

79-47-A 262 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, as Mr. Thomas DiGregorio, President, 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 207-47-A to 207-47-A, 1st Edition of 50 feet in lieu of the required 55 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
We, DiGregorio Bros., Inc., as owners of the property on Stillwater Road, 199, Lot 61, Section 5, Back River Highlands feel that the majority of new homes built in this area are on 50 foot lots. The property was purchased for home development, however the zoning variance had not been obtained by the previous owner. Since the majority of the houses are on existing 50 foot lots, we feel that this zoning variance should be acceptable.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance at printing, 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.

DATE August 28, 1978
ORDER RECEIVED FOR FILING

Contract purchaser DiGregorio Bros. Inc.
Thomas DiGregorio, President
Legal Owner
Address 1124 Philadelphia Road
White Marsh, Maryland 21162

Petitioner's Attorney _____
Respondent's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this 13th 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 the property be posted, and 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 28th day of August, 1978 at 11:00 o'clock A.

B. Eric DiNenna
Deputy Zoning Commissioner of Baltimore County.
(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
TO: Zoning Commissioner
Date: August 3, 1978
FROM: Leslie H. Crane
Director of Planning
SUBJECT: Petition #79-47-A, Item 262

Petition for Variance for lot width
North side of Stillwater Road, 550 feet west of Mace Avenue
Petitioner - DiGregorio Bros., Inc.

15th District

HEARING: Monday, August 28, 1978 (11:00 A.M.)

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

Leslie H. Crane
Director of Planning

LHG:JGH:hw

RE: PETITION FOR VARIANCE
N/S of Stillwater Rd., 550'
W of Mace Ave., 15th District
OF BALTIMORE COUNTY
DIGREGORIO BROS., INC., Petitioner : Case No. 79-47-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

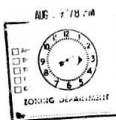
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 8th day of August, 1978, a copy of the foregoing Order was mailed to Mr. Thomas DiGregorio, President, DiGregorio Bros., Inc., 11224 Philadelphia Road, White Marsh, Maryland 21162, Petitioner.

John W. Heslian, III
John W. Heslian, III



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
410-406-2800
S. ERIC DINENNA
ZONING COMMISSIONER

August 30, 1978

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

RE: Petition for Variance
N/S of Stillwater Road, 550' W
of Mace Avenue - 15th Election
District
DiGregorio Brothers, Inc. -
Petitioner
NO. 79-47-A (Item No. 262)

Dear Mr. DiGregorio:

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

Very truly yours,

S. Eric DiNenna
Zoning Commissioner

5kd:mr

Attachment

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

As of 18, 1978

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

TO: Mr. Thomas DiGregorio, President
DiGregorio Brothers, Inc.
11224 Philadelphia Road
White Marsh, Maryland 21162

FROM: Mr. Thomas DiGregorio, President
DiGregorio Brothers, Inc.
11224 Philadelphia Road
White Marsh, Maryland 21162

RE: Variance Petition
Item No. 262
Petitioner - DiGregorio Brothers

Dear Mr. DiGregorio:

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.

Because of your proposal to construct a dwelling on this vacant 50' wide lot, which was at one time owned by the adjoining property owner to the west, the Variance is required. As indicated in our previous telephone conversation and since it is impossible to conduct an on-site field inspection of the property, the Director of Planning has proceeded to schedule this for a hearing after consultation with the Zoning Supervisor. However, I add like a letter in the file stating that you did try to convince said owner to file for the Variance, however you were unable to do so.

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. Commofari
NICHOLAS B. COMMOFARI
Chairman
Zoning Plans Advisory Committee

NBC:mr

ORDER RECEIVED FOR FILMS
DATE 11/11/78

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 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, the Variance to permit a lot width of 50 feet in lieu of the required 55 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 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 above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of August, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. McINNES, P.E.
DIRECTOR

July 19, 1978

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

Re: Item #262 (1977-1978)
Property Owner: Di Gregorio Bros., Inc.
N/S Stillwater Rd. 550' W. Mace Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot width of 50' in lieu of the required 55'.
Acres: 0.2296 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.

General:

Baltimore County highway and utility improvements are not directly involved. Any construction or reconstruction of concrete sidewalk, curb and gutter, entrances, apron, etc. will be the full responsibility of the Petitioner.

Development of this property through strippling, 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 strippling of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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.

Very truly yours,
Edward M. McInnes, P.E.
Chief, Bureau of Engineering

EDM:EM/PMK

1-SW Key Sheet
7 SW 26 Pos. Sheet
WE 2 C Dupo
97 Tax Map



LESLIE H. GRAEF
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 #262, Zoning Advisory Committee Meeting, June 13, 1978, are as follows:

Property Owner: Di Gregorio Bros., Inc.
Location: N/S Stillwater Road 550' W. Mace Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot width of 50' in lieu of the required 55'.
Acres: 0.2296
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. Wimbley
Planner III
Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

June 23, 1978

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

Item No. 262 - SAC - June 13, 1978
Property Owner: Di Gregorio Bros., Inc.
Location: N/S Stillwater Rd. 550' W. Mace Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot width of 50' in lieu of the required 55'.

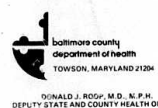
Acres: 0.2296
District: 15th

Dear Mr. DiNenna:

The Variance should have no effect on traffic.

Very truly yours,
Stephen E. Collins
Engineer I

SEM/PM



DONALD J. ROOP, 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 #262, Zoning Advisory Committee Meeting of June 13, 1978, are as follows:

Property Owner: Di Gregorio Bros., Inc.
Location: N/S Stillwater Rd. 550' W. Mace Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot width of 50' in lieu of the required 55'.
Acres: 0.2296
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/PM/1th



Paul H. Reincke
CHIEF

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

Attention: H. Cosmadori, Chairman
Zoning Advisory Committee

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

Location: N/S Stillwater Rd. 550' W. Mace Ave.

Item No. 262 Zoning Agenda Meeting of 06/13/78

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 _____ is prohibited 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", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

Approved: _____
Special Inspection Division
Fire Prevention Bureau



JOHN L. WIMBLEY
DIRECTOR

June 8, 1978

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

Dear Mr. DiNenna:

Comments on Item #262 Zoning Advisory Committee Meeting, June 13, 1978 are as follows:

Property Owner: Di Gregorio Bros., Inc.
Location: N/S Stillwater Road - 550' W. Mace Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot width of 50' in lieu of the required 55'.

Acres: 0.2296
District: 15th

The items checked below are applicable:

- X 1. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1977 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
- X 2. A building permit shall be required before construction can begin.
- C 3. Additional _____ permits shall be required.
- X 2. Building shall be upgraded to new use - require alteration permit.
- X 3. Three sets of construction drawings will be required to file an application for a building permit.
- F 3. 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 3. Lot front set back is not permitted within 30' of a property line. Contact Building Department, if distance is between 30' and 40' of property line.
- E 3. Reported setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I 3. No Comment.
- J 3. Comment:

Very truly yours,
Charles E. Burman
Plans Review Chief

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 8, 1978

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

Z.A.C. Meeting of: June 13, 1978

RE: Item No. 262
Property Owner: Di Gregorio Bros., Inc.
Location: N/S Stillwater Rd. 550' W. Mace Ave.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot width of 50' in lieu of the required 55'.

District: 15th
No. Acres: 0.2296

Dear Mr. DiNenna:

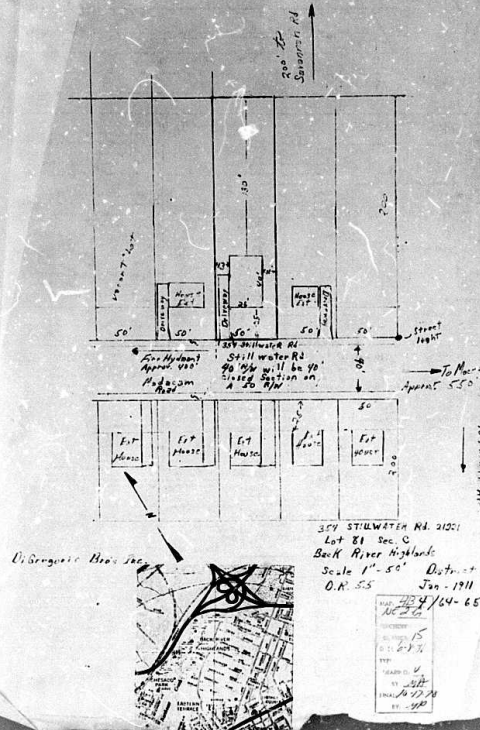
No bearing on student population.

Very truly yours,
W. Nick Petrovich
Field Representative

JOSEPH H. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARJORIE M. BOWEN

THOMAS H. BOYER
MRS. LORRAINE F. CHURCH
ROBERT L. HARTMAN

ALVIN LORECK
MRS. ALTON H. SMITH, JR.
RICHARD W. TRACY, D.V.M.



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 26 day of August 1978. Filing Fee \$ 225. Received ☒ Cash ☐ Other ☐

S. Eric DiGenna
Zoning Commissioner

Petitioner DiGregorio Bros. Inc. Submitted by D. J. DiGregorio
Petitioner's Attorney DiGregorio Bros. Inc. Reviewed by DiGregorio Bros. Inc.

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

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., on August 10, 1978, at 10:00 A.M., before the day of August, 1978, the 10th day of August, appearing on the 10th day of August, 1978.

S. Eric DiGenna
Manager

Cost of Advertisement, \$ _____

OFFICE OF THE TIMES NEWSPAPERS

TOWSON, MD. 21204 August 10 1978

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - DiGregorio Bros., Inc. 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 Edith Burger

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15 Date of Posting 8-10-78

Posted for: DiGregorio Bros. Inc.

Petitioner: DiGregorio Bros. Inc.

Location of property: 418 Stillwater Road, 550 W. of Back River Highway

Location of Sign: Front of Property

Remarks: _____

Posted by: George G. DiGenna Date of return: 8-10-78

1 sign

PETITION MAPPING PROGRESS SHEET

FUNCTION	Map		Original		Duplicate		Index		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CG, CA										
Reviewed by <u>DiGenna</u>										
Previous case: _____										

Revised Plans: _____
Change in outline or description: ☐ Yes ☐ No
Map # 2633

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

No. 73424

DATE: August 3, 1978 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED: Thomas DiGregorio, 11224 Philadelphia Rd., FROM: WHITE HEAVEN, MS. 21162, Filing Fee for Case No. 79-30-4 and No. 79-47-4

25.00 MS

VALIDATION OR SIGNATURE OF CASHIER

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

No. 73505

DATE: September 11, 1978 ACCOUNT: 01-662

AMOUNT: \$77.37

RECEIVED: DiGregorio Bros. Inc., 11224 Philadelphia Rd., FROM: White Heaven, MS. 21162, Filing Fee for Case No. 79-30-4 and No. 79-47-4

79.37 MS

VALIDATION OR SIGNATURE OF CASHIER