

4:30 P.M. 10/1/73

**PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **SALVATORE L. CICERO & FRANCOS**, 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 for a Variance from Section 1802-36.2 (R-2) to permit a sideyard setback for a corner lot of 12 feet from the property line and 32 feet from the centerline of the street instead of the required 25 feet and 50 feet respectively,

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

A permit was granted for construction of a single family structure on this property prior to the current setback regulations. That permit would have allowed a 34 foot wide structure with 8 foot sideyards. The present zoning would permit only a 10 foot wide structure which is impossible to build. Twenty-eight foot width is considered to be the minimum practical front on present-day structures, especially those built on single lots as detached houses. I have owned this lot for approximately 25 years.

see attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or 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: **Salvatore L. Cicero & Francos**
 Legal Owner
 Address: 3001 Stonybrook Drive, Bowie, Md., 20715

Petitioner's Attorney: _____
 Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of August 1973, 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 22nd day of October, 1973, at 10:15 o'clock

Eric D. DiNenna
 Zoning Commissioner of Baltimore County

UNFILED RECEIVED FOR FILING DATE: November 12, 1973

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS
 10/1/73
 4-101-714

October 1973

M. Salvatore L. Cicero
 3001 Stonybrook Drive
 Bowie, Md. 20715

NOTICE OF HEARING

Application for Variance
 971-107-A

TIME: 10:15 A.M.

DATE: Tuesday, October 23, 1973

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. GUNSAFARKE AVENUE, TOWSON, MARYLAND

Eric D. DiNenna
 ZONING COMMISSIONER OF
 BALTIMORE COUNTY

**BALTIMORE COUNTY
 ZONING ADVISORY COMMITTEE**



**PETITION AND SITE PLAN
 EVALUATION COMMENTS**

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 1, 1973

COUNTY OFFICE BLDG.
 111 W. GUNSAFARKE AVE.
 TOWSON, MARYLAND 21284

JOHN L. DILLON, JR.
 Chairman

Mr. Salvatore L. Cicero
 3001 Stonybrook Drive
 Bowie, Maryland 20715

RE: Variance Petition
 Item 40
 Salvatore & Francos Cicero -
 Petitioners

Dear Mr. Cicero:

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 following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the southeast corner of Orlando and Hillendale Roads, in the 9th District of Baltimore County. This unimproved 0.55 lot lies adjacent to existing structures along Hillendale Road.

Curb and gutter does not exist along either of these streets.

The petitioner is advised to pay particular attention to the Bureau of Engineering comments with regard to future development of this site.

- 2 -

Mr. Salvatore L. Cicero
 Item 40
 October 1, 1973

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,
John A. Dillon, Jr.
 JOHN A. DILLON, JR., Chairman
 Zoning Advisory Committee

JDDjr.:JD
 Enclosure

**Baltimore County, Maryland
 Department of Public Works**

County Office Building
 TOWSON, MARYLAND 21284

Division of Engineering
 ELLSWORTH H. DYER, P. E., CHIEF
 August 31, 1973

Re: Item #10 (1973-1974)
 Property Owner: Salvatore and Francos Cicero
 2 1/2 cor. of Orlando and Hillendale Rds.
 Existing Zoning: D-1R 5-C
 Proposed Zoning: Variance to permit a sideyard setback of 12' from the property line and 32' from the centerline of the street instead of 25' and 50' respectively
 District: 9th

Dear Mr. DiNenna:

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:
 Orlando Road and Hillendale Road, existing public roads, are proposed to be improved in the future as 30-foot closed-type roadway cross-sections on 40-foot and 50-foot rights-of-way, respectively. Highway improvements are not required at this time. Highway right-of-way widening, including a 11-foot area for sight distance and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering. The plan should be revised accordingly.

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 grading 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 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.

Item #10 (1973-1974)
 Property Owner: Salvatore and Francos Cicero
 Page
 August 31, 1973

Water and Sanitary Sewers:

Public water supply and sanitary sewerage are available to serve this property.

Very truly yours,
Samuel N. Dyer
 SAMUEL N. DYER, P.E.
 Chief, Bureau of Engineering

END PLANS/FORMS
 cc: J. Somers
 W-107 Key Sheet
 32' W 10' Pos. Sheet
 W 8 C Top
 70 Top Map

BALTIMORE COUNTY, MARYLAND
 JEFFERSON BUILDING TOWSON, MARYLAND 21284

DEPARTMENT OF TRAFFIC ENGINEERING
 DR. JAMES J. CLIFFORD, P.E.
 DIRECTOR

September 27, 1973

Mr. S. Eric DiNenna
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21284

Re: Item 40 - ZAC - August 28, 1973
 Property Owner: Salvatore and Francos Cicero
 SE corner of Orlando and Hillendale Roads
 Variance to permit a sideyard setback of twelve (12) feet from the property line and thirty-two (32) feet from the centerline of the street instead of twenty-five (25) feet and fifty (50) feet respectively
 District 9

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variances to the side yards.

Very truly yours,
Michael S. Flanigan
 Michael S. Flanigan
 Traffic Engineer Associate

MSF/pk

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 the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners

the above Variance should be had; and it further appearing that by reason of the affairness of the Variance requested not adversely affecting the health, safety and general welfare of the community, a Variance to permit a side yard for a corner lot of feet from the property line and 32 feet from the centerline of the street instead of the required 75 feet and 50 feet respectively, should be granted.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 12th day of Nov 1973, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

BY *James S. Hays*
Deputy Zoning Commissioner Baltimore County

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 1973, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21284

August 29, 1973

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

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

Dear Mr. DiNenna:

Comments on Item 40, Zoning Advisory Committee Meeting August 28, 1973, are as follows:

Property Owner: Salvatore and Frances Cicero
Location: SE/Corner Orlando and Hillendale Roads
Present Zoning: D.R. 5-5
Proposed Zoning: Variance to permit a sideyard setback of 12' from the property line and 32' from the centerline of the street instead of 25' and 50' respectively.
District: 9
No. Acres:

Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:an

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



September 4, 1973

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #40, Zoning Advisory Committee Meeting, August 28, 1973, are as follows:

Property Owner: Salvatore and Frances Cicero
Location: SE/Corner of Orlando and Hillendale Roads
Existing Zoning: D.R. 5-5
Proposed Zoning: Variance to permit a sideyard setback of twelve (12) feet from the property line and thirty-two (32) feet from the centerline of the street instead of twenty-five (25) feet and fifty (50) feet respectively.
Election District: 9
No. of Acres:

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project & Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 108 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 486-2811 ZONING 486-2311

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 31, 1973

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

Re: Item 40
Property Owner: Salvatore and Frances Cicero
Location: SE/Corner of Orlando and Hillendale Roads
D.R. 5-5
Present Zoning: Variance to permit a sideyard setback of twelve (12) feet from the property line and thirty-two (32) feet from the centerline of the street instead of twenty-five (25) feet and fifty (50) feet respectively.

Z.A.C. Meeting of: Tuesday, August 28, 1973

District: 9
No. Acres: 9

Dear Mr. DiNenna:

No bearing on student population.

WHP/ml

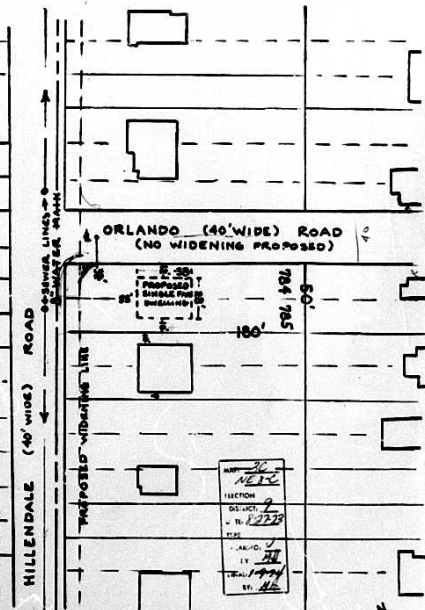
Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative

H. EMILIE PARKS, Secretary
EUGENE C. HESB, Vice President
MRS. ROBERT L. BENEY

MARCUS M. BETHLEHEM
JOSEPH N. MURPHY
ALVIN LORICK

T. HAROLD WILLIAMS, JR.
RICHARD W. TRACY, VICE PRES.
MRS. RICHARD K. BENTLEY

PLAN OF SURVEY



LOTS No. 784 - 785 "HILLENDALE PARK"
L. McL. M. 9-10 9TH ELECTION DIST.
ZONE - D.R. 55 SCALE: 1" = 50' 8/20/73

Salvatore & Frances Cicero

ORIGINAL

OFFICE OF
THE TOWSON TIMES

TOWSON, MD. 21204 October 8, 1973

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One week before the 8th day of Oct., 1973 that is to say, the same was inserted in the issue of October 4, 1973.

STROMBERG PUBLICATIONS, Inc.

Beth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 8, 1973

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week at one time before the 23rd day of October, 1973, the said publication appearing on the 18th day of October 1973.

THE JEFFERSONIAN
Frank Stricker
Manager

Cost of Advertisement, \$

DUPLICATE

OFFICE OF
THE TOWSON TIMES

TOWSON, MD. 21204 October 8, 1973

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One week before the 8th day of Oct., 1973 that is to say, the same was inserted in the issue of October 4, 1973.

STROMBERG PUBLICATIONS, Inc.

Beth Morgan

PETITION FOR A VARIANCE

LOCATION: SE/Corner of Orlando and Hillendale Roads
D.R. 5-5
Present Zoning: Variance to permit a sideyard setback of twelve (12) feet from the property line and thirty-two (32) feet from the centerline of the street instead of twenty-five (25) feet and fifty (50) feet respectively.

The Board of Education of Baltimore County, by authority of the Board of Commissioners of Baltimore County, will hold a public hearing.

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BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING Form 60

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21284

Mr. Salvatore L. Ciarro
3001 Stoneybrook Drive
Bowie, Md. 20715

Your Petition has been received and accepted for filing
this 31st day of August 1973.

S. Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner Salvatore L. Ciarro
Petitioner's Attorney _____ Reviewed by J. P. Dutton
Chairman
Zoning Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21284

Your Petition has been received * this 22nd day of August 1973. Item # _____

S. Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner CICERO Submitted by CICERO
Petitioner's Attorney _____ Reviewed by W

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PROPERTY DESCRIPTION

Being located on the southeast corner of Orlando and Hillendale Roads, and known as Lot Nos. 784 and 785 of the Plat of Hillendale Park, recorded amongst the Land Records of Baltimore County in Plat Book L. No. L. M. 9-10

Salvatore L. Ciarro
James C. Ciarro

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland #24-107-A

District PN Date of Posting 10-4-73

Posted for: William Lewis, Oct. 23, 1973, C. R. W. A. O.

Petitioner: Salvatore Ciarro

Location of property: S.E. Cor. of Orlando & Hillendale Rds.

Location of Sign: 1 Sign Placed at S.E. Cor. of Orlando & Hillendale Rds.

Remarks: _____ Date of return: 10-11-73

Posted by: Paul H. New
Signature

PETITION MAPPING PROGRESS SHEET

FUNCTION	Web 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>J.P.D.</u>	Revised Plans:				Change in outline or description		Yes		No	
Previous case:	Map #									

BALTIMORE COUNTY, MARYLAND No. 12449

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Oct. 1, 1973 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER DISTRIBUTION FIN - AGENCY YELLOW - CUSTOMER

Salvatore L. Ciarro
3001 Stoneybrook Dr.
Bowie, Md. 20715
Petition for Variance #107-A

25.00 C REC

BALTIMORE COUNTY, MARYLAND No. 12724

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Nov. 13, 1973 ACCOUNT 01-662

AMOUNT \$47.00

WHITE - CASHIER DISTRIBUTION FIN - AGENCY YELLOW - CUSTOMER

Salvatore L. Ciarro
3001 Stoneybrook Drive
Bowie, Md. 20715
Advertising and posting of property #107-A

47.00 C REC