

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Joseph Mangione, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and make a part hereof, hereby petition for a Variance from Section 1.1 of the Zoning Regulations of Baltimore County to permit a side setback of 9 feet in lieu of the required 10 feet for an existing dwelling on lot 84, 100.1 to permit a garage to be located 1.8 feet from the side property line in lieu of the required 2.5 feet for lot 85, of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (state hardship or practical difficulty)

(1) 50 foot lot width would be compatible with existing dwellings in the neighborhood.

RE: PETITION FOR VARIANCES
S/S of Clearwood Rd., 570'
E of Oakley Rd., 9th District
JOSEPH MANGIONE, Petitioner : Case No. 79-146-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. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 15th day of December, 1978, a copy of the foregoing Order was mailed to Mr. Joseph Mangione, 1601 Guilford Avenue, Baltimore, Maryland 21202, Petitioner.

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

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(410) 484-2383
S. ERIC DILMUNA
ZONING COMMISSIONER
George J. Martindale
Deputy Zoning Commissioner

January 10, 1979

Mr. Joseph Mangione
1601 Guilford Avenue
Baltimore, Maryland 21202

RE: Petition for Variances
S/S of Clearwood Road, 570' E
of Oakley Road - 9th Election
District
Joseph Mangione - Petitioner
NO. 79-146-A (Item No. 93)

Dear Mr. Mangione:

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

Very truly yours,

S. ERIC DILMUNA
S. ERIC DILMUNA
Zoning Commissioner

SED:mr

Attachments

cc: Mr. Richard Dolbrook
1831 Clearwood Road
Baltimore, Maryland 21234

Mr. Harry Abaugh
1833 Clearwood Road
Baltimore, Maryland 21234

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

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
Phone 730-8060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
Room 101, Shell Building
TOWSON, MARYLAND 21204
PHONE: 628-9645

BEL AIR OFFICE
L. GRANT WINTER
Landscape Architect
Phone 838-0886

September 18, 1978

DESCRIPTION TO ACCOMPANY APPLICATION FOR VARIANCES TO
ALLOW A LOT WIDTH OF 50 FEET INSTEAD OF THE REQUIRED
55 FEET:

Beginning for the same at a point on the south side of Clearwood Avenue (40 feet wide) said point being distant South 85 degrees 37 minutes East 570 feet more or less from the intersection formed by the south side of said Clearwood Avenue with the center of Oakley Road thence being all of lots 82, 83, 84 and 85 as shown on the plat of Hillendale Farms recorded among the plat records of Baltimore County in Plat Book 8 folio 92 and 93.



Malcolm E. Hudkins
Registered Surveyor #6005

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dilmuna, Zoning Commissioner
TO: Zoning Office
FROM: Lakle H. Graef, Director of Planning
SUBJECT: Petition 79-146-A, Item #93

December 27, 1978

Re: Petition for Variances for minimum lot widths and side yard setbacks
South side of Clearwood Road, 570 feet East of Oakley Road
Petitioner - Joseph Mangione

9th District

HEARING: Monday, January 8, 1979 (10:00 A.M.)

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

Lakle H. Graef
Lakle H. Graef, Director
Office of Planning and Zoning

140-JCH:hw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 21, 1978

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

cc: Nicholas B. Commodari
Chairman

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

Mr. Joseph Mangione
1601 Guilford Avenue
Baltimore, Maryland 21202

RE: Item No. 93
Petitioner - Mangione
Variance Petition

Dear Mr. Mangione:

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 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:st

cc: Hudkins Associates, Inc.
200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MULFING, P.E.
DIRECTOR

December 20, 1978

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

Re: Item #93 (1978-1979)
Property Owner: Joseph Mangione
S/S Clearwood Ave. 570' E. Oakley Rd.
Existing Zoning: SR 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and to permit a side setback of 9' in lieu of the required 10' for Lot #84.
Acres: 1.788 District: 9th

Dear Mr. Dilmuna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways

Clearwood Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. A right-of-way widening, including any necessary reversible easement for slopes, will be required in connection with any grading or building permit application.

Setback 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 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.

Water and Sanitary Sewers

As 8-inch public water main and 8-inch sanitary sewer exist in Clearwood Avenue,

Very truly yours,
Edmund D. Dineen
Edmund D. Dineen, P.E.
Chief, Bureau of Engineering

EDD:EM:FWL:ag
cc: J. Somers

ORDER RECEIVED FOR FILING

DATE *Jan 11 1979*

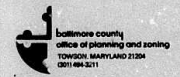
Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that the proposed variance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be granted and it further appearing that by reason of the granting of the Variance requested not adversely affect the health, safety, and general welfare of the community, the Variance is granted to permit lot widths of 50 feet in lieu of the required 55 feet, for Lot Nos. 82, 83, 84, and 85, a side yard setback of 9 feet in lieu of the required 10 feet, for an existing dwelling on Lot No. 84 and a garage to be located 1.8 feet from the side property line in lieu of the required 2 1/2 feet, for Lot No. 85, the Variance should be GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of JANUARY, 1979, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, on 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 the proposed variance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be granted and it further appearing that by reason of the granting of the Variance requested not adversely affect the health, safety, and general welfare of the community, the Variance is granted to permit lot widths of 50 feet in lieu of the required 55 feet, for Lot Nos. 82, 83, 84, and 85, a side yard setback of 9 feet in lieu of the required 10 feet, for an existing dwelling on Lot No. 84 and a garage to be located 1.8 feet from the side property line in lieu of the required 2 1/2 feet, for Lot No. 85, the Variance should be GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of JANUARY, 1979, that the above Variance be and the same is hereby GRANTED.

Zoning Commissioner of Baltimore County



LESLIE H. GARDNER
DIRECTOR

December 20, 1978

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

Dear Mr. DiNenna:

Comments on Item #93, Zoning Advisory Committee Meeting, October 24, 1978, are as follows:

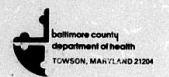
Property Owner: Joseph Mangione
Location: S/S Clearwood Road, 570' E. Oakley Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and to permit a side setback of 9' in lieu of the required 10' for lot #84.
Acre: 1.788
District: 9th

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,

J. P. Whelan
John P. Whelan
Planner III
Current Planning and Development



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

December 11, 1978

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

Dear Mr. DiNenna:

Comments on Item #93, Zoning Advisory Committee Meeting of October 24, 1978, are as follows:

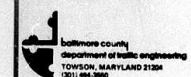
Property Owner: Joseph Mangione
Location: S/S Clearwood Rd., 570' E. Oakley Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and to permit a side setback of 9' in lieu of the required 10' for lot #84.
Acre: 1.788
District: 9th

Metropolitan water and sewer are available.

Very truly yours,

Thomas E. Devlin
Thomas E. Devlin
BUREAU OF ENVIRONMENTAL SERVICES

TED/282/tbf



STEPHEN E. COLLINS
DIRECTOR

December 19, 1978

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

Item No. 93
Property Owner: Joseph Mangione
Location: S/S Clearwood Rd., 570' E. Oakley Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and to permit a side setback of 9' in lieu of the required 10' for lot #84.

Acre: 1.788
District: 9th

Dear Mr. DiNenna:

The requested variance to the lot widths is not expected to cause any traffic problems.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

MSF/njs



Paul H. Heinicke
Chief

November 6, 1979

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Joseph Mangione

Location: S/S Clearwood Rd., 570' E. Oakley Rd.

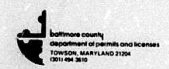
Item No. 93 Zoning Agenda Meeting of 10/26/78

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments to be 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 shown.
7. The Fire Prevention Bureau has no comments, at this time.

Noted and approved by *Joseph M. Hegardt*
Special Inspection Division Fire Prevention Bureau



JOHN D. REEFERT
DIRECTOR

October 30, 1978

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

Dear Mr. DiNenna:

Comments on Item # 93 Zoning Advisory Committee Meeting, October 24, 1978 are as follows:

Property Owner: Joseph Mangione
Location: S/S Clearwood Road - 570' E. Oakley Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and to permit a side setback of 9' in lieu of the required 10' for lot #84.
Acre: 1.788
District: 9th

The items checked below are applicable:

- A. Structures shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.
- B. A building permit shall be required before construction can begin.
- C. Additional permit shall be required.
- D. Building shall be upgraded to new use - requires attention 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 3'0" of a property line. Convert Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section .
- I. No Comment.
- J. Comment:

Charles E. Borman
Charles E. Borman
Fire Review Chief

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON MARYLAND - 21204

Date: October 23, 1978

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

Z.A.C. Meeting of: October 24, 1978

RE: Item No. 93
Property Owner: Joseph Mangione
Location: S/S Clearwood Rd., 570' E. Oakley Road
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and to permit a side setback of 9' in lieu of the required 10' for lot #84.

District: 9th
No. Acres: 1.788

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Rick Petrich
W. Rick Petrich
Self Representative

MWP/tp

JOSEPH H. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS H. BOTHAUS

THOMAS H. BUTLER
WES. LOREKAMP, P. COMPTON
ROGER B. PATTON
ROBERT T. DUGEL, SUPERINTENDENT

ALVIN LORICK
WES. BAYARD JR. SMITH, JR.
RICHARD W. TRACEY, D.M.

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 24th day of October, 1978.

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Mangione
Petitioner's Attorney:
Mr. Joseph Mangione
1601 Calidford Avenue
Baltimore, Maryland 21202

Reviewed by *Nicholas D. Commodari*
Nicholas D. Commodari
Chairman, Zoning Plans
Advisory Committee

cc: Hudkins Associates, Inc.
100 E. Joyce Road, Room 101
Towson, Maryland 21204

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

Oct 1978. Filing Fee \$ 20. Received Check
Cash
Other

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

FUNCTION		Wait Map		Original		Engraving		Tracing		200 Sheet	
		date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map						10-17	AKB				
Petition number added to outline											
Denied											
Granted by ZC, BS, CC, CA											

Reviewed by: LES

Previous case:

Revised Plans:
Change in outline or description ____ Yes
____ No

Map # NE 9 C

District: 4 Date of Posting: 12/24
 Posted for: petition for reinsurance
 Petitioner: Joseph Margarete
 Location of property: 915 1/2 S. Cleveland Rd. 5.20' E. of
County Rd.
 Location of Sign: front of property (1325 Cleveland Rd.)

Remarks:
 Posted by: Russ Coleman Date of return: 12/28

1 sign

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

No. 76217

DATE January 8, 1979 ACCOUNT NO. 71-662

AMOUNT \$40.52

RECEIVED FOR Joseph Margolis

FOR Court of Advertising and Position Case No. 79-16-2

877 FEB 11 8 4952

VALIDITY OR SIGNATURE OF CASHIER

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

No. 76180

DATE December 11, 1978 ACCOUNT 01-669

AMOUNT \$25.00

RECEIVED BY Joseph Marcano

FROM Paying Fee for Case No. 79-146-A

FOR 3011412 \$ 2500

VALIDATION OF SIGNATURE OF PAYEE

TOWSON, MD. _____ December 21 _____ 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 ~~one time~~ one time ~~before the~~ before the ~~21st~~ 21st day of January, 1972, the first publication appearing on the _____ day of December, 1978.

THE JEFFERSONIAN,
L. Frank Smith
 Manager.

Cost of Adv. _____

PLAT TO ACCOMPANY
PETITION FOR ZONING VARIANCES

PROPERTY OF
JOSEPH MANGONI
LOTS 82 THROUGH 85 HILLDALE FARMS
4TH ELECTION DISTRICT BALTIMORE CO MD
SCALE: 1"=50'
AUGUST 6, 1978

100 F.000-