

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE HONORABLE COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Charles A. & Eileen S. Bacigalupo, of the property situated 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 402-1 to permit 1. A TENNIS COURT ACCESSORY TO THE SIDE YARD as the side yard access.

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

Shape of lot does not allow a tennis court in the rear yard.

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 Charles A. Bacigalupo Legal Owner

Address 1305 WESTLAWN RD.

Attorney TONSON, Mr. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 9th day

of November, 1977, 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 held before the Zoning Commissioner of Baltimore County in Room 186, County Office Building in Towson, Baltimore County, on the 2nd day of January, 1978, at 11:30 o'clock.

Eric D. Wilens
Zoning Commissioner of Baltimore County.

(over)



PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

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Eric D. Wilens
Zoning Commissioner of Baltimore County.

(over)



RE: PETITION FOR VARIANCE

5/3 of Westlawn Road 200' E of
St. Francis Road, 9th District

CHARLES A. BACIGALUPO, et al,
Petitioners

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 77-115-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

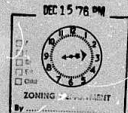
Pursuant to the authority contained in Section 324.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles A. Bacigalupo
Charles E. Knotts, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 15th day of December, 1976, a copy of the aforesaid Order was mailed to Mr. & Mrs. Charles A. Bacigalupo, 1305 Westlawn Road, Towson, Maryland 21204, Petitioners.

John W. Haslam, III
John W. Haslam, III



January 7, 1977

Mr. & Mrs. Charles A. Bacigalupo
1305 Westlawn Road
Towson, Maryland 21204

RE: Petition for Variance
5/3 of Westlawn Road, 200' E of
St. Francis Road - 9th Election
District
Charles A. Bacigalupo, et al -
Petitioners
NO. 77-115-A (Exam No. 97)

Dear Mr. & Mrs. Bacigalupo:

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

Very truly yours,

Eric D. Wilens
Eric D. Wilens
Deputy Zoning Commissioner

CJM/me

Attachments

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Wilens, Zoning Commissioner Date: December 17, 1976

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition 77-115-A, South side of Westlawn Road 200 feet East of St. Francis Road
Petition for Variance for an Accessory Structure (Tennis Court)
Petitioner: Charles A. Bacigalupo and Eileen S. Bacigalupo

9th District

HEARING: Monday, January 3, 1977 (1:30 P.M.)

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

Norman E. Gerber
Norman E. Gerber
Acting Director of Planning

MEJ:JCH:rw

BALTIMORE COUNTY, MARYLAND

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Acting Director of Planning

MEJ:JCH:rw

DESCRIPTION FOR VARIANCE

PROPERTY OF CHARLES A. & EILEEN S. BACIGALUPO

9TH ELECTION DISTRICT

Beginning at a point on the South side of Westlawn Road approx. 200 feet East of St. Francis Road as shown on the Plat of "Bampton", 1st 23, recorded in the Land Records of Baltimore County in Liber 14, Folio 100.

Also known as 1305 Westlawn Road.

ORDER RECEIVED FOR FILING

DATE: January 3, 1977

BY: [Signature]

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 granted; 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;

to permit an accessory structure (tennis court) to be located in the side yard instead of the required rear yard should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27th day of January, 1977, that the herein Petition for the aforementioned 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.

Deputy Zoning Commissioner of 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 27th day of January, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

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 granted; 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;

to permit an accessory structure (tennis court) to be located in the side yard instead of the required rear yard should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27th day of January, 1977, that the herein Petition for the aforementioned 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.

Deputy Zoning Commissioner of 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 27th day of January, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

PETITION FOR A VARIANCE 9th DISTRICT

ZONING: Petition for Variance for an Accessory Structure (Tennis Court).
LOCATION: South side of Westallen Road 200 feet East of St. Francis Road.
DATE & TIME: MONDAY, JANUARY 3, 1977 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from the Zoning Regulations of Baltimore County to permit an accessory structure (tennis court) to be located in the side yard instead of the required rear yard.

The Zoning Regulation to be accepted as follows:

Section 100.1 - Accessory Structures - Located only in the rear yard and shall occupy not more than 40% thereof.

All that parcel of land in the Ninth District of Baltimore County

Being the property of Charles A. Bacigalupo and Eileen S. Bacigalupo, as shown on plat also filed with the Zoning Department.

Hearing Date: Monday, January 3, 1977 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY

December 8, 1976

Mr. Charles A. Bacigalupo
1305 Westallen Rd.
Towson, Md. 21204

NOTICE OF HEARING

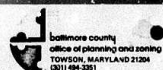
Re: Petition for Variance
977-115-4

TIME: 1:30 P.M.

DATE: Monday, January 3, 1977

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

[Signature]
ZONING COMMISSIONER OF
BALTIMORE COUNTY



December 20, 1976

S. ERIC DINENNA
ZONING COMMISSIONER

Mr. Charles Bacigalupo
1305 Westallen Rd.
Towson, Md. 21204

Re: Petition for Variance 977-115-4

Dear Sir:

This is to advise you that 10:30 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Md. and remit to Mrs. Anderson Room 113 County Office Building, before the hearing.

Yours very truly,
[Signature]
S. ERIC DINENNA
ZONING COMMISSIONER

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

December 22, 1976

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
Nicholas S. Commodari
Acting Chairman

MEMBERS
BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROAD COMMISSION
BUREAU OF
FIRE PROTECTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
PLANNING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

Mr. Charles A. Bacigalupo
1305 Westallen Road
Towson, Maryland 21204

RE: Variance Petition
Item 97
Charles A. & Eileen S. Bacigalupo -
Petitioners

Dear Mr. Bacigalupo:

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.

This triangular shaped property, improved with a single family dwelling and attached garage, is located on the south side of Westallen Road approximately 200 feet northeast of St. Francis Road, in the 9th Election District. Adjacent properties surrounding this site also consist of single family dwellings on large lots.

Due to the lack of space in the rear yard, a Variance is being requested in order to construct a tennis court in the side yard in lieu of the required rear. It should be noted that a number of trees exist in the side yard, and if retained they will afford a natural screening of the proposed structure from the road.

Mr. Charles A. Bacigalupo
Re: Item 97
December 22, 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,
[Signature]
NICHOLAS S. COMMODARI,
Acting Chairman,
Zoning Plans Advisory Committee

ENCLOSURE

THOMAS M. MOURING, P.E.
DIRECTOR

December 15, 1976

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

Re: Item #97 (1976-1977)
Property Owner: Charles A. & Eileen S. Bacigalupo
S/S Westallen Rd. 200' E. St. Frances Rd.
Existing Zoning: D.R. 1
Proposed Zoning: Variance to permit a tennis court to be located outside of the required rear yard.
Acres: 579.87 x 524.95 x 200.00'
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.

General:

Baltimore County highway and utility improvements are not involved.

Public water supply is serving this property, which is utilizing a private onsite sewage disposal system. The Baltimore County Comprehensive Sewerage Plan, adopted January 1976, indicates "Final Planning" in the area.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #97 (1976-1977).

Very truly yours,

Ellsworth M. Diver
ELLSWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END: EAM: PWR: ss

R-SW Key Sheet
45 x 46 NE S Ros. Sheets
NS 12 S Topo
61 Tax Map

STEPHEN E. COLLINS
DIRECTOR

November 19, 1976

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item #97 - ZAC - November 16, 1976
Property Owner: Charles A. & Eileen S. Bacigalupo
Location: S/S Westallen Rd. 200' E. St. Frances Rd.
Existing Zoning: D.R. 1
Proposed Zoning: Variance to permit a tennis court to be located outside of the required rear yard.
Acres: 579.87 x 524.95 x 200.00'
District: 9th

Dear Mr. DiNenna:

No major traffic engineering problems are anticipated by the requested variance to permit a tennis court outside the rear yard.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:hv

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

November 26, 1976

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

Dear Mr. DiNenna:

Comments on Item #97, Zoning Advisory Committee Meeting, November 16, 1976, are as follows:

Property Owner: Charles A. & Eileen S. Bacigalupo
Location: S/S Westallen Rd. 200' E. St. Frances Rd.
Existing Zoning: D.R. 1
Proposed Zoning: Variance to permit a tennis court to be located outside of the required rear yard.
Acres: 579.87 x 524.95 x 200.00'
District: 9th

Since this is a variance for a tennis court and the private water well and sewage disposal system are functioning properly, no health hazards are anticipated.

Very truly yours,

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

TED/BJW/rth

Paul H. Reinecke
CHIEF

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Nicholas S. Comandari
Zoning Advisory Committee

Re: Property Owner: Charles A. & Eileen S. Bacigalupo
Location: S/S Westallen Rd. 200' E. St. Frances Rd.

Item No. 97

Zoning Agenda 11/16/76

Gentlemen:

Forward to your request, the referenced property has 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.

- () 1. Fire hydrants for the reference #4 property are required and shall be located at intervals of _____ feet along an 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 _____ EXCEEDED 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.
- () 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 "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 BY *[Signature]* Noted and Approved *[Signature]*
Planning Group
Special Inspection Division
Fire Prevention Bureau

JOHN D. SEVIER
DIRECTOR

November 9, 1976

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

Dear Mr. DiNenna:

Comments on Item # 97 Zoning Advisory Committee Meeting, November 16, 1976 are as follows:

Property Owner: Charles A. & Eileen S. Bacigalupo
Location: S/S Westallen Road - 200' E. St. Frances Road
Existing Zoning: D.R. 1
Proposed Zoning: Variance to permit a tennis court to be located outside of the required rear yard.
Acres: 579.87 x 524.95 x 200.00'
District: 9th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 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,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief
CIB:rrj

December 15, 1976

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 #97, Zoning Advisory Committee Meeting, November 16, 1976, are as follows:

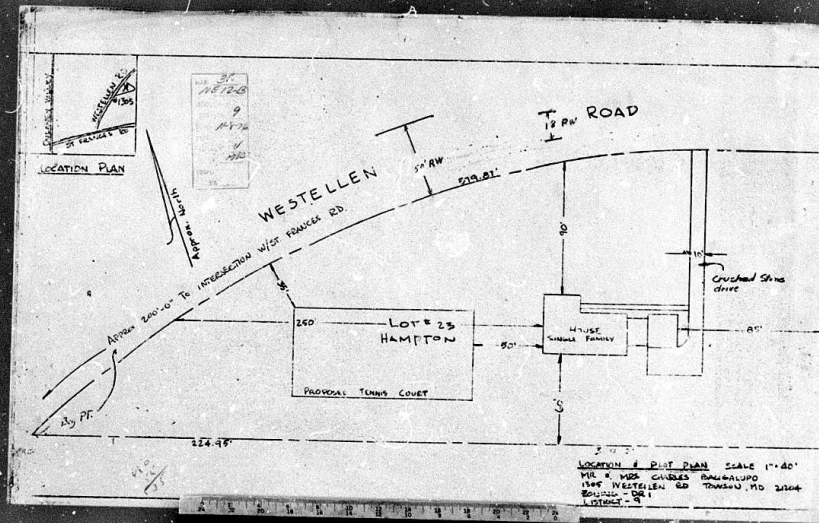
Property Owner: Charles A. & Eileen S. Bacigalupo
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Existing Zoning: D.R. 1
Proposed Zoning: Variance to permit tennis court to be located outside of the required rear yard
Acres: 579.87 x 524.95 x 200.00'
District: 9th

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 any 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
Planner III
Project and Development Planning



CERTIFICATE OF PUBLICATION

TOWSON, MD., December 16, 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., ~~one time~~ one time before the 2nd day of January, 1977, the ~~first~~ publication appearing on the 16th day of December, 1976.

THE JEFFERSONIAN,

Manager.

Cost of Advertisement, \$

Dr. Charles A. Baisigalupo
1305 Westallan Road
Towson, Md. 21204

Form 97

BALTIMORE 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 9th day of November, 1976.

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner Charles A. & Edna E. Baisigalupo

Petitioner's Attorney

Reviewed by *Nicholas J. Commodari*
Nicholas J. Commodari
Planning & Zoning
Associate III

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#77-115-A

District 9th Date of Posting 12-16-76
Posted for: January Monday Jan. 3, 1977 @ 1:30
Petitioner: Charles A. Baisigalupo
Location of property: S. S. of Westallan Rd. 200 E. of St. Francis Rd
Location of Sign: 1 Sign Post on Corner Sign @ 1:30
Westallan Rd.
Remarks:
Posted by Mark W. Hoss Date of return: 12-22-76

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 2 day of Nov 1976. Filing Fee \$ 25 Received ☒ Check ☐ Cash ☐ Other

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner Charles & Edna Baisigalupo Submitted by Ed. Polz
Petitioner's Attorney Reviewed by QTS

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

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

No. 42835

DATE Jan. 3, 1977 ACCOUNT 81-662

AMOUNT \$12.50

RECEIVED Baisigalupo, 1305 Westallan Rd., Towson, Md. 21204

FOR Advertising and posting of property #77-115-A

889656 JAN 4

4250 MD

VALIDATION OR SIGNATURE OF CASHIER

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

No. 42809

DATE Nov. 8, 1976 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED Charles A Baisigalupo, 1305 Westallan Road, Towson, Md. 21204

FOR Petition San Francisco #77-115-A

882809 NOV 9

25.00 MD

VALIDATION OR SIGNATURE OF CASHIER