PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I as we DiGragaria Broa. Inc. 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. 1302. 3C. 1 to permit lot widths of 50 feet

in lieu of the required 55-feet (lots #181-184) and sideyard setbacks of 11 feet

(lots #183 & 184) and 15 feet (lots #181 - 182) in Man of the required 25 feet.

Section 1801.2.2.Co.3 to permit setheck from centerline of Cherrie Royal and of the Tablicot of the Tablicot Cale of the Tablicot of the Tablicot Cale of the Tablicot of the Tablicot Office of the Tablicot of the Tablicot of the Tablicot of the Section of the Property in Tablicot on So foot Anterior Office of the Late and the Tablicot of the Section of the Section of the Tablicot of the Section of t

lots.

In order for interested clients to afford to build, 50 foot lots would be less expensive, enabling 2 families the benefit of owning a how in the Twin Rivers

expensive, enabling 2 Imanicos use describing to Consumity.

Since other new homes in the area are built on 50 foot lots, we feel that soning variance should be considered acceptable.

FOR FILING

RECEIVED

ORDER I

Property is to be posted and advertised as prea-ribed by Zoning Regulations.

Lor wa agree to pay expenses of above Veriance divertising, posting, etc., upon filling of this tion, and further agree to and are to be bound by the noning regulations and restrictions of more County adopted pursuant to the Zoning Law For Baltimore County.

and Di Stegorie Proc White Marsh, Maryland 21162 3752660

197 8 that the subject matter of this

8/21/78

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.

BEGINNING at a point on the Northeast corner of Cherwin

RE: PETITION FOR VARIANCES: NE/S of Charwin Ave. & Birdwood Ave., 15th District

1 18.2923

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

DIGREGORIO BROTHERS, INC., : Case No. 79-38-A

ORDER TO ENTER APPEARANCE

Pursuant to the authority contained in Section 524.1 of the Baltimore Count Charter, I hereby enter my appearance in this proceeding. You are requested to and of the passage of any preliminary or final Order in connection therewith.

Leter Mad Binimer men

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

I HEREBY CFTIFY that on this 27th day of July, 1978, a copy of the aforegoing Order was mailed to Thomas DiGregoria, President, 11224 Philadelphia Road, White Marsh, Maryland 21162, Petitioner.

> Orlin W. Hessin III John W. Hessian, III



BALTIMORE COUNTY, MARY END

5. Eric DiNenno Zoning Commissi August 2, 1978 Leslie H. Greaf
Director of Plunning
TEM*263
Petition *79-38-A. Petition for Variances for lot widths, side yard and center line Northeast side of Cherwin Avenue and Birdwood Avenu Petitioner - DiGregorio Brothers, Inc.

15th District

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

There are no comprehensive planning factors requiring comment on this

LHG:JGH:n



Deputy Zoning Commissioner

September 19, 1978

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

> 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)

Dear Mr. DiGregorio

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

GEORGE JUNATINAK Deputy Zoning Commissioner

GJM:nr

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

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

A:A

Harewood Park Community League, Inc.

P.O. BOX 181 CHASE MARYLAND 21027

LITER E. HOPMENER

8/18/78

Re:Protest-Variance petition DiGregorio Brothers, Inc.

Deputy zoning Commissioner.

Mr George Martinak.

Dear Sire

Please by advised that we the members of The Harwood Pack Community legge, Inc are in agreement and join with The Twin Religion, Inc are in agreement and thair protest of the Patition for Variances of Lots 101, 182,183,104, Northeast side of Cherwin Ave an Birdwood Ave, 18th Elaction District-5th Councilmant District.

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

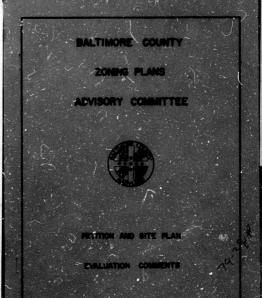
We therefore respectfully request your aincere consideration to prevent this Variance and/or any future detrimental Variances which may threaten the serenity of this part of Baltimore County.

I remain most respectfully.

CC; Robert DiMettei; Pres Twin Rivers Assoc.

Florence Rochay Florence L.Lochary President.

PROTESTANT'S EXHIBIT A



Mr. Thomas DiGregorio 11224 Philadelphia Road White Marsh, Maryland 2:162

Item No. 263

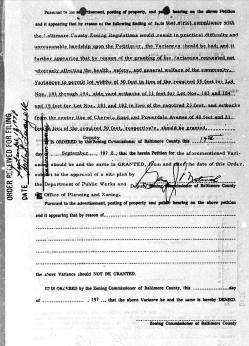
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing

S. ERIC DI NENNA

Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 7, 1978

Chairman

Department of

State Ponds Commi

Pureau of

Scalth Departmen

Project Planning

Building Departmen

Board of Education Soning Administrat

Bureau of Engineering

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

> RE: Variance Petition Item No. 263 Petitioner - DiGregorio

Dear Mr. DiGregorio:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site filed 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 of 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 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 not more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

> Very truly yours. With B Commoden NICHOLAS B. COMMODARI Chairman

Zoning Plans Advisory Committee

THORNTON M. MOURING, P.E.

July 19, 1978

Mr. S. Eric DiNenne Boning Commissioner County Office Building Towson, Maryland 21204

Item \$263 (1977-1978)
Property Owner: Di Graperio Brow, Inc.
Existing Touris; Des 5.5
Proposed Zoning: De 5.5
Proposed Zoning: Wariance to permit lot widths of 50'
In lise of the required 53' and a side stream exhaut or the required 53' and a side stream exhaut or the required 53' and 10' for loss 311 and 182 in Acress 0.143 blattich: 156th

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.

Birdwood and Cherwin 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 read, 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 widenings, including fillet areas for sight distance at the intersections and any necessary revertible easements for slopes, will be required in connection with any grading or building permit applications.

Development of this property through stripping, grading and stabilization could result in a addment pollution problem, damaging private and public holdings downstream of the property. A grading parall is, therefore, mocessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary 'trinspe facilities (temporary or permanent to prevent creating any muisances or damages to adjacent properties, especially by the concentration of aurifices weters, correction of any problem which may result, when to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitions.

Item #263 (1977-1978) Property Owner: Di Gregorio Bros., Inc Page 2 July 19, 19:8

Storm Drains: (Cont'd)

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the saltimore county building Code must be followed whereby elevetion listications are placed on first fixor lavels of residential and commercial development and other special construction features are required.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist adjacent to this property.

Very truly yours, Ellsworth M. Sines / Fork ELLSWORTH N. DIVER, P.E.

cc: J. Somer

NE S M Topo 84 Tax Map

LESLIE H. GRAEF

ORDER

July 27, 1978

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

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

Property Owner: Di Gregorio Bros, Inc. Property Owner: DI Gregorio Brox, Inc.
Location NLS/ Chernin Avenue and Birdwood Avenue
Existing Zoning: D R 5,5
Proposed Zoning: D R 5,5
and e side street setbods of 111 for lats 183 and 184 and 161 for lats
181 and 182 in lise of the required 259. Acres 0.343

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zonin gin question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley per R. H. 0



DONALD J. ROCE M.D., M.P.H.

NBC:smr

July 27, 1978

Mr. S. Eric DiMenna, Zoning Commissioner Office of Planning and boning County Office Building Tower-, Maryland 2120k

Comments on Item #263, Zoning Advisory Committee Meeting of June 13, 1378, are as follows:

Property Owners Locations

Di Gregorio Bos., Inc. EM/S Chervin Ave. à Sirdwood Ave. D.S. 5.5' Variance to permit lot widths of 50' in liet of the required 55' and a side etreet setback of 11' for lots 18' & 18' and 16' for lots 18' & 18' in lies of the required

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

Very truly yours.

Thomas & Oil: Thomas H. Devlin, Director BURRAU OF ENVIRONMENT

THO/JRP/fth

Acres: District:



June 23, 1979

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

- ZAC - June 13, 1978 Item No. 263 Property Owner: Location: Existing Zoning: Proposed Zoning:

ZMC - June 13, 1978 in Gregoric Brow., Inc., SE/S Chervin Rvm., & Birdwood Avenue D.H. 5.5 variance to premit Los widther of 50 in Variance to premit los vidines of 50 in setback of 11 for lost 18 1 284 and 16' for lost 181 a 182 and 16', 161 and 182 in lieu of the required 25', 0,343

Acres: District:

The Variance should have no effect on traffic.

Detto Glober

Stephen E. Weber



Paul H. Reincke

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

Attention: N. Commodari, Chairman Zoning Adivsory Committee

Re: Property Owner: Di Gregorio Bros., Inc.

location: NE/S Cherwin Ave. & Birdwood Ave.

Zoning Agenda Meeting of 06/13/78

Pursuant to your request, the referenced property has been surveyed by this dursem and the communits 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 or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Votes.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCENDS the maximum allowed by the Fire Department.

() i. 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 Mational Fire Pro-tection Association Standard No. 101 "Life Safety Code", 1970 Edition prior to company.

() 6. Site plans are approved as drawn.

(x) 7. The Pire Prevention Bureau has no comments, at this time.

REVIDURE & War Kill Jan Ach Approved: Legge M Magand Special Imported Invision

Fire Prevention Bureau



June 8. 1978

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

or as inition:

New York Control of The State of the Stat

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Ballding Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Muryland Code for the Empilicapped and aged and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- Permits shall be required.
- D. Building scall be upgraded to new use requires alteration permit.
- X E. Three sets of construction drawings will be required to file an application for a building permit.
- P. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seel will be required to file an application for a building permit.
- 6. Wood frame walls are not premitted within 3'0" of a property line. Contact building Department 1. distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Bulling Code. See Section
- XJ. Comment: Property lines running thru proposed structures shall be eliminated unless t fire wall is proposed.

CEL: TT

CERTIFICATE OF PUBLICATION

TOWSON, MD ... August 3. THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed __21st____ August 19.78., the fact publication

appearing on the ____ 3rd ____ day of _____ August

19. 78

Cost of Advertisement, \$.

PETITION MAPPING PROGRESS SHEET FUNCTION Descriptions checked and outline plotted on map Petition number added to Denied Granted by ZC, BA, CC, CA

Reviewed by:

Revised Plans:

Change in outline or description___Yes

Map # 157-m Previous case: BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Petition has been received * this 3/ 1977. Filing Fee \$ 2 > Received _Check R.A. Ja Submitted by P. 6. Petitioner D. 6 Reviewed by This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.





CERTIFICATE OF POSTING PARTMENT OF BALTIMORE COUNTY

No. 73410

25.00M

District 15 Date of Posting 8-3-78 Posted for .. Variences Petitioner: DiGregorio Brothers Inc. Location of property: NE/S Cherwin Ave. & Birdwood Ave. Loration of Signs Birdward & Powderdale ; Birdward Cherwin Ave. Postel by Gary C. Frund Date of return: 8-3-78

BALTIMORE COUNTY, MARYLAND

OFFICE OF FUNCE - REVENUE DIVISION MISCELLANGUES CASH RECEIPT

DATE JULY 25, 1978 ACCOUNT 01-662

25 3 3 F.M. 25



THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - DiGrego: to Brothers, Inc. was inserted in the following:

☐ Catonsville Times ☐ Dundalk Times ☐ Arbutus Times ☐ Community Times E Essex Times

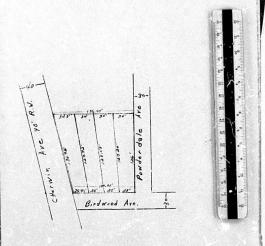
☐ Suburban Times East

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 4th day of August 19.78, that is to say, the same was inserted in the issues of August 3, 1978

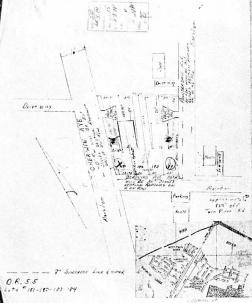
STROMBERG PUBLICATIONS, INC.

Sente 1250 7/33 Destrict 15 - TUNE 1928

☐ Suburban Times West



SECTION A TWIN RIVER BERGH



DICK GORIO RACS. INC.

de Para Total