

77-8-A #50 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Ercole & Patricia Iacchetta, 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.

herby petition for a Variance from Section 1900.3.5.1 to permit lot widths of 50 feet in lieu of the required 55 feet and to permit side setbacks of 5 feet in lieu of the required 10 feet for lots 15 and 16. The above Variance is requested so that we may be able to construct a front setback of 5 feet in lieu of the required 10 feet and a front setback of 5 feet in lieu of the required 10 feet.

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

All lots in the subdivision are 50 feet wide and denial of the variance would cause undue hardship.

See attached description

10/16/76
PT

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

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 as Baltimore County adopts pursuant to the Zoning Law of Baltimore County.

Contract purchaser

Address 316 Townsend Rd

Petitioner's Attorney

Protestant's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 21st day

of September, 1976, 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 100, County Office Building in Towson, Baltimore County, on the 18th day of October, 1976, at 10:00 o'clock

at 10:00 o'clock

at 10:00 o'clock

Eric D. DiMenna
Zoning Commissioner of Baltimore County.

(over)

Ercole Iacchetta
Re: Item 50
October 5, 1976
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,
Nicholas B. Commodari
NICHOLAS B. COMMODARI,
Planning & Zoning
Associate VII

WBC:JD
Enclosure

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
THOMSON M. MOURING, P.E.
DIRECTOR

October 4, 1976

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

Re: Item 50 (1976-1977)
Property Owner: Ercole & Patricia Iacchetta
N/S Upper Landing Rd., 500' W. Mace Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and side setbacks of 5' in lieu of the required 10' and a front setback to the centerline of the street of 55' in lieu of the required 73.5'.
Acres: 100 x 227.43 District: 15th
101 249.26

Dear Mr. DiMenna:

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.

General:

Baltimore County highway and utility improvements are not directly involved. This fenced property was formerly the site of a Baltimore County Metropolitan District 300,000-gallon Water Stand Pipe (Drawing #23-01". File 3).

Additional fire hydrant protection is required in the vicinity.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 50 (1976-1977).

Very truly yours,

Edmond M. Diver, P.E.
EDMOND M. DIVER, P.E.
Chief, Bureau of Engineering

END:RAW PW:LAS

cc: J. Loos
M. Munchel

1-SW Key Sheet
7 & 8 NE 27 Pos. Sheets
NE 2 G Topo
90 Tax Map

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
STEVEN E. COLLINS
DIRECTOR

September 22, 1976

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

Re: Item 50 - SAC - September 21, 1976
Property Owner: Ercole & Patricia Iacchetta
Locations N/S Upper Landing Road 500' W Mace Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the req. 55' and side setbacks of 5' in lieu of the req. 10' and a front setback to the centerline of the street of 55' in lieu of the req. 73.5'.
Acres: 100 x 227.43
101 249.26
District: 15th

Dear Mr. DiMenna:

No traffic problems are anticipated by the requested variance to the lot widths and side yard setbacks.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MEP:nc

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 5, 1976

COUNTY OFFICE BUILDING
110 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Ercole Iacchetta

Acting Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE BOARD OF CLERKSHIP

BUREAU OF CITY PLANNING

HEALTH DEPARTMENT

PROJECT PLANNING

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Mr. Ercole Iacchetta
316 Townsend Road
Baltimore, Maryland 21221

RE: Variance Petition

Item 50

Ercole & Patricia Iacchetta -

Petitioners

Dear Mr. Iacchetta:

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, sited D.R. 5.5, and consisting of two vacant 50 foot lots formerly owned by Baltimore County, is located on the north side of Upper Landing Road, 500 feet west of Mace Avenue, in the 15th Election District. Adjacent properties surrounding this site are similarly zoned and improved with single family dwellings.

The asserted Variance are necessitated by the petitioner's proposal to construct two single family dwellings on this site.

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

DEPUTY STATE AND COUNTY HEALTH OFFICER

September 21, 1976

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

Dear Mr. DiMenna:

Comments on Item 50, Zoning Advisory Committee Hearing, September 21, 1976, are as follows:

Property Owner: Ercole and Patricia Iacchetta
Locations: N/S Upper Landing Rd. 500' W. Mace Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and side setbacks of 5' in lieu of the required 10' and a front setback to the centerline of the street of 55' in lieu of the required 73.5'.
Acres: 100/102 x 227.43/249.26
15th

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

Very truly yours,

Thomas E. Dwyer
Thomas E. Dwyer, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED:JRM:ch

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, 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, the Variances to permit lot widths of 50 feet in lieu of the required 55 feet and a front yard setback to centerline of the street of 65 feet in lieu of the required average setback of 73.5 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of JANUARY, 1977, that the herein Petition for aforementioned Variances 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 Petition, and it appearing that by reason of failure to show practical difficulty or unreasonable hardship, the Variances to permit side yard setbacks of 5 feet in lieu of the required 10 feet for Lot Nos. 15 and 16, and a front yard setback to centerline of the street of 55 feet in lieu of the required average setback of 73.5 feet should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of JANUARY, 1977, that the above Variance and the same be hereby DENIED.

ORDER RECEIVED FOR FILING

DATE January 13, 1977

BY [Signature] Administrative Assistant

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 212 4

Date: Sept. 26, 1976

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

Z.A.C. Meeting of: Sept. 23, 1976

Re: Item 50
Property Owner: Ercole & Patricia Iacchetta
Location: N/S Upper Landing Rd. 500' W. Mace Ave.
Present Zoning: DR 5.5
Proposed Zoning: Var.

District: 15
No. Acres: 100 x 227.43
103 249.26

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,
[Signature]
W. Nick Petrovich,
Field Representative.

MNP/ml

JOSEPH W. HUGHES, PRESIDENT
THOMAS H. BODER
ALVIN LUGER
NICK LORRINE F. LORRINE
JUDITH A. WHEELER, SECRETARY

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
JOHN D. SEYFERT
DIRECTOR

September 21, 1976

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

Dear Mr. DiNenna:

Comments on Item #50 Zoning Advisory Committee Meeting, 9-21-76 are as follows:

Property Owner: Ercole & Patricia Iacchetta
Location: N/S Upper Landing Rd. 500' W. Mace Avenue.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and side setbacks of 5' in lieu of the required 10' and a front setback to the centerline of the street of 55' in lieu of the required 73.5'.

Acres: 100 x 227.43
103 249.26

District: 15th

The items checked below are applicable:

- ☒ A. Structures shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☐ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☒ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section .

Very truly yours,

[Signature]
Charles E. Jurek
Plans Review Chief

Charles E. Jurek
Plans Review Chief

January 13, 1977

Mr. & Mrs. Ercole Iacchetta
316 Townsend Road
Baltimore, Maryland 21221

RE: Petition for Variances
N/S of Upper Landing Road,
500' W. of Mace Avenue -
15th Election District
Ercole Iacchetta, et ux -
Petitioners
NO. 77-80-A (Item No. 50)

Dear Mr. & Mrs. Iacchetta:

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

Very truly yours,

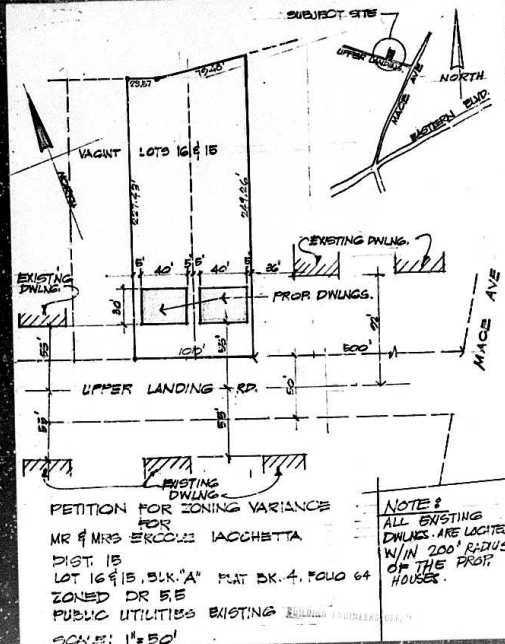
[Signature]
S. ERIC DINENNA
Zoning Commissioner

SED/acw

Attachments

cc: Mr. Sylvester Czymanski
356 Upper Landing Road
Baltimore, Maryland 21221

John W. Hessel, III, Esquire
People's Counsel



PETITION FOR ZONING VARIANCE FOR
MR & MRS ERCOLE IACCHETTA
DIST. 15
LOT 16 & 15, BLK. "A" PLAT BK. 4, FOLIO 64
ZONED DR 5.5
PUBLIC UTILITIES EXISTING BUILDING THEREON
SCALE: 1" = 50'

DESCRIPTION FOR VARIANCE PROPERTY OF ERCOLE & PATRICIA IACCHETTA 15TH ELECTION DISTRICT

Beginning at a point on the North side of Upper Landing Road 500 feet West of Mace Avenue and being known as Lots 15 & 16, Block "A", of "Back River Highlands" as shown in the Land Records of Baltimore County in Liber 4, Folio 64.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: October 14, 1976

FROM: Norman E. Gerber, Acting Director of Planning

Petition 77-80-A
SUBJECT: Petition for Variance for Lot Widths, Side and Front Yards.
North side of Upper Landing Road 500 feet West of Mace Avenue
Petitioners - Ercole Iacchetta and Patricia Iacchetta

15th District

HEARING: Monday, October 18, 1976 (10:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

[Signature]
Norman E. Gerber
Acting Director of Planning

NEG:JCH:rw

September 27, 1976

Baltimore County
Office of Planning and Zoning
1001 N. MARYLAND AVE.
OFFICE 201
Norman E. Gerber
Acting Director

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 #50, Zoning Advisory Committee Meeting, September 21, 1976, are as follows:

Property Owner: Ercole and Patricia Iacchetta
Location: N/S Upper Landing Road 500' West Mace Avenue

Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50 feet in lieu of the required 55' and side setbacks of 5' in lieu of the required 10' and a front setback to the centerline of the street of 55' in lieu of the required 73.5'.

Acres: 100 x 227.43
103 249.26
District: 15th

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 plan 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,

[Signature]
John L. Wimbley
Planner III
Project and Development Planning

RE: PETITION FOR VARIANCES
N/S of Upper Landing Rd. 500 feet W of
Mace Ave., 15th District
ERCOLE IACCHETTA, et al., Petitioners
Case No. 77-80-A

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

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. Kowitz, Jr.
Charles E. Kowitz, Jr.
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 13th day of October, 1976, a copy of the
aforesaid Order was mailed to Mr. & Mrs. Ercole Iacchetta, 316 Townsend Road,
Baltimore, Maryland 21221, Petitioners.



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

No. 40428

DATE: Oct. 13, 1976 ACCOUNT: 01-662

AMOUNT: \$85.00

RECEIVED FROM: Ercole Iacchetta, 316 Townsend Rd., Baltimore, Md. 21221
FOR: Petition For Variance 77-80-A

25.00 REC

VALIDATION OR SIGNATURE OF CARRIER

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

No. 40452

DATE: Oct. 18, 1976 ACCOUNT: 01-662

AMOUNT: \$40.00

RECEIVED FROM: Ercole Iacchetta, 316 Townsend Rd., Baltimore, Md. 21221
FOR: Advertising and posting of property 77-80-A

44.00 REC

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 10-7-76

Posted for: Ercole Iacchetta, 316 Townsend Rd.

Petitioner: Ercole Iacchetta

Location of property: N/S of Upper Landing Rd. 500' W of Mace Ave.

Location of Sign: 1 Sign Posted, S/S of N/S of Mace Ave. at Landing Rd.

Remarks:

Posted by: *Paul X. Jones* Date of return: 10-14-76

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 6 day of
SEPT 1976. Filing Fee \$ 25.00. Received ☒ Check
Cash
Other

H. R. Jones
H. R. Jones
Zoning Commissioner

Petitioner: IACCHETTA Submitted by

Petitioner's Attorney: Reviewed by NBC

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



OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 Oct. 7, 1976

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for a Variance-- Iacchetta
was inserted in the following:

☐ Catonsville Times ☐ Towson Times
☐ Dundalk Times ☐ Arbutus Times
☐ Essex Times ☐ Community Times
☐ Suburban Times East ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland,
once a week for _____ successive weeks before the
18th day of _____, 1976, that is to say, the same
was inserted in the issues of October 7, 1976.

STROMBERG PUBLICATIONS, INC.
BY: *John D. Smith*

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 7, 1976

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 each
week, _____ times _____ weeks before the _____
day of _____, 1976, the _____ publication
appearing on the _____ day of _____, 1976.

John D. Smith
THE JEFFERSONIAN
Manager

Cost of Advertisement, \$ _____

