

79-38-A
#263

38-A
263

78-2923

039 25090

DATE September 12, 1972

Law For Baltimore County.

D. Stephen Bess Inc.
Ph. and D. Stephen Bess
Legal Owner

3752660
Protestant's Attorney

August 1970, at 10:00 o'clock
George J. Netherland
Zoning Commissioner of Baltimore County

Baltimore County.

ENTER APPEARANCE

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

John W. Hessian, III

INTER-OFFICE CORRESPONDENCE

HEARING: Monday, August 21, 1978 (10:00 A.M.)

Leslie H. Graef
Director of Planning

LHG:JGH:rv

September 19, 1978

RE: Petition for Variances
NE/S of Cherwin Avenue
and Birdwood Avenue -
15th Election District
DiGregorio Bros., Inc. -
Petitioner
NO. 79-38-A (Item No. 263)

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

Very truly yours,

GEORGE J. MARTINAK
Deputy Zoning Commissioner

Attachment 1

cc: Mrs. Louise Higgins
6904 Birdwood Avenue
Baltimore, Maryland 21220

John W. Hessian, III, Esq.
People's Counsel

6/18/78

Re;Protest-Variance petition
DiGregorio Brothers, Inc.

Mr George Martinek.

Please be advised that we the members of The Harwood Park Community league, Inc are in agreement and join with the Twin Rivers Improvement Association in their protest of the Petition for Variances of Lots 181, 182, 183, 184, Northeast side of Cherwin Ave on Birdwood Ave 15th Election District-5th Councilmanic District.

Variances of properties in this area cannot be tolerated and will only tend to lead to the down grading of existing properties and the surrounding area..

We therefore respectfully request your sincere consideration to prevent this Variance and/or any future detrimental Variances which may threaten the serenity of this part of Baltimore County.

CC;Robert DiMette;Pres
Twin Rivers Assoc.

Florence L. Lochary
President

PROTESTANT'S
EXHIBIT "A"

ADVISORY COMMITTEE



EVALUATION	COMMENTS

Item No. 263

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

Your Petition has been received and accepted for filing
this 13th day of June, 1978.

[Signature]

5. ERIC DI NENNA
Zoning Commissioner

Petitioner Nicholas Bros., Inc.
Petitioner's Attorney _____ Reviewed by Nicholas B. Commisari
Nicholas B. Commisari
Chairman, Zoning Plans
Advisory Committee

BEGINNING at a point on the Northeast corner of Chervin Avenue and Birdwood Avenue and known as lots 181 thru 184 of Twin River Beach and recorded among the Land Records of Baltimore County in Liber 9 folio 33.

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 Variances 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 lot widths of 50 feet in lieu of the required 55 feet for Lot Nos. 181 through 184, side yard setbacks of 11 feet for Lot Nos. 181 and 182, and 15 feet for Lot Nos. 181 and 182 in lieu of the required 21 feet, and setbacks from the center line of Chervin Road and Powderdale Avenue of 40 feet and 11 feet in lieu of the required 50 feet, respectively, should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of September, 1978, that the herein Petition for the 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 Department 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 19th day of September, 1978, 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 Ave.
TOWSON, MARYLAND 21204

August 7, 1978

Chairman
Nicholas S. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Thomas DiGregorio
11224 Philadelphia Road
White Marsh, Maryland 21162

RE: Variance Petition
Item No. 263
Petitioner - DiGregorio Bros., Inc.

Dear Mr. DiGregorio:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site inspection of the property. The following 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 suitability of the requested zoning.

This Variance is necessitated by your proposal to construct two dwellings on two existing 50' wide lots in lieu of the required 55' lot width closer to the side street property lines than allowed. It should be noted that these properties are located in an area where a number of Variances have been granted in the past.

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 S. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:smr

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOLINO, P.E.
DIRECTOR

July 19, 1978

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

Re: Item #263 (1977-1978)
Property Owner: DiGregorio Bros., Inc.
N/S Chervin Rd. & Birdwood Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a side street setback of 11' for lots 183 and 184 and 16' for lots 181 and 182 in lieu of the required 25'.
Acres: 0.343 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:

Birdwood and Chervin Roads, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 50-foot rights-of-way.

Powderdale Avenue, also an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on 40-foot right-of-way.

Highway rights-of-way necessary widenings, including fillet areas for sight distance at the intersections and any necessary reworkable elements for slopes, will be required in connection with any grading or building permit applications.

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:

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.

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 484-3211
LESLIE H. GRAY
DIRECTOR

July 27, 1978

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 #263, Zoning Advisory Committee Meeting, June 13, 1978, are as follows:

Property Owner: DiGregorio Bros., Inc.
Location: NE/S Chervin Avenue and Birdwood Avenue
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a side street setback of 11' for lots 183 and 184 and 16' for lots 181 and 182 in lieu of the required 25'.
Acres: 0.343
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 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. Winkley, Jr. R.H.
Planner III
Current Planning and Development

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
DONALD J. TROC, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

July 27, 1978

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

Dear Mr. DiNenna:

Comments on Item #263, Zoning Advisory Committee Meeting of June 13, 1978, are as follows:

Property Owner: DiGregorio Bros., Inc.
Location: NE/S Chervin Ave. & Birdwood Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a side street setback of 11' for lots 183 & 184 and 16' for lots 181 & 182 in lieu of the required 25'.
Acres: 0.343
District: 15th

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TMD/182/rhg

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
(301) 484-3600
STEPHEN E. COLLINS
DIRECTOR

June 23, 1978

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

Item No. 263 - ZAC - June 13, 1978
Property Owner: DiGregorio Bros., Inc.
Location: NE/S Chervin Ave. & Birdwood Avenue
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a side street setback of 11' for lots 183 & 184 and 16' for lots 181 & 182 in lieu of the required 25'.
Acres: 0.343
District: 15th

Dear Mr. DiNenna:

The Variance should have no effect on traffic.

Very truly yours,

Stephen E. Weber
Engineer I

SEM/hms

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 425-7310
Paul H. Reincke
CHIEF

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: DiGregorio Bros., Inc.

Location: NE/S Chervin Ave. & Birdwood Ave.

Item No. 263 Zoning Agenda Meeting of 06/13/78

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "R" 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 or 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 _____ is not in accordance with 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: [Signature]
Planning Group
Special Inspection Division

Approved: [Signature]
Fire Prevention Bureau

