

75-238-A #160 75-238-A #160 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Constantine G. LaPasha, 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 400.1 to permit an

accessory structure (garage) in side yard in lieu of the required rear yard.

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

The topography of our land is very hilly and irregular. Because of the composition of the soil, the house is located at an angle to the property line instead of parallel to it. Therefore, the well and underground pipe to the house is also located on an angle from the rear corner of the house. The location of the garage in question is six feet towards the front of the house, as indicated on the plot. If the garage is moved any further toward the rear of the house, the well and the water pipe will be endangered. This location was selected because it is flat and there will be no problem with soil erosion would be the case if any other area is selected.

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
Address
Petitioner's Attorney
Protestant's Attorney
Address
Address
ORDERED By The Zoning Commissioner of Baltimore County, this 4th day

of March 1975 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 7th day of April 1975 at 11:00 clock A.M.

By [Signature] Zoning Commissioner of Baltimore County.

PETITION FOR VARIANCE TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) IN THE SIDE YARD INSTEAD OF THE REQUIRED REAR YARD. South side of Piney Hill Road 2200 Feet, more or less, West of York Road, 7th District.

CONSTANTINE AND ELAINE LA PASHA Case No. 75-238-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

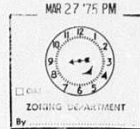
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kent, Jr.
CHANCELLER E. KENT, JR.
Deputy People's Counsel

John W. Hession, III
JOHN W. HESSIAN, III
People's Counsel
County Office Building
Towson, Maryland 21204
434-3211

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 26th day of March, 1975 to Constantine G. LaPasha and Elaine LaPasha, 411 Piney Hill Road, Sparks-Glencoe, Maryland 21152, Legal Owners.

John W. Hession, III
JOHN W. HESSIAN, III



I WILL NOT ATTEND. JWH.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: April 7, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition 75-238-A. Petition for Variance for an Accessory Structure. (Garage). South side of Piney Hill Road 2200 feet, more or less, West of York Road. Petitioner - Constantine and Elaine LaPasha

7th District

HEARING: Monday, April 7, 1975 (11:00 A.M.)

The staff of the Office of Planning and Zoning will offer no comment on this petition at this time.

William D. Fromm
William D. Fromm, Director of Planning
Office of Planning and Zoning

WDF:NEG:rw

April 21, 1975

Mr. & Mrs. Constantine G. LaPasha
411 Piney Hill Road
Sparks-Glencoe, Maryland 21152

RE: Petition for Variance
S/S of Piney Hill Road, 2200'
W of York Road - 7th Elec-
tion District
Constantine G. LaPasha, et ux -
Petitioners
NO. 75-238-A (Item No. 160)

Dear Mr. & Mrs. LaPasha:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

/s/

S. ERIC DINENNA
Zoning Commissioner

SED/scw

Attachments

cc: John W. Hession, III, Esquire
People's Counsel
Jefferson Building
Towson, Maryland 21204

Beginning on the center line of Piney Hill Road, approximately 2200' west of York Road and running the following courses:

NO.	Bearing	Dist.
1	S74° 19' 40"W	101.03'
2	S66° 14' 10"W	47.89'
3	S51° 31' 10"W	45.34'
4	S41° 18' 50"W	119.63'
5	S37° 02' 40"W	201.81'
6	S 1° 47' 50"E	101.96'
7	S19° 29' 00"W	60.64'
8	S29° 49' 00"W	60.72'
9	S33° 48' 10"W	62.27'
10	S31° 45' 50"E	226.76'
11	N62° 11' 50"E	445.17'
12	N 5° 18' 10"W	573.61'±

containing approximately 5.64 acres. Also known as 411 Piney Hill Road,

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Item 160

Mr. Constantine La Pasha
411 Piney Hill Road
Baltimore, MD 21152
COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 4th day of March 1975

S. Eric DiNenna
Zoning Commissioner

Petitioner - Constantine and Elaine La Pasha

Petitioner's Attorney Reviewed by Franklin T. Hession, Jr.
Chairman,
Zoning Advisory
Committee

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DIRECTOR, BALTIMORE COUNTY DEPARTMENT OF HEALTH

February 11, 1975

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

Dear Mr. DiNenna:

Comments on Item 160, Zoning Advisory Committee Meeting, February 18, 1975, are as follows:

Property Owner: Constantine & Elaine LaPasha
Location: Reg. centerline of Piney Hill Rd.
2200' W of York Road.
Existing Zoning: RDP
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (garage) in side yard in lieu of the required rear yard.

No. of Acres: 5.64 Acres
District: 7th

Comments: Since this is a variance for an accessory structure, no health hazard is anticipated.

Very truly yours,

Thomas R. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

CWB:nc6

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 granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit an accessory structure (garage) in the side yard in lieu of the required rear yard should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of April, 1975, that the herein Petition for a Variance to permit an accessory structure (garage) in the side yard in lieu of the required rear yard 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.

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 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 24, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

XXXXXXXXXXXXX
Franklin T. Hogsan, Jr.

Mr. Constantine La Pasha
411 Piney Hill Road
Baltimore, Maryland 21152

RE: Variance Petition
Item 160

Constantine and Elaine La Pasha -
Petitioner

Dear Mr. La Pasha:

The Zoning Plans 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 south side of Piney Hill Road, approximately one-half mile west of York Road and abuts the right of way of the Baltimore-Harrisburg Expressway along its westernmost boundary.

The proposed garage construction is to occur essentially on the site of the existing dwelling, and as a result, a Variance request has been made. A field inspection reveals the existing dwelling to be situated near the top of a rather steep incline.

The subject garage was found to be already under construction to a point of basic footing and foundation work underway. The steep slope and an unfriendly dog hampered comprehensive inspection of the site, but the general feeling of this Committee

Mr. Constantine La Pasha
Re: Item 160
March 24, 1975

Page 2

is that this garage cannot practically be located in any other place on this lot.

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,

Very truly yours,

Franklin T. Hogsan, Jr.
FRANKLIN T. HOGSAN, JR.
Chairman,
Zoning Plans Advisory Committee

ETH:JD

Enclosure

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



February 26, 1975

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 #160, Zoning Advisory Committee Meeting, February 18, 1975, are as follows:

Property Owner: Constantine and Elaine LaPasha
Location: Beg. centerline of Piney Hill Road 2200' W. of York Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1A00.3B.3 to permit setbacks of 33' and 63' from front property line and centerline of front street, respectively
No. of Acres: 1.774 acres
District: 7th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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 and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 424-3211 ZONING 414-3351

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 18, 1975

Z.A.C. Meeting of: February 18, 1975

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

Re: Item 160
Property Owner: Constantine & Elaine LaPasha
Location: Beg. centerline of Piney Hill Rd. 2200' W. of York Road
Present Zoning: RUP
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure (garage) in side yard in lieu of the required rear yard

District: 7th
No. Acres: 5.64 acres

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative.

H. EMILE PARKS, Chairman
EUGENE D. WISE, Vice-Chairman
MRS. ROBERT L. BERNY

MAURICE M. BISHOP
JOSEPH N. MURPHY
ALVIN LORICK
JOSHUA R. WHEELER, Superintendent

T. HAROLD WILLIAMS, JR.
RICHARD W. TAYLOR, V.P.S.
MRS. RICHARD A. HULL, P.E.

Item #160 (1974-1975)
Property Owner: Constantine & Elaine LaPasha
Page 2
March 5, 1975

Storm Drains: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damage 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 which is utilizing private onsite facilities. This property is beyond the Baltimore County Metropolitan District and the Urban Rural Demarcation Line. The Baltimore County Comprehensive Water and Sewerage Plan, amended July 1973, indicates "No Planned Service" in the area.

Very truly yours,

Ellsworth M. Dyer
ELLSWORTH M. DYER, P.E.
Chief, Bureau of Engineering

END:SAN:FA:SS

cc: J. Somers

TE-WE Key Sheet
98 & 99 NW 10 Pos. Sheet
NW 25 C Topo
26 Tax Map

Bureau of Engineering
ELLSWORTH M. DYER, P.E., Chief

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

March 5, 1975

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

Re: Item #160 (1974-1975)
Property Owner: Constantine & Elaine LaPasha
Beg. centerline of Piney Hill Rd., 2,200' W. of York Road
Existing Zoning: RUP
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (garage) in side yard in lieu of the required rear yard.
No. of Acres: 5.64 Acres District: 7th

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:

Piney Hill Road, an existing public road, is proposed to be improved in the future on a 50-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening will be required in connection with any grading or building permit application. The plan should be revised to indicate the existing driveway entrance and the proposed highway right-of-way widening.

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:

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

The plan should be revised to indicate the Piney Creek and the 50-foot reservation for its flood plain.

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Wm. T. MELLEN
DIRECTOR DEPUTY TRAFFIC ENGINEER

March 3, 1975

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

Re: Item 160 - ZAC - February 18, 1975
Property Owner: Constantine & Elaine LaPasha
Location: Beg. centerline of Piney Hill Rd. 2200' W of York Road
Existing Zoning: RUP
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (garage) in side yard in lieu of the required rear yard.
No. of Acres: 5.64 Acres
District: 7th

Dear Mr. DiNenna:

No traffic problems are expected by the requested variance to permit an accessory structure in the side yard.

Very truly yours,

Richard S. Flanigan
Richard S. Flanigan
Traffic Engineering Assoc.

MSF/bza

March 21 1979

* inserted in THE TOWSON TIMES, a weekly newspaper published

inserted in the issues of October, 2003 and 2004.

By C. Curran

TOWSON, MD, March 20, 1975

19.75

L. Frank Bunker

Cost of Advertisement, \$.....

Public Hearing: Room 104, County Office Building, 131 W. Chesapeake Avenue, Towson, Maryland.
By Order of
S. ERIC DINENNA
Zoning Commissioner of
Baltimore County

No. 17992

DATE April 11, 1975 ACCOUNT 01-662

AMOUNT 157.50

WHITE - CASHIER DISTRIBUTION YELLOW - CUSTOMER
PINK - AGENCY

Constantine G. LaPasha
111 Piney Hill Rd., E
Sparks, Glencoe, Md. 21152
Advertising and posting of property for Variance
etc. 213-A 5750

No. 17468

DATE Jan. 28, 1975 ACCOUNT 01-662

AMOUNT \$25.00

DISTRIBUTION (continued)

Cash (Constantine G. LaPash)
Petition for Variance

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

Your Petition has been received * this 5th day of

1975. Item #

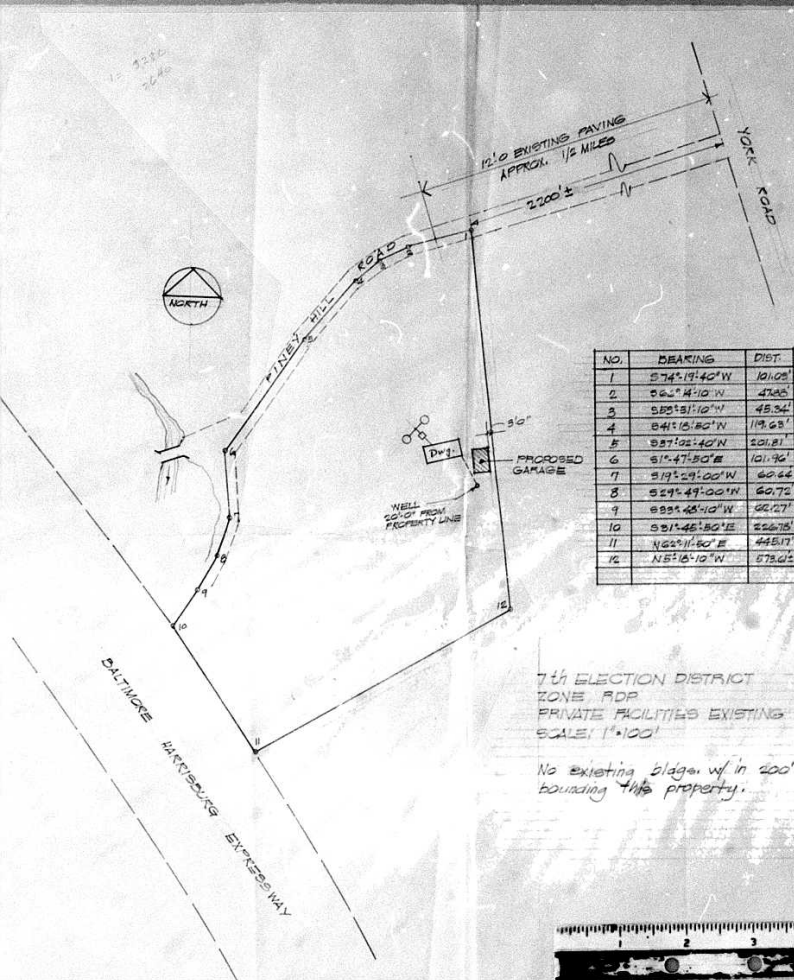

S. Eric DiNenna,
Zoning Commissioner

Petitioner MR LARSEN Submitted by MR LARSEN

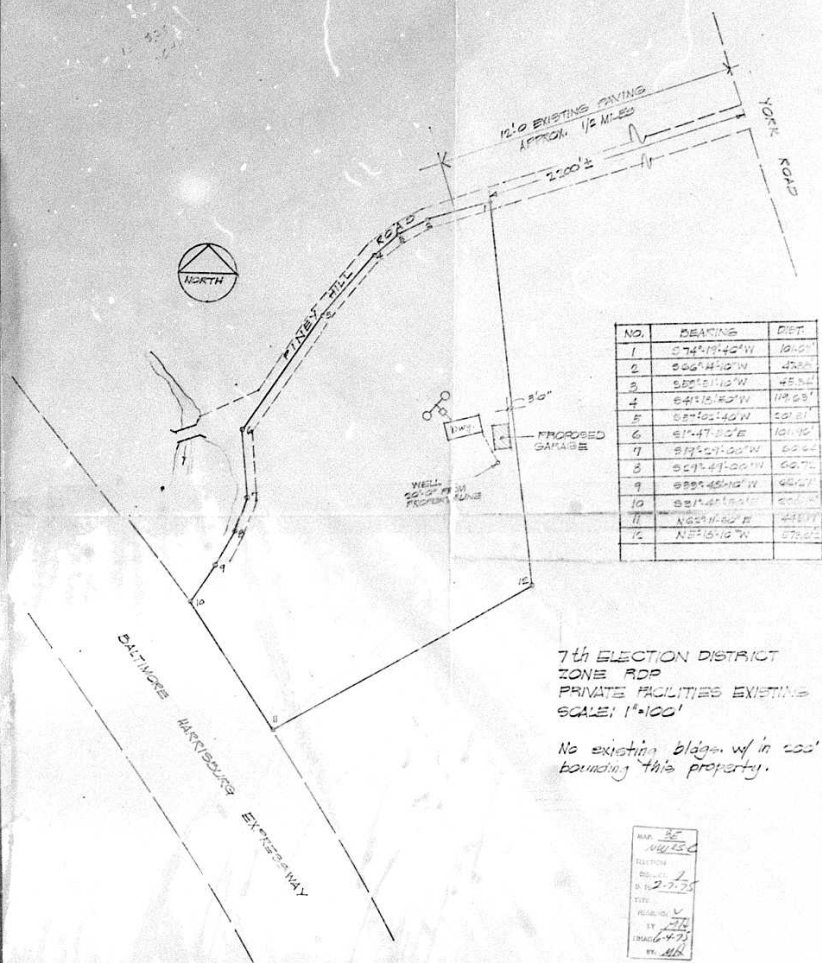
Petitioner's Attorney _____ Reviewed by ABC

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

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



NO.	BEARING	DIST.
1	S74°19'40"W	101.05'
2	S62°4'10"W	47.05'
3	S82°31'10"W	45.34'
4	S41°16'30"W	119.65'
5	S87°32'40"W	50.81'
6	S1°47'10"E	101.76'
7	S19°29'00"W	60.66'
8	S29°49'00"W	60.72'
9	S89°48'10"W	58.27'
10	S81°46'30"E	55.75'
11	N62°11'30"E	44.81'
12	N81°18'10"W	57.80'



NO.	BEARING	DIST.
1	S74°19'40"W	101.05'
2	S62°4'10"W	47.05'
3	S82°31'10"W	45.34'
4	S41°16'30"W	119.65'
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6	S1°47'10"E	101.76'
7	S19°29'00"W	60.66'
8	S29°49'00"W	60.72'
9	S89°48'10"W	58.27'
10	S81°46'30"E	55.75'
11	N62°11'30"E	44.81'
12	N81°18'10"W	57.80'

