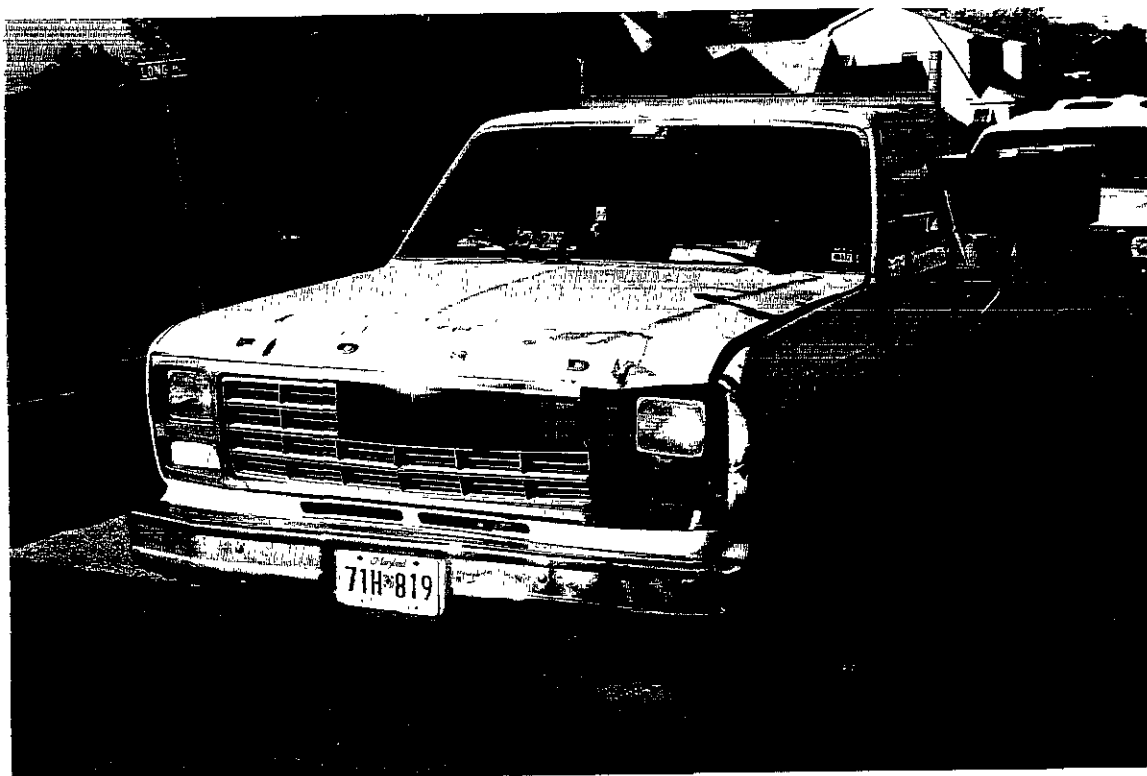


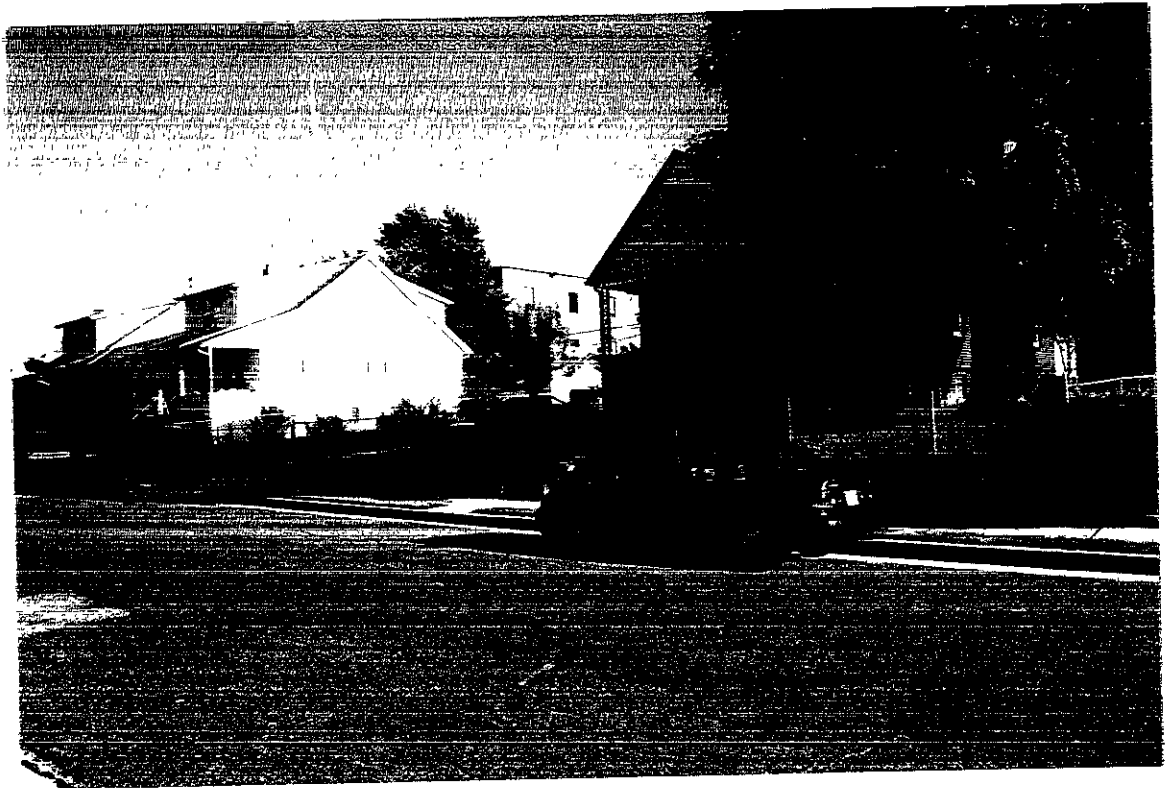
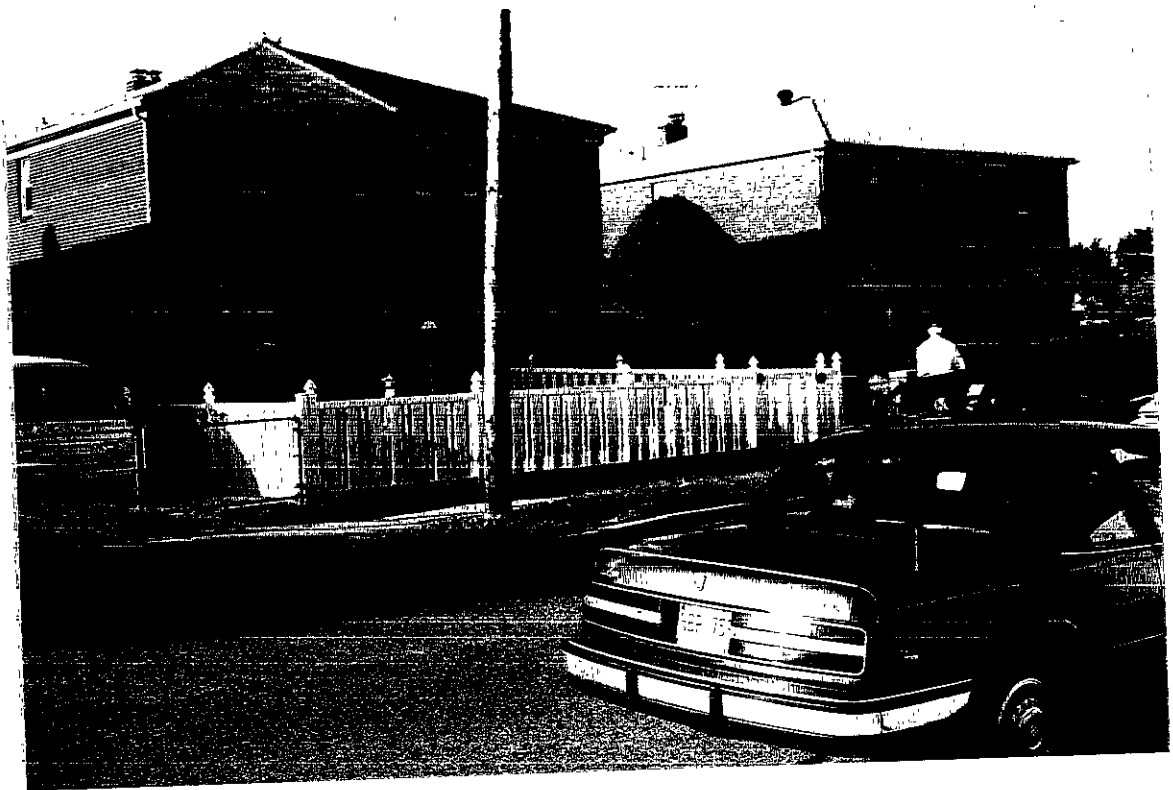








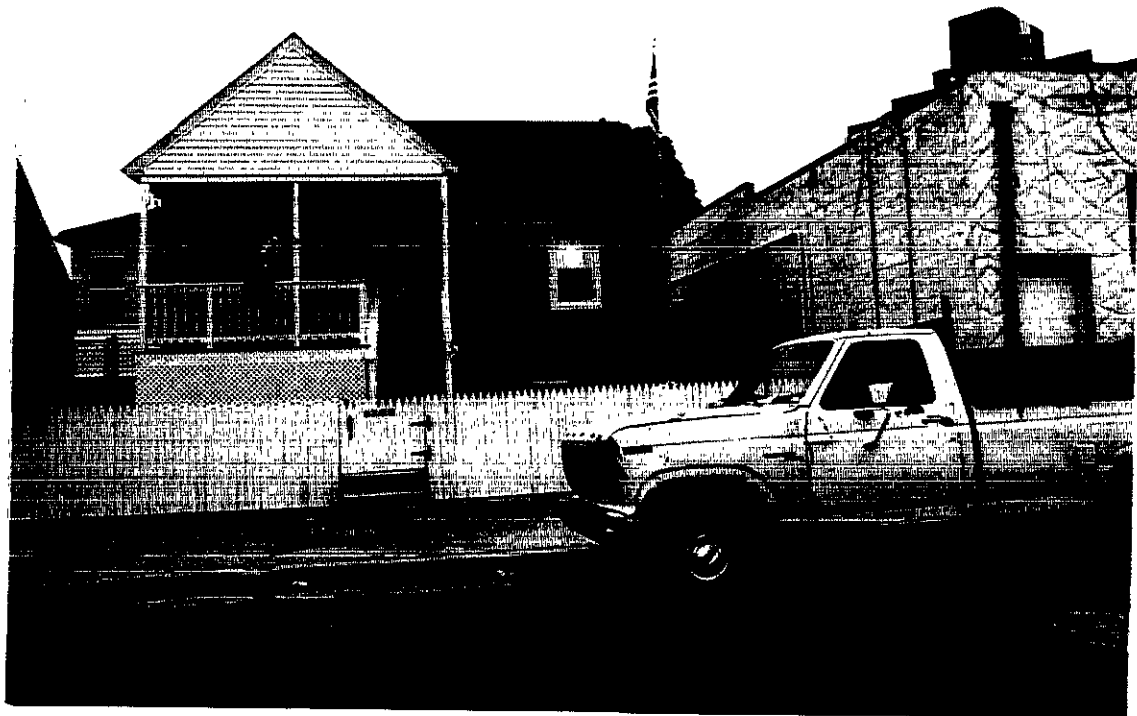


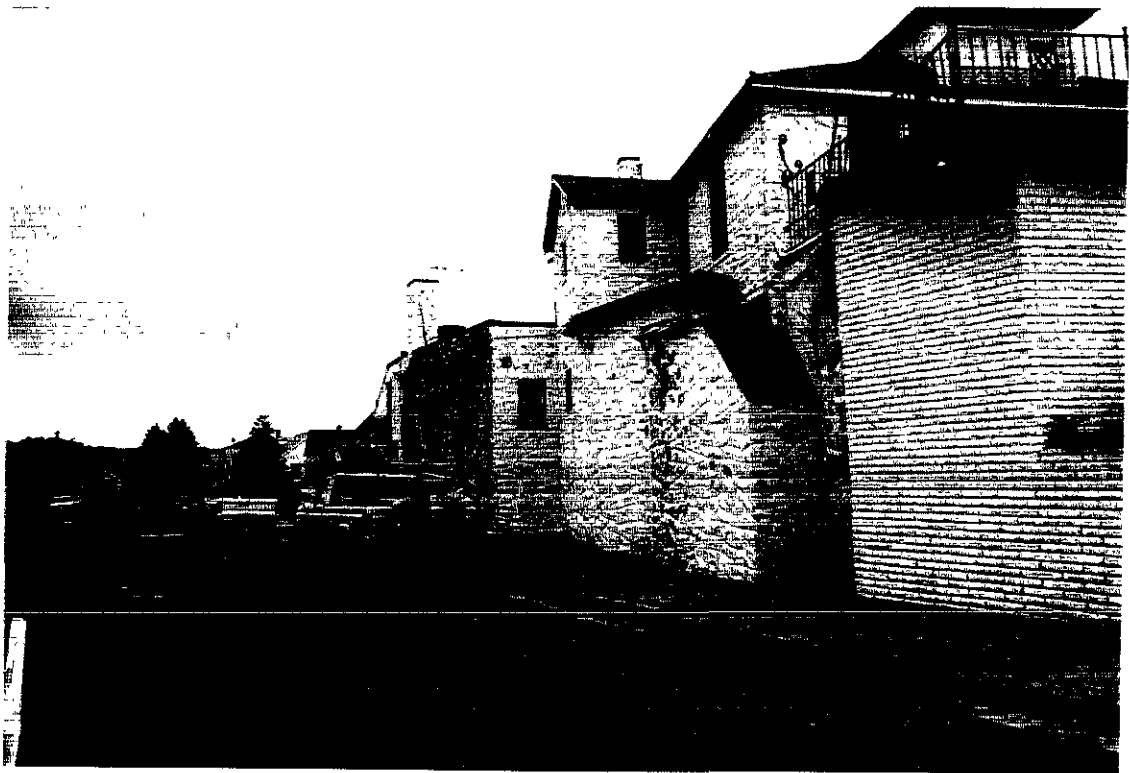




Photograph
Case # 02-027-SPNA
Ref. dx. 2-5











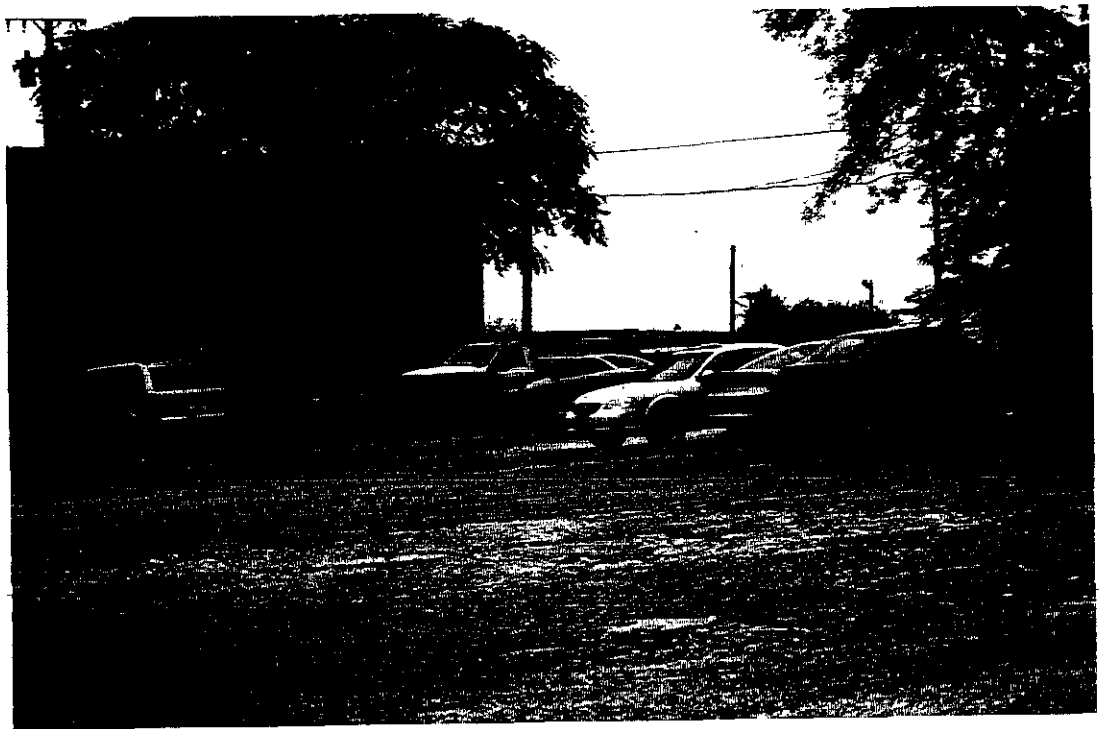










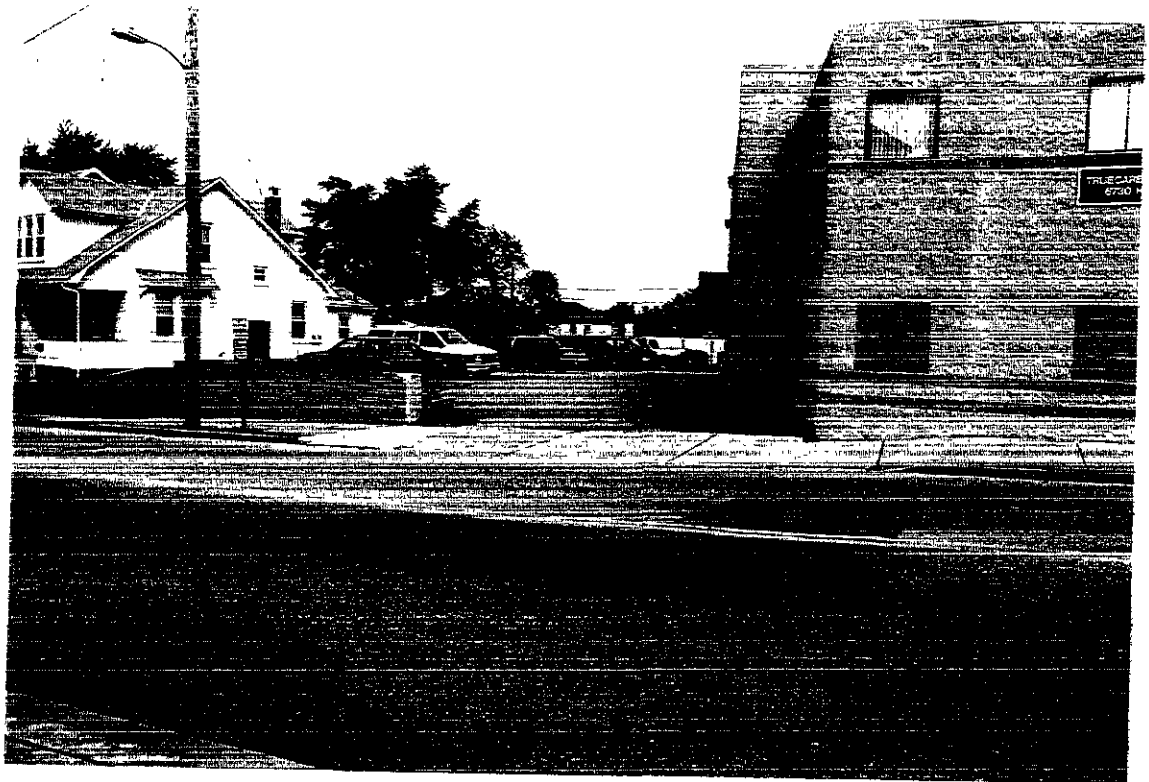
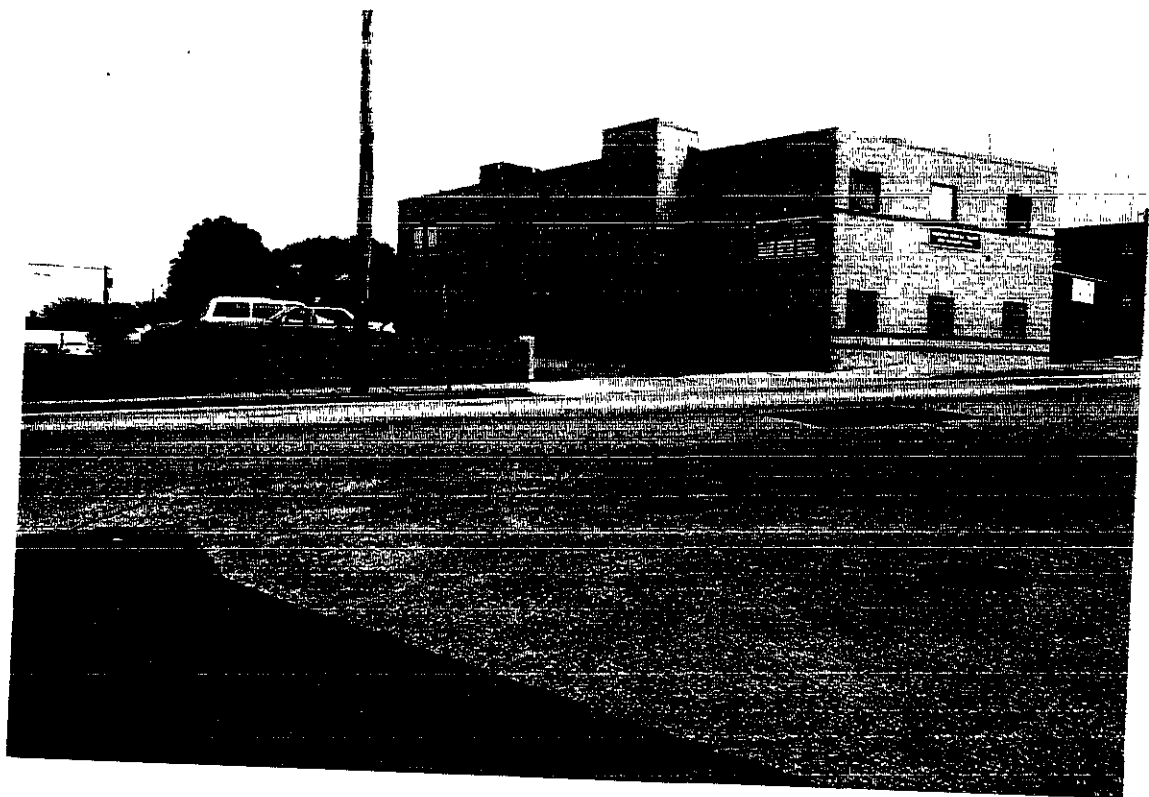


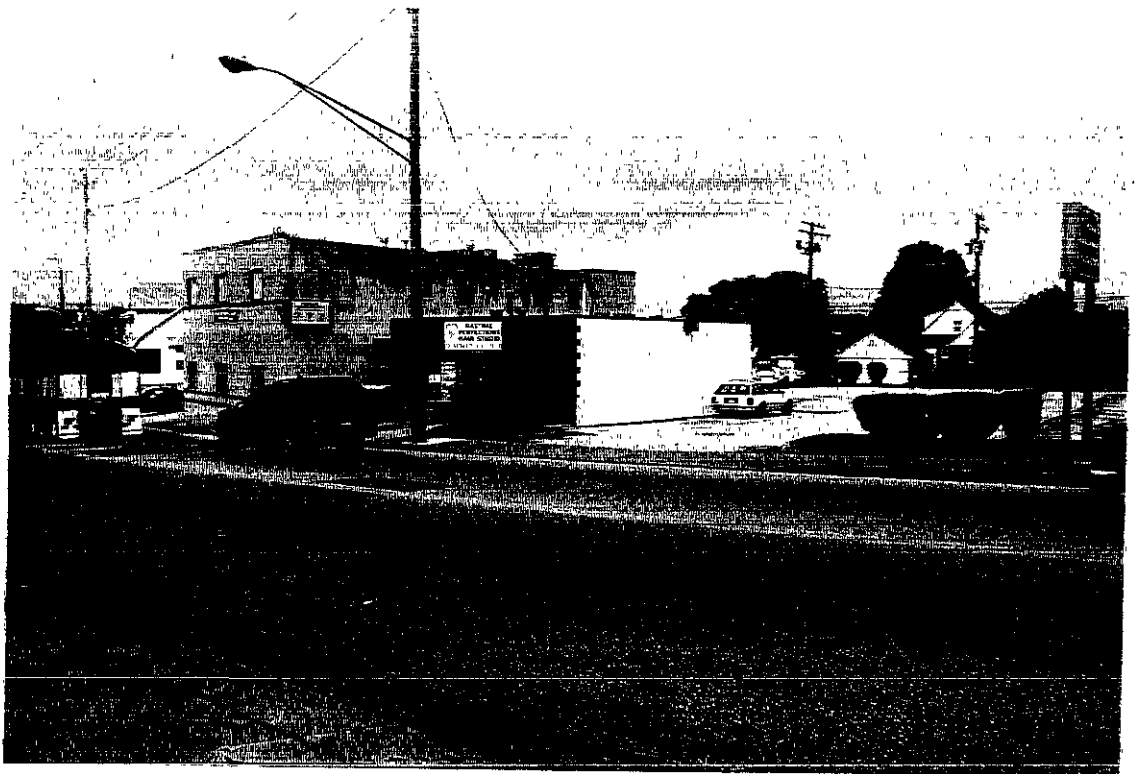
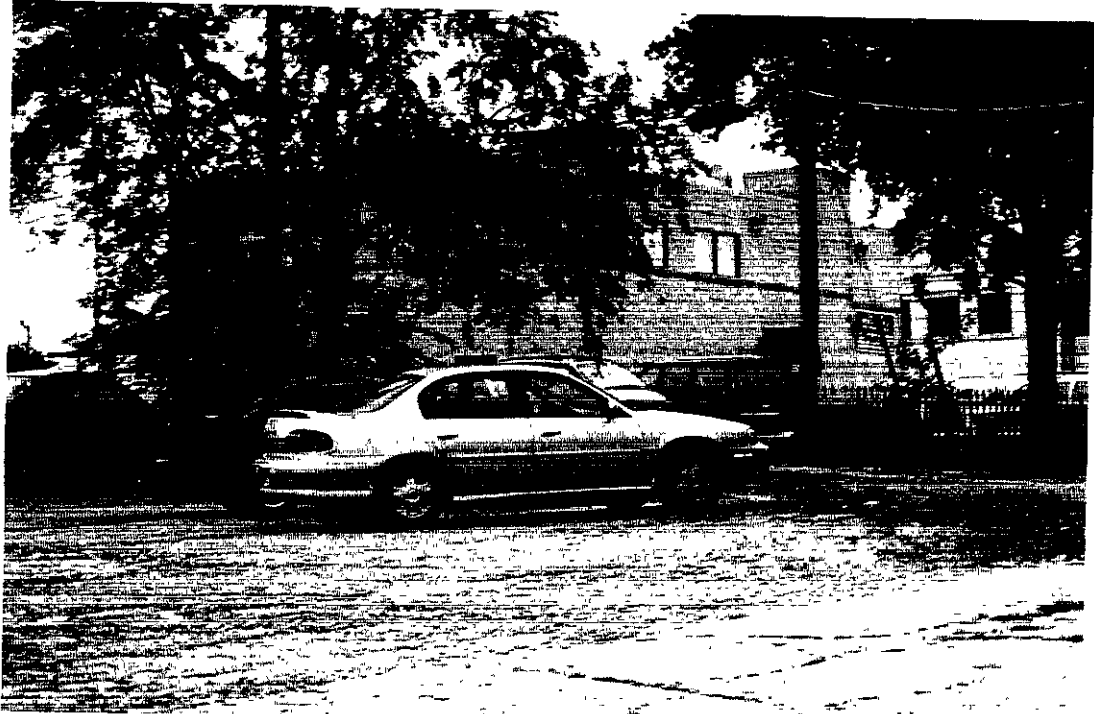


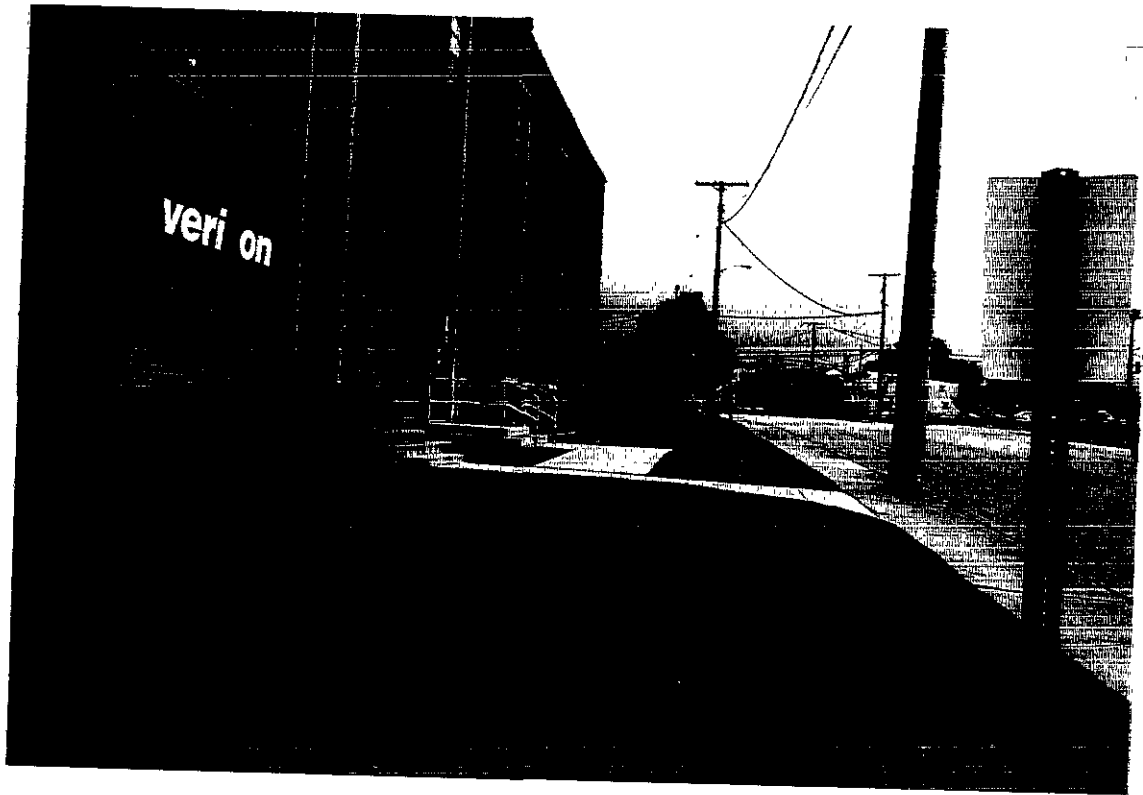






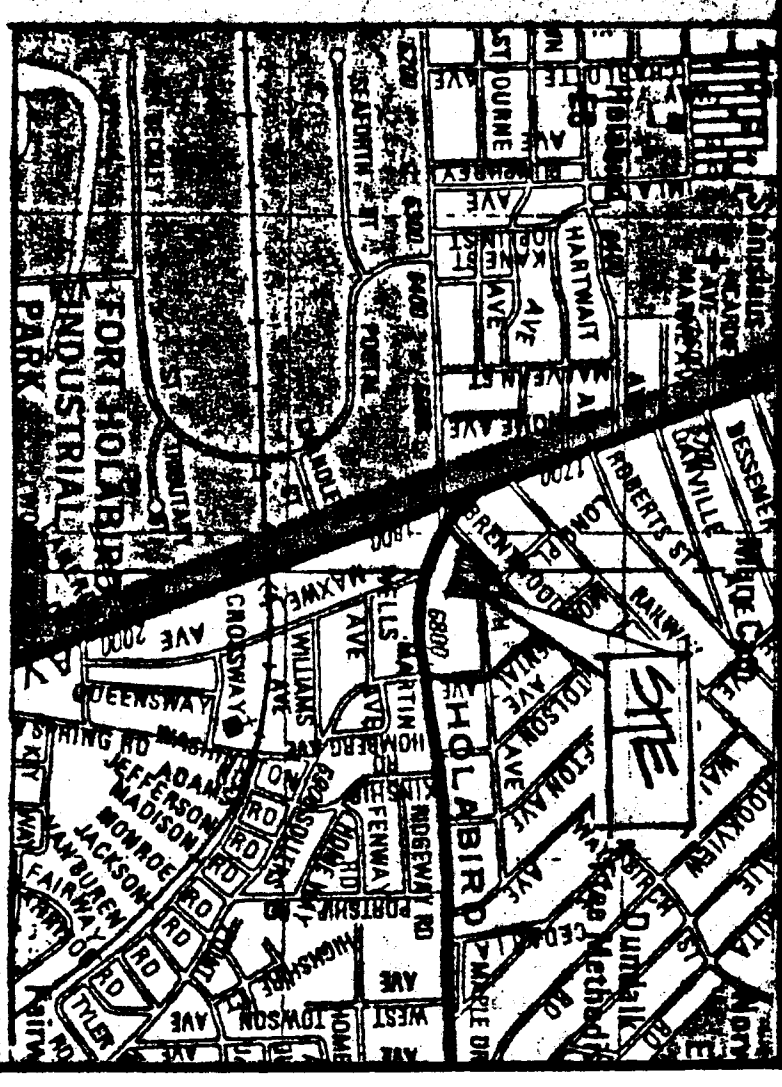












Scale: 1"=1000'

- [illegible]

SCALE: 1" = 50'-0"

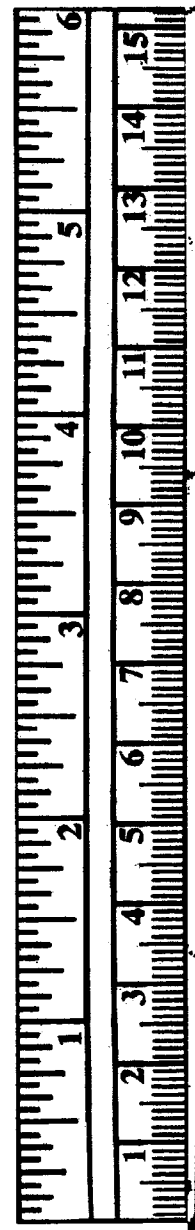
NO.	DATE	DESCRIPTION
1	8/10/01	PER BOWLING OFFICE

Engineers & Surveyors & Planners,
2205 Smith Avenue, Suite C
A

AND VARIANCES
LOTS 7,8,9,10,11,12,13,17 & 18
1701 BENTWOOD AVENUE

C-1

02-027-SPLA



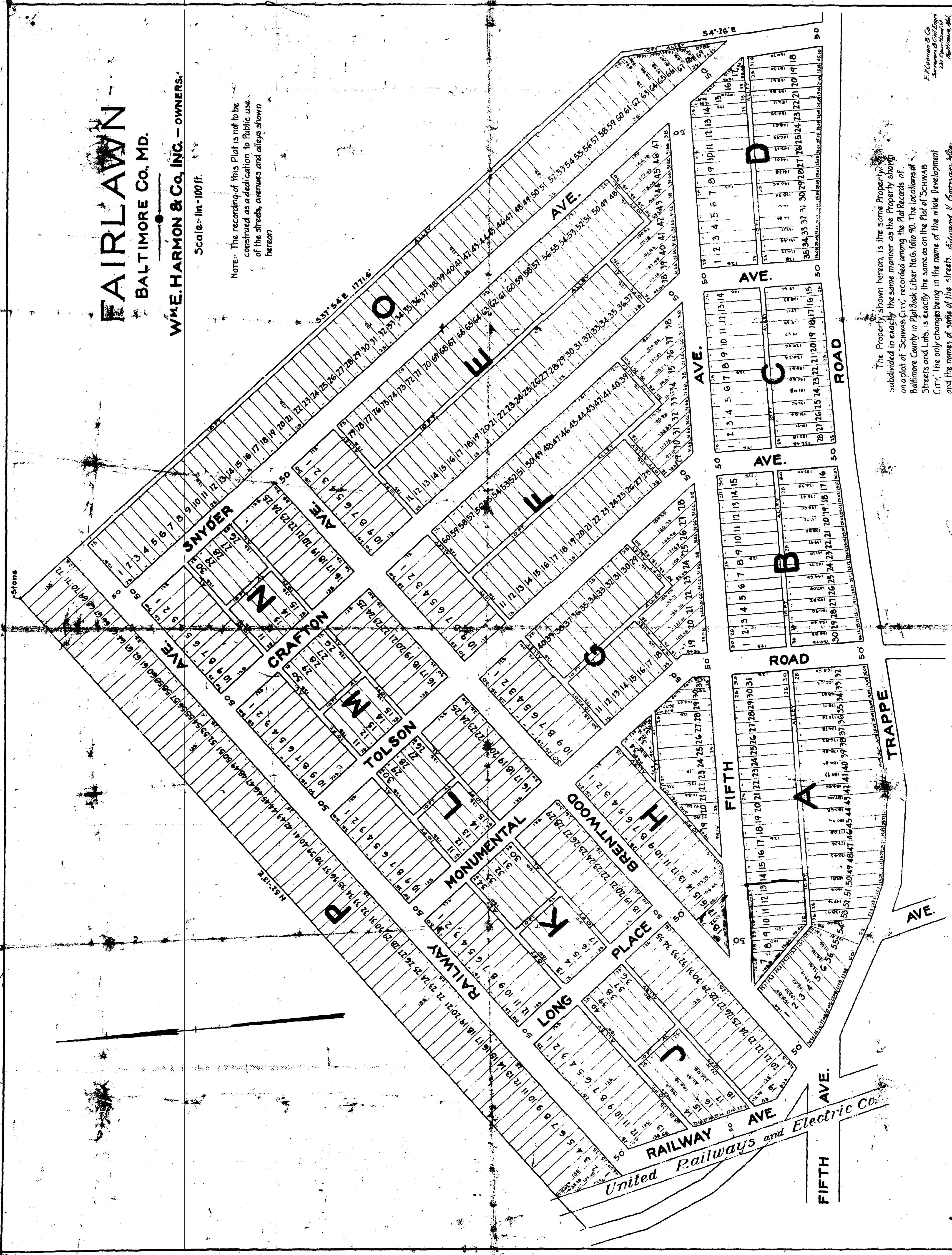
FAIRLAWN

BALTIMORE CO. MD.

W.M.E. HARMON & CO., INC. - OWNERS.

Scale: 1 in. = 100 ft.

NOTE: The recording of this Plat is not to be construed as a dedication to Public use of the streets, avenues and alleys shown hereon.



The Property shown hereon, is the same Property subdivided in exactly the same manner as the Property shown on a plat of "Schwab City", recorded among the Plat Records of Baltimore County in Plat Book Liber No. 6, folio 90. The locations of Streets and Lots, is exactly the same as on the Plat of "Schwab City", the only change being in the name of the whole development and the names of some of the streets. Edward V. Gorman, Secy.

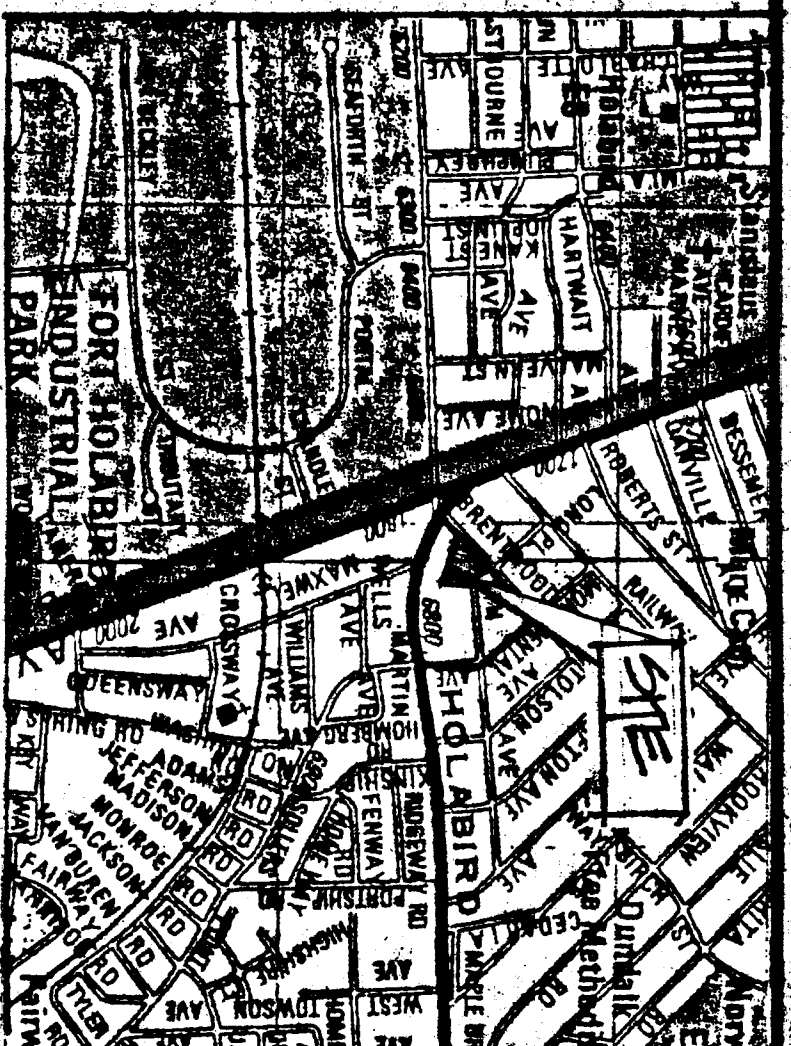
W.M.E. Harmon & Co., Inc.
Baltimore, Md.
April 15, 1917

No "Notice of Pasting" found in this file (#62-027-SPHA)
May 9/20/01

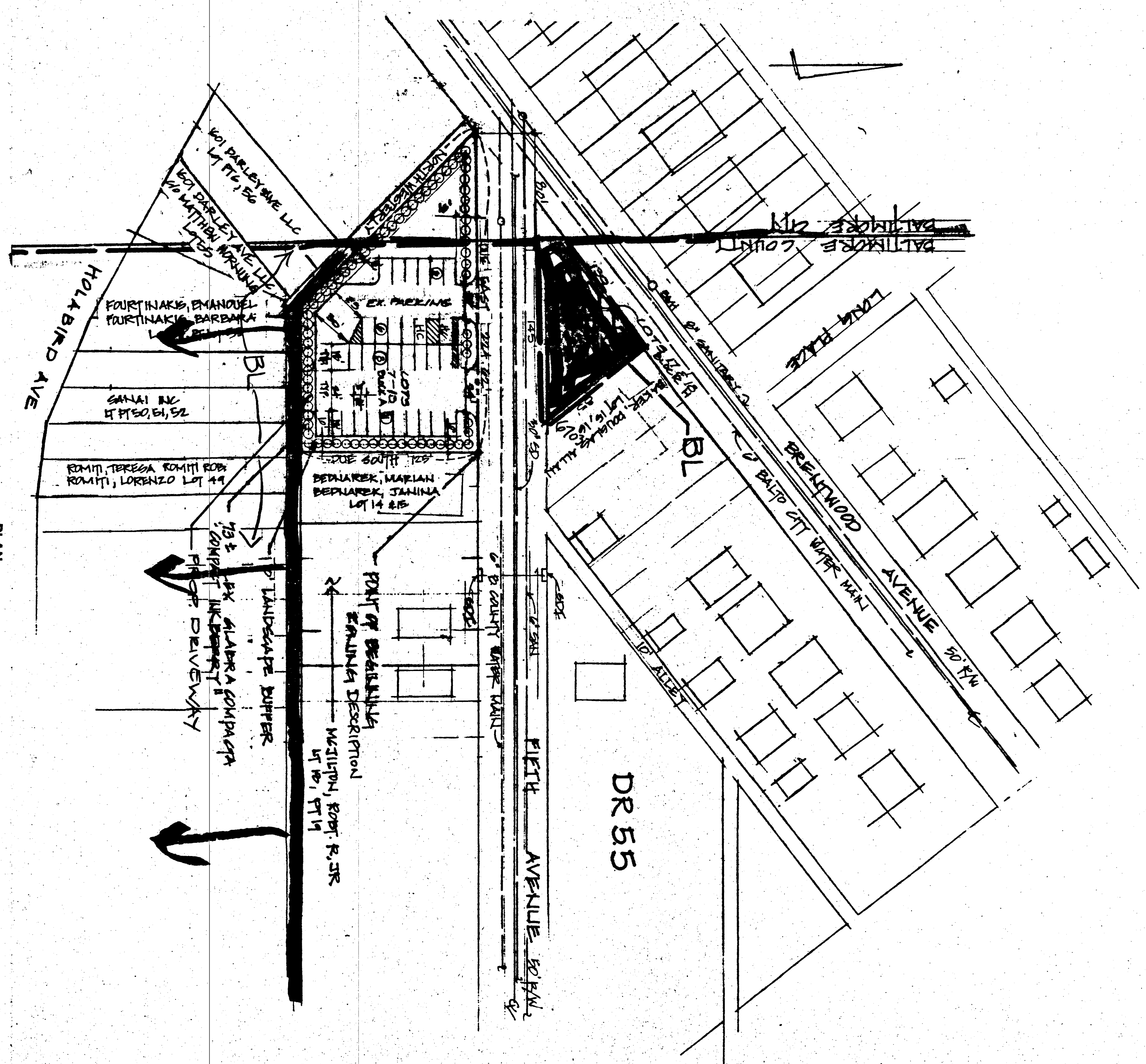
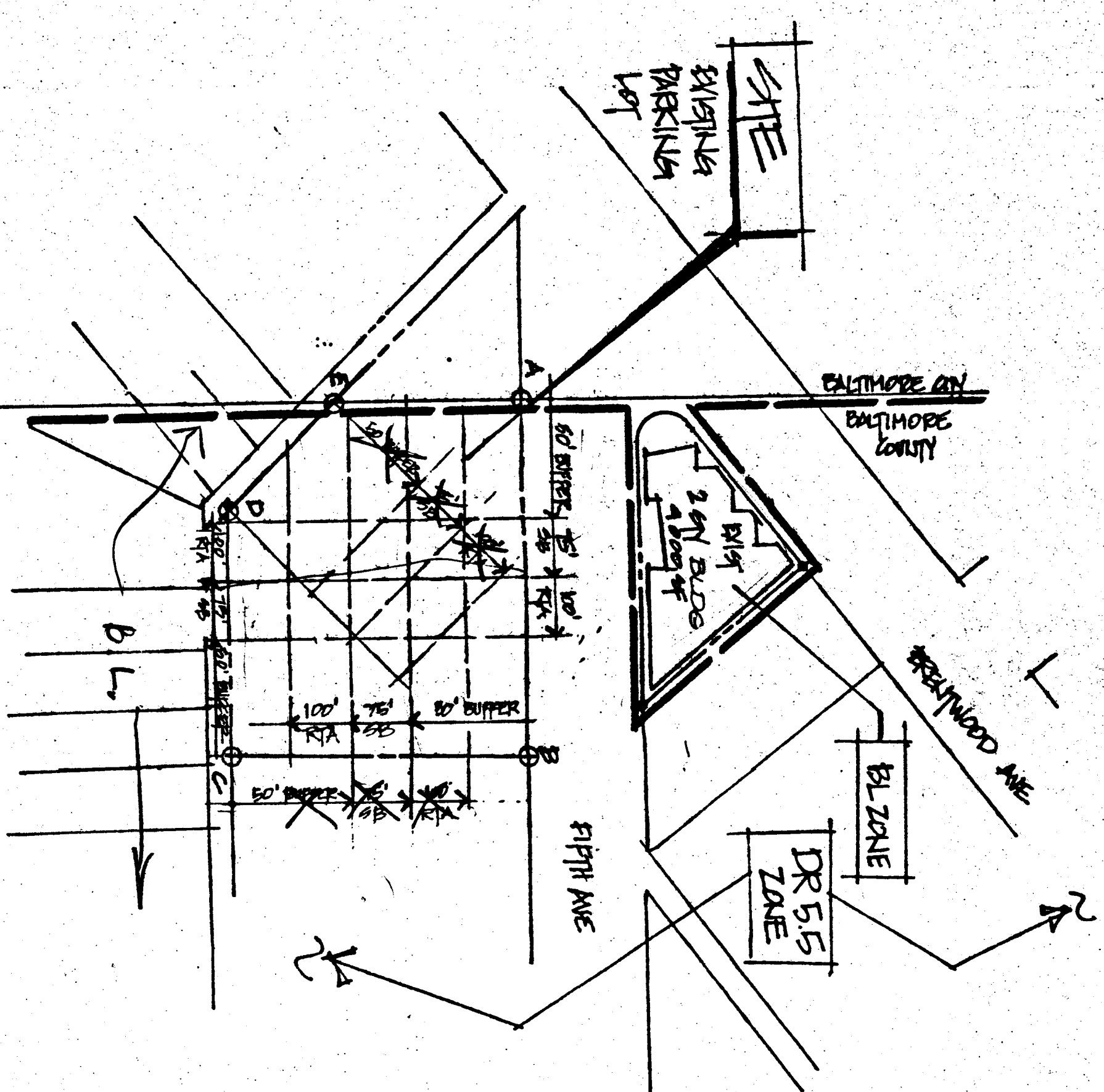
W.M.E. Harmon & Co., Inc.

W.M.E. Harmon & Co., Inc.
Baltimore, Md.
April 15, 1917

2001 080



VICINITY MAP
Scale: 1" = 1000'



PLAN
SCALE: 1" = 50'-0"

REVISIONS	
NO.	DESCRIPTION
1	5/20/01 SEE BUILDING OFFICE

Cohort Mitz Rosenfeld Inc.
Engineers & Architects
3005 South Avenue, Suite 2
Baltimore, Maryland 21202
Telephone: (410) 553-3838
Facsimile: (410) 553-7953

PLAY TO ACCOMPANY PETITION FOR SPECIAL HEARING AND VARIANCES
LOT 8 7.8.8.10.11.12.13.14.15
SOUTHEAST CORNER OF BALTIMORE AVENUE AND WESTWOOD AVENUE
BALTIMORE, MARYLAND

DRAWING NO. C-1
SHEET NO. 1 of 1

02-027-SFHA
REVISIONS 5-27-01

1. IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING ORDINANCES, THE PROPOSED FACILITY SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS:
a. THE LAND NO LATER THAN 12 MONTHS AFTER THE DATE OF THE SPECIAL HEARING SHALL BE DEVELOPED FOR THE PURPOSES OF THE SPECIAL HEARING.
b. THE PROPOSED FACILITY SHALL BE DEVELOPED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING ORDINANCES.
c. THE PROPOSED FACILITY SHALL BE DEVELOPED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING ORDINANCES.
d. THE PROPOSED FACILITY SHALL BE DEVELOPED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING ORDINANCES.

GENERAL NOTES:
1. OWNER/DEVELOPER: ROBERT E. NARDO
2. PROJECT LOCATION: 3005 SOUTH AVENUE, SUITE 2, BALTIMORE, MARYLAND 21202
3. PROJECT TYPE: BOARDING HOUSE
4. ZONING MAP NO.: 22-3E
5. ZONING DISTRICT: 22-3E
6. ZONING SETBACK REQUIREMENTS:
a. FRONT YARD: 10 FT.
b. SIDE YARD: 10 FT.
c. REAR YARD: 10 FT.
7. ZONING SETBACK REQUIREMENTS:
a. FRONT YARD: 10 FT.
b. SIDE YARD: 10 FT.
c. REAR YARD: 10 FT.