

77-345-A #220 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

August Paolino
I, or my wife, Annabelle Paolino, 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 500.1 to allow an accessory building (garage) to be located on the rear of the lot at the rear of the lot, from the side street.

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

1. Size and width of lot prohibits compliance with zoning regulations.
2. Location of septic tank

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 of Baltimore County.

Contract purchaser

August Paolino
Annabelle Paolino
Box 7509
Address: Riverside & Bauernschmidt Drives
Baltimore County, Md.

Petitioner's Attorney

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day

of April 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of June, 1977, at 10:15 o'clock

John W. Hession, III
Zoning Commissioner of Baltimore County.

(over)

June 15, 1977

Mr. & Mrs. August Paolino
3919 East Lombard Street
Baltimore, Maryland 21224

RE: Petition for Variance
SW corner of Bauernschmidt Drive and
Riverside Drive - 15th Election District
August Paolino, et al - Petitioner
NO. 77-245-A (Item No. 230)

Dear Mr. & Mrs. Paolino:

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

Very truly yours,

George H. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

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

RE: PETITION FOR VARIANCE
SW corner of Bauernschmidt Drive and
Riverside Drive, 15th District

AUGUST PAOLINO, et al, Petitioner : Case No. 77-245-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

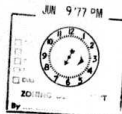
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in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

Charles E. Koenig, Jr.
Charles E. Koenig, 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 8th day of June, 1977, a copy of the foregoing Order was mailed to Mr. and Mrs. August Paolino, Box 7509, Riverside and Bauernschmidt Drives, Baltimore, Maryland 21221, Petitioner.

John W. Hession, III
John W. Hession, III



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dilsenne, Zoning Commissioner Date: May 31, 1977
FROM: Norman E. Gerber, Acting Director of Planning
SUBJECT: Petition 77-245-A, Petition for Variance for Accessory Building (Garage) Southwest corner of Bauernschmidt Drive and Riverside Drive
Petitioner - August Paolino and Annabelle Paolino

15th District

HEARING: Monday, June 13, 1977 (10:15 A.M.)

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

ENCLOSURE

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

Phone: 687-6922

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD 21237

April 19, 1976

Southwest corner of Bauernschmidt Drive and Riverside Drive
Lot 46, Block "P", Bauernschmidt Manor, 12/01
15th District Baltimore County, Maryland

Beginning for the same at the at the southwest corner of Bauernschmidt Drive and Riverside Drive and being known as Lot 46, Block "P", Bauernschmidt Manor and recorded among the land records of Baltimore County in Plat Book 12 folio 01.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 N. CHARLES ST.
TOWSON, MARYLAND 21204
Nicholas B. Commodari
Chairman

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

Mr. August Paolino
Mrs. Annabelle Paolino
Box 7509
Riverside & Bauernschmidt Drives
Baltimore County, Maryland

June 6, 1977

RE: Variance Petition
Item No. 230
Petitioner - August Paolino
Annabelle Paolino

Dear Mr. & Mrs. Paolino:

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.

Located on the southwest corner of Riverside and Bauernschmidt Drives, this D.R. 5.5 zoned site is currently improved with a one story brick dwelling and garage, which is the subject of this petition. Adjacent properties are also zoned D.R. 5.5 and improved with similar type uses.

This Variance is necessitated in order to "legalize" the location of the existing garage. Because said structure is existing in violation of the Baltimore County Zoning Regulations, I can only assume that the garage was constructed without benefit of a building permit.

Mr. August Paolino
Mrs. Annabelle Paolino
Page 2
Item No. 230
June 6, 1977

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
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: Frank S. Lee
1277 Neighbors Ave.
Baltimore, Maryland 21237

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, a Variance to permit an accessory building (garage) to be located outside of the third of the lot farthest removed from the side street should be granted.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 15th day of June, 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 15th day of June, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E.
DIRECTOR

May 19, 1977

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

Re: Item #230 (1976-1977)
Property Owner: August & Annabelle Paolino
S/W cor. Bauernschmidt Dr. & Riverside Dr.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit an accessory structure to be located outside of the rear third of the lot farthest removed from the side street.
Acres: 0.234 District: 15th

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

Riverside Drive and Bauernschmidt Drive, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 50-foot rights-of-way. Highway right-of-way widening including a fillist area for eight distance at the intersection and any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

Sediment Control

Development of this property through striping, 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 striping 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 #230 (1976-1977)
Property Owner: August & Annabelle Paolino
Page 2
May 19, 1977

Water and Sanitary Sewer

Public water supply is serving this property, which utilizing private onsite sewage disposal. Public sewerage is expected to be advertised for contract in the immediate future.

Very truly yours,
Donald M. Tuckey, P.E.
Acting Chief, Bureau of Engineering

DNT:BAW/PWR:iss

cc: J. Somers
S. Bellestri
J-EK Key Sheet
2 ME 40 Pos. Sheet
ME 1 J Type
30 Tax Map



May 20, 1977

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

Dear Mr. DiNenna:

Comments on Item 230, Zoning Advisory Committee Meeting, April 19, 1977 are as follows:

Property Owner: August & Annabelle Paolino
Location: SW/C Bauernschmidt Dr and Riverside Drive
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit an accessory structure to be located outside of the rear third of the lot farthest removed from the side street
Acres: 0.234
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 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. Wimbly
Planner III
Project and Development Planning



STEPHENE COLLINS
DIRECTOR

May 18, 1977

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

Re: Item 230 - ZAC - April 19, 1977
Property Owner: August & Annabelle Paolino
Location: SW/C Bauernschmidt Dr. & Riverside Dr.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit an accessory structure to be located outside of the rear third of the lot farthest removed from the side street.
Acres: 0.234
District: 15th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to permit an accessory structure to be located outside of the rear third of the lot farthest removed from the street.

Sincerely,

Michael S. Flanagan
Associate Traffic Engineer

MSF/317



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

May 5, 1977

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

Dear Mr. DiNenna:

Comments on 230, Zoning Advisory Committee Meeting, April 19, 1977, are as follows:

Property Owner: August & Annabelle Paolino
Location: SW/C Bauernschmidt Dr. & Riverside Dr.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit an accessory structure to be located outside of the rear third of the lot farthest removed from the side street.
Acres: 0.234
District: 15th

Since this is a variance for an existing garage and metropolitan water and sewer exist, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TND/BAW/thf



Paul H. Heinicke
CHIEF

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

Attention: Nicholas B. Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: August & Annabelle Paolino
Location: SW/C Bauernschmidt Dr. & Riverside Dr.

Item No. 230 Zoning Agenda April 19, 1977

Gentlemen:

Pursuant 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 referenced 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 _____ exceeds 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: _____
Planning Group
Special Inspection Division

Noted and Approved: _____
Battalion Chief
Fire Prevention Bureau



JOHN D. SEVIER
DIRECTOR

April 15, 1977

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

Dear Mr. DiNenna:

Comments on Item # 230 Zoning Advisory Committee Meeting, April 19, 1977 are as follows:

Property Owner: August & Annabelle Paolino
Location: SW/C Bauernschmidt Dr. & Riverside Dr.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit an accessory structure to be located outside of the rear third of the lot farthest removed from the side street.
Acres: 0.234
District: 15th

The items checked below are applicable:

- ☒ A. Structure 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 may 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
Plans Review Chief
CEB:rl

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 19, 1977

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

T.A.C. Meeting of: April 19, 1977

RE: Item No: 230
Property Owner: August & Annabelle Paulino
Location: 5M/C Bauerschmidt Dr. & Riverside Drive
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit an accessory structure to be located outside of the rear third of the lot farthest removed from the side street.

District: 15th
No. Acres: 0.234

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

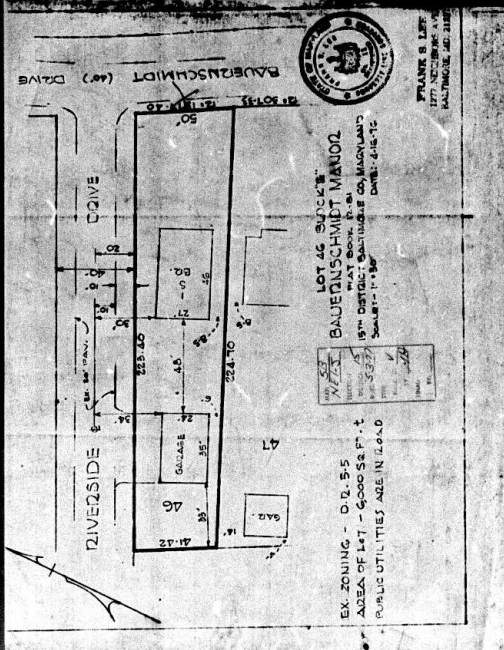
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/tp

JOSEPH H. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE PRESIDENT
MARCUS M. ROTHSCHILD

THOMAS H. BOYER
MRS. LORRAINE F. CHURCH
ROBERT S. HATFIELD
ROBERT S. DUNFEL, MANAGER

ALVIN LORRICK
MRS. WILTON S. SMITH, JR.
RICHARD W. TRACY, D.V.M.



OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 June 3 1977

Petition for Variance-15th Dist.

THIS IS TO CERTIFY, that the annexed advertisement of
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 1 successive weeks before the
13 day of June 1977, that is to say, the same
was inserted in the issues of

May 25, 1977

STROMBERG PUBLICATIONS, INC.
BY *CH SJA*

CERTIFICATE OF PUBLICATION

TOWSON, MD. 21204 June 26 1977

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., every week
at one time successive weeks before the 13th day of
June 1977, the last publication
appearing on the 26th day of May 1977.

THE JEFFERSONIAN
H. D. DiNenna
Manager

Cost of Advertisement \$

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 June 3 1977

Petition for Variance-15th Dist.

THIS IS TO CERTIFY, that the annexed advertisement of
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 1 successive weeks before the
13 day of June 1977, that is to say, the same
was inserted in the issues of

May 25, 1977

STROMBERG PUBLICATIONS, INC.
BY *CH SJA*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#77-245-A

District: 15th Date of Posting: 5-22-77

Posted for: *Heavy Machinery from 13. 1977 to 10.15.1977*

Petitioner: *August & Annabelle Paulino*

Location of property: *5M/C Bauerschmidt Dr. & Riverside Dr.*

Location of Sign: *Sign placed on front of lot facing Rd.*

Remarks: *Sign placed on front of lot facing Rd.*

Posted by: *Michael H. Hane* Date of return: 6-2-77

Mr. & Mrs. August Paulino
Box 750P
Baltimore County Office of Planning & Zoning
Riverside & Bauerschmidt Dr.
Baltimore, MD

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 19th day of June 1977

H. D. DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: *August & Annabelle Paulino*

Petitioner's Attorney: *Paul H. Lee* Reviewed by: *Michael H. Hane*
1077 Reisterstown Ave. Planning & Zoning
Baltimore, Maryland 21207 Associate III

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

Your Petition has been received * this 15 day of
June 1977 Filing Fee \$ 2.00 Received ☐ Check ☐ Cash ☐ Other ☐

H. D. DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: *August & Annabelle Paulino* Submitted by: *Michael H. Hane*

Petitioner's Attorney: *Paul H. Lee* Reviewed by: *Michael H. Hane*

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

BALTIMORE COUNTY, MARYLAND No. 46534
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 4/15/77 ACCOUNT: 01-662

AMOUNT: 25.00

RECEIVED FROM: *2100 (Cash)*

FOR: *4th & 5th Avenue*

6684245 10 25.00 MD

VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY, MARYLAND No. 51789
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: June 10, 1977 ACCOUNT: 01-662

AMOUNT: \$21.50

RECEIVED FROM: *3rd Paulino's Restaurant, Inc. 3010*

FOR: *1. License St. Balto., Md. 21228*
Advertising and posting of property
877-245-A

6684245 10 415.00 MD

VALIDATION OR SIGNATURE OF CARRIER

