

80-242-4
183

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Donald H. Cilentto, et ux, legal owners of the property situated 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. 223.1 to permit a frontyard setback of 17' in lieu of the required average of 26'.

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

The porch has already been enclosed. We were unaware that we needed to have a permit to enclose the porch since it was already there. Other people who have enclosed porches in the area that we spoke with said they didn't get permits for their porches because they didn't know they needed it. To enclose the porch to save money. The room is really nothing more than a vestibule. The interior dimensions are 8' x 7'.

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 _____ Legal Owner _____
Address _____
Dundalk, Maryland, 21222
Petitioner's Attorney _____ Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____ April _____, 1980 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 _____ 27th _____ day of _____ May _____, 1980 at 9:15 o'clock _____ A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Chairman
Nicholas B. 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. & Mrs. Donald Cilentto
7833 Kentley Road
Dundalk, Maryland 21222

RE: Item No. 183
Petitioners-Donal Cilentto, et ux
Variance Petition

Dear Mr. & Mrs. Cilentto:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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 legalize the setback of the recently enclosed front porch, this Variance hearing is required. In view of the fact that a window faces a side property line, I suggest you contact Mr. Ted Burham, Department of Permits and Licenses, at 494-3987 in order to discuss his comment.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Kentley Rd., 471' : OF BALTIMORE COUNTY
E of Church Rd., 12th District
DONALD CILENTO, et ux, Petitioners : Case No. 80-242-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 John W. Hession, III
Deputy People's Counsel People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of May, 1980, a copy of the foregoing

Order was mailed to Mr. and Mrs. Donald H. Cilentto, 7833 Kentley Road, Dundalk, Maryland 21222, Petitioners.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Donald Cilentto
7833 Kentley Road
Dundalk, Maryland 21222

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this _____ day of _____, 1980.

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Donald Cilentto, et ux

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

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

April 15, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #183 (1379-1980)
Property Owner: Donald H. & Christine Cilentto
S/S Kentley Rd. 471' E. Church Rd.
Existing Zoning: DR 10.5
Proposed Zoning: Variance to permit a front
setback of 17' in lieu of the average 26'.
Acres: 0.045 District: 12th

Dear Mr. Hammond:

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:

This property comprises Lot 60, Block "E" of "Subdivision Plat No. 3, Section No. 5, Eastfield", recorded G.L.B. 23, Folio 121.

Baltimore County highway and utility improvements are not directly involved.

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.

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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 183 (1979-1980).

Very truly yours,
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley

E-SW Key Sheet, 12 SE 23 Pos. Sheet
SE 3 F Topo, 103 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

KYVIN D. SEYFFERT
DIRECTOR

May 7, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #183, Zoning Advisory Committee Meeting, April 1, 1980, are as follows:

Property Owner: Donald H and Christine Cilentto
Location: S/S Kentley Road 471' E Church Road
District 12th
Acres: 0.045

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
John L. Wimbley
Planner III
Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

May 6, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

This department has no comment on Items No. 183, 185, 186, 187 and 189 with regard to the Zoning Advisory Committee Meeting of April 1, 1980.

Very truly yours,

Michael S. Flanigan
Engineer Associate II

MSF/bza

ORDER RECEIVED FOR FILING

DATE *June 13, 1980*

BY *[Signature]*

ADMINISTRATIVE SERVICES

Pursuant to the advertisement, posting of property, and public hearing on the 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(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this *12th* day of *June*, 19*80*, that the herein Petition for Variance to permit a front yard setback of seventeen feet in lieu of the required average of twenty-six feet, for the expressed purpose of utilizing the already enclosed front porch as vestibule, not to exceed the interior dimensions of 8½ feet by 7½ feet, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The existing window on the west side of said enclosure shall be removed and enclosed with brick.
2. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

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

May 8, 1980

Mr. William E. Hammond
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #183, Zoning Advisory Committee Meeting of April 1, 1980, are as follows:

Property Owner: Donald H. & Christine Cilento
Location: S/S Kentley Rd. 471' E Church Rd.
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit a front setback of 17' in lieu of the average 26'.
Acres: 0.015
District: 12th

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

Very truly yours,

[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/fth



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

April 23, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Donald H. & Christine Cilento

Location: S/S Kentley Road 471' E Church Road

Item No: 183 Zoning Agenda: Meeting of April 1, 1980

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

REVIEWER *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
John D. Seyffert, Director
Office of Planning and Zoning
Petition No. 80-242-A Item 183
TO: _____ Date: May 8, 1980
FROM: _____
SUBJECT: _____

Petition for Variance for front yard setback
South side of Kentley Road, 471 feet East of Church Road
Petitioner- Donald Cilento, et ux

Twelfth District

HEARING: Tuesday, May 27, 1980 (9:45 A.M.)

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

JDS:JGH:ab



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

TED ZALESKI JR.
DIRECTOR

April 11, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #183 Zoning Advisory Committee Meeting, April 1, 1980 are as follows:

Property Owner: Donald H. & Christine Cilento
Location: S/S Kentley Road 471' E Church Road
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit a front setback of 17' in lieu of the average 26'.

Acres: 0.015
District: 12th

The items checked below are applicable:

- A. All structures shall conform to the Baltimore County Building Code 1978, and other applicable Codes.
- B. A building/ _____ permit shall be required.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction; no openings permitted within 3' 0" of lot line. A minimum 6" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section 5.11.1. Type 3 (masonry wall) construction does not permit windows in wall facing property line unless protected by a fire shutter.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.
- I. Comments

NOTE: These comments reflect only on the information provided by the drawing submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

[Signature]
Charles E. Burnham, Chief
Plans Review

CEB:rrj

PETITION FOR VARIANCE

12th District

ZONING: Petition for Variance for front yard setback
LOCATION: South side of Kentley Road, 471 feet East of Church Road
DATE & TIME: Tuesday, May 27, 1980 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a front yard setback of 17 feet in lieu of the required average of 26 feet

The Zoning Regulation to be excepted as follows:

Section 303.1 - front yard setbacks

All that parcel of land in the Twelfth District of Baltimore County

Being the property of Donald Cilento, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, May 27, 1980 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

MEMO

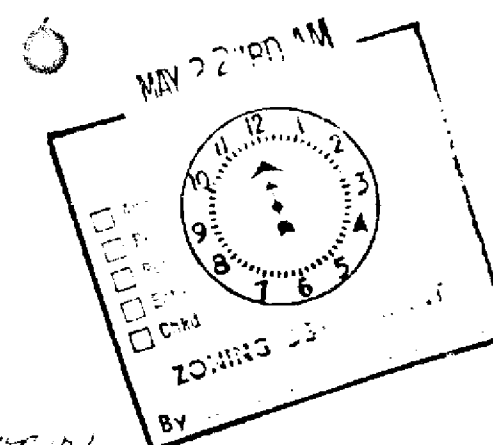
To: Sondra Jones
From: Sean Coleman
Re: Case #80-242-A, Kentley Rd. posting
Recently, you informed me of a complaint concerning the sign posted for case #80-242-A, the property located on Kentley Rd. in the 12th District. The complaint alleged the sign was posted behind a bush.

The property in question is a small row-house. The entrance is in the middle of the house and is reached by a straight walkway. The walkway is approximately 15 ft. long, from the front sidewalk to the first step leading to the front porch (the subject of the variance). On either side of the walkway is a single large bush, also adjacent to the sidewalk. On the other side of the sidewalk is a strip of grass about three feet in width, then the curb.

I could not post the sign on the strip, since it could not be seen by pedestrians on the sidewalk, nor from the street, because of the parked cars all along the curb. I could not post close to the house, since the bushes would completely block the sign from the street. Therefore, I posted on one side of a bush. The sign is easily visible to anyone from the front, or coming by car from one direction. However, it cannot be seen from the other direction.

As always, I posted the sign so that it could be seen by as many people as possible. To do this, I must exercise some amount of professional discrimination. I would have, if possible, attached the sign to the house in question so that it would have been elevated and seen from all directions. However, I did not possess the equipment to do so, nor I doubt, the authority.

80-1016
May 27, 1980



7839 Kentley Rd.
Baltimore, Md 21222
May 27, 1980

[Signature]
County Office Building
Towson, Md.

Re: Case #80-242-A - Hearing Date May 27 1980

Dear Mr. Commissioner

Since my husband and I will be unable to attend the captioned hearing, we would appreciate if you would accept this letter as our formal protest to the proposed zoning change.

Our neighborhood is a well established residential area where people take pride in the appearance of their homes. The present zoning law for this home has been sufficient since they were built. And we see no reason to change it now.

The additional room on the front of 7833 Kentley will only break the present zoning law but also obstructs the view from our porch and detracts from the overall appearance of the neighborhood. This addition should either be removed or re-constructed to appear as a porch.

(over)

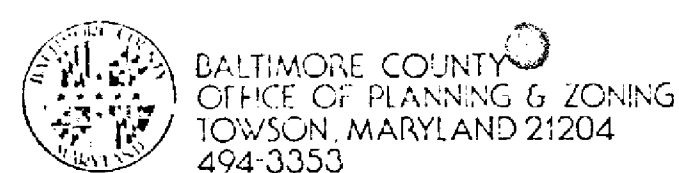
We would appreciate you taking our protest into consideration when making your ruling.

Respectfully yours,

M.A. Buens
1839 Kentley Rd
Dundalk, Md. 21222

P.S. I don't know who placed the zoning notice but it was placed behind a bush, which makes it very difficult to see.

P.S. Due to the size of the lot and placement of shrubbery this was the only location for the sign. The sign is visible from one direction per Sordra Jones



WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 19, 1980

Mrs. & Mrs. Donald Cilento
7833 Kentley Road
Dundalk, Maryland 21222

RE: Petition for Variance
S/S Kentley Rd., 471' E of Church Rd
Case No. 80-242-A

Dear Mr. & Mrs. Cilento:

This is to advise you that \$52.25 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland and remit to Sordra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner

MEH:sj

TO WHOM IT MAY CONCERN:

This is to certify that Mr. Tony Luciani, 7835 Kentley Road, has given his permission for the brick enclosure of a front porch at 7833 Kentley Road.

Anthony D. Luciani

TO WHOM IT MAY CONCERN:

This is to certify that Mr. & Mrs. Joseph Novak, 7831 Kentley Road, have given their permission for the brick enclosure of a front porch at 7833 Kentley Road.

Joseph M. Novak
William J. Novak 4/7/80

April 30, 1980

Mrs. & Mrs. Donald Cilento
7833 Kentley Road
Dundalk, Maryland 21222

NOTICE OF HEARING

RE: Petition for Variance - S/S Kentley Road, 471' E of Church Road
Case No. 80-242-A

TIME: 9:45 A.M.

DATE: Tuesday, May 27, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. GESSAPSAKE AVENUE,

TOWSON, MARYLAND

WILLIAM E. HAMMOND
ZONING COMMISSIONER OF
BALTIMORE COUNTY

3/3/80

TO WHOM IT MAY CONCERN:

This is to certify that Mr. and Mrs. Joseph Novak, 7831 Kentley Road, have given their permission for the brick enclosure of a front porch at 7833 Kentley Road.

Joseph M. Novak

William J. Novak

5/25/80

PETITIONER'S
EXHIBIT 2

This is to certify that Mr. Anthony Luciani, 7835 Kentley Road, has given his permission for the brick enclosure of a front porch at 7833 Kentley Road.

Anthony D. Luciani

PETITIONER'S
EXHIBIT 1

TO WHOM IT MAY CONCERN:

This is to certify that Mr. & Mrs. Luciani, 7835 Kentley Road, have given their permission for the brick enclosure of a front porch at 7833 Kentley Road.

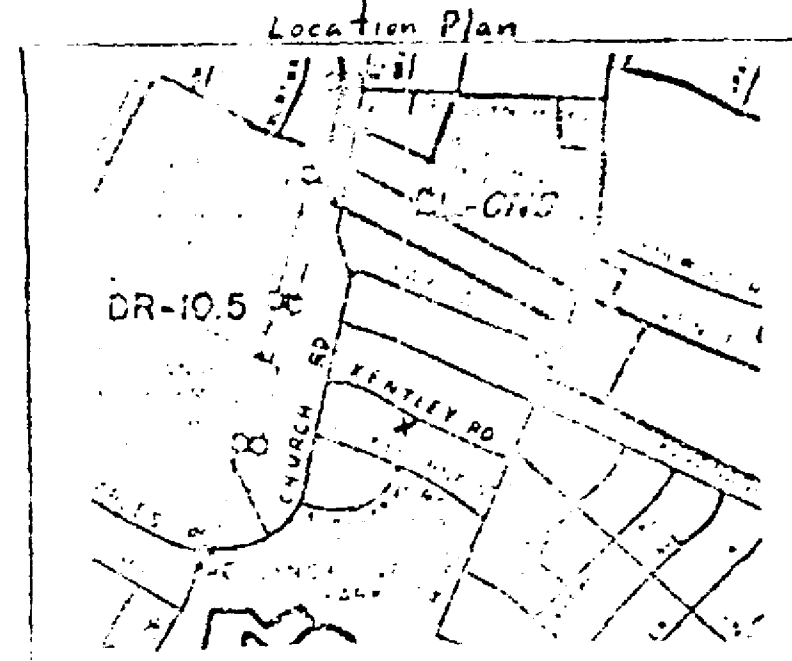
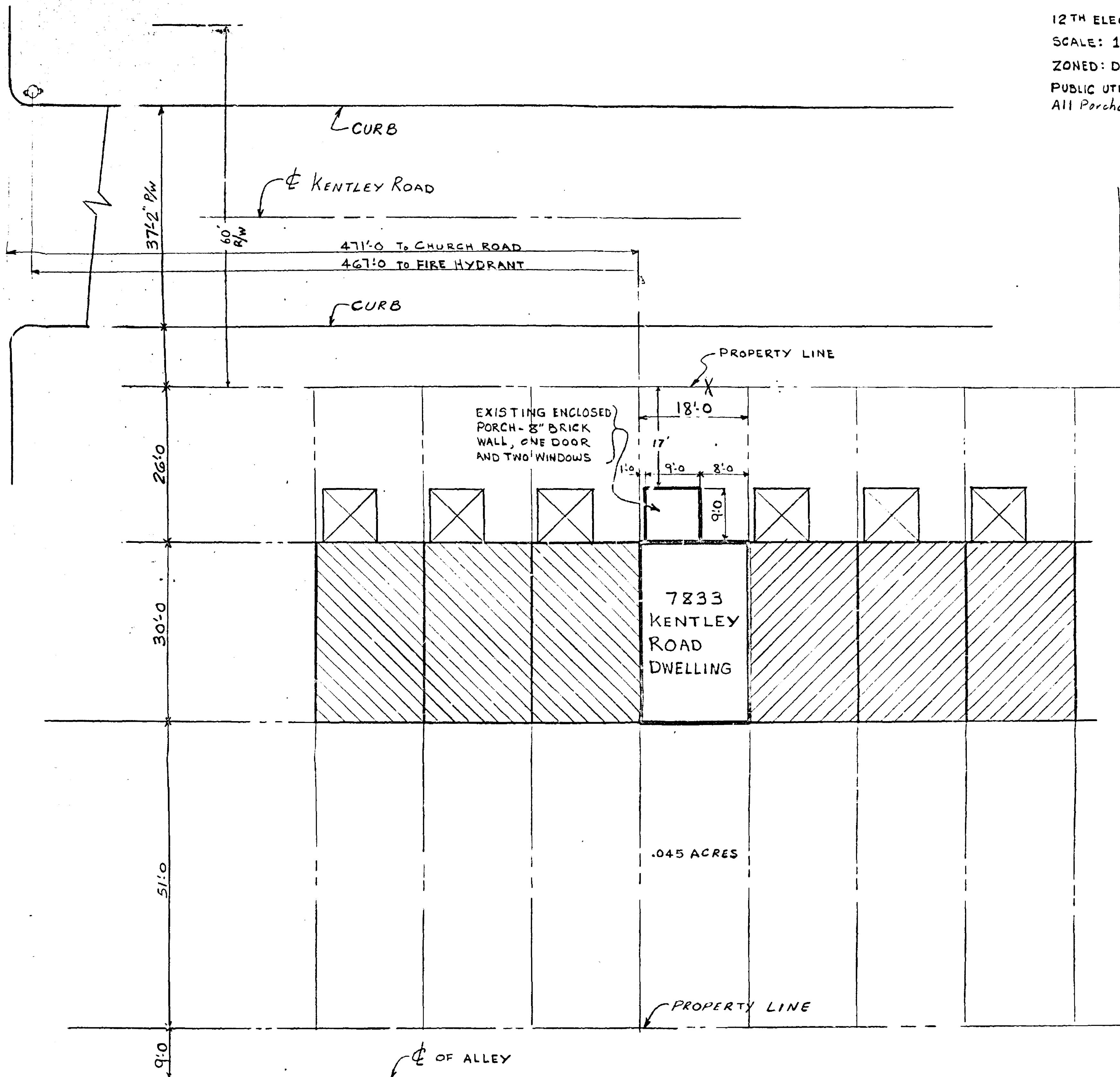
Lucia M. Luciani
William J. Luciani

PETITIONER'S
EXHIBIT 5

12TH ELECTION DISTRICT
SCALE: 1"=10'
ZONED: DR-10.5
PUBLIC UTILITIES EXIST IN STREET
All Porches in Group are open



CHURCH ROAD



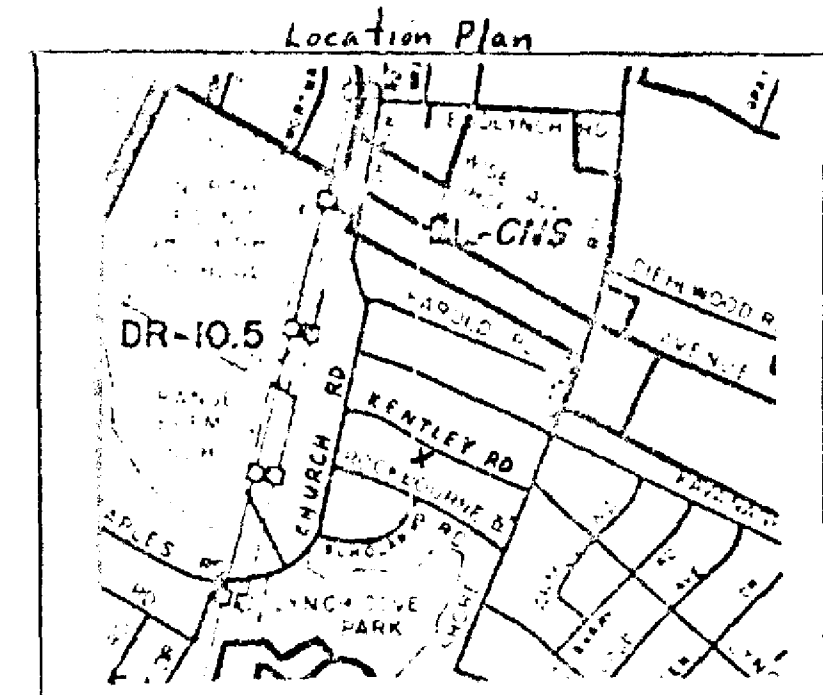
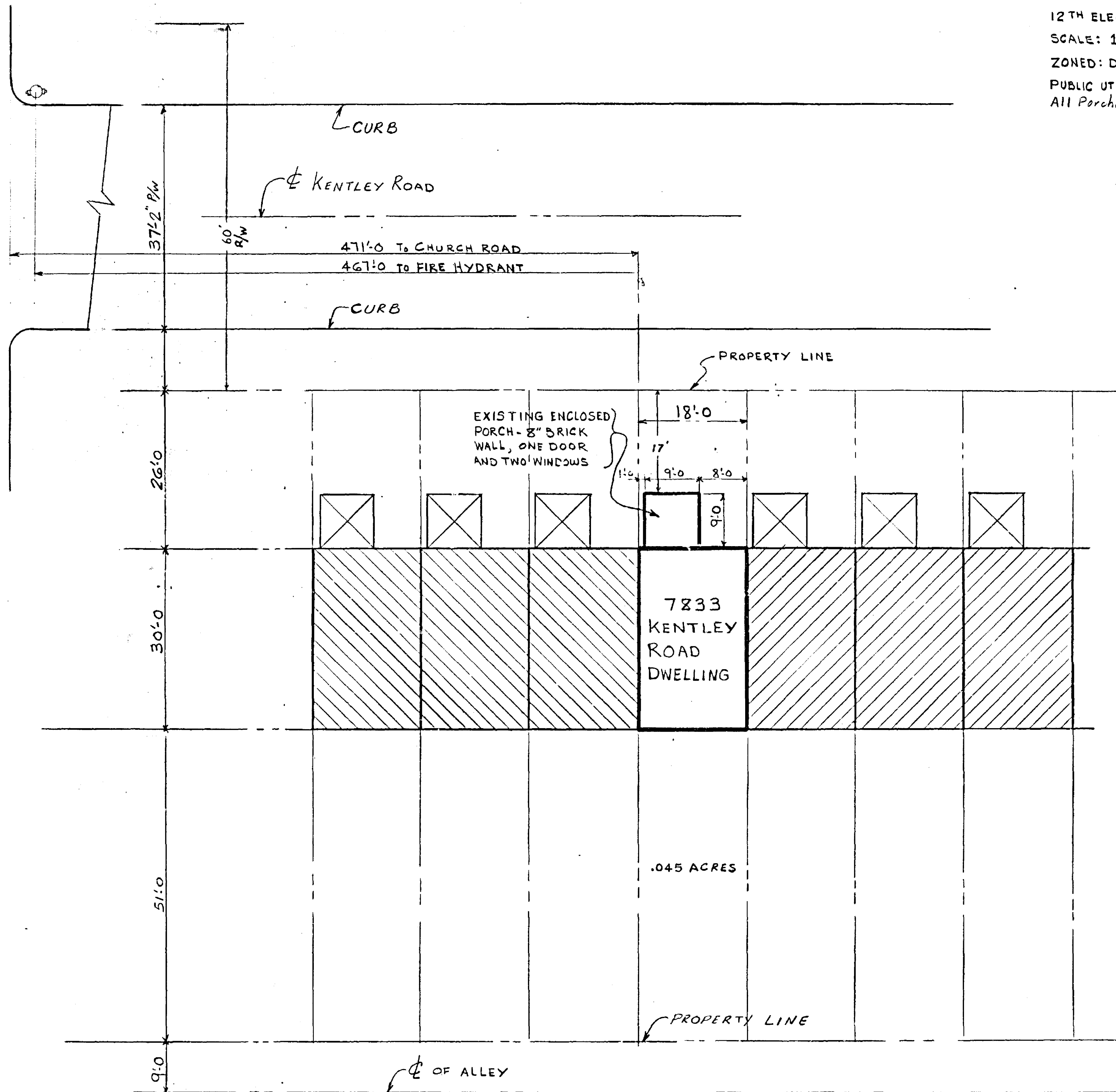
PLOT PLAN FOR CILENTO RESIDENCE 7833 KENTLEY ROAD
Zoning Variance for Front Setback

4A
3/3/80
12
3/3/80
✓
1/4

12TH ELECTION DISTRICT
SCALE: 1"=10'
ZONED: DR 10.5
PUBLIC UTILITIES EXIST IN STREET
All Porches in Group are open

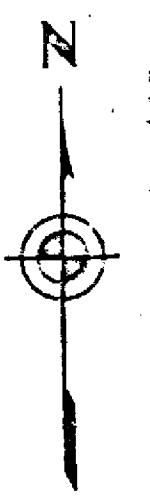


CHURCH ROAD

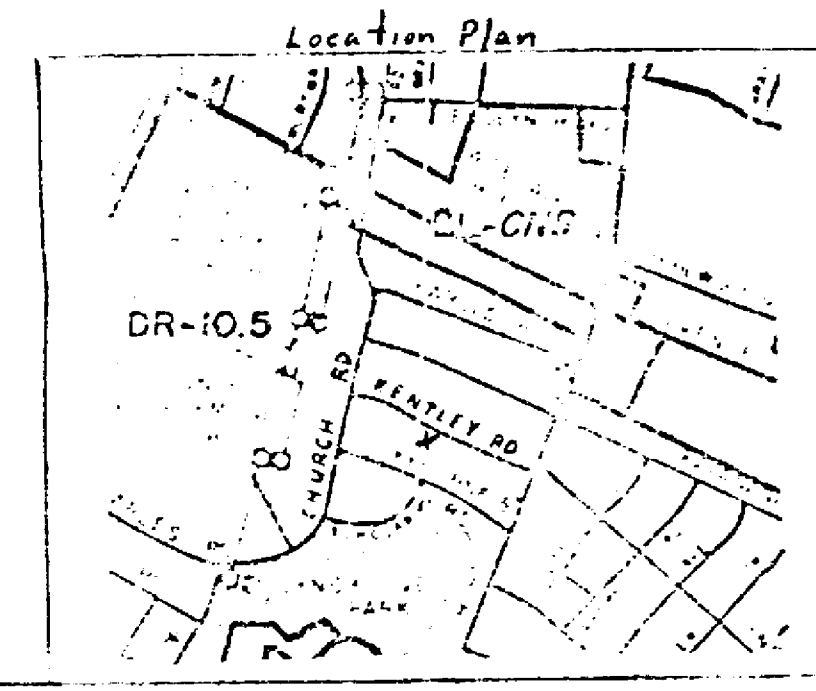
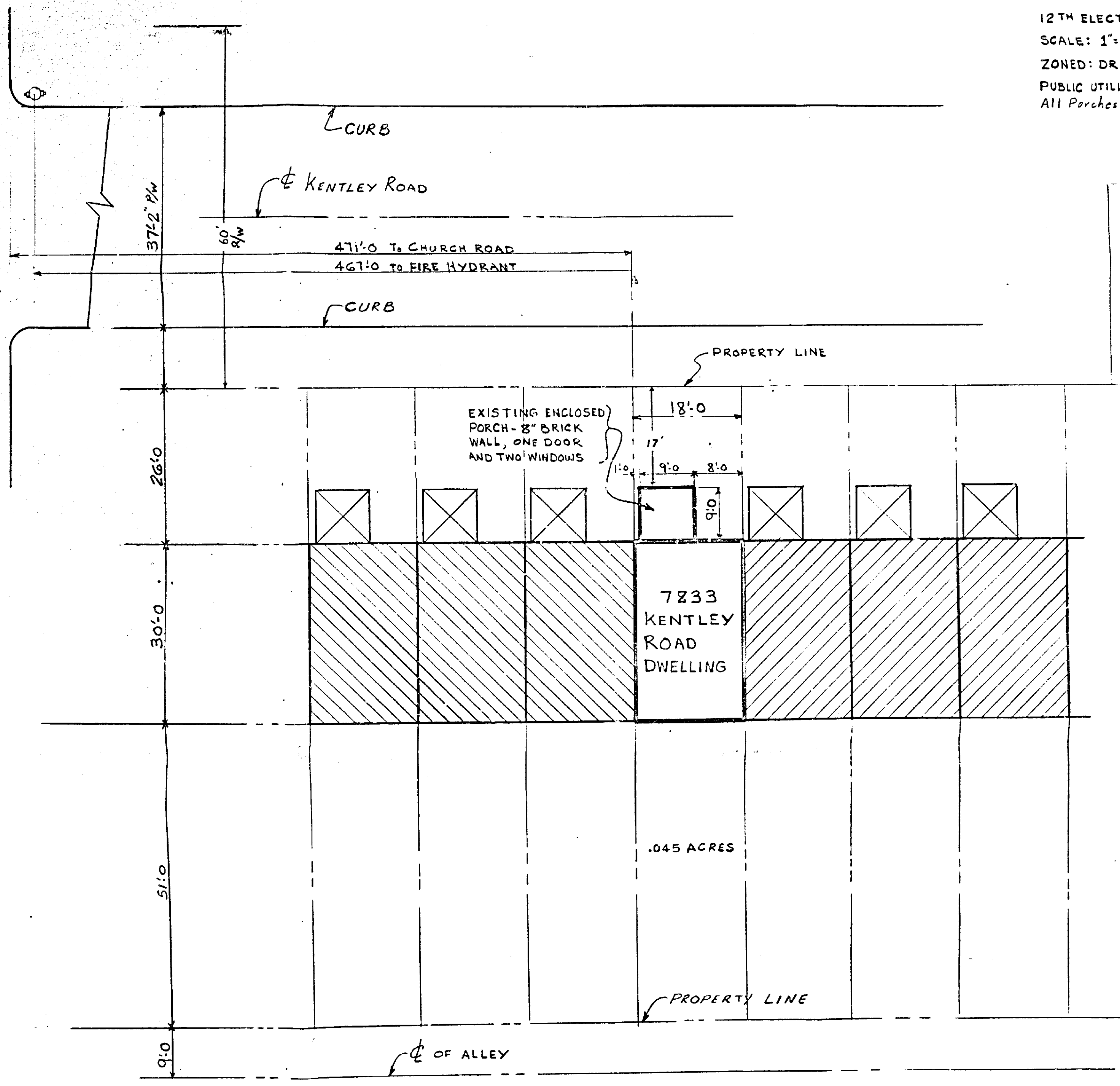


PLOT PLAN FOR CILENTO RESIDENCE 7833 KENTLEY ROAD
Zoning Variance for Front Setback

12TH ELECTION DISTRICT
SCALE: 1"=10'
ZONED: DR 10.5
PUBLIC UTILITIES EXIST IN STREET
All Porches in Group are open



CHURCH ROAD



PLOT PLAN FOR CILENTO RESIDENCE 7833 KENTLEY ROAD
Zoning Variance for Front Setback

80-242-4
183

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Donald H. Cilentto, et ux, legal owners of the property situated 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. 223.1 to permit a frontyard setback of 17' in lieu of the required average of 26'.

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

The porch has already been enclosed. We were unaware that we needed to have a permit to enclose the porch since it was already there. Other people who have enclosed porches in the area that we spoke with said they didn't get permits for their porches because they didn't know they needed it. To enclose the porch to save money. The room is really nothing more than a vestibule. The interior dimensions are 8' x 7'.

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 _____ Legal Owner _____
Address _____
Dundalk, Maryland, 21222
Petitioner's Attorney _____ Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____ April _____, 1980 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 _____ 27th _____ day of _____ May _____, 1980 at 9:15 o'clock _____ A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Chairman
Nicholas B. 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. & Mrs. Donald Cilentto
7833 Kentley Road
Dundalk, Maryland 21222

RE: Item No. 183
Petitioners-Donald Cilentto, et ux
Variance Petition

Dear Mr. & Mrs. Cilentto:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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 legalize the setback of the recently enclosed front porch, this Variance hearing is required. In view of the fact that a window faces a side property line, I suggest you contact Mr. Ted Burham, Department of Permits and Licenses, at 494-3987 in order to discuss his comment.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Kentley Rd., 471' : OF BALTIMORE COUNTY
E of Church Rd., 12th District
DONALD CILENTO, et ux, Petitioners : Case No. 80-242-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 John W. Hession, III
Deputy People's Counsel People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of May, 1980, a copy of the foregoing

Order was mailed to Mr. and Mrs. Donald H. Cilentto, 7833 Kentley Road, Dundalk, Maryland 21222, Petitioners.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Donald Cilentto
7833 Kentley Road
Dundalk, Maryland 21222

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this _____ day of _____, 1980.

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Donald Cilentto, et ux
Petitioner's Attorney _____

Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

April 15, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #183 (1379-1980)
Property Owner: Donald H. & Christine Cilentto
S/S Kentley Rd. 471' E. Church Rd.
Existing Zoning: DR 10.5
Proposed Zoning: Variance to permit a front
setback of 17' in lieu of the average 26'.
Acres: 0.045 District: 12th

Dear Mr. Hammond:

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:

This property comprises Lot 60, Block "E" of "Subdivision Plat No. 3, Section No. 5, Eastfield", recorded G.L.B. 23, Folio 121.

Baltimore County highway and utility improvements are not directly involved.

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.

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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 183 (1979-1980).

Very truly yours,
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley

E-SW Key Sheet, 12 SE 23 Pos. Sheet
SE 3 F Topo, 103 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

KYVIN D. SEYFFERT
DIRECTOR

May 7, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #183, Zoning Advisory Committee Meeting, April 1, 1980, are as follows:

Property Owner: Donald H. and Christine Cilentto
Location: S/S Kentley Road 471' E Church Road
District 12th
Acres: 0.045

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
John L. Wimbley
Planner III
Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

May 6, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

This department has no comment on Items No. 183, 185, 186, 187 and 189 with regard to the Zoning Advisory Committee Meeting of April 1, 1980.

Very truly yours,

Michael S. Flanigan
Engineer Associate II

MSF/bza

ORDER RECEIVED FOR FILING

DATE June 13, 1980

ADMINISTRATIVE SECTION

Pursuant to the advertisement, posting of property, and public hearing on the 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(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of June, 1980, that the herein Petition for Variance to permit a front yard setback of seventeen feet in lieu of the required average of twenty-six feet, for the expressed purpose of utilizing the already enclosed front porch as a vestibule, not to exceed the interior dimensions of 8 1/2 feet by 7 1/2 feet, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The existing window on the west side of said enclosure shall be removed and enclosed with brick.
2. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

May 8, 1980

Mr. William E. Hammond
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #183, Zoning Advisory Committee Meeting of April 1, 1980, are as follows:

Property Owner: Donald H. & Christine Cilento
Location: S/S Kentley Rd. 471' E Church Rd.
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit a front setback of 17' in lieu of the average 26'.
Acres: 0.015
District: 12th

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

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/fth



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7310

PAUL H. REINCKE
CHIEF

April 23, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Donald H. & Christine Cilento

Location: S/S Kentley Road 471' E Church Road
Item No: 183 Zoning Agenda: Meeting of April 1, 1980

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

REVIEWER *John D. Seyffert* Noted and Approved: *William E. Hammond*
Planning Group Fire Prevention Bureau
Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
John D. Seyffert, Director
Office of Planning and Zoning
Petition No. 80-242-A Item 183
TO: _____ Date: May 8, 1980
FROM: _____
SUBJECT: _____

Petition for Variance for front yard setback
South side of Kentley Road, 471 feet East of Church Road
Petitioner- Donald Cilento, et ux

Twelfth District

HEARING: Tuesday, May 27, 1980 (9:45 A.M.)

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

JDS:JGH:ab



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

TED ZALESKI JR.
DIRECTOR

April 11, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #183 Zoning Advisory Committee Meeting, April 1, 1980 are as follows:

Property Owner: Donald H. & Christine Cilento
Location: S/S Kentley Road 471' E Church Road
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit a front setback of 17' in lieu of the average 26'.

Acres: 0.015
District: 12th

The items checked below are applicable:

- All structures shall conform to the Baltimore County Building Code 1978, and other applicable Codes.
- A building/ _____ permit shall be required.
- Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction; no openings permitted within 3' 0" of lot line. A minimum 6" masonry firewall is required if construction is on the lot line.
- Requested variance conflicts with the Baltimore County Building Code, Section 5.11.1. Type 3 (masonry wall) construction does not permit windows in wall facing property line unless protected by a fire shutter.
- A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.
- Comments

NOTE: These comments reflect only on the information provided by the drawing submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

PETITION FOR VARIANCE

12th District

ZONING: Petition for Variance for front yard setback
LOCATION: South side of Kentley Road, 471 feet East of Church Road
DATE & TIME: Tuesday, May 27, 1980 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a front yard setback of 17 feet in lieu of the required average of 26 feet

The Zoning Regulation to be excepted as follows:

Section 303.1 - front yard setbacks

All that parcel of land in the Twelfth District of Baltimore County

Being the property of Donald Cilento, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, May 27, 1980 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

MEMO

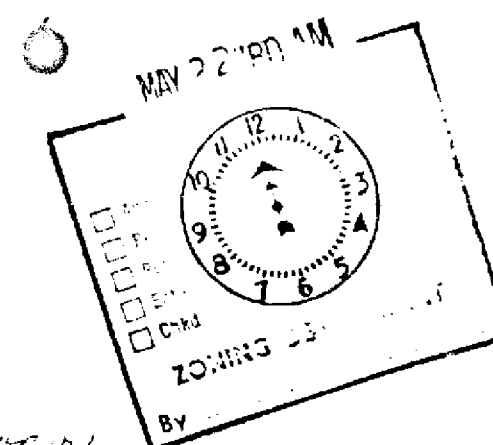
To: Sondra Jones
From: Sean Coleman
Re: Case #80-242-A, Kentley Rd. posting
Recently, you informed me of a complaint concerning the sign posted for case #80-242-A, the property located on Kentley Rd. in the 12th District. The complaint alleged the sign was posted behind a bush.

The property in question is a small row-house. The entrance is in the middle of the house and is reached by a straight walkway. The walkway is approximately 15 ft. long, from the front sidewalk to the first step leading to the front porch (the subject of the variance). On either side of the walkway is a single large bush, also adjacent to the sidewalk. On the other side of the sidewalk is a strip of grass about three feet in width, then the curb.

I could not post the sign on the strip, since it could not be seen by pedestrians on the sidewalk, nor from the street, because of the parked cars all along the curb. I could not post close to the house, since the bushes would completely block the sign from the street. Therefore, I posted on one side of a bush. The sign is easily visible to anyone from the front, or coming by car from one direction. However, it cannot be seen from the other direction.

As always, I posted the sign so that it could be seen by as many people as possible. To do this, I must exercise some amount of professional discrimination. I would have, if possible, attached the sign to the house in question so that it would have been elevated and seen from all directions. However, I did not possess the equipment to do so, nor I doubt, the authority.

80-1016
May 27, 1980



7839 Kentley Rd.
Baltimore, Md 21222
May 27, 1980

William E. Hammond
County Office Building
Towson, Md.

Re: Case #80-242-A - Hearing Date May 27 1980

Dear Mr. Commissioner

Since my husband and I will be unable to attend the captioned hearing, we would appreciate if you would accept this letter as our formal protest to the proposed zoning change.

Our neighborhood is a well established residential area where people take pride in the appearance of their homes. The present zoning law for this home has been sufficient since they were built. And we see no reason to change it now.

The additional room on the front of 7833 Kentley will only break the present zoning law but also obstructs the view from our porch and detracts from the overall appearance of the neighborhood. This addition should either be removed or re-constructed to appear as a porch.

(over)

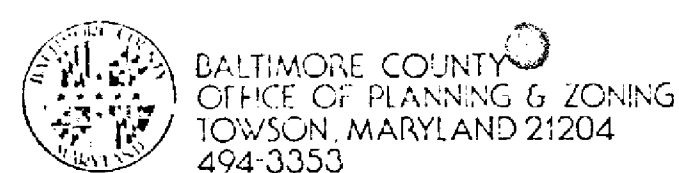
We would appreciate you taking our protest into consideration when making your ruling.

Respectfully yours,

M.A. Buens
1839 Kentley Rd
Dundalk, Md. 21222

P.S. I don't know who placed the zoning notice but it was placed behind a bush, which makes it very difficult to see.

P.S. Due to the size of the lot and placement of shrubbery this was the only location for the sign. The sign is visible from one direction per Sordra Jones



WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 19, 1980

Mrs. & Mrs. Donald Cilento
7833 Kentley Road
Dundalk, Maryland 21222

RE: Petition for Variance
S/S Kentley Rd., 471' E of Church Rd
Case No. 80-242-A

Dear Mr. & Mrs. Cilento:

This is to advise you that \$52.25 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland and remit to Sordra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner

MEH:sj

TO WHOM IT MAY CONCERN:

This is to certify that Mr. Tony Luciani, 7835 Kentley Road, has given his permission for the brick enclosure of a front porch at 7833 Kentley Road.

Anthony D. Luciani

TO WHOM IT MAY CONCERN:

This is to certify that Mr. & Mrs. Joseph Novak, 7831 Kentley Road, have given their permission for the brick enclosure of a front porch at 7833 Kentley Road.

Joseph M. Novak
William J. Novak 4/7/80

April 30, 1980

Mrs. & Mrs. Donald Cilento
7833 Kentley Road
Dundalk, Maryland 21222

NOTICE OF HEARING

RE: Petition for Variance - S/S Kentley Road, 471' E of Church Road
Case No. 80-242-A

TIME: 9:45 A.M.

DATE: Tuesday, May 27, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. GESSAPSAKE AVENUE,

TOWSON, MARYLAND

WILLIAM E. HAMMOND
ZONING COMMISSIONER OF
BALTIMORE COUNTY

3/3/80

TO WHOM IT MAY CONCERN:

This is to certify that Mr. and Mrs. Joseph Novak, 7831 Kentley Road, have given their permission for the brick enclosure of a front porch at 7833 Kentley Road.

Joseph M. Novak
William J. Novak

5/25/80

PETITIONER'S
EXHIBIT 2

This is to certify that Mr. Anthony Luciani, 7835 Kentley Road, has given his permission for the brick enclosure of a front porch at 7833 Kentley Road.

Anthony D. Luciani

PETITIONER'S
EXHIBIT 1

TO WHOM IT MAY CONCERN:

This is to certify that Mr. & Mrs. Joseph Novak, 7831 Kentley Road, have given their permission for the brick enclosure of a front porch at 7833 Kentley Road.

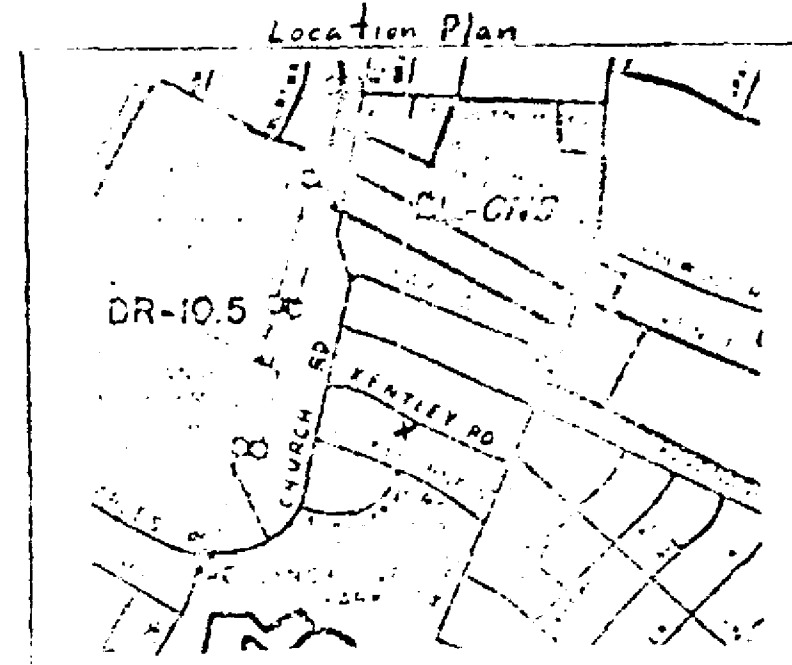
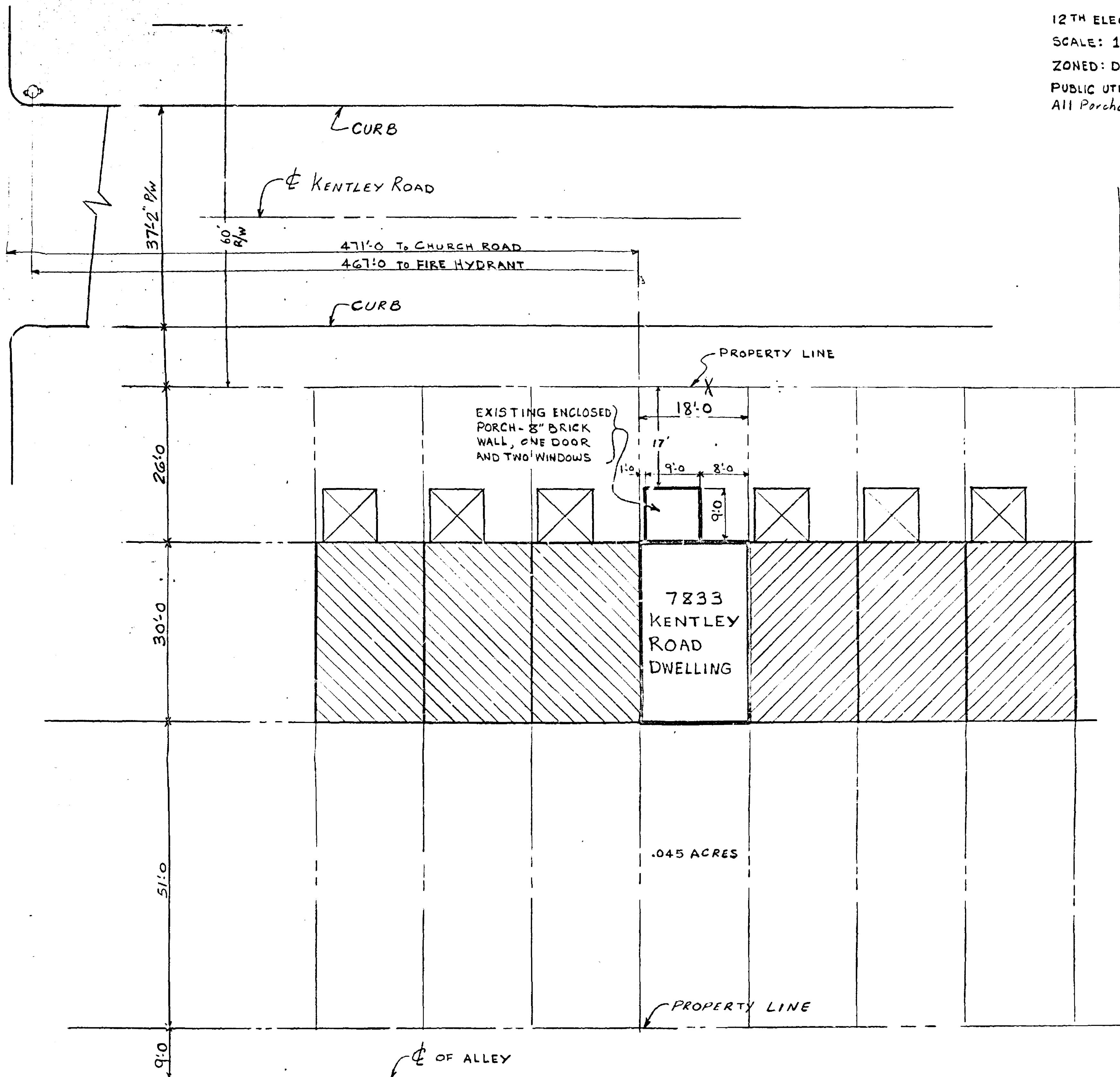
Joseph M. Novak
William J. Novak

PETITIONER'S
EXHIBIT 5

12TH ELECTION DISTRICT
SCALE: 1"=10'
ZONED: DR-10.5
PUBLIC UTILITIES EXIST IN STREET
All Porches in Group are open



CHURCH ROAD

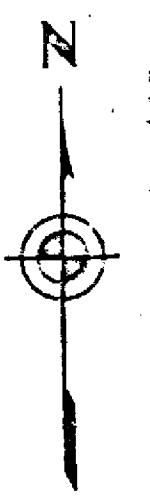


PLOT PLAN FOR CILENTO RESIDENCE 7833 KENTLEY ROAD
Zoning Variance for Front Setback

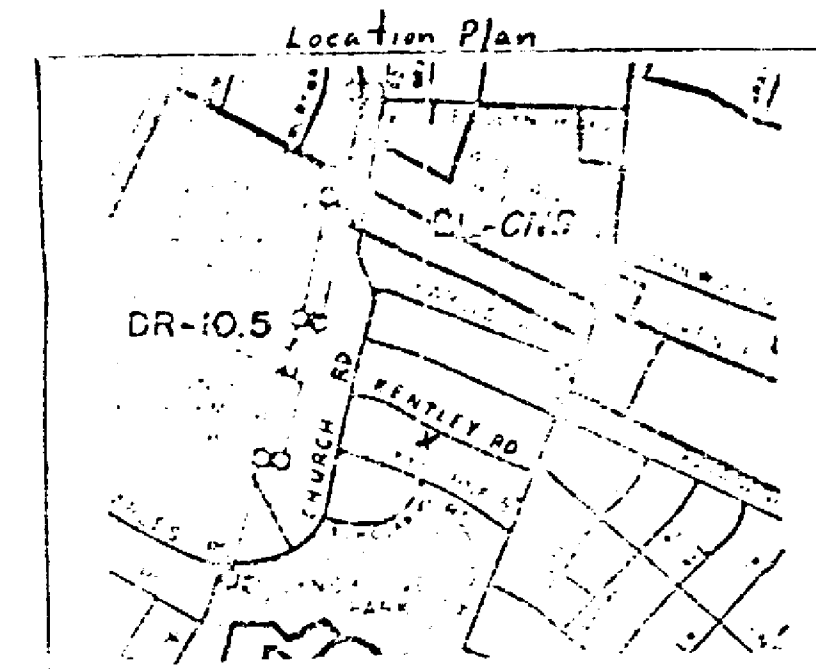
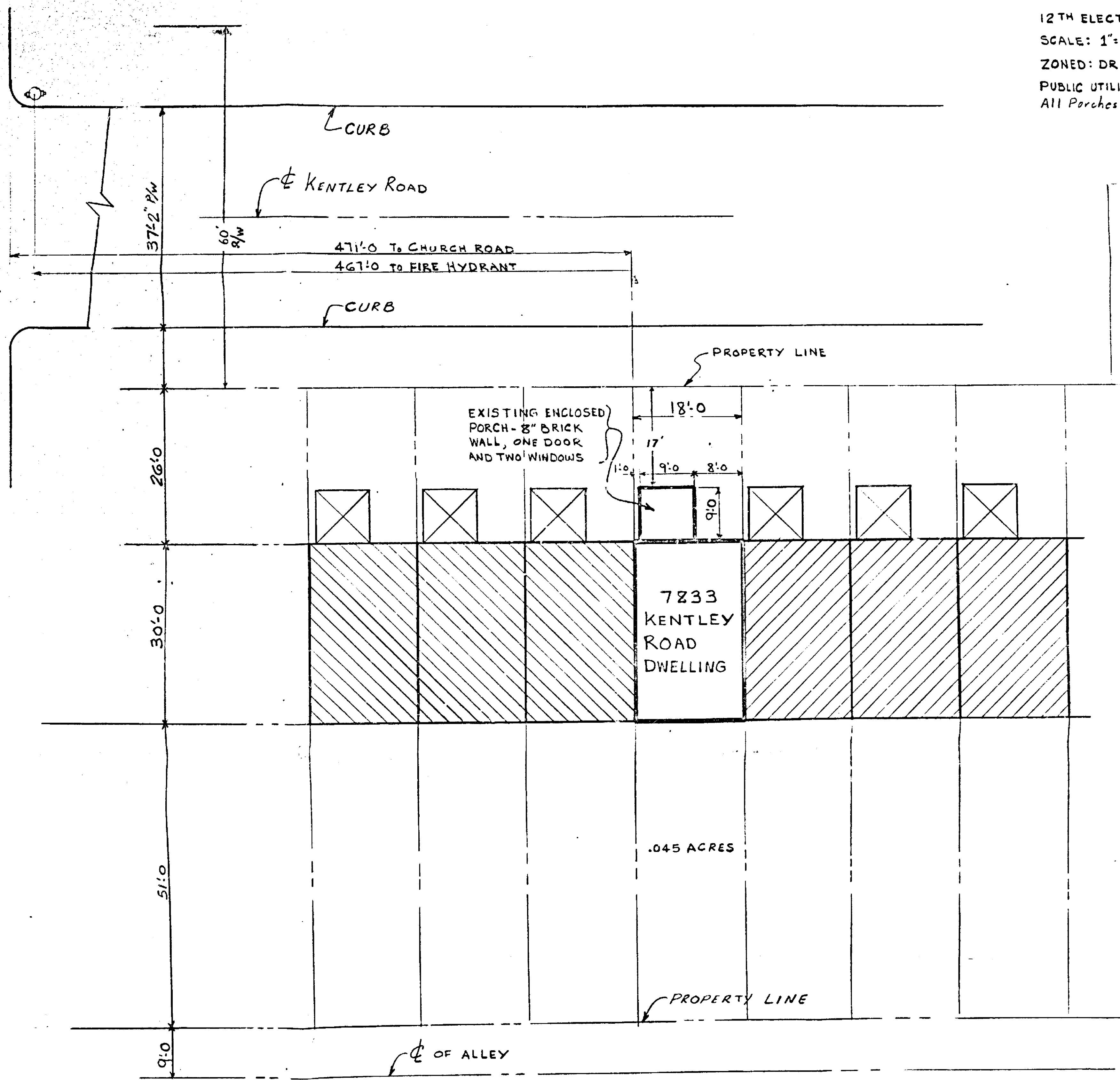
4A
3/3/80
12
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PLOT PLAN FOR CILENTO RESIDENCE 7833 KENTLEY ROAD
Zoning Variance for Front Setback

12TH ELECTION DISTRICT
SCALE: 1"=10'
ZONED: DR 10.5
PUBLIC UTILITIES EXIST IN STREET
All Porches in Group are open



CHURCH ROAD



PLOT PLAN FOR CILENTO RESIDENCE 7833 KENTLEY ROAD
Zoning Variance for Front Setback