

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

79-44-A
277

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Raymond E. Grace Celio, 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 303.1 to permit a front yard setback of 27 feet in lieu of the required average of 35 feet.

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

Other porches in the area are also enclosed

MAP 73
SECTION 303.1
D.S. 12
E.S. 6-17
M.S. 2
P.L. 17
P.L. 17

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 Raymond J. Celio Legal Owner
Address 7327 Conley Street
Baltimore, Maryland 21224

Petitioner's Attorney John W. Heslan, III Protestant's Attorney
Address 1015 N. Charles St. 27th

ORDERED BY The Zoning Commissioner of Baltimore County, this 27th day of June, 1978, 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 106, County Office Building in Towson, Baltimore County, on the 29th day of August, 1978, at 10:15 A.M.

George J. Brown
Deputy Zoning Commissioner of Baltimore County.
(over)

RE: PETITION FOR VARIANCE
SE 1/2 Conley St. 136' SW Old North Point Rd., 12th District
BALTIMORE COUNTY
RAYMOND J. CELIO, et ux, Petitioners ; Case No. 79-44-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 here after designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmern John W. Heslan, III
Peter Max Zimmern John W. Heslan, III
Deputy People's Counsel People's Counsel
County Office Building County Office Building
Towson, Maryland 21284 Towson, Maryland 21284
494-2188 494-2188

I HEREBY CERTIFY that on this 28th day of August, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. Raymond J. Celio, 7327 Conley Street, Baltimore, Maryland 21224, Petitioners.

John W. Heslan, III
John W. Heslan, III



August 30, 1978

Clarence N. Thomas, Esquire
301 1/2 Floor, 10 Light Street
Baltimore, Maryland 21202

RE: Petition for Variance
SE 1/2 of Conley Street, 136' SW of Old North Point Road - 12th Election District
Raymond J. Celio, et ux - Petitioners
NO. 79-44-A (Item No. 279)

Dear Mr. Thomas:

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

Very truly yours,
S. Eric DiNenna
S. ERIC DI NENNA
Zoning Commissioner

cc. Mr. Fred Demski
Eastwood Community Civic Council
7283 Bridgewood Drive
Baltimore, Maryland 21224

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

Beginning at a point on the southerly side of Conley Street, 136 feet Southwest of Old North Point Road, being Lot No. 49, Block 7, of the subdivision of Eastwood, as recorded in the Land Records of Baltimore County in Liber No. 20, folio No. 76. Also known as 7327 Conley Street.

ORDER RECEIVED FOR FILING DATE August 29, 1978

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
Zoning Commissioner
TO: August 3, 1978
Date
Lellie H. Grant
FROM: Director of Planning
Item 7329
SUBJECT: Petitioner 79-44-A, Petition for Variance for front yard setback Southeast side of Conley Street, 136 feet Southwest of Old North Point Road
Petitioner - Raymond J. and Grace E. Celio

12th District

HEARING: Monday, August 28, 1978 (10:15 A.M.)

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

Lellie H. Grant
Lellie H. Grant
Director of Planning

ILHG:JGH

AUGUST 15, 1978

TO WHOM IT MAY CONCERN:
REFERENCE TO ZONING NOTICE: PROPERTY - 7327 CONLEY STREET - BALTIMORE, MARYLAND 21224

ZONING NOTICE READS AS FOLLOWS: A Hearing will be held - Room 106 - 111 W. Chesapeake Ave. - Monday, August 28, 1978 - 10:15 A.M.
To Permit a Front Yard Setback of 27.0ft. in lieu of the required average of 35.0 ft.

Most of the neighbors of the owners of this property are disturbed about the unfairness of such a notice being placed against people who want to improve their property and to improve the neighborhood.

The following persons are against any action which might be detrimental to the owners and to all the people who reside on Conley St., in Baltimore County.

- | NAME: | ADDRESS: |
|-------------------------|-----------------|
| <u>Rita Cain</u> | 7307 Conley St. |
| <u>May Kelly</u> | 7307 Conley St. |
| <u>Bar Demski</u> | 7315 Conley St. |
| <u>Whitby Smith</u> | 7315 Conley St. |
| <u>John M. Stangis</u> | 7316 Conley St. |
| <u>Angus M. Stangis</u> | 7316 Conley St. |
| <u>Angus M. Stangis</u> | " |
| <u>Robert Tiller</u> | 7322 Conley St. |
| <u>John C. Pleshner</u> | 7322 Conley St. |
| <u>Nick B. Pleshner</u> | 7322 Conley St. |
| <u>George J. Murray</u> | 7324 Conley St. |
| <u>Shade Judy</u> | 7326 Conley St. |
| <u>Long Wright</u> | 7327 Conley St. |
| <u>Stephen Goodwin</u> | 7327 Conley St. |
| <u>Bill Karcher</u> | 7328 Conley St. |

AUGUST 15, 1978

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To Permit a Front Yard Setback of 27.0ft. in lieu of the required average of 35.0 ft.

Most of the neighbors of the owners of this property are disturbed about the unfairness of such a notice being placed against people who want to improve their property and to improve the neighborhood.

The following persons are against any action which might be detrimental to the owners and to all the people who reside on Conley St., in Baltimore County.

- | NAME: | ADDRESS: |
|-----------------------------|-----------------|
| <u>Mrs. Margaret McCord</u> | 7276 Conley St. |
| <u>Mrs. Marie Bageman</u> | 7276 Conley St. |
| <u>Eleanor Baker</u> | 7272 Conley St. |
| <u>Joseph W. Plummer</u> | 7312 Conley St. |
| <u>Stephen J. Plummer</u> | 7312 Conley St. |
| <u>Anthony D. Agostino</u> | 7302 Conley St. |
| <u>Mrs. M. Wozniak</u> | 7300 Conley St. |
| <u>Boyle Lane</u> | 7306 Conley St. |
| <u>Joseph W. Home</u> | 7306 Conley St. |

AUGUST 15, 1978

TO WHOM IT MAY CONCERN:
REFERENCE TO ZONING NOTICE: PROPERTY - 7327 CONLEY STREET - BALTIMORE, MARYLAND 21224

ZONING NOTICE READS AS FOLLOWS: A Hearing will be held - Room 106 - 111 W. Chesapeake Ave. - Monday, August 28, 1978 - 10:15 A.M.
To Permit a Front Yard Setback of 27.0ft. in lieu of the required average of 35.0 ft.

Most of the neighbors of the owners of this property are disturbed about the unfairness of such a notice being placed against people who want to improve their property and to improve the neighborhood.

The following persons are against any action which might be detrimental to the owners and to all the people who reside on Conley St., in Baltimore County.

Mrs. Margaret McCord 7276 Conley St.
Lillian Newlon 7300 Conley St.

Dear Sir,
I limited this notice to the immediate area. These persons had no say (without knocking on doors) full and full agreement of neighbors. The many owners of enclosed notices. No one asked to sign. Thank You!
Mrs. Margaret McCord
7276 Conley St.
Baltimore, Md. 21224

ORDER RECEIVED FOR FILING DATE August 18, 1978

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, the Variance to permit a front yard setback of 27' in lieu of the required average 35' feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of August, 1978, 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.


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 day of 1978, that the above Variance be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

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

Your Petition has been received and accepted for filing this 27th day of June, 1978.

Eric DiNenna
S. ERIC DI NENNA
Zoning Commissioner

Petitioner: Cello
Petitioner's Attorney: Reviewed by
Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 18, 1978

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

Chairman
Irving Schwartzman, Esquire
10 Light Street
Baltimore, Maryland 21202

RE: Variance Petition
Item No. 279
Petitioner - Cello

Dear Mr. Schwartzman:

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 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 in order "to legalize" your enclosed front porch, which was done without taking into account the setback of the open porch on either side.

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:cmr

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21286

THORNTON M. MOURING, P.E.
DIRECTOR

August 3, 1978

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

Re: Item #279 (1977-1978)
Property Owner: Raymond & Grace Cello
5728 Conley St. 136' SW Old North Point Rd.
Existing Zoning: DR 10.5
Proposed Zoning: Variance to permit a front setback of 27' in lieu of the required average 35'.
Acres: 28.4' x 100' District: 12th

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 directly involved. 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 #279 (1977-1978).

Very truly yours,
William H. Dwyer, Jr.
WILLIAM H. DWYER, P.E.
Chief, Bureau of Engineering

END:EMH:PKR:SS
cc: W. Hunschel
P-15 Key Sheet
2 SE 18 Post Sheet
SE 1 & Topc
96 Tax Map

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
1001-094-2211

LESLIE H. GIBBS
DIRECTOR

August 2, 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 #279, Zoning Advisory Committee Meeting, June 27, 1978, are as follows:

Property Owner: Raymond and Grace Cello
Location: SE/S Conley Street 136' SW Old North Point Road
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit a front setback of 27' in lieu of the required average 35'
Acres: 28.4' x 100'
District: 12th

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 when reviewed and there are no site-planning factors requiring comment.

Very truly yours,
John L. Wimbles
John L. Wimbles
Planner III
Current: Planning and Development

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
1001-094-3650

STEPHENE COLLINS
DIRECTOR

July 20, 1978

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

Item No. 279 - SAC - June 27, 1978
Property Owner: Raymond & Grace Cello
Location: SE/S Conley St. 136' SW Old North Point Road.
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit a front setback of 27' in lieu of the required average 35'.
Acres: 28.4' x 100'
District: 12th

Dear Mr. DiNenna:

The variance should have no effect on traffic.

Very truly yours,
Stephen E. Weber
Stephen E. Weber
Engineer I

SEE/ama

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

August 1, 1978

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

Dear Mr. DiNenna:

The following are comments on Item # 279, Zoning Advisory Committee Meeting of June 27, 1978.

Property Owner: Raymond & Grace Cello
Location: SE/S Conley St. 136' SW Old North Point Rd.
Acres: 28.4' x 100'
District: 12th
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit a front setback of 27' in lieu of the required average 35'.

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

Very truly yours,
Thomas H. Devlin
Thomas H. Devlin, D.O.
BUREAU OF ENVIRONMENTAL SERVICES

Baltimore County
 Department of Planning and Zoning
 Towson, Maryland 21284
 (301) 825-7310

Paul H. Belorke
 Chief

Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21284

Attention: N. Compadavi, Chairman
 Zoning Advisory Committee

Re: Property Owner: Raymond & Grace Delio
 Location: SE/S Conley St. 136' SW Old North Point Rd.
 Item No. 279 Zoning Agenda Meeting of 06/27/78

- Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below authored 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 _____ violates 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", 1975 Edition prior to occupancy.
 6. Site plans are approved as drawn.
 7. The Fire Prevention Bureau has no comments, at this time.
- APPROVED: *[Signature]*
 Planning Group
 Special Inspection Division
- APPROVED: *[Signature]*
 Fire Prevention Bureau

Baltimore County
 Department of Planning and Zoning
 Towson, Maryland 21284
 (301) 825-7310

JOHN D. BERTRETT
 DIRECTOR

August 16, 1978

Mr. S. Eric DiMenna, Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 Towson, Maryland 21284

Dear Mr. DiMenna:

Comments on Item # 279 Zoning Advisory Committee Meeting, June 27, 1978 are as follows:

Property Owner: Raymond & Grace Celio
 Location: SE/S Conley St. 136' SW Old North Point Road
 Existing Zoning: R-10
 Proposed Zoning: Variance to permit a front setback of 27' in lieu of the required average 35'.

area: 28.4' x 100'
 lot#: 12th

The items checked below are applicable:

- A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building and other applicable codes.
- B. A building permit shall be required before construction can begin.
- C. Additional _____ Permits shall be required.
- D. Building shall be upgraded to new use - require alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- F. 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.
- G. Wood frame walls are not permitted within 10' of a property line. Contact Building Department if distance is between 7'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I. No Comment.
- J. Comment: It is assumed the porch had a permit to be enclosed and that the required construction is provided at the property line. Section 907.3 of the Baltimore County Supplement to the B.C.B.C.A. Basic Building Code.

Very truly yours,
[Signature]
 Charles E. Burden
 Plans Review Chief

BOARD OF EDUCATION
 OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: June 26, 1978

Mr. S. Eric DiMenna
 Zoning Commissioner
 Baltimore County Office Building
 Towson, Maryland 21284

Z.A.C. Meeting of: June 27, 1978

RE: Item No. 279
 Property Owner: Raymond & Grace Celio
 Location: SE/S Conley St. 136' SW Old North Point Rd.
 Present Zoning: D.R. 10.5
 Proposed Zoning: Variance to permit a front setback of 27' in lieu of the required average 35'.

District: 12th
 No. Acres: 28.4' x 100'

Dear Mr. DiMenna:

No bearing on student population.

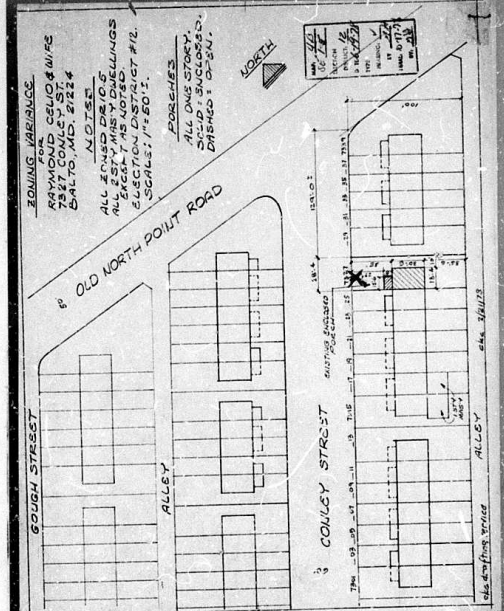
Very truly yours,
[Signature]
 W. Nick Petrovich,
 Field Representative

THOMAS H. MCGOWAN, PRESIDENT
 Y. BAYARD WILLIAMS, JR., VICE-PRESIDENT
 MARSHALL H. BOYKISS

THOMAS H. BOYER
 MRS. LORENDA F. CHURCH
 ROBERT S. HAYDEN

ALVIN LORRICK
 MR. WALTER G. SMITH, JR.
 RICHARD W. TRACEY, D.M.

ROBERT V. DUBEL, SUPERINTENDENT



OFFICE OF THE TIMES
 TOWSON, MD 21204 August 10 1978

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR VARIANCE - Raymond J. Celio, et ux 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 one successive weeks before the 11th day of August, 1978, that is to say, the same was inserted in the issues of August 10, 1978

STROMBERG PUBLICATIONS, INC.
 BY *[Signature]*

CERTIFICATE OF PUBLICATION

TOWSON, MD, August 10, 1978.

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 a week on one day of August, 1978, before the 11th day of August, 1978, the 11th publication appearing on the 10th day of August, 1978.

THE JEFFERSONIAN
[Signature]
 Manager

Cost of Advertisement \$ _____

79-44A

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 12th Date of Posting: 8-10-78

Posted for: Variances

Petitioner: Raymond & Grace Celio, et ux

Location of property: 136' Conley St. 136' SW of Old North Point Rd.

Remarks: Front of Property

Posted by: Gary P. ... Date of return: 8-16-78

1-page

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original	Duplicate		Tracing	200 Sheet	
	279	by		date	by		date	by
Descriptions checked and outline plotted on map								
Petition number added to outline								
Denier								
Granted by SC, EA, CC, CA								
Reviewed by: <i>[Signature]</i>								
Previous case: <u>NONE</u>								
Revised Plans: Change in outline or description								

Map # SELE

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

Your Petition has been received * this 7th day of June 1978. Filing Fee \$ 25.00. Received Check Cash Other

Submitted by: *[Signature]*
 S. Eric DiMenna
 Zoning Commissioner

Petitioner's Attorney: *[Signature]* Reviewed by: *[Signature]*

* 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. 73483

DATE August 28, 1978 ACCOUNT 01-662

AMOUNT \$11.96

RECEIVED Clarence M. Thomas, Esq.

FOR Cost of Advertising and Posting Case No. 79-44-A

VALIDATION OR SIGNATURE OF CARRIER 4196MR

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

No. 73421

DATE August 3, 1978 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED Gary Subertman, Esq.

FOR Baltimore, Md. 21206, Filing Fee for Case No. 79-44-A

VALIDATION OR SIGNATURE OF CARRIER 2560MD

