

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Bertero L. Basignani, 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 400.3 to permit an accessory structure in the front yard in lieu of the required rear yard; and Section 400.3 to permit an accessory structure height of 16 feet in lieu of the permitted 15 feet.

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

Since the petitioners recent surralage it has become necessary to convert the existing utility room within the existing dwelling into a temporary bedroom for the petitioners stepson. The petitioners stepson now sleeps in the living room on the couch since the existing dwelling is quite small containing only three rooms including only one bedroom.

Location of the accessory structure was selected in due consideration of topographical character of the land and its relationship with aesthetic quality; efficient use of the land; and its practical present and future service to the dwelling and property.

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 Bertero L. Basignani Legal Owner
Address Box 309-Z, Route 1
Petitioner's Attorney SPARKS, M.B. 21152
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 14th 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 16th day of April, 1975, at 10:00 o'clock A.M.

James E. Dyer
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

OFFICE OF ZONING COMMISSIONER

S. ERIC DINENNA
Zoning Commissioner
JAMES E. DYER
Deputy Zoning Commissioner

April 24, 1975

Mr. Bertero L. Basignani
Box 309-Z, Route 1
Sparks, Maryland 21152

RE: Petition for Variances
W/S of Falls Road, 3170' N of Black
Rock Road - 5th Election District
Bertero L. Basignani - Petitioner
75-243-A (Item No. 156)

Dear Mr. Basignani:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

PETITION FOR VARIANCE
TO PERMIT AN ACCESSORY
STRUCTURE TO BE LOCATED
IN THE FRONT YARD INSTEAD
OF THE REAR YARD AND TO
PERMIT AN ACCESSORY
STRUCTURE HEIGHT OF 16
FEET INSTEAD OF THE RE-
QUIRED 15 FEET.
West side of Falls Road
3170 feet North of Black
Rock Road, 5th District
BERTERO L. BASIGNANI

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

Case No. 75-243-A

ORDER TO ENTER APPEARANCE

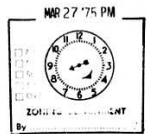
Mr. Commissioner:

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. Hession, III
Deputy People's Counsel

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
674-3211

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 27th day of March, 1975 to Bertero L. Basignani, Box 309-Z, Route 1, Sparks, Maryland 21152, Legal Owner.



I WILL NOT APPEAR, JED.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

DESCRIPTION FOR VARIANCE

BEGINNING at a point on the west side of Falls Road, 3170 feet north of Black Rock Road; thence running the following courses and distances:

- 1.) S 57° 46' W 812.85'
- 2.) N 31° 47' 40" W 559.73'
- 3.) S 50° 49' 10" W 467.23'

Thence (4) easterly along a curve to the right with a radius of 75 feet for a distance of 92.89, said curve being subtended by a chord bearing N 86° 18' 15" E 87.07', thence:

- 5.) S 58° 13' E 268.81'
- 6.) S 64° 46' 20" E 320.16'
- 7.) S 13° 15' 00" E 66.71' along the center line of Falls Road to the point of beginning.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna, Zoning Commissioner Date: April 10, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #75-243-A, Petition for a Variance for an Accessory Structure, West side of Falls Road 3170 feet North of Black Rock Road, Petitioner - Bertero L. Basignani

5th District

HEARING: Wednesday, April 16, 1975 (10:00 A.M.)

There are no planning factors requiring comment on this petition at this time.

William D. Fromm
William D. Fromm
Director of Planning

WDF:NEG/rw



BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

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

March 3, 1975

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

Re: Item 156 - ZAC - February 11, 1975
Property Owner: Bertero L. Basignani
Location: NW/S Falls Rd. 1/3 mile N. of Spring Twn Rd.
Existing Zoning: RDP
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure in the front yard in lieu of the required rear yard; & Sec. 400.3 to permit an accessory structure height of 16' in lieu of the permitted 15'.

No. of Acres: 9.33 Acres
District: 5th

Dear Mr. Dinenna:

No traffic problems are anticipated by the requested variances.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc.

MSF/bza

Item 156
Mr. Bertero L. Basignani
Box 309-Z, Rte 1
Sparks, Md. BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
21152

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
S. Eric Dinenna,
Zoning Commissioner

Petitioner Bertero L. Basignani

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

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 Petitioner

the above Variance should be had; and it further appearing that by reason of the granting of the Variances requested not adversely affecting the health, safety and general welfare of the community. Variances to permit an accessory structure to be located in the front yard instead of the rear yard; and an accessory structure height of 16 feet instead of the required 15 feet should be granted.

Deputy Zoning Commissioner of Baltimore County this 24th day of April, 1975, 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, State Highway Administration 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

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

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

March 26, 1975

XXXXXXXXXXXXXXXXXXXX
Franklin T. Hogans, Jr.

Mr. Bertero L. Basignani
Box 309-2, Rte 41
Sparks, Maryland 21152

RE: Variance Petition
Item 156
Bertero L. Basignani - Petitioner

Dear Mr. Basignani:

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 a 9.33 acre tract located on the northwest side of Falls Road, 3170 feet, more or less, north of Black Rock Road.

The petitioner is requesting a Variance to permit a height of 16 feet for an accessory structure (garage and storage building) in lieu of the permitted 15 foot maximum. Access to this property is via an existing private drive.

The surrounding properties are essentially rural and residential in use and character.

The proposed garage is to be constructed into an existing slope, as a result the height, being a determination of a distance between the average grade elevation and the average roof elevation, will exceed the permitted height by one foot.

Mr. Bertero L. Basignani
Re: Item 156
March 26, 1975

Page 2

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,

Franklin T. Hogans, Jr.
FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

PTH:JD

Enclosure

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFF - 304 BUILDINGS
TOWSON, MARYLAND 21204

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

February 5, 1975

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

Dear Mr. DiNenna:

Comments on Item 156, Zoning Advisory Committee Meeting, February 11, 1975, are as follows:

Property Owner: Bertero L. Basignani
Location: NW/4 Falls Rd. 1/3 mile N of Spring Town Rd.
Existing Zoning: RDP
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure in the front yard in lieu of the required rear yard; & Sec. 400.3 to permit an accessory structure height of 16' in lieu of the permitted 15'.
No. of Acres: 9.33 Acres
District: 5th

Comments: No plumbing is to be installed or connected to this existing building until approved by the Baltimore County Department of Health.

Very truly yours,

Thomas M. Deven, Director
BUREAU OF ENVIRONMENTAL SERVICES

ERVB/ucf

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

Branch of Engineering
ELLSWORTH N. DYER, P.E. CHIEF

March 5, 1975

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

Re: Item #156 (1974-1975)
Property Owner: Bertero L. Basignani
NW/4 Falls Rd., 1/3 mile N. of Spring Town Rd.
Existing Zoning: RDP
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure in the front yard in lieu of the required rear yard; and Sec. 400.3 to permit an accessory structure height of 16' in lieu of the permitted 15'.
No. of Acres: 9.33 Acres District: 5th

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:

Falls Road (Rt. 25) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Access for this property is via the existing private drive indicated as having a 50-foot right-of-way. It is the responsibility of the Petitioner to ascertain and clarify his rights therein.

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:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #156 (1974-1975)
Property Owner: Bertero L. Basignani
Page 2
March 5, 1975

Storm Drainage (Cont'd)

In accordance with the drainage policy, 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.

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 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.

Water and Sanitary Sewers:

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 N. Dyer
ELLSWORTH N. DYER, P.E.
Chief, Bureau of Engineering

ENCLOSURES:

CC-WE Key Sheet
56 & 55 NW 25 & 26 Pos. Sheets
NW 26 0 Topo
26 Tax Map

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



February 5, 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 #156, Zoning Advisory Committee Meeting, February 11, 1975, are as follows:

Property Owner: Bertero L. Basignani
Location: NW/4 Falls Road 1.3 mile N. of Spring Town Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure in the front yard in lieu of the required rear yard; and Sec. 400.3 to permit an accessory structure height of 16' in lieu of the permitted 15'.
No. of Acres: 9.33 acres
District: 5th

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

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 7, 1975

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

Z.A.C. Meeting of: February 11, 1975

Re: Item 156
Property Owner: Bertero L. Basignani
Location: NW/4 Falls Road 1/3 Mile N. of Spring Town Road
Present Zoning: RDP
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure in the front yard in lieu of the required rear yard; & Section 400.3 to permit an accessory structure height of 16' in lieu of the permitted 15'.

District: 5th
No. Acres: 9.33 acres

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich
Field Representative.

WNP/ml

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
ANCL CODE 301 PLANNING 484-3211 ZONING 484-3281

M. EMILIE MARKE, SECRETARY
EUGENE C. HESS, CHIEF CLERK
MRS. ROBERT L. BOWLEY

MARCUS M. ROTHSCHILD
JOSEPH N. WILSON
ALVIN LORICK
JOSEPH M. WICKLEN, CLERK

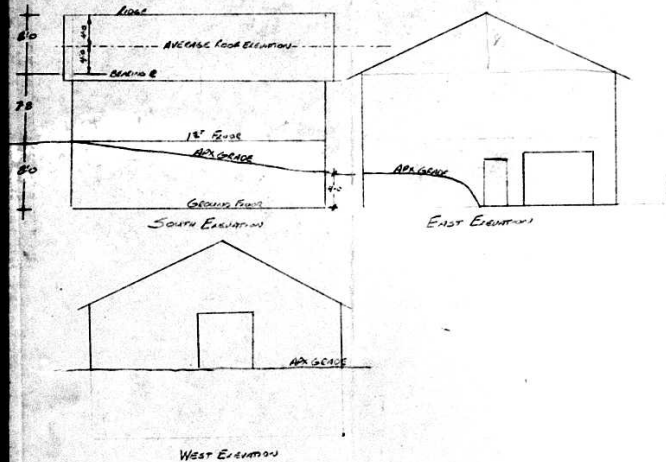
T. BYARD WILLIAMS, JR.
RICHARD M. TRACEY, M.D.
WILLIAM RICHARD A. MURPHY

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

9.33 ACRES
5TH ELECTION DISTRICT

SCALE 1"=50.0'

HARRISON



BASIGIANI PROPERTY FALLS ROAD	
SECTERO L. BASIGIANI	
BUTLER MD. BALTIMORE COUNTY	
DWG # 1A	DATE MAY 5, 19