

PETITION FOR ZONING VARIANCE 84-179-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 103.3 (A00.3.B.R.D.P.) to permit sideyard setbacks of 40 feet instead of the required 50 ft. on lot #2, 3, 11.

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

1. To conform to designs of existing adjacent properties.
2. To add garages to conform to design of existing houses.
3. Knollcrest Manor Blocks A and B are existing. Would like to conform.

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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
City and State
Phone No.

Legal Owner(s):
Samuel Mogavero
(Type or Print Name)
Signature
Margaret A. Mogavero
(Type or Print Name)
Signature
917 Hargrove St.
Address
Belt Md. 21202
City and State
547-1370
Phone No.
John Doud
Name
36 S. Charles St.
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of November, 1983, 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 17th day of January, 1984, at 10:00 o'clock a.m.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)

MICROFILMED

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
N/S Crestnoll Rd., 150' & : OF BALTIMORE COUNTY
300' E of the Centerline of :
Knollcrest Rd. & S/S of :
Crestnoll Rd., 700' E of the :
Centerline of Dover Rd., :
8th District :
SAMUEL MOGAVERO, et ux, : Case No. 84-179-A
Petitioners :

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

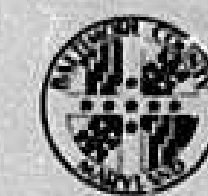
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 30th day of December, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. Samuel Mogavero, 977 Hargrove Street, Baltimore, MD 21202, and Mr. John Doud, 36 S. Charles St., Baltimore, MD 21201.

John W. Hession, III

MICROFILMED



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

January 18, 1984

Mr. and Mrs. Samuel Mogavero
917 Hargrove Street
Baltimore, Maryland 21202

RE: Petition for Variances
N/S of Crestnoll Rd., 150' and 300'
E of the center line of Knollcrest
Rd. and S/S of Crestnoll Rd., 700'
E of the center line of Dover Rd.
8th Election District
Samuel Mogavero, et ux - Petitioners
NO. 84-179-A (Item No. 117)

Dear Mr. and Mrs. Mogavero:

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

Very truly yours,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/mc

Attachments

cc: People's Counsel

MICROFILMED

IN RE: PETITION FOR VARIANCES : BEFORE THE
N/S of Crestnoll Rd., 150' and : ZONING COMMISSIONER
300' E of the center line of : OF BALTIMORE COUNTY
Knollcrest Rd. and S/S of Crest- :
noll Rd., 700' E of the center :
line of Dover Rd. :
8th Election District :
Samuel Mogavero, et ux :
Petitioners :

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit side yard setbacks of 40 feet instead of the required 50 feet for 3 separate parcels. The purpose of their request is to develop the lots with residences, as described by Petitioners' Exhibit 1.

Samuel Mogavero, the Petitioner, appeared and testified. There were no Protestants.

Testimony indicated that the property is zoned R.C.5. The Petitioners purchased lots 2, 3, and 11 from the developer of Knollcrest Manor on or about April, 1983.

The Petitioners intend to develop each of the lots by building single family homes which will conform in style and design to the others already built by the developer, approximately 30. The lots in question are approximately 150 feet wide, and most if not all in the development are the same. Therefore, about 75% of the existing dwellings already are the beneficiaries of similar variances to those requested here.

Other homes to be built by the Petitioners will have attached garages, as do the other homes already existing. Also, an adjacent older community to Knollcrest has homes with side yards less than allowed by law.

Petitioners are asking for 40 foot setbacks on each side in order to conform to the setbacks of those homes already existing. The developer, who has prior right of approval of all development, and neighbors to the Petitioners do not object to the proposed variances.

The Petitioners seek relief from Section 103.3 (A00.3.B.R.D.P.), pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

MICROFILMED

PETITION FOR VARIANCES

8th Election District

ZONING: Petition for Variances
LOCATION: North side Crestnoll Road, 150 ft. and 300 ft. East of the centerline of Knollcrest Road and South side of Crestnoll Road, 700 ft. East of the centerline of Dover Road
DATE & TIME: Tuesday, January 17, 1984 at 10:00 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 Variances to permit side yard setbacks of 40 ft. instead of the required 50 ft. for Lot Nos. 2, 3 and 11

being the property of Samuel Mogavero, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

MICROFILMED

An area variance may be granted where strict application of the zoning regulation to the petitioners and their property would cause practical difficulty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secure.

Anderson v. Id. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were to be granted, such use as proposed would not be contrary to the spirit of the regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not to be granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this matter held, and for the reasons given above, the variances requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of January, 1984, that the Petition for Variances to permit side yard setbacks of 40 feet instead of the required 50 feet be and is hereby GRANTED, from

MICROFILMED

and after the date of this Order, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Arnold Jablon
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE January 18, 1984
BY *Thy Compagno (Clk)*
ADMINISTRATIVE ASSISTANT

MICROFILMED

ORDER RECEIVED FOR FILING

DATE January 18, 1984

BY *Thy Compagno (Clk)*

ADMINISTRATIVE ASSISTANT

MICROFILMED

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

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

ZONING DESCRIPTIONS

Beginning on the North side of Crestnoll Road 50 feet wide, at the distance of 150 feet East of the centerline of Knollcrest Road. Being Lot 2, Block D, in the subdivision of Knollcrest Manor. Book No. E. H. K. JR. 40, Folio 87, 8th Election District.

Beginning on the North side of Crestnoll Road 50 feet wide, at the distance of 300 feet East of the centerline of Knollcrest Road. Being Lot 3, Block D, in the subdivision of Knollcrest Manor. Book No. E. H. K. JR. 40, Folio 87, 8th Election District.

Beginning on the South side of Crestnoll Road 50 feet wide, at the distance of 700 feet East of the centerline of Dover Road. Being Lot 11, Block B, in the subdivision of Knollcrest Manor. Book No. E. H. K. JR. 40, Folio 87, 8th Election District.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
SUBJECT: Samuel Mogavero, et ux
84-179-A
Date: January 9, 1984

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

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG/JGH/sf

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 10, 1984

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

cc: Nicholas B. Commodari
Chairman

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. Samuel Mogavero
917 Hargrove Street
Baltimore, Md. 21202

RE: Item No. 117 - Case No. 84-179-A
Petitioner - Samuel Mogavero, et ux
Variance Petition

Dear Mr. & Mrs. Mogavero:

Enclosed please find additional comments submitted after my original comments of January 6, 1984.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosure

cc: Mr. John Doud
36 S. Charles Street
Baltimore, Md. 21201

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 6, 1984

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

cc: Nicholas B. Commodari
Chairman

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. Samuel Mogavero
917 Hargrove Street
Baltimore, Maryland 21202

RE: Item No. 117 - Case No. 84-179-A
Petitioner - Samuel Mogavero, et ux
Variance Petition

Dear Mr. & Mrs. Mogavero:

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.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Mr. John Doud
36 S. Charles Street
Baltimore, Md. 21201

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
524-3610

TED ZALESKI JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 117 Zoning Advisory Committee Meeting are as follows:

Property Owner: Samuel Mogavero, et ux
Location: Lots # 2, 3, & 11 - Crestnoll Road E. from C/I Knollcrest Road & Dover Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit sideyard setbacks of 40' in lieu of the required 50'.

Area: Lot #2, 150/150.59 x 264.31/277.63, Lot #3, 150/150.59 x 277.73/305.34, Lot #11, 150/150 x 225/225

District: 8th.

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82-000 of Maryland Code for the Handicapped and Aging, and other applicable Codes.
- X F. A building, other than a permit shall be required before beginning construction.
- X C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A fire-wall is required if construction is on the lot line. See Table 401, line 2, Section 1107 and Table 1102, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____.
- 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 structure thru the services of a Registered 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 505 and the required construction classification of Table 401.
- I. Comments

NOTE: These comments reflect only on the information provided by the drawings 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 112 (Plan Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Durnham
Charles E. Durnham, Chief
Plan Review

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 1, 1984

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

cc: Nicholas B. Commodari
Chairman

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. Samuel Mogavero
917 Hargrove Street
Baltimore, Md. 21202

RE: Item No. 117 - Case No. 84-179-A
Petitioner - Samuel Mogavero, et ux
Variance Petition

Dear Mr. & Mrs. Mogavero:

Enclosed please find additional comments submitted after my original comments of January 6, 1984. These comments were received after the hearing and were not considered in rendering the Zoning Commissioner's decision.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosure

cc: Mr. John Doud
36 S. Charles Street
Baltimore, Md. 21201

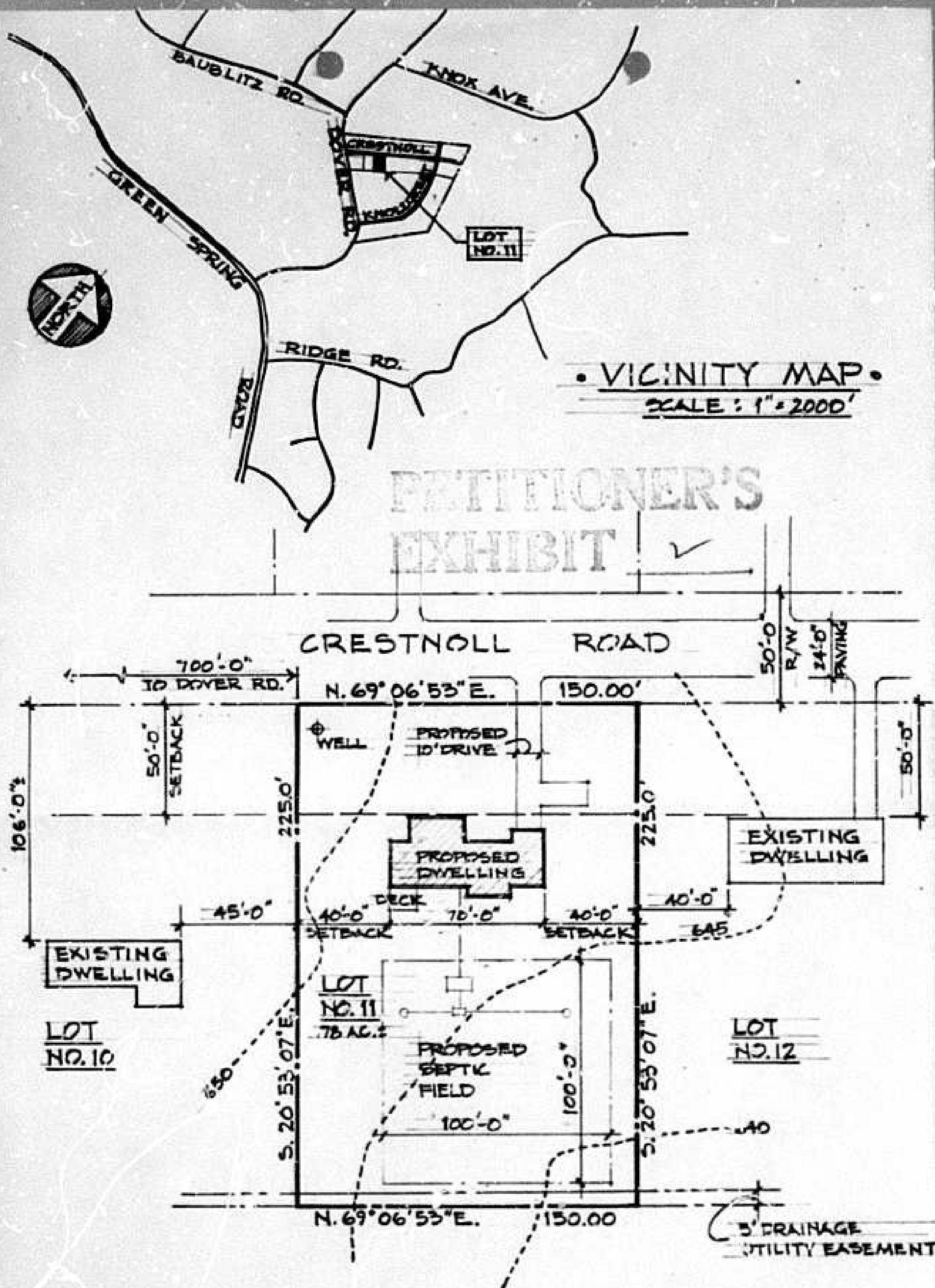
HALTIDORE COUNTY DEPARTMENT OF HEALTH
Zoning Item # 117, Zoning Advisory Committee Meeting of NOV. 29, 83
Property Owner: Samuel Mogavero, et ux
Location: Crestnoll Road District 8
Water Supply: PRIVATE Sewage Disposal: PRIVATE
COMMENTS ARE AS FOLLOWS:
() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
() Prior to new installation of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation before work begins.
() A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
() A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathroom, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

Zoning Item # 117 Zoning Advisory Committee Meeting of NOV. 29, 83
() Prior to raising of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
(x) Soil percolation tests (have been/must be) conducted.
(x) The results are valid until July 1984.
(x) Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
(x) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test for all three lots, shall be valid until July 1984. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
(x) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
(x) Others: Existing lots within this subdivision are vacant at this time.
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310
PAUL H. REINCKE
CHIEF
January 31, 1984
Mr. William Hancock
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: Samuel Mogavero, et ux
Lot 283 Location: N/S Crestnoll Road 150' + 300' E. from c/l Knollcrest Road
Lot 11 S/S Crestnoll Road 700' E. from c/l Dover Road
Item No.: 117 Zoning Agenda: November 29, 1983
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 operation.
(x) 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.
REVIEWED: (Signature) July 17, 1984 Noted and Approved: (Signature) George M. Hancock
Planning Group Fire Prevention Bureau
Special Inspection Division
/mb

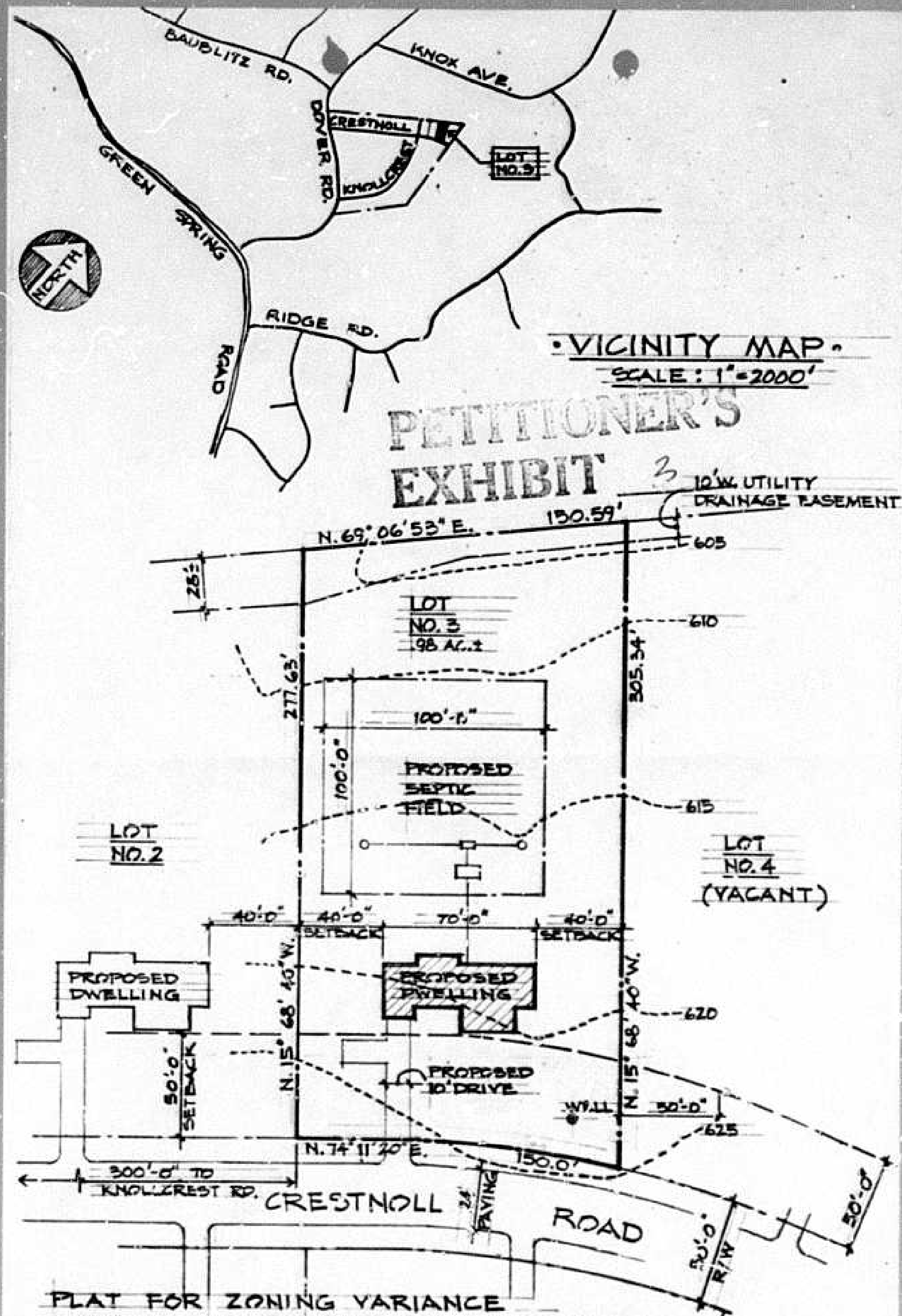
BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353
ARNOLD JABLON
ZONING COMMISSIONER
January 13, 1984
Mr. & Mrs. Samuel Mogavero
917 Hargrove Street
Baltimore, Maryland 21202
Re: Petition for Variances
N/S Crestnoll Rd., 150' + 300' E. of the c/l of Knollcrest Rd. and S/S Crestnoll Rd., 700' E. of the c/l of Dover Rd.
Samuel Mogavero, et ux - Petitioners
Case No. 84-179-A
Dear Mr. & Mrs. Mogavero:
This is to advise you that \$57.08 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.
Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.
Sincerely,
(Signature) Arnold Jablon
Commissioner
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 124089
DATE: 1/17/84 ACCOUNT: R-01-615-000
AMOUNT: \$57.08
RECEIVED FROM: Samuel Mogavero
FOR: Advertising and Posting Case #84-179-A
8 045*****57080 5178A
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District 8th Date of Posting: Jan. 6, 84
Posted for: 2 Variances
Petitioner: Samuel Mogavero, et ux
Location of property: N/S Crestnoll Road 150' and 300' E. of c/l of Knollcrest Road
Location of Signs: Signs on N/S of Crestnoll Rd. at intersection of Dover Rd. and on S/S of Crestnoll Rd. at intersection of Crestnoll Rd. and Dover Rd.
Remarks: 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 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1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 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1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 189



PLAT FOR ZONING VARIANCE
OWNER - SAM & MARGARET MOGAVERO
8TH. ELECTION DISTRICT, BALTIMORE COUNTY
ZONED-RDP 8TH Dist. R.C.5
SUBDIVISION - KNOLLCREST MANOR
LOT 11, BLOCK B, BOOK E.H.K. J.R.40 FOLIO 87
SCALE: 1" = 50'-0"

11-4-83



PLAT FOR ZONING VARIANCE
OWNER - SAM & MARGARET MOGAVERO
8TH. ELECTION DISTRICT, BALTIMORE COUNTY
ZONED-RDP 8TH Dist.
SUBDIVISION - KNOLLCREST MANOR
LOT 3, BLOCK D, BOOK E.H.K. J.R.40 FOLIO 87
SCALE: 1" = 50'-0"

11-4-83

117 11/17/83 SM **PETITION FOR ZONING VARIANCE 84-179-A** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 103.3 (1200.3.B.3.R.D.P.) to permit sideyard setbacks of 46 feet instead of the required 50 ft. on lot #2, 3, 11.

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

1. To conform to designs of existing adjacent properties.
2. To add garages to conform to design of existing houses.
3. Knollcrest Manor Blocks A and B are existing. Would like to conform.

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 of Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:

Legal Owner(s):
Samuel Mogavero
(Type or Print Name)
Signature
Margaret A. Mogavero
(Type or Print Name)
Signature
917 Hargrove St.
Address
Balt Md. 21202
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
John Doud
Name
36 S. Charles St.
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of November 1983, 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 17th day of January 1984, at 10:00 o'clock A.M.

Carl P. ...
Zoning Commissioner of Baltimore County.

(over)



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

January 5, 1984

Re: Item #117 (1983-1984)
Property Owner: Samuel Mogavero, et ux
Lot #2 - N/S Crestnoll Rd., 150' E. from centerline Knollcrest Rd.
Lot #3 - N/S Crestnoll Rd., 300' E. from centerline Knollcrest Rd.
Lot #11 - S/S Crestnoll Rd., 700' E. from centerline Dover Rd.
Acres: Lot #2 - 150/150.59 x 264.31/277.63
Lot #3 - 150/150.59 x 277.73/305.34
Lot #11 - 150/150 x 225/225
District: 8th

Dear Mr. Jablon:

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 and are as secured by Public Works Agreement 87206, executed in conjunction with the development of Knollcrest Manor, of which this property is a part.

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 117 (1983-1984).

Very truly yours,

ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
N/S Crestnoll Rd., 150' & : OF BALTIMORE COUNTY
300' E of the Centerline of :
Knollcrest Rd. & S/S of :
Crestnoll Rd., 700' E of the :
Centerline of Dover Rd., :
8th District :
SAMUEL MOGAVERO, et ux, : Case No. 84-179-A
Petitioners :

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 therefor, 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 for Baltimore County
Rm. 223, Court House
Towson, MD 21204
494-2183

I HEREBY CERTIFY that on this 30th day of December, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. Samuel Mogavero, 917 Hargrove Street, Baltimore, MD 21202, and Mr. John Doud, 36 S. Charles St., Baltimore, MD 21201.

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 5, 1984

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

Chairman

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. Samuel Mogavero
917 Hargrove Street
Baltimore, Maryland 21202

RE: Item No. 117 - Case No. 84-179-A
Petitioner - Samuel Mogavero, et ux
Variance Petition

Dear Mr. & Mrs. Mogavero:

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.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

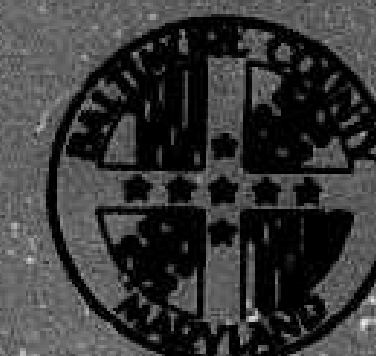
Enclosures

cc: Mr. John Doud
36 S. Charles Street
Baltimore, Md. 21201

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



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

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 117 Zoning Advisory Committee Meeting are as follows:

Property Owner: Samuel Mogavero, et ux
Location: Lots # 2, 3, & 11 - Crestnoll Road E. from C/L Knollcrest Road & Dover Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit sideyard setbacks of 40' in lieu of the required 50'.

Acres: Lot #2, 150/150.59 x 264.31/277.63, Lot #3, 150/150.59 x 277.73/305.34, Lot #11, 150/150 x 225/225
District: 8th.

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 ~~State of Maryland Code for the Building and other applicable Codes.~~
- X B. A building/ & other / permit shall be required before beginning construction.
- X C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" for commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot lines. A fire wall is required if construction is on the lot line, see Table 101, line 2, Section 1107 and Table 102, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section 5.
- 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 505 and the required construction classification of Table 101.
- I. Comments

NOTE: These comments reflect only on the information provided by the drawings 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 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:es

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 10, 1984

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

Chairman

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. Samuel Mogavero
917 Hargrove Street
Baltimore, Md. 21202

RE: Item No. 117 - Case No. 84-179-A
Petitioner - Samuel Mogavero, et ux
Variance Petition

Dear Mr. & Mrs. Mogavero:

Enclosed please find additional comments submitted after my original comments of January 6, 1984.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI,
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosure

cc: Mr. John Doud
36 S. Charles Street
Baltimore, Md. 21201

IN RE: PETITION FOR VARIANCE: N/S of Crestnoll Rd., 150' and 300' E of the center line of Knollcrest Rd. and S/S of Crestnoll Rd., 700' E of the center line of Dover Rd. 8th Election District

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 84-179-A

Samuel Mogavero, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit side yard setbacks of 40 feet instead of the required 50 feet for 3 separate parcels. The purpose of their request is to develop the lots with residences, as described by Petitioners' Exhibit 1.

Samuel Mogavero, the Petitioner, appeared and testified. There were no Protestants.

Testimony indicated that the property is zoned R.C.5. The Petitioners purchased lots 2, 3, and 11 from the Developer of Knollcrest Manor on or about April, 1983.

The Petitioners intend to develop each of the lots by building single family homes which will conform in style and design to the others already built by the developer, approximately 30. The lots in question are approximately 150 feet wide, and most if not all in the development are the same. Therefore, about 75% of the existing dwellings already are the beneficiaries of similar variances to those requested here.

Homes to be built by the Petitioners will have attached garages, as do the other homes already existing. Also, an adjacent older community to Knollcrest has homes with side yards less than allowed by law.

Petitioners are asking for 40 foot setbacks on each side in order to conform to the sizes of those homes already existing. The developer, who has prior right of removal of all development, and neighbors to the Petitioners do not object to the proposed variances.

The Petitioners seek relief from Secti 103.3 (1200.3.B.3.R.D.P.), pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

UNDER RECD TO FOR FILING
DATE January 19, 1984
To: Mr. Arnold Jablon, Zoning Commissioner
County Office Building
Towson, Maryland 21204

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

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

An area variance may be granted where strict application of the zoning regulation to the petitioners and their property would cause practical difficulty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were to be granted, such use as proposed would not be contrary to the spirit of the regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not to be granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the variances requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of January, 1984, that the Petition for Variances to permit side yard setbacks of 40 feet instead of the required 50 feet be and is hereby GRANTED, from

and after the date of this Order, subject, however, to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE January 18, 1984
BY May Langley (Clerk)

PETITION FOR VARIANCES

8th Election District

ZONING: Petition for Variances
LOCATION: North side Crestnoll Road, 150 ft. and 300 ft. East of the centerline of Knollcrest Road and South side of Crestnoll Road, 700 ft. East of the centerline of Dover Road
DATE & TIME: Tuesday, January 17, 1984 at 10:00 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 Variances to permit side yard setbacks of 40 ft. instead of the required 50 ft. for Lot Nos. 2, 3 and 11

Being the property of Samuel Mogavero, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 1, 1984

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

000
Nicholas B. Commorari
Chairman

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. Samuel Mogavero
917 Hargrove Street
Baltimore, Md. 21202

RE: Item No. 117 - Case No. 84-179-A
Petitioner - Samuel Mogavero, et ux
Variance Petition

Dear Mr. & Mrs. Mogavero:

Enclosed please find additional comments submitted after my original comments of January 6, 1984. These comments were received after the hearing and were not considered in rendering the Zoning Commissioner's decision.

Very truly yours,
Nicholas B. Commorari
NICHOLAS B. COMMORARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosure

cc: Mr. John Doud
36 S. Charles Street
Baltimore, Md. 21201

ZONING DESCRIPTIONS

Beginning on the North side of Crestnoll Road 50 feet wide, at the distance of 150 feet East of the centerline of Knollcrest Road. Being Lot 2, Block D, in the subdivision of Knollcrest Manor. Book No. E. H. K. JR. 40, Folio 87, 8th Election District.

Beginning on the North side of Crestnoll Road 50 feet wide, at the distance of 300 feet East of the centerline of Knollcrest Road. Being Lot 3, Block D, in the subdivision of Knollcrest Manor. Book No. E. H. K. JR. 40, Folio 87, 8th Election District.

Beginning on the South side of Crestnoll Road 50 feet wide, at the distance of 700 feet East of the centerline of Dover Road. Being Lot 11, Block B, in the subdivision of Knollcrest Manor. Book No. E. H. K. JR. 40, Folio 87, 8th Election District.

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 117, Zoning Advisory Committee Meeting of NOV. 29, 83

Property Owner: Samuel Mogavero, et ux

Location: Crestnoll Road District 8

Water Supply private Sewage Disposal private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

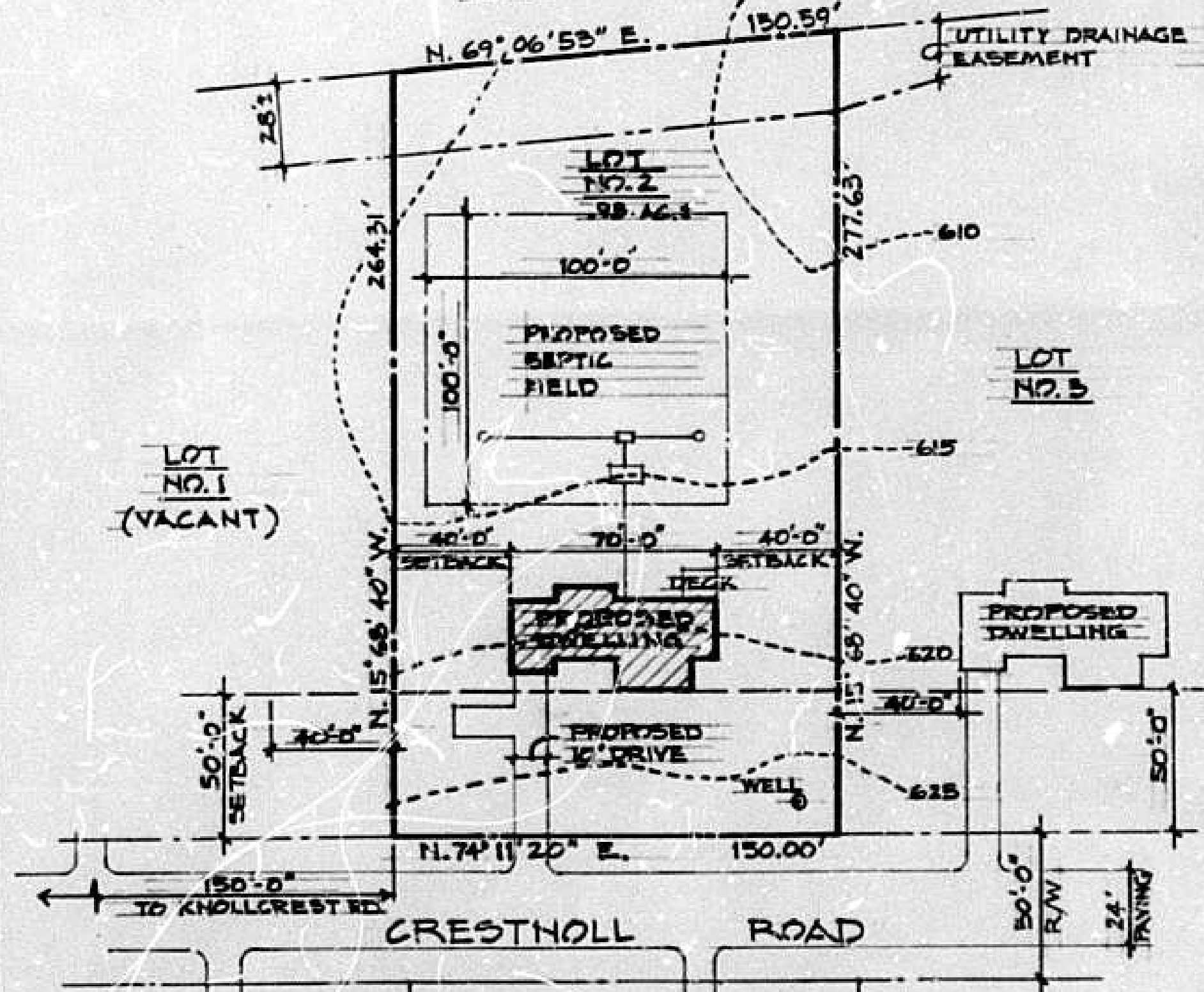
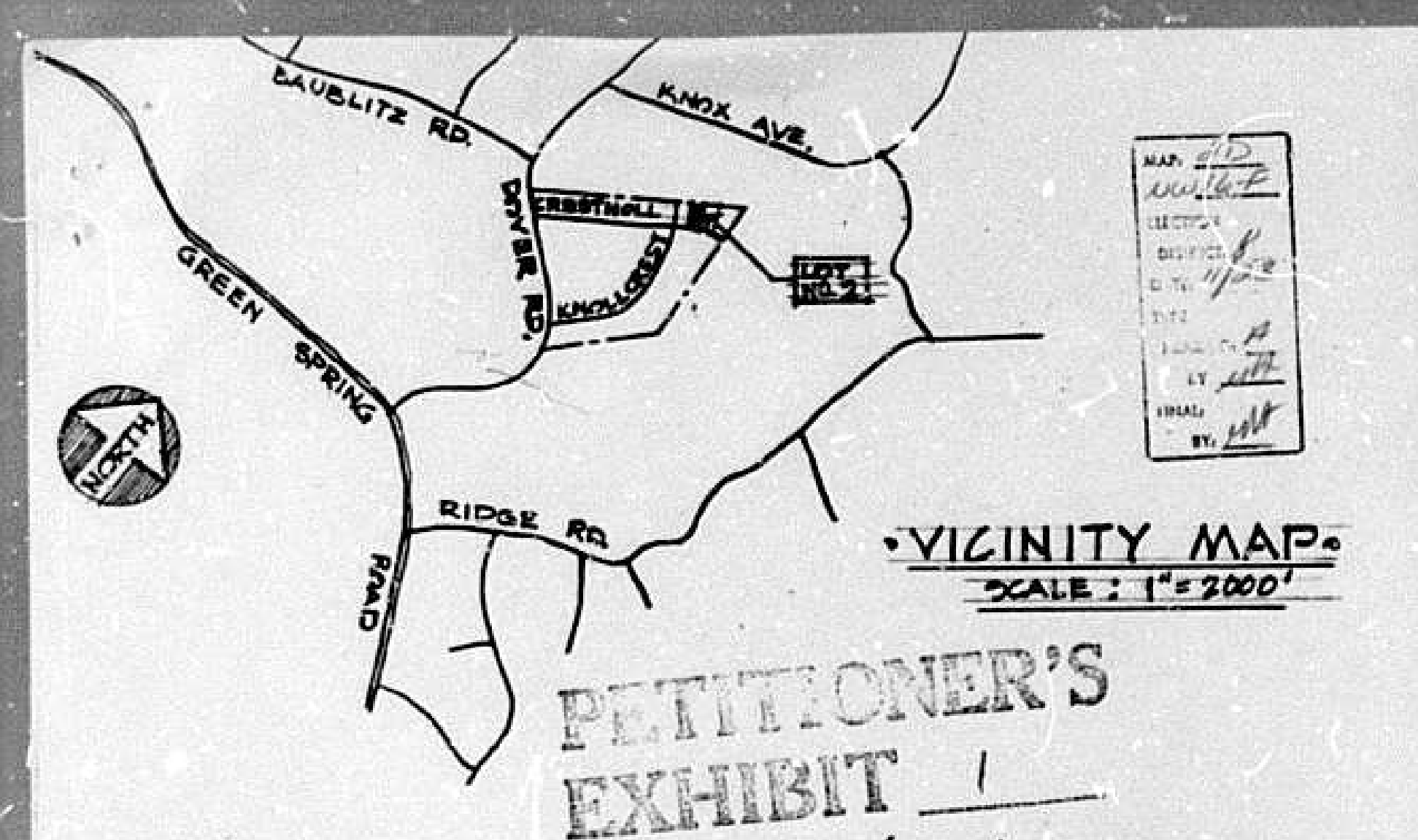
4/17 SS 20 1082 (1)
84-179-A

Zoning Item # 117 Zoning Advisory Committee Meeting of NOV. 29, 83
Page 2

- () Prior to raising of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- (x) Soil percolation tests (have been/must be) conducted.
The results are valid until _____
(x) Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- (x) In accordance with Section 13-117 of the Baltimore County Code, the water well yield tests for all three lots, shall be valid until July 1984. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- (x) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- (x) Others Existing lots within this subdivision are vacant at this time.

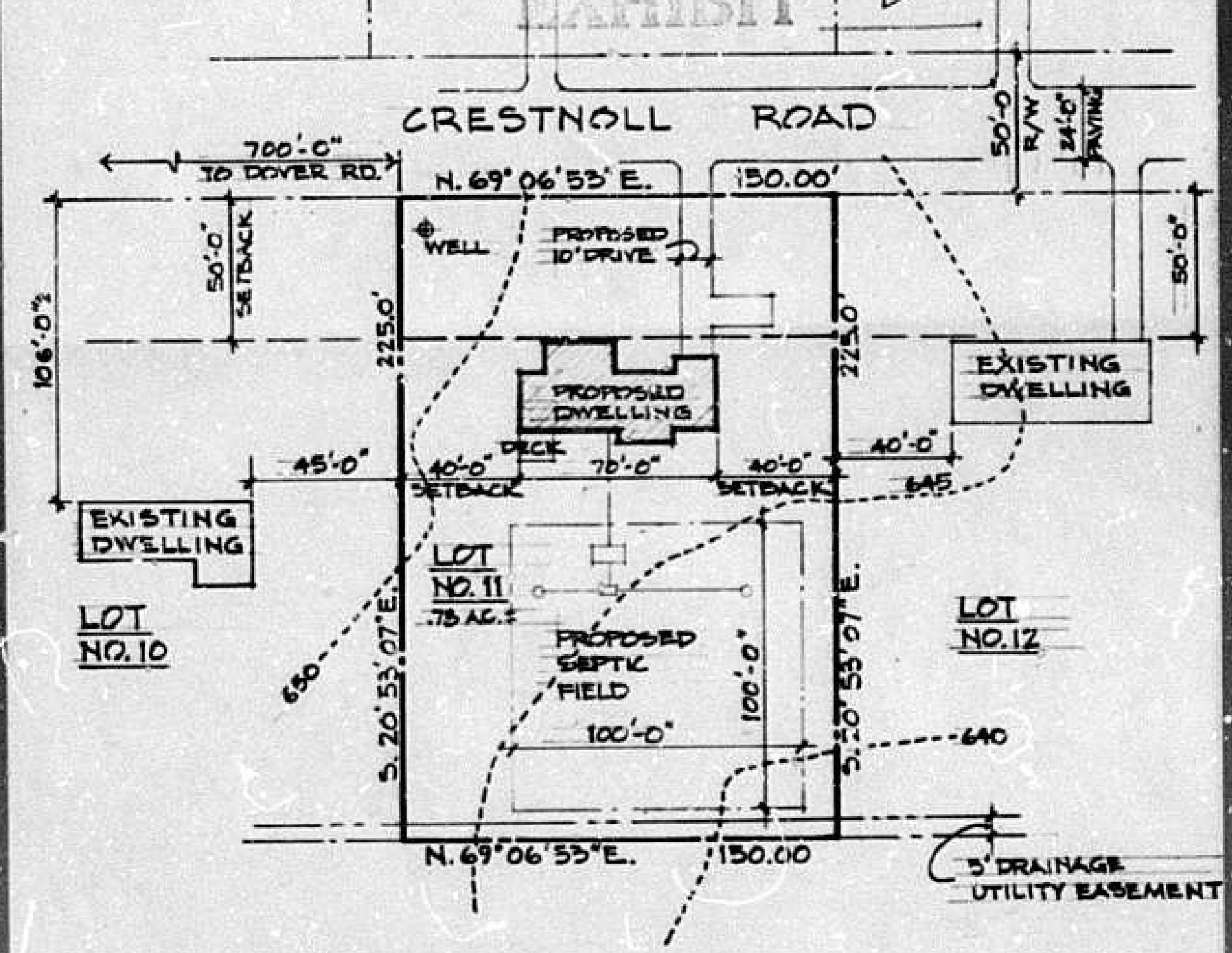
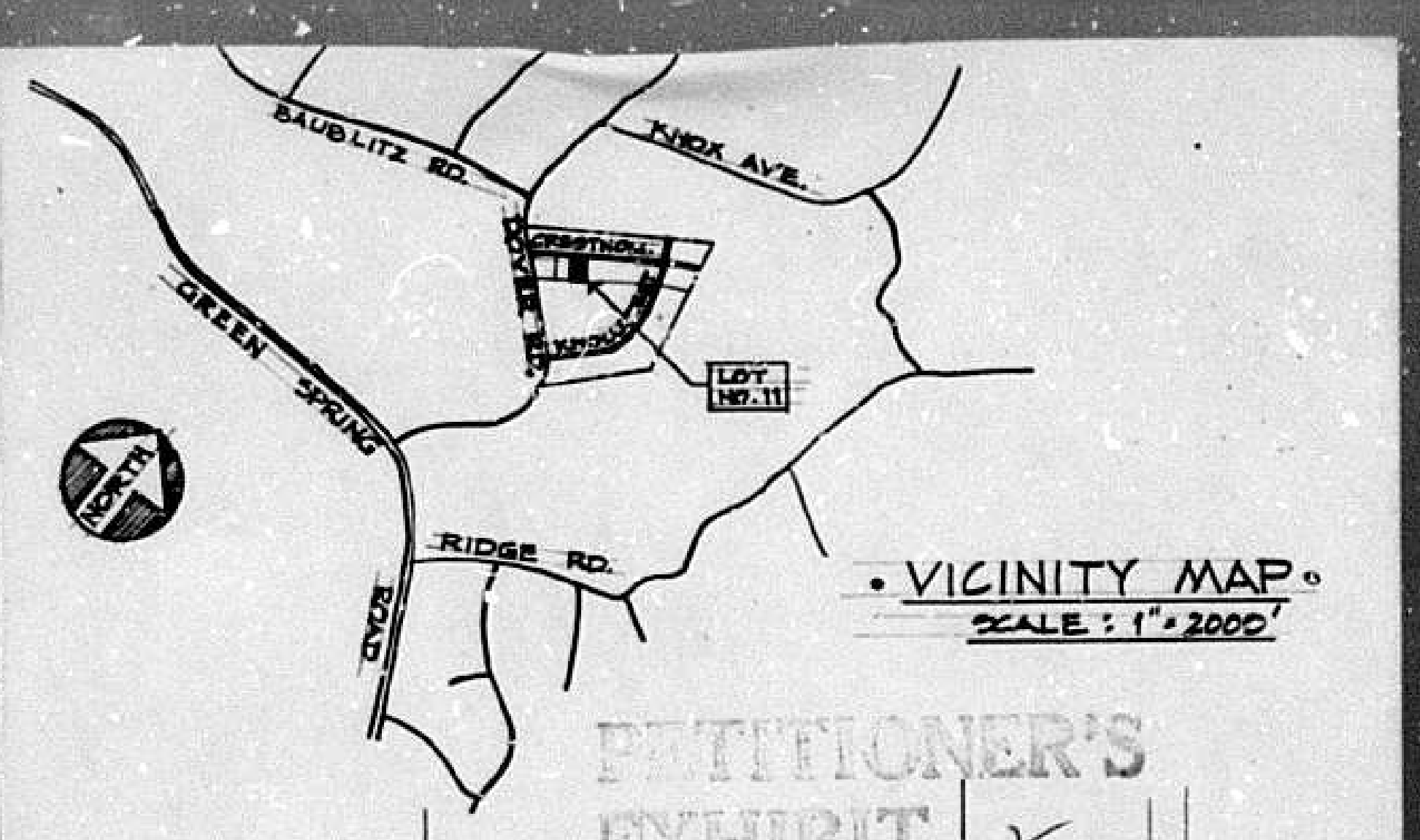
[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R



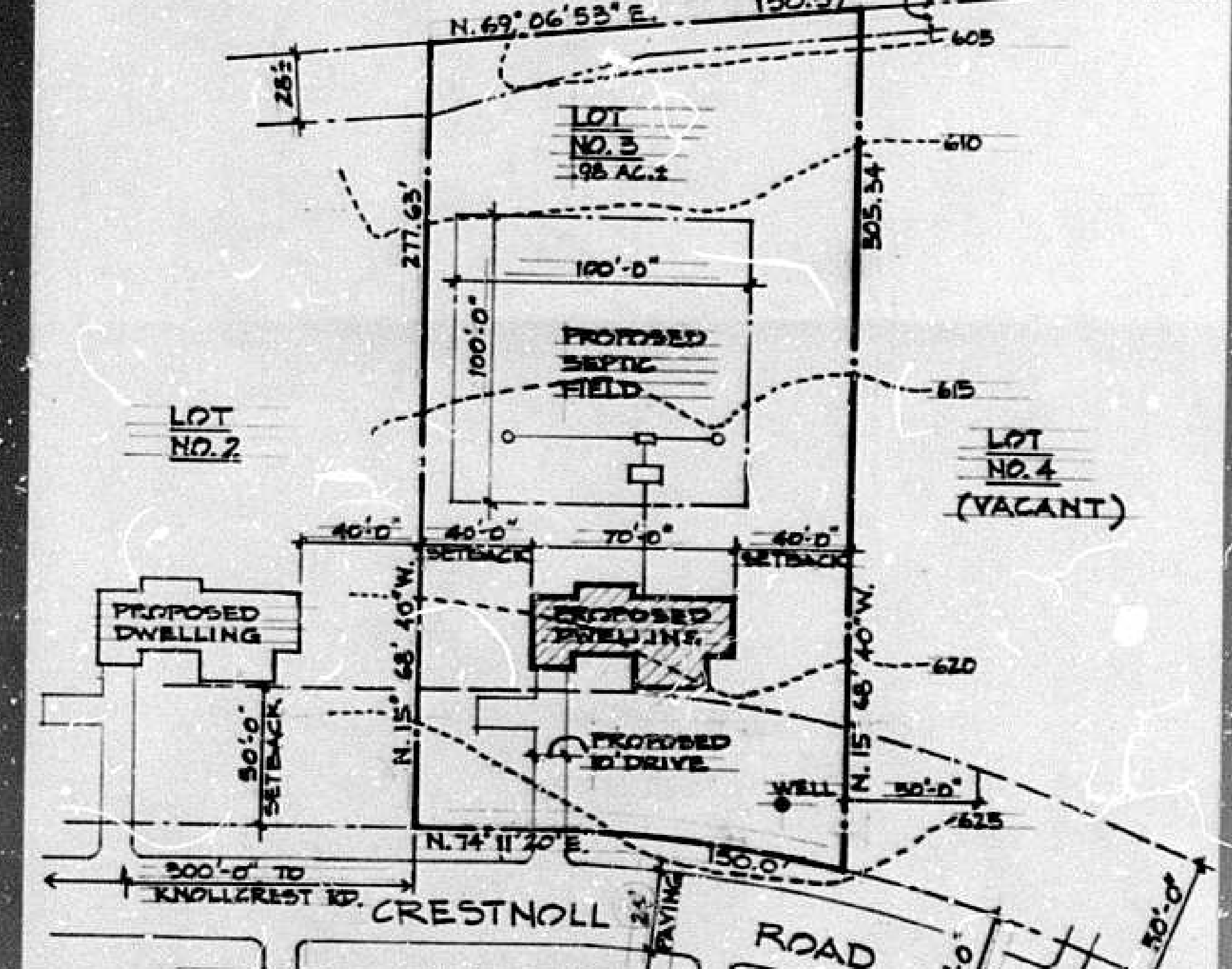
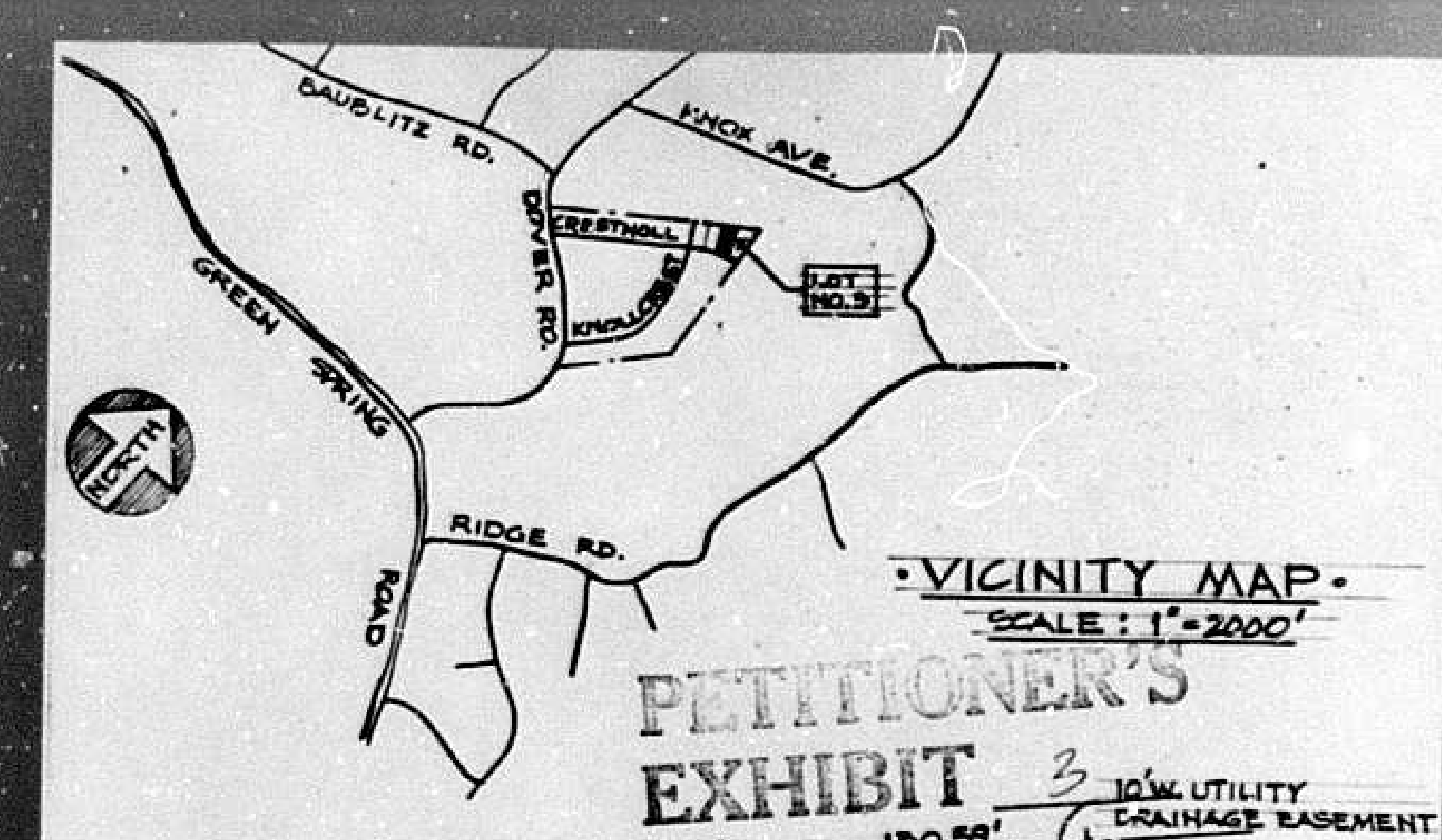
PLAT FOR ZONING VARIANCE
OWNER - SAM & MARGARET MOGAYERO
8TH. ELECTION DISTRICT, BALTIMORE COUNTY
ZONED-RDP 8TH DIST.
SUBDIVISION - KNOLLCREST MANOR
LOT 2, BLOCK D, BOOK E.H.K. J.R. 40 FOLIO 87
SCALE: 1" = 50'-0"

Tom 1117
11-4-83



PLAT FOR ZONING VARIANCE
OWNER - SAM & MARGARET MOGAYERO
8TH. ELECTION DISTRICT, BALTIMORE COUNTY
ZONED-RDP 8TH DIST.
SUBDIVISION - KNOLLCREST MANOR
LOT 11, BLOCK B, BOOK E.H.K. J.R. 40 FOLIO 87
SCALE: 1" = 50'-0"

Tom 1117
11-4-83



PLAT FOR ZONING VARIANCE
OWNER - SAM & MARGARET MOGAYERO
8TH. ELECTION DISTRICT, BALTIMORE COUNTY
ZONED-RDP 8TH DIST.
SUBDIVISION - KNOLLCREST MANOR
LOT 3, BLOCK D, BOOK E.H.K. J.R. 40 FOLIO 87
SCALE: 1" = 50'-0"

Tom 1117
11-4-83