

73-46 R 10-34 PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

Joseph P. Giardina and
I, or we, Anna M. Giardina, legal owners 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an... D.R. 3.5; D.R. 5.5; M.L.R. zone to an... D.R. 16 zone; for the following reasons:

Variance to Section 1802.20 to permit setbacks from other D.R. zones of ten feet and sixty feet instead of the required seventy-five feet (see attached brief)

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for...

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception 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

Joseph P. Giardina
Legal Owner
Address: 411 Jefferson Bldg.
Towson, Maryland 21204

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this... 10th... day of July...

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... 14th... day of September, 1972, at 1:00 o'clock PM.

Oliver L. Myers
Zoning Commissioner of Baltimore County.

(over)

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

April 27, 1972

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
County Office Building
Towson, Maryland 21204

Re: Item #34 (Cycle April - October 1972)
Property Owner: Joseph P. and Anna M. Giardina
S/W/S Fairbrook Rd., 205' N/W of Winder Rd.
Present Zoning: D.R. 3.5; D.R. 5.5; M.L.R.
Proposed Zoning: Re-classification to D.R. 16;
Variance from Section 1802.20 side yards
District: 1st No. Acres: 5.75 acres

Dear Mr. Myers:

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:

Fairbrook Road must be widened to a full 12-foot bituminous concrete cross-section with combination curb and gutter, on a 70-foot right-of-way.

Cantwell Road must be improved as a 40-foot bituminous concrete cross-section with combination curb and gutter on a 60-foot right-of-way. (See Drawing #70-0926 (5))

The entrance locations are subject to approval by the Department of Traffic Engineering.

Storm Drains:

In accordance with the drainage policy for this type development, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating 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.

FRANK E. CICONE
Attorney At Law
JAMES TOWNSEND BUILDING
TOWSON, MARYLAND 21204
Suite 411 Jefferson Bldg.
April 3, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Property of Joseph P. and
Anna M. Giardina

Dear Mr. DiNenna:

I am filing a petition in the above-subject case and wish to cite as a basis the following reasons which constitute error in the zoning maps signed March 24, 1971.

1. That portion of the subject property zoned MLR is unusable because of setback requirements and no access except through the D.R. 5.5.

2. The subject property is adjacent to apartment buildings and parking lots.

3. Across from Fairbrook Road are existing apartments.

4. The shape of the subject property makes it impossible to develop it at the present density in single-family dwellings.

5. And for other and further sufficient reasons to be shown at the hearing hereof, which will show the error in the adoption of the maps, and change in the character of the neighborhood.

Very truly yours,

Frank E. Cicone
Frank E. Cicone

FEC:kn

Property of Joseph Giardina
Beginning at a point in the center line of Fairbrook Rd.; such point being two hundred and five feet measured Northwestly from the intersection of the center line of Winder Rd. and said Fairbrook Road; and thence binding on the Northwest side of a road twenty feet wide South fifty-two degrees and thirty minutes West one thousand, five hundred and twenty-four and six-tenths feet; thence South fourteen degrees and fifteen minutes West two hundred and seventeen and fourteen one-hundredths feet; thence North seventy-five degrees and forty-five minutes West two hundred and eighty-nine and nine tenths feet; thence North fifty-one degrees East one thousand eight hundred and ninety-nine and fifteen one-hundredths feet to the center line of afore mentioned Fairbrook Rd.; thence binding on the center thereof South thirty-six degrees and thirty minutes East one hundred and fifty-seven and eight one-hundredths feet to the place of beginning. Containing five and three-quarters acres more or less. Being Lot No. 1 of the plat of The New Colonial Society of Maryland recorded in the Land Records of Baltimore County in Plat Book 3 folio 21.



BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
Wm. T. MILLER
DEPUTY TRAFFIC ENGINEER

April 28, 1972

Mr. Oliver L. Myers
Chairman
Zoning Advisory Committee
County Office Building
Towson, Maryland 21204

Re: Cycle Zoning III
Item 34 - 24C - 4-4-72
Property Owner: Joseph P. and Anna M. Giardina
Fairbrook Road N/W of Winder Road
Reclass. to DR 16; Variance from Section 1802.20 side yards - District 1

Dear Mr. Myers:

The subject petition is requesting a change to DR 16. This change should increase the trip density from 280 trips to 600 trips per day.

Very truly yours,

Richard Moore
Assistant Traffic Engineer

ECM:ar

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204

April 25, 1972

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
ATT: Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee

RE: Property Owner: Joseph P. and Anna M. Giardina
Location: S/W/S Fairbrook Road, 205' N/W of Winder Road
Item No. 34 Zoning Agenda 4/4/72

Gentlemen:

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

- (x) 1. Fire hydrant for the referenced property are required and shall be located at intervals of 300 feet along a approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site
- () 3. The vehicle dead-end condition shown at

- () 4. The maximum allowed by the Fire Department
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 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 "The Life Safety Code" 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time

Reviewed: J. Austin Deitz
Planning Group
Special Inspection Division
Noted and Approved: Deputy Chief
Fire Prevention Bureau

4/17/72

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 18, 1972

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Office of Planning & Zoning
Baltimore County Office Bldg.
Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 34, Zoning Advisory Committee meeting, April 4, 1972, are as follows:

Property Owner: Joseph P. and Anna M. Giardina
Location: S/W/S Fairbrook Road, 205' N/W of Winder Road
Present Zoning: D.R. 3.5; D.R. 5.5; M.L.R.
Proposed Zoning: Re-classification to D.R. 16; Variance from Section 1802.20 - side yards
District: 1
No. Acres: 5.75

Metropolitan water and sewer are to be extended to the site.

At Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning as a processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

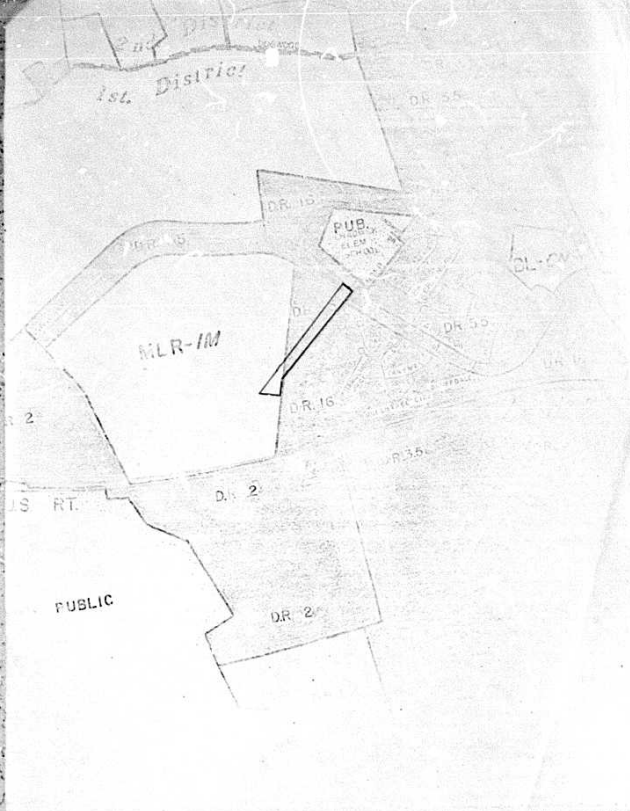
Shopping Center and Apartment House Comments: Approval for a shopping center or apartment house is based upon owner responsibility for the collection, storage and disposal of refuse in accordance with Health Department requirements.

Very truly yours,

J. Stravhorn
Sanitarian II
Water and Sewer Section
Division of Sanitary Engineering
BUREAU OF ENVIRONMENTAL SERVICES

JSM:an

OCT 27 1972



PETITION MAPPING PROGRESS SHEET										
FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>JBH</u>	Revised Plans: Change in outline or description <u>Yes</u> _____ <u>No</u>									
Previous case:	Map # _____									

45-605 73-46-2A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1-2 Date of Posting: 446-26-1972

Posted for: RECLASSIFICATION & VARIANCE

Petitioner: JOSEPH GIARDINA

Location of property: 54 1/2 OF FAIRBROOK RD. 205 FT. NW. OF WINDSOR RD.

Location of Sign: 113 1/2 OF FAIRBROOK RD. 235 FT. NW. OF WINDSOR RD.

Remarks: 340 DEED OF RANTWELL RD.

Posted by: Charles M. Nish Signature Date of return: 446-31-1972

Baltimore County Office of Planning and Zoning

Joseph P. and Anna M. Giardina County Office Building
Box 640, R. # 5 111 W. Chesapeake Avenue
Baltimore, Maryland 21207 Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 10th day of July, 1972.

H. M. Nish
Zoning Commissioner

Petitioners: Joseph P. and Anna M. Giardina

Petitioner's Attorney: John P. Dillman Reviewed by: John P. Dillman
Chairman, Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 5006

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 9-15-72 ACCOUNT WM 01-662

AMOUNT 147.50

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Adv. for zoning
Joseph Giardina \$ 147.50
8418 Kings Ridge Road
Baltimore, Md. 21248 15 147.50 MSC

BALTIMORE COUNTY, MARYLAND No. 3608

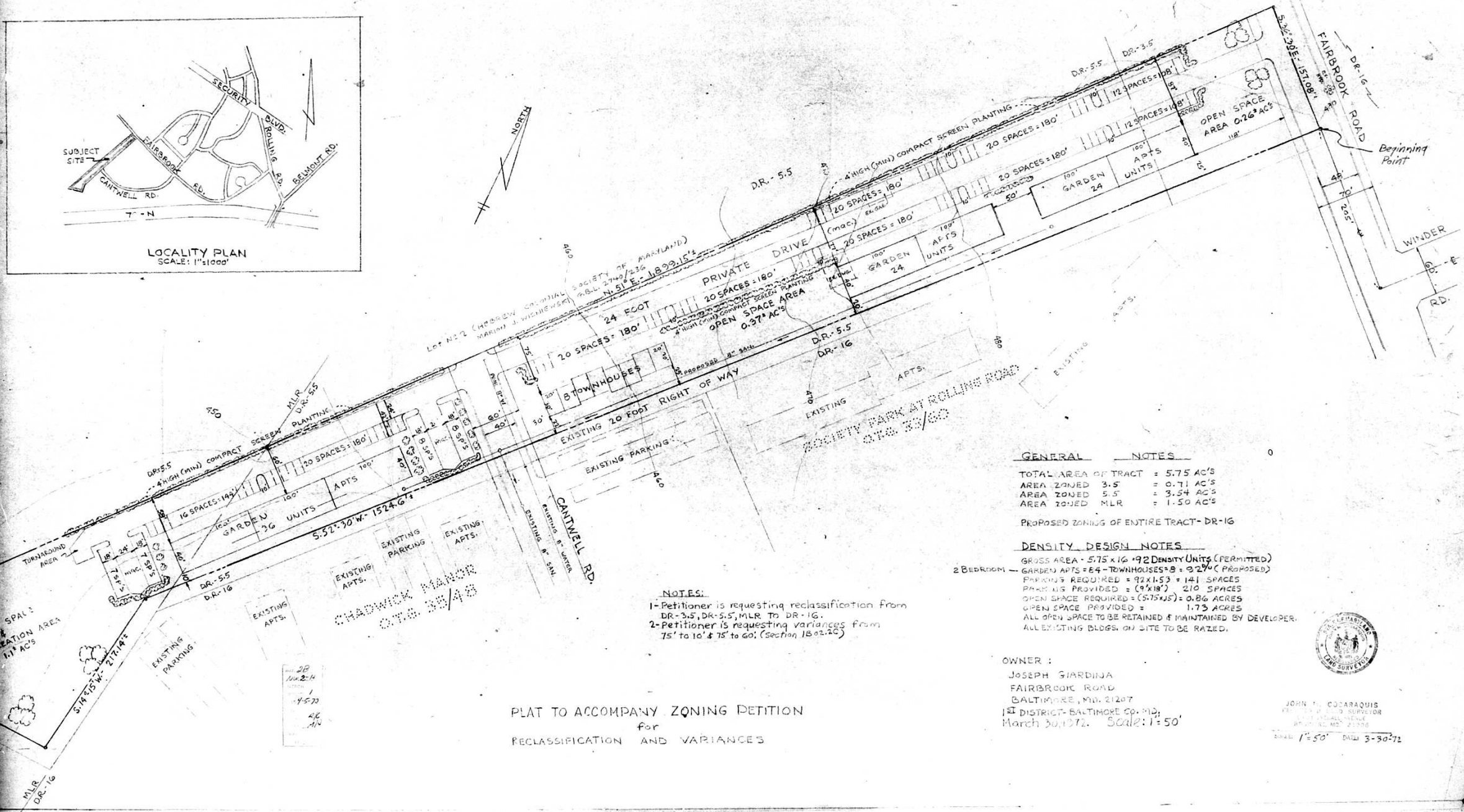
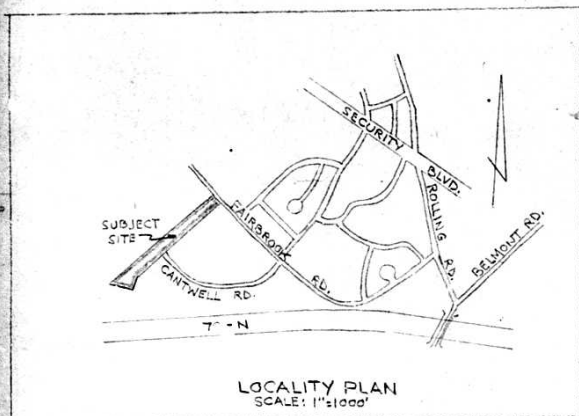
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE May 9, 1972 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Frank E. Gloose, Esq.
411 Jefferson Building
Towson, Md. 21204
Petition for Reclassification for Joseph Giardina
15 50.00 MSC



GENERAL NOTES

TOTAL AREA OF TRACT = 5.75 AC'S
 AREA ZONED 3.5 = 0.71 AC'S
 AREA ZONED 5.5 = 3.54 AC'S
 AREA ZONED MLR = 1.50 AC'S

PROPOSED ZONING OF ENTIRE TRACT- DR-16

DENSITY DESIGN NOTES

GROSS AREA - 5.75 x 16 = 92 DENSITY UNITS (PERMITTED)
 GARDEN APTS = 64 - TOWNHOUSES = 8 = 92% (PROPOSED)
 PARKING REQUIRED = 92 x 1.53 = 141 SPACES
 PARKING PROVIDED = (9' x 18') 210 SPACES
 OPEN SPACE REQUIRED = (5.75 x .5) = 0.86 ACRES
 OPEN SPACE PROVIDED = 1.73 ACRES
 ALL OPEN SPACE TO BE RETAINED & MAINTAINED BY DEVELOPER.
 ALL EXISTING BLOBS ON SITE TO BE RAZED.

OWNER :

JOSEPH GIARDINA
 FAIRBROOK ROAD
 BALTIMORE, MD. 21207
 1ST DISTRICT-BALTIMORE CO. MD.
 March 30, 1972. Scale: 1"=50'



JOHN J. COCCARQUIS
 1113 LANTANA AVENUE
 BALTIMORE, MD. 21206
 SCALE 1"=50' DATE 3-30-72

