

72-299-A #154 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

FRANK E. GALANTINO and KATHLEEN B. GALANTINO, his wife, legal owner, 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 1A.00.3 B 3, request 20' side yard

setback for both side yards instead of required 50'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

See "Exhibit A" attached hereto and made a part hereof.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. For and we agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser
Frank E. Galantino
Kathleen B. Galantino
Legal Owner
Address: 2786 Harford Avenue
Baltimore, Maryland 21214

BY Michael F. Delea, Jr.
Petitioner's Attorney
Address: 601 Mercantile-Townson Bldg.,
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day

of May 1972, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 26th day of June 1972, at 10:30 o'clock

10:30
6/26/72
10:30
#72-299-A
#154

[Signature]
Zoning Commissioner of Baltimore County.

(over)

EXHIBIT A

That on October 30, 1970, your Petitioners purchased from Mildred D. Stormfetz, widow, .459 of an acre, more or less, for the purpose of constructing a residence thereon; upon application for a building permit to construct said residence, they were advised that the lot could not be used for the intended purpose as it did not conform with the zoning requirements for RDP zoned property; that the aforesaid lot was created in its present state by a deed dated April 26, 1952 and recorded among the Land Records of Baltimore County in Liber OLB 2:02, folio 595, from Clayton W. Bordley, Inc. to Samuel H. Stormfetz and Mildred D. Stormfetz, his wife.

That your Petitioners have sold their residence under the assumption that the subject property was capable of being built upon, and the settlement took place approximately at the time they were advised of the inability to build on the subject lot due to the zoning law changes; that the aforesaid changes have created an extreme hardship, and, therefore, your Petitioners pray for the granting of a zoning variance to allow them to construct a residence on the subject lot.

DOLLEBERG BROTHERS

Regional Professional Engineers & Land Surveyors

708 WASHINGTON AVENUE AT YORK ROAD

TOWSON, MD. 21204

March 7, 1972

Zoning Description

Description to accompany Zoning Petition on property of Frank E. Galantino and wife.

All that piece or parcel of land situate, lying and being in the Eleventh Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the west side of Regwood Road, 271' north-south measured along the west side of said Regwood Road from the center of Harford Road (Md. 147) and running thence and binding on the west side of Regwood Road North 12 degrees 04 minutes East 110.40 feet, thence leaving said Regwood Road and binding reversely on the outlines of a parcel of land which by a deed dated October 30, 1970 and recorded among the Land Records of Baltimore County in Liber O.T.S.No. 5140 folio 198 was conveyed by Mildred D. Stormfetz, widow to Frank E. Galantino and wife, the three following courses and distances viz: North 77 degrees 56 minutes West 153.20 feet, South 10 degrees 00 minutes West 110.47 feet and South 77 degrees 56 minutes East 179.22 feet to the place of beginning.

Containing 0.459 of an acre of land more or less.

Being the property of Frank E. Galantino and Kathleen B. Galantino, his wife as shown on the plat plan filed with the Zoning Department.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: June 21, 1972

FROM: Norman E. Garber, Office of Planning

SUBJECT: Petition #72-299-A, West side of Regwood Road 271 feet Northwest of Harford Road. Petition for variance for side yards. Frank E. Galantino and Kathleen B. Galantino - Petitioners

11th District

HEARD: Monday, June 26, 1972 (10:30 A.M.)

The Office of Planning and Zoning will offer no comments on this petition at this time.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 30, 1972

Michael F. Delea, Jr., Esq.,
601 Mercantile-Townson Bldg.,
Towson, Maryland 21204

RE: Variance Petition
Item 154
Frank E. Galantino, et al

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The attached comments are a result of this review and inspection.

The subject property is located on the west side of Regwood Road, two hundred and seventy-one feet north of Harford Road and is presently unimproved.

To the south of the site is a one story brick residence. To the north of the site is a vacant area which could possibly be another lot but is not indicated as such on the submitted plans. Directly to the west of the site and to the east, opposite Regwood Road, are unimproved properties. There is no curb and gutter existing at this location.

This petition is accepted for filing, however, revised plans, reflecting the comments of the Bureau of Engineering, should be submitted prior to the hearing date.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

[Signature]
OLIVER L. MYERS, Chairman

JOHN J. DILLON, JR., Zoning Tech. II

Enc.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna
Zoning Commissioner
John L. Wimbley
Project Planning Division

DATE: April 3, 1972

FROM: Zoning Advisory Agenda Item #154

March 21, 1972
Frank E. Galantino, et al
W/S Regwood Road
271' N of Harford Road

The Office of Planning has reviewed the subject site plan and offers the following comments:

This office would question whether or not this property is part of a larger tract of land and if this property is part of a larger tract of land a record plat would be required.

TO: S. Eric DiNenna, Zoning Commissioner
Attention: Mr. Myers

DATE: March 27, 1972

FROM: Fire Prevention Bureau
Fire Department

SUBJECT: Property Owner:
Frank E. Galantino, et al

Location: W/S Regwood Road, 271' N of Harford Road

ITEM # 154 Zoning Agenda: March 21, 1972

1. Fire hydrants for the proposed site (are required and) shall be in accordance with Baltimore County Standards.
The hydrants shall be located at intervals of _____ feet along an approved road.
2. A second means of access is required for the site.
3. The dead-end condition shown at _____ exceeds the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1967 Edition, and the Fire Prevention Code prior to occupancy or commencement of operations.
5. The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.
6. The Fire Department has no comment on the proposed site.
7. Site plans approved as shown.

[Signature]
Planning Division
Fire Prevention Bureau

Note: Above comments indicated with a check apply.

nb

BALTIMORE COUNTY BOARD OF EDUCATION

ZONING ADVISORY COMMITTEE MEETING

OF March 21, 1972

Petitioner: GALANTINO

Location:

District: II

Present Zoning: RDP

Proposed Zoning: VAR

No. of Acres: 110' x 193'

Comments: NO SEARCH ON STUDENT POPULATION

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner

the above Variance should be had; and it further appearing that by reason of the grounds of the Variance requested not adversely affecting the health, safety, and general welfare of the community

to permit twenty foot (20') setback for both side yards a Variance of the required fifty feet (50') should be granted. It is ORDERED by the Zoning Commissioner of Baltimore County this 6/26/72 day of June 1972, that the herein Petition for a Variance should be and the same is hereby GRANTED, from and after the date of this order, to permit a twenty foot (20') setback for both side yards instead of the required fifty feet (50') subject to the approval of a site plan by the State Highway Administration, Bureau of Public Services and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1972, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers Date: March 22, 1972
FROM: H. V. Bonner
SUBJECT: Item 154 - Zoning Advisory Committee Meeting, March 21, 1972

154. Property Owner: Frank E. Gallantino, et al
Location: W/S Regwood Road, 271' N of
Present Zoning: R.D.P. Harford Road
Proposed Zoning: Variance from 1A00.3B3 -
District: 11 side yards
No. Acres: 110' x 183'

Complete soil evaluation must be conducted and approved prior to obtaining building permit.

An approved water well must be drilled prior to approval of building permit.

H. V. Bonner
Sanitarian II
Water and Sewer Section
Division of Sanitary Engineering

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING JEFFERSON BUILDING TOWSON, MARYLAND 21204 INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna Date: March 30, 1972
ATTN: Oliver L. Myers
FROM: Michael S. Flanigan
SUBJECT: Item 154 - ZAC - March 21, 1972
Property Owner: Frank E. Gallantino, et al
Regwood Road N. of Harford Road
Variance from 1A.00.3B3 - side yards
District 11

No traffic problems are anticipated from the variance to this site.

Michael S. Flanigan
Traffic Engineer Associate

MSF:mr

USE Key Sheet
16 16 31 Position Sheet
16 16 H Topo
5a Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna Date: April 13, 1972
ATTN: Oliver L. Myers
FROM: William H. Myers, P.E.
SUBJECT: Item 154 (1971-1972)
Property Owner: Frank E. Gallantino, et al
W/S Regwood Road, 271' N. of Harford Road
Present Zoning: R.D.P.
Proposed Zoning: Variance from 1A.00.3B3 - side yards
District: 11th
No. Acres: 110' x 183'

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Regwood Road, an existing road, is proposed to be ultimately improved, in the future, as a 30-foot closed-type roadway cross-section on a 50-foot right-of-way. Highway improvements are not required at this time. However, highway right-of-way widening, together with any necessary reworkable easements for slopes, will be required in connection with any grading or building permit application. The submitted plan should be revised to indicate the proposed highway widening as indicated on Drawing #52-2135, File 5.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A gradic permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent draining any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property.

This property is located beyond the limits of the Baltimore County Metropolitan District and the Baltimore County Comprehensive Water and Sewerage Plan for 1970-1980, amended 1971.

William H. Myers, P.E.
Chief, Bureau of Engineering

END:BAH:PMH:es

CERTIFICATE OF PUBLICATION

OFFICE OF
Essex Times

600 Eastern Blvd
Essex, Md. 21221

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in **ESSEX TIMES** a weekly newspaper published in Baltimore County, Maryland, once a week for one successful week before the 12 day of June 1972; that is to say, the same was inserted in the issue of June 8, 1972.

Stromberg Publications, Inc.
Publisher.

By Bill Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 8, 1972.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time before the 26th day of June 1972, the first publication appearing on the 8th day of June 1972.

THE JEFFERSONIAN
By Frank E. Gallantino
Manager.

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#72-299-A

District: 11 Date of Posting: June 8, 1972
Posted for: Hearing Monday, June 26, 1972, 9:00 A.M.
Petitioner: Frank E. Gallantino
Location of property: W/S of Regwood Rd. 271' N. of Harford Rd.
Location of Sign: Signs posted in local lot approx. 271' N. of Harford Rd. on Regwood Rd.
Remarks:
Posted by: Michael S. Flanigan Date of return: June 15, 1972

Michael F. Deles, Jr., Esq.
601 Marcellus-Towson Building
Towson, Md. 21204

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing

this 30th day of May 1972

S. Eric DiNenna
Zoning Commissioner

Petitioner: Frank E. Gallantino, et al

Petitioner's Attorney: Michael F. Deles, Jr.

Reviewed by: William H. Myers, P.E.
Chairman, Advisory Committee

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

No. 3682

DATE: June 6, 1972 ACCOUNT: 01-662

AMOUNT: \$25.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Michael F. Deles, Jr., Esq.
601 Marcellus-Towson Building
Towson, Md. 21201
Petition for Variance for Frank E. Gallantino
72-299-A

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

No. 3715

DATE: June 23, 1972 ACCOUNT: 01-662

AMOUNT: \$ 52.25

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Money Order 1816292820
Frank E. Gallantino
2706 Bellock Ave.
Baltimore, Md. 21215
Advertising and posting of property
72-299-A

5225 AC

