PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 87-80-SPH

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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

the non-conforming use of this property for two (2) dwellings and the expansion of one (1) dwelling (policy #RM-14)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing 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:	Legal Owner(s):	MAP NE LOT
(Type or Print Name)	Christine Chiofolo (Type or Print Name)	48
Signature	Christine Chiofolo Signature	15
Address	(Type or Print Name)	DATE 7/21/87
City and State	Signature	200
		1000
		DP

11 3435
E 53980

Attorney for Petitioner:

Robert A. Hoffman (Type or Print Name) — S. Eric DiNenna 2808 Southern Ave. 426-5621 Address Phone No.

Signature — 409 Washington Ave. Towson, Md. Baltimore, Md. 21204

210 Allegheny Avenue (296-6820) Address — City and State

Towson, Maryland 21204 City and State

Attorney's Telephone No.: 823-4111

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Robert A. Hoffman
Name
210 Allegheny Avenue
Towson, Maryland 21204 823-4111
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of July, 19 86, 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 9th day of September, 19 86, at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

Z.C.O.—No. 1 (over)

ORDER RECEIVED FOR FILING
Date 7/21/86
By Kathi Schlaner

OFFICE COPY

Item #326 RLS-08-48

Item #326 RLS-08-43

Christine Chiofolo #87-80-SPH NE/S of St. Georges Rd., approx. 655' SE of Middleborough Rd. (319 and 321 St. Georges Rd.) 15th Elec. Dist.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-80-SPH

District 15th Date of Posting 7/25/86

Posted for: Special Hearing

Petitioner: Christine Chiofolo

Location of property: NE/s St. Georges Rd., approx 655' SE/of Middleborough Rd. 319 & 321 St. Georges Rd.

Location of Signs: Facing St. Georges Rd., approx. 12' Fr. road way, on property of Petitioner

Remarks: Sign posted on 319 St. Georges Rd., approx 8' Fr. property line of 319 & 321.

Posted by [signature] Signature Date of return: 8/1/86

Number of Signs: 1

Petition Special Hearing

15th Election District
Case No. 87-80-SPH

LOCATION: Northeast Side of St. Georges Road, approximately 655 feet Southeast of Middleborough Road (319 and 321 St. Georges Road).

DATE & TIME: Tuesday, September 9, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West 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 Special Hearing to approve non-conforming use of this property for 2 dwellings and the expansion of 1 dwelling.

Being the property of Christine Chiofolo, as shown on plat plan filed with the Zoning Office.

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
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md., Aug 21 1986

This is to Certify, That the annexed

Petition - Christine Chiofolo
Reg # 92773

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 21st day of August, 1986

Publisher.

IN THE MATTER OF THE APPLICATION OF CHRISTINE CHIOFOLO RE: PETITION FOR SPECIAL HEARING ON PROPERTY LOCATED ON THE NORTHEAST SIDE ST. GEORGES RD., APPROX. 655' SOUTHEAST OF MIDDLEBOROUGH RD. (319 and 321 ST. GEORGES RD.) 15th ELECTION DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 87-80-SPH

OPINION

This case comes before the Board as a result of a decision by the Deputy Zoning Commissioner of Baltimore County ordering that the request for the expansion of the one dwelling, known as 321 St. Georges Road, in the 15th Election District of Baltimore County, must be removed.

The Deputy Zoning Commissioner of Baltimore County found a non-conforming use of the subject site for two (2) dwellings that are known as 319 and 321 St. Georges Road. The matter before us is only the question of the expansion of 321 St. Georges Road and whether this expansion was proper.

The history of this property is unique, the testimony and exhibits most interesting, and the basis for our conclusion almost facetious.

Mr. Frank Chiofolo testified that his father and mother purchased the subject site in 1941, and there existed on what is now known as 321 St. Georges Road, an improvement which contained a structure approximately 600 sq.ft. in size. On the water side of the structure, there was a covered porch with a rail or partition which closed in the bottom of the porch so that ingress and egress could only be obtained by going through the house. The testimony of all witnesses is uncontradicted in this regard and the Board finds this to be the condition of the structure as far back as 1942. In 1955, the porch was completely enclosed. The Board finds that this enclosure was not an expansion of the original structure, but was an improvement of the existing structure from 1942.

The Baltimore County Zoning Regulations (BCZR) allow an expansion of up to 25% of a legally nonconforming use, which means the property at 321 St. Georges Road could be expanded 150 sq. ft. In 1984, the Appellants added a section to the enclosed porch comprising 180 sq. ft. This expansion obviously is 30 sq. ft. beyond the permissible amount. This case, however, will turn on the "out-house".

In addition to Mr. Chiofolo, the Board heard testimony from two (2) neighboring Protestants, Mr. Alfred Novak and Mrs. Lavinia Bellman. Mrs. Bellman testified she is 74 years of age and has lived in the neighborhood since "the year of '34". This witness has a remarkable memory and testified that in 1942, when the property was purchased by Mr. Chiofolo, there existed at 321 St. Georges Road, an outhouse that she described to be "a two seater", the size of the witness box in which she was sitting in the Board hearing room. This area is 4 ft. by 6 ft. in size, or 24 sq. ft. The Board finds as a fact, that most certainly an outhouse, although a separate structure, was a most necessary part and parcel of the original domicillary, and thus the 24 sq. ft. should be added to the original 600 sq. ft. to determine the amount of expansion legally allowed. The Board finds as a fact after considering all of the testimony and reviewing all of the exhibits, that the addition added in 1984 to 321 St. Georges Road, is within 10 sq. ft. of the allowable expansion, and as such finds the addition legal and permissible.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 9th day of April, 1987, by the County Board of Appeals, ORDERED that the decision of the Deputy Zoning Commissioner, regarding the expansion of 321 St. Georges Road, must be REVERSED and that the present addition is permissible.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Thomas J. Bollinger, Acting
Chairman

LeRoy B. Spurrier

Harry E. Buchheister, Jr.
Harry E. Buchheister, Jr.

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

April 9, 1987

RECEIVED
APR 9 1987
ZONING OFFICE

S. Eric DiNenna, Esq.
Mercantile-Towson Building
409 Washington Blvd.
Towson, Md. 21204

Re: Case No. 87-80-SPH
Christine Chiofolo

Dear Mr. DiNenna:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled matter.

Very truly yours,

June Holmen

June Holmen, Secretary

Encl.
cc: Ms. Christine Chiofolo
Curtis Coon, Esq.
Mr. Alfred Novak
Phyllis C. Friedman
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. duBois

RE: PETITION FOR SPECIAL HEARING
NE/S of St. Georges Rd., approx. 655' SE of Middleborough Rd. (319 and 321 St. Georges Rd.)
15th Election District
Christine Chiofolo - Petitioner
Case No. 87-80-SPH
APPEAL FILED BY: APPELLANT/PETITIONER, CHRISTINE CHIOFOLO
DATE APPEAL FILED: 11/7/86

1. Petition
2. Description of Property
3. Certificate of Posting
4. Certificates of Publication
5. Zoning Advisory Committee Comments
6. Comments from the Director of Planning
7. Entry of Appearance
8. Order of Deputy Zoning Commissioner
9. Order of Appeal filed on November 7, 1986, by Appellant/Petitioner, Christine Chiofolo
10. Letter advising all parties of filing of appeal, dated 11/18/86
11. Petitioner's Exhibits:
    - No. 1 - Undated plan for Special Hearing
    - No. 2 - Undated color photograph - No Copy Retained
    - No. 3 - Permit No. 66199 and Cash Receipt No. D06190
    - No. 4 - Permit No. 69673
    - No. 5 - Letter to Mr. Frank Chiofolo, from S. Eric DiNenna, dated 1/30/75
    - No. 6 - Letter to John Grason Turnbull, II, Esquire, from James E. Dyer, dated 3/6/80
    - No. 7 - Undated color photograph - No Copy Retained
12. Protestant's Exhibits:
    - No. 1 - Inked outline of 1974 addition
    - No. 2 - Sheet of photographs, taken 3/4/75
    - Nos. 3, 4, 5, and 6 - 2 color photographs - one dated 1184 and the other dated 6/78 and 2 black and white photographs, one dated 1954 and the other dated 5/29/70 - No Copies Retained
    - No. 7 - Tax records - 3 sheets
13. Joint Exhibit 1 - Letter to Frank J. Chiofolo, from James M. Barry, dated 6/3/77

* S. Eric DiNenna, Esquire — Attorney for Appellant/Petitioner
Suite 600, Mercantile-Towson Building
409 Washington Avenue
Towson, Maryland 21204
(296-6820)

Ms. Christine Chiofolo — Appellant/Petitioner
2808 Southern Avenue
Baltimore, Maryland 21214
(426-5621)

Curtis Coon, Esquire — Attorney for Appellee/Protestant, Mr. Alfred Novak
9 West Mulberry Road
Baltimore, Maryland 21201

IIIII

Mr. Alfred Novak — Appellee/Protestant
325 St. Georges Road
Baltimore, Maryland 21221

~~Phyllis Cole Friedman, Esquire~~
~~People's Counsel for Baltimore County~~
~~Room 223 Courthouse~~
~~Towson, Maryland 21204~~

	Request Notification
Norman E. Gerber	" "
James Hoswell	" "
Arnold Jablon	" "
Jean M. H. Jung	" "
James E. Dyer	" "
Margaret E. du Bois, Appeals Clerk, Zoning Office	" "

BALTIMORE COUNTY RESIDENTIAL

DISTRICT	ACCOUNT NO.	FOLIO	NUMBER CARDS IN ACCOUNT
15	21728		

PERSONAL PROPERTY YES NO

PERSONAL PROPERTY ACCOUNT No.

Chiofolo

YEAR	LAND	IMPS	TOTAL BASIS REAL LEVY
1949	825	350	1175

DECREASE OR CREDITS	NATURE		INCREASE DECREASE	AMOUNT	YEAR	LAND	IMPS	TOTAL
8/5/49 8/20/49 1950 Alt. on Bld.	Alt. to Shed	1	S-1	LAND 75 IMPS 10 TOTAL 85	1950	600	300	900
New House		2	S-1	LAND 500 IMPS 500 TOTAL 1000	1950	600	800	1400
		3			1953	600	900	1500
		4			1956	450	450	900

DWLG 1/50 GARAGE

Bldg 50

Sub. Lands 2½ Dwgs 1/50 Garage

Residue

Mortgage

PIECE GENERAL REASSESSMENT

INCREASE EXCESS	TOWSON BENEFIT	TOWSON SEWER	YEAR	METROPOLITAN CHARGES SEWER F.F.	SEWER SERVICE	WATER F.F.	SERVICE CONNECTION	ASSESSED VALUE IN DIST. YEAR	LAND	IMPS	TOTAL IN DISTRICT
			1950			7.50		1950	600	300	900
			"			7.50		"	600	800	1400
			1953			7.50		1953	600	900	1500
								1956	450	450	900

TRANSFERRED BY

WHOLE ACCOUNT TRANSFERRED PARTIAL

CARDS PUNCHED BY DATE

CARDS CHECKED BY DATE

SEE SUPPLEMENTARY SHEET

BALTIMORE COUNTY RESIDENTIAL

DISTRICT	ACCOUNT NO	FOLIO	NUMBER CARDS IN ACCOUNT
15	21728		

PERSONAL PROPERTY YES NO

PERSONAL PROPERTY ACCOUNT No.

Chiofolo

YEAR	LAND	IMPS	TOTAL BASIS REAL LEVY
1956	1500	1500	3000

7/27/57 1958

DECREASE OR CREDITS	NATURE		INCREASE DECREASE	AMOUNT	YEAR	LAND	IMPS	TOTAL
Dwelling #1000, Dwelling #2-500	Dwgs.	1	S-1	863	1958	1500	1500	3000
		2						
		3						
		4						

Put on 7

INCREASE EXCESS	TOWSON BENEFIT	TOWSON SEWER	YEAR	METROPOLITAN CHARGES SEWER F.F.	SEWER SERVICE	WATER F.F.	SEWER CONNECTION	ASSESSED VALUE IN DIST. YEAR	LAND	IMPS	TOTAL IN DISTRICT
			1958			7.50		1958	1500	1500	3000

INCREASE OR DECREASE NO

YEAR	SIDEWALK	CURB & GUTTER	DATE STARTED

RESIDENTIAL ASSESSMENT CARD BALTIMORE COUNTY

NUMBER	ACCOUNT NO	FOLIO	DISTRICT	TOTAL CARDS IN ACCOUNT	PERSONAL PROPERTY YES NO	PERSONAL ACCOUNT No.
11797	21728		15	2	—	

OWNER FRANK J. Chiofolo

POST OFFICE ADDRESS 2808 Southern Ave

HOUSE NUMBER

DEVELOPMENT Middleborough

LOTS 179

SIZE OF LOT 50 FT. x 285 FT. FRONTS 50 FT. ON E SIDE OF St George Rd 65.0 FT. TO Ames INTERSEC

ASSESSMENT	OLD	NEW	REVISED ASSESSM'T	YEAR	ASSESSED VALUE IN DISTRICT LAND	IMPS	SEWER F.F.	TOWSON SEWER	TOWSON BENEFIT
LAND		825		1949	825	350			
DWELLING		300							
GARAGE									
Shed		50		PRESENT ASSESSMENT APPROVED					
				ASSESSMENT LBATED TO					
				APPEAL TAX COURT					
				DATE TRANSFERRED 6/6/41					
TOTALS		1175		DEED REFERENCE			INCREASE No.		DECREASE No.

Vincent R. Rizzo

SEE SUPPLEMENTARY SHEET

Alt 5-16-56

County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

December 16, 1986

NOTICE OF ASSIGNMENT

(CORRECTED NOTICE)

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 87-80-SPH (NOTE: New Case Number)	CHRISTINE CHIOFOLO
	NE/s St. Georges Rd., approx. 655' SE of Middleborough Rd. (319 and 321 St. Georges Rd.)
	15th District
	SPH-Non-conforming use of this property for two dwellings and the expansion of one dwelling (policy #RM-14)
	10/10/86 - D.Z.C., Part Granted, Part Denied
ASSIGNED FOR:	WEDNESDAY, MARCH 25, 1987, at 10 a.m.
cc: S. Eric DiNenna, Esq.	Counsel for Appellant/Petitioner
Ms. Christine Chiofolo	Petitioner
Curtis Coon, Esq.	Counsel for Appellee/Protestant
Mr. Alfred Novak	Appellee/Protestant
~~Phyllis C. Friedman~~	~~People's Counsel~~
Norman E. Gerber	
James Hoswell	
Arnold Jablon	
Jean Jung	
James Dyer	
Margaret E. du Bois	
Tom Gallagher, Esq. Law Office	

June Holmen, Secy.

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 17th day of November, 1986, a copy of the aforegoing Order of Appeal was mailed, postage prepaid, to Curtis Coon, Esquire, 9 West Mulberry Street, Baltimore, Maryland 21201; and to Phyllis Friedman, People's Counsel, Room 223, Court House, Towson, Maryland 21204.

S. ERIC DINENNA

RECEIVED
DEC 17 1986
ZONING OFFICE

County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

December 16, 1986

NOTICE OF ASSIGNMENT

(CORRECTED NOTICE)

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 87-80-SPH (NOTE: New Case Number)	CHRISTINE CHIOFOLO
	NE/s St. Georges Rd., approx. 655' SE of Middleborough Rd. (319 and 321 St. Georges Rd.)
	15th District
	SPH-Non-conforming use of this property for two dwellings and the expansion of one dwelling (policy #RM-14)
	10/10/86 - D.Z.C., Part Granted, Part Denied
ASSIGNED FOR:	WEDNESDAY, MARCH 25, 1987, at 10 a.m.
cc: S. Eric DiNenna, Esq.	Counsel for Appellant/Petitioner
Ms. Christine Chiofolo	Petitioner
Curtis Coon, Esq.	Counsel for Appellee/Protestant
Mr. Alfred Novak	Appellee/Protestant
Phyllis C. Friedman	People's Counsel
Norman E. Gerber	
James Hoswell	
Arnold Jablon	
Jean Jung	
James Dyer	
Margaret E. du Bois	

June Holmen, Secy.

IN RE: PETITION FOR SPECIAL HEARING
NE/S of St. Georges Road, Approximately 655' SE of Middleborough Road
(319 & 321 St. Georges Road)
15th Election District
Christine Chiofolo
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-80-SPH

* * * * * * * * * * * *

The Petitioner herein requests a Special Hearing to determine whether or not approval should be granted for the non-conforming use of the subject site for two dwellings (319 and 321 St. Georges Road), as indicated on the plan submitted, prepared by Sourabh Munski, and identified as Petitioner's Exhibit 1, and additionally, the expansion of one dwelling (321 St. Georges Road).

In the matter regarding the non-conforming use of 319 St. Georges Road, testimony by the son of the Petitioner indicated that he recalled one dwelling at this location around 1940 and that there was no expansion between 1945 and 1955. During the 1960's the building consisted of two bedrooms, a bathroom, a dining room, a kitchen in the center of the building, and a living room, with attic above, on the road side of the dwelling (partially shown on the left side of the photograph identified as Petitioner's Exhibit 2). In 1974/75, an "addition", consisting of a bedroom, kitchen, living room and dining room, was built to the rear of the building, towards the road. That "addition" was, in fact, a separate building. The permit application (identified herein as Petitioner's Exhibit 3) specified a 24' x 24' addition, but the attached plan appears to indicate a 23' x 26' building. The permit application is marked "Remain one-family". The Petitioner's son testified that the two adjacent buildings were never occupied at the same time. Baltimore County instructed the Petitioner to connect the two buildings to make one single family dwelling, but, because of both deterioration and the understanding that the old building could be replaced, the old building was razed around 1977. A new 23' x 26' building

ORDER RECEIVED FOR FILING
Date 11/18/86
By Kristi A. Waldman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 18, 1986

Curtis Coon, Esquire
9 West Mulberry Road
Baltimore, Maryland 21201

Phyllis Cole Friedman, Esquire
People's Counsel for Baltimore County
Room 223 Courthouse
Towson, Maryland 21204

Re: PETITION FOR SPECIAL HEARING
NE/S of St. Georges Rd., approx. 655' SE of Middleborough Rd. (319 and 321 St. Georges Rd.)
15th Election District
Christine Chiofolo - Petitioner
Case No. 87-80-SPH

Dear Mr. Coon and Ms. Friedman:

Please be advised that on November 7, 1986, an appeal was filed by the Petitioner, Christine Chiofolo, from the decision rendered by the Deputy Zoning Commissioner in the above-entitled case.

You will be notified of the date and time of the appeal hearing when it has been scheduled by the County Board of Appeals (494-3180).

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:med

cc: S. Eric DiNenna, Esquire
Suite 600, Mercantile-Towson Building
409 Washington Avenue
Towson, Maryland 21204

RECEIVED
NOV 7 1986
ZONING OFFICE

IN RE: PETITION FOR SPECIAL HEARING
NE/S of St. Georges Road, Approximately 655' SE of Middleborough Road
(319 & 321 St. Georges Road)
15th Election District
Christine Chiofolo
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No.: 87-80-SPH

* * * * * * * *

ORDER OF APPEAL

MR. COMMISSIONER:

Please enter an appeal to the County Board of Appeals on behalf of Christine Chiofolo, Petitioner, from the decision of the Deputy Zoning Commissioner of Baltimore County dated October 10, 1986, as to "the request for expansion of one dwelling is hereby denied and therefore, the 1984 expansion to 321 St. Georges Road must be removed within thirty (30) days following receipt of the final Order of this case." only.

S. ERIC DINENNA
Suite 600 Mercantile-Towson Building
409 Washington Avenue
Towson, Maryland 21204
(301) 296-6820
Attorney for Petitioner

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

No. 025621

DATE 11/13/86 ACCOUNT R-01-615-000

AMOUNT $ 35.00

RECEIVED FROM: S. Eric DiNenna, Esquire, DiNenna, Mann & Brenchi, Suite 600, Mercantile-Towson Bldg., 409 Washington Ave., Towson, Md. 21204

APPEAL AND SIGN POSTING FEE RE CASE NO. 87-126-XA

FOR:

B 8015********3500:a 21:3F

VALIDATION OR SIGNATURE OF CASHIER

was subsequently constructed and connected to the 1974/75 building by opening part of the wall. This building contained two bedrooms and a large living room. The old living room from the 1974/75 construction became a den. There have been no additions since 1977.

A neighbor appeared in protest and presented conflicting testimony. He testified that in 1953 he was inside 319 St. Georges Road and saw that it consisted of two rooms; a bedroom and a kitchen. There were no windows in the gable (attic area). In 1957, an addition, approximately 12' x 18', was constructed on the water side, which changed the overall shape of the building. In about 1976, a screen house was torn down and a new building was constructed about six feet away from the existing building. About 1977/78 the older building was torn down and another new building constructed and joined to the 1976 building. Two additional witnesses testified that prior to 1957, the house consisted of two rooms. One of those witnesses testified that a large room was added in 1957.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, it appears there was a dwelling on the site, now identified as 319 St. Georges Road, prior to 1945. Prior to 1957, that dwelling consisted of two rooms; a 1957 addition enlarged the building so that it contained two bedrooms, kitchen, bath, and a living room over which there was gable (attic) space used, at times, as sleeping quarters for children. Somewhere between 1974 and 1976, a new building was constructed approximately six feet from the original building towards the road. That building was under 600 square feet according to the permit application (Petitioner's Exhibit 3), and contained a bedroom, kitchen, living room and dining room or laundry room. Since the permit specified one family and the two sections were never occupied as two separate living units, 319 St. Georges Road has always been considered

ORDER RECEIVED FOR FILING
Date 11/18/86
By Kristi A. Waldman

one living unit. The original two room building and its 1957 addition were razed in 1977, and a new addition, of up to 600 square feet, was added onto the building constructed between 1974 and 1976. Considering the replacement of the structure consisting of the original two room building and 1957 addition, and although the construction between 1974 and 1976 was done under permit, it is highly possible that the latter construction was an illegal expansion. No one presented precise measurements from which can be determined the exact percentage of expansion at any specific time. It is clear, however, that the currently existing 319 St. Georges Road enjoys a non-conforming status as a dwelling but has totally utilized, and probably exceeded, the 25% extension permitted under Section 104.1 of the Baltimore County Zoning Regulations (BCZR). Section 305 of the BCZR has no application to the instant case since termites and general deterioration will not be considered a casualty loss.

In the matter regarding the non-conforming use of 321 St. Georges Road and its expansion, the son of the Petitioner testified that, to his recollection, the building never had a porch on the water side. The 1940 building was one story high with no porch and contained three bedrooms, a living room, kitchen and bathroom. He further testified that the dwelling was 20' x 30' from 1955 until 1984 when a permit was obtained for a 12' x 21' addition for two bedrooms on the front (water) side. As built, that addition was 12' x 15'. The plan submitted with the 1984 permit application (identified herein as Petitioner's Exhibit 4) did not indicate the second dwelling (319 St. Georges Road) on the site, as the instructions required.

A Protestant testified that he observed a screen porch being enclosed for two bedrooms in the latter part of 1955. The porch had extended the entire length of the frontage, approximately 21 to 22 feet, and was about 10 to 12 feet wide. A witness, whose brother had resided in the house from the 1930's until the end of World War II, testified that the house then consisted of four rooms

ORDER RECEIVED FOR FILING
Date 11/18/86
By Kristi A. Waldman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 10, 1986

S. Eric DiNenna, Esquire
DiNenna, Mann & Breschi
406 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
NE/S of St. Georges Road,
Approximately 655' SE of
Middleborough Road
(319 & 321 St. Georges Road)
15th Election District
Case No. 87-80-SPH

Dear Mr. DiNenna:

Enclosed please find a copy of the decision rendered on the above referenced Petition. Your request for the non-conforming use of two dwellings at the above location has been Granted; however, your request to permit the expansion of the one dwelling has been Denied in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bjs

Attachments

cc: Curtis Coon, Esquire
9 W. Mulberry Road
Baltimore, Maryland 21201

People's Counsel

and a porch running the width of the house. That porch was enclosed in 1955. Another witness testified that she lived across the road and visited inside the home between 1953 and 1957. She recalled a four room dwelling which included two bedrooms and additionally, a screened porch, approximately 10 to 12 feet wide, along the width of the house on the water side.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, it appears there was a dwelling on the site, now identified as 321 St. Georges Road, prior to 1945 and that the porch was enclosed (a minimum of 10' x 20' = 200') subsequent to the March 30, 1955 adoption of the BCZR. Since the house was approximately 600 square feet, the 200 square foot porch enclosure at least and perhaps more than consumed the 25% expansion allowed by Section 104 of the BCZR. Further, it is clear that 321 St. Georges Road enjoys a non-conforming status as a dwelling, however, the 1984 addition should not have been permitted and must be removed.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 10th day of October 1986, that the Petition for Special Hearing for the non-conforming use of the subject site for two dwellings be approved, and as such, is hereby GRANTED.

It is FURTHER ORDERED this date by the Deputy Zoning Commissioner of Baltimore County that the request for the expansion of the one dwelling is hereby DENIED and therefore, the 1984 expansion to 321 St. Georges Road must be removed within 30 days following receipt of the final Order on this case.

Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
Date 10/10/86
By Kathi Schlosser

-4-

RECEIVED
NOV 7 1986
ZONING OFFICE

IN RE: PETITION FOR SPECIAL HEARING NE/S of St. Georges Road, Approximately 655' SE of Middleborough Road (319 & 321 St. Georges Road) 15th Election District	*	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
Christine Chiofolo Petitioner	*	Case No.: 87-80- SPH

* * * *** * * *

NOTICE OF COUNSEL'S CHANGE OF ADDRESS

Please take note that as of November 1, 1986, S. Eric DiNenna, attorney of record in the above-captioned case for Petitioner, has changed his address to the following:

S. Eric DiNenna
Mercantile-Towson Building
Suite 600
409 Washington Avenue
Towson, Maryland 21204

Please docket the above change of address in the court file and mail all further correspondence to the above address.

S. ERIC DiNENNA
Mercantile-Towson Building
Suite 600
409 Washington Avenue
Towson, Maryland 21204
(301) 296-6820

Attorney for Petitioner

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 7th day of November 1986, a copy of the aforegoing Notice of Counsel's Change of Address was mailed, postage prepaid, to Curtis Coon, Esquire, 9 West Mulberry Street, Baltimore, Maryland 21201; and to Phyllis Friedman, People's Counsel, Room 223, Court House, Towson, Maryland 21204.

S. ERIC DiNENNA

-2-

ZONING DESCRIPTION
TO ACCOMPANY PETITION FOR SPECIAL HEARING

Beginning on the Northeast side of St. Georges Rd. (30' wide), at the distance of 655'± Southeast of the intersection of the Northeast side of St. Georges Rd. and the Southeast side of Middleborough Rd. (40' wide). Being lot 179 in the subdivision of "Middleborough", Book #4 Folio 191. Also known as 319 & 321 St. Georges Rd. located in the 15th election district. Property contains 13.750 sq. ft. or 0.316 acres ±.

OFFICE COPY

PETITION FOR SPECIAL HEARING

15th Election District

Case No. 87-80-SPH

LOCATION: Northeast Side of St. Georges Road, approximately 655 feet Southeast of Middleborough Road (319 and 321 St. Georges Road)

DATE AND TIME: Tuesday, September 9, 1986, at 9:30 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 Special Hearing to approve the nonconforming use of this property for 2 dwellings and the expansion of 1 dwelling

Being the property of Christine Chiofolo, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

RE: PETITION FOR SPECIAL HEARING NE/S of St. Georges Rd., approx. 655' SE of Middleborough Rd. (319 & 321 St. Georges Rd.) 15th District	:	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
CHRISTINE CHIOFOLO, Petitioner	:	Case No. 87-80-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 11th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 3, 1986

S. Eric DiNenna, Esquire
DiNenna, Mann & Breschi
406 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/S of St. Georges Rd., approx. 655' SE of Middleborough Rd. (319 and 321 St. Georges Rd.)
15th Election District
Christine Chiofolo - Petitioner
Case No. 87-80-SPH

Dear Mr. DiNenna:

This is to advise you that $61.40 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

re County, Maryland, and remit
lding, Towson, Maryland

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

No. 025525

DATE 9/22/86 ACCOUNT R-001-615-000

AMOUNT $ (1.40)

RECEIVED FROM Frank Chiofolo

FOR ADVERTISING & POSTING RE CASE #87-80-SPH

VALIDATION OR SIGNATURE OF CASHIER

S. Eric DiNenna, Esquire
DiNenna, Mann & Breschi
406 West Pennsylvania Avenue
Towson, Maryland 21204

July 25, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
NE/S of St. Georges Rd. approx. 655' SE of Middleborough Rd. (319 and 321 St. Georges Rd.)
15th Election District
Christine Chiofolo - Petitioner
Case No. 87-80-SPH

TIME: 9:30 a.m.

DATE: Tuesday, September 9, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 018381

DATE 2/13/86 ACCOUNT 01-615-000

AMOUNT $ 100.00

RECEIVED FROM Co.L, H, D. + T

FOR: Sph # 300. Chiofolo

VALIDATION OR SIGNATURE OF CASHIER

OPL 45 - REVISED 7-18-71

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND LICENSES
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204
CASH SLIP RECEIPT

66149

No. B 06190

DATE 12-11-74

APPLICANT: Mr. Frank Chiofolo

APPLICANT'S ADDRESS 2808 Southern Ave

CHECK ITEM	ITEMS	CODE #	FEE
	Amusement Devices	01.201	
	Taxicabs	01.204	
	Electrical Adm. Board Licenses	01.221	
	Plumbing Board Licenses	01.222	
	Solicitors & Canvassers Permit	01.224	
C.	Towing Vehicles License	01.233	
P	Refuse Collectors' & Disposers' Permits	01.235	
F	Fire Prevention Code	01.237	
S	Public Swimming Pool & Bathing Beach	01.241	
D	Dog Licenses	01.254	
E	Elevator Licenses	01.256	
T	Trailer Permits	01.258	
E	Electrical Permits	01.260	
	Amusement Device Penalties	01.304	
	Dog License Penalties	01.305	
	Bingo Applications	01.607	
	Electrical Adm. Board Examination Fees	01.609	
	Electrical Adm. Board Tuition-Code School	01.610	
	Sale of Building Code Books	01.664	
T	Trailer Camps	01.671	
N	Control of Day Nurseries	01.672	
P	Percolation Tests	01.675	
O	Eating & Drinking Establishment Permits	01.677	
B	Bingo Licenses	14.201	
	Water Applications (See Reverse Side)	31.606	
	Sale of Plumbing Code Books	31.711	
	Sewer House Connection Applications	31.605	
	Plumbing Permit Application	31.603	
	Sub-soil Drain Permit Applications	31.603	
	Storm Drain Applications	31.203	
	Septic Tank Permits	31.202	
	Gas Permit Applications	31.201	
	Sewer Service Charge Prorated	30.601	
	Sewer System Connection Charge	31.614	
	Water System Connection Charge	31.615	
	Water Distribution Account	32.604	
✓	Building Permit Applications	01.251	10
	TOTAL (Make check payable to Baltimore County, Md.)		10 00

Description

GERARD J. DIETZ, DIRECTOR

APPLICANTS COPY BY

This is not a Permit or License and does not authorize construction of any kind.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

OFFICE OF ZONING COMMISSIONER

S. ERIC DINENNA
Zoning Commissioner
JAMES E. DYER
Deputy Zoning Commissioner

January 30, 1975

Mr. Frank Chiofolo
2808 Southern Avenue
Baltimore, Maryland 21214

RE: Proposed Addition
Permit Application No. 66199 - MR
Frank Chiofolo - Applicant
319 St. George Road - 15th Election District

Dear Mr. Chiofolo:

I have reviewed the above referenced building permit application, issued by Baltimore County on January 20, 1975.

The proposed work consists of an addition to the existing one-family dwelling for a bedroom, kitchen, living room, and dining room.

This is to advise you that this permit was approved with the stipulation that the existing dwelling remain one family.

If you have any further questions regarding this matter, please feel free to contact this office.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

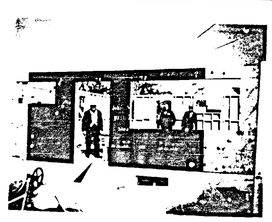
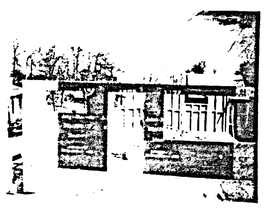
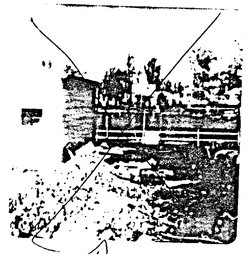
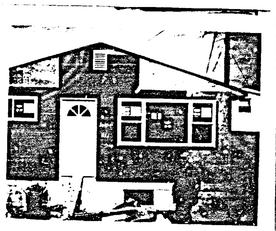
SED/NBC/scw

cc: Mr. James E. Dyer
Deputy Zoning Commissioner

Mr. Nicholas B. Commodari
Zoning Technician II

PETITIONER'S EXHIBIT 5.

111 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

Paint 2 coats

Paint 2 coats

Protest 7

BALTIMORE COUNTY RESIDENTIAL

DISTRICT 15 ACCOUNT NO. 21728 FOLIO NUMBER CARDS IN ACCOUNT

PERSONAL PROPERTY YES NO

PERSONAL PROPERTY ACCOUNT NO.

DECREASE OR CREDITS	NATURE		INCREASE DECREASE	YEAR	LAND	IMPS	TOTAL BASIS REAL LEVY
9/1/60 8/26/69		1		1949	825	350	1174
1950 Water to Rehab Stud Co			1500				
				TOTAL			
New Homeowner - 500		2	INCREASE DECREASE	1950	600	300	900
			1500				
			500	TOTAL			
DEC $50 EXPOSE		3	INCREASE DECREASE	1950	600	800	1400
1953 $50				TOTAL			
				1953	600	900	1500
		4	INCREASE DECREASE				
				TOTAL			
				1956			

INCREASE DECREASE	TOWN BENEFIT	TOWN SEWER	YEAR	METROPOLITAN CHARGES BASIN	STATE	WATER	ASSESSED VALUE IN CITY DISTRICT YEAR	LAND	IMPS	TOTAL IN DISTRICT
			1960			7.50	1950	600	300	900
			"			7.50	"	600	800	1400
			1953			7.50	1953	600	900	1500

TRANSFERRED BY PARTIAL WHOLE ACCOUNT TRANSFERRED

CARDS PUNCHED BY DATE

CARDS CHECKED BY DATE

SEE SUPPLEMENTARY SHEET

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 87-80 SPH
Towson, Maryland

District 15th Date of Posting 11/27/86

Posted for: Appeal

Petitioner: Christine Chiofolo

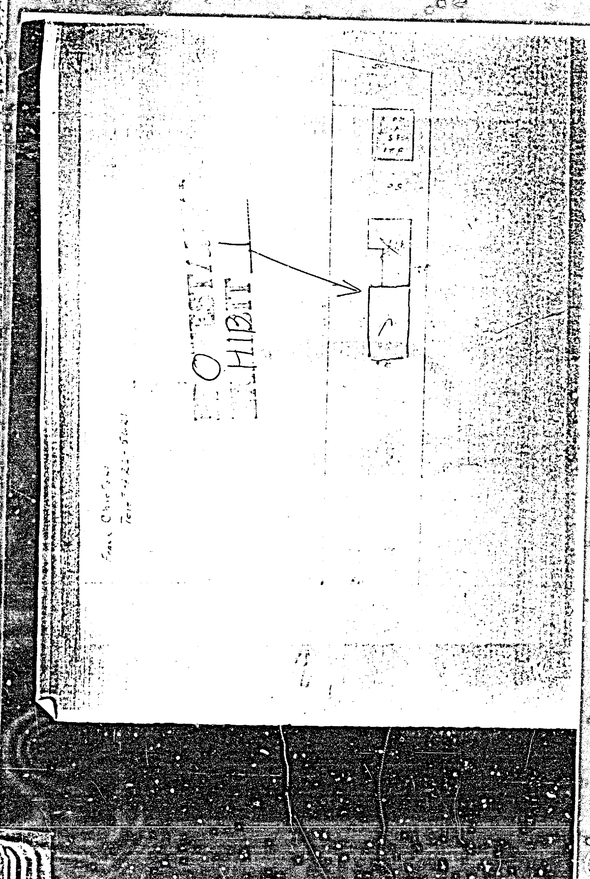
Location of property: NE/s St. George Rd., approx 655' SE/middleborough Rd. 319 & 321 St. George Rd.

Location of Signs: Facing St. George Rd., approx 12' from road way, on property of Petitioner at Property line between 319 & 321

Remarks:

Posted by Signature Date of return: 11/05/86

Number of Signs: 1



PERSONAL ASSESSMENT CARD BALTIMORE COUNTY

NUMBER 1727 PROPERTY ADDRESS 321 St George Rd DISTRICT 15 TOTAL CARDS IN ACCOUNT 2 FOLIO

OWNER FRANK J. CHIOFOLO

HOUSE NUMBER

DATE 1974

ASSESSMENT	QUALITY	YEAR	FRONT	DEPTH	SQ FT	DWELLING	GARAGE	LAND
	03	1949	50	150	7500	825		1174
						300		

PRESENT ASSESSMENT 1125 ASSESSMENT CHANGED

APPEAL TAX COUNT DATE TRANSFERRED 6/6/41 CERTIFICATE NO. Thomas H. Lee

CROSS REFERENCE INCREASE NO. SECRETARY

TOWN TAXES TOWN BENEFITS

TOTALS 1125

SEE SUPPLEMENTARY SHEET

Add 1-11-74

8-18-87

BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

15-03-26020

BUILDING ADDRESS-319 ST. GEORGE ROAD

OWNER NAME-FRANK CHIOFOLO — 66199 — 15

MAILING ADDRESS-2008 SOUTHERN AVE., BALTO., MD., 21214

OWNER

N/A

C. TYPE OF IMPROVEMENT — D. TYPE OF USE

CONSTRUCT AN ADDITION FOR A KITCHEN, LIVING ROOM, ON REAR OF DWELLING.

B. OWNERSHIP — 14,000

D. TYPE OF CONSTRUCTION — TYPE OF WATER SUPPLY — E. RESIDENTIAL ONLY

TYPE OF HEATING FUEL — TYPE OF SEWAGE DISPOSAL

F. DIMENSIONS - CUBIC FEET A. K. 12-10-74

G.

MR. FRANK CHIOFOLO 12-11-74

2008 SOUTHERN AVE., BALTO., MD., 21214

FRANK CHIOFOLO 686-8253

50 X 270/280 — N/C — H/C-H/C — 711

$10.00 — 06190 — 12-11-74

OCCUPANCY FEE-Information

2160 — H MIDDLEBOROUGH — 4 — 191

7110 — 2 DWELLINGS, 2 GAR.

Frank Chiofolo
Tele #477-5021

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND LICENSES
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204
CASH SLIP RECEIPT

66199

No. D 06190

DATE 12-11-74

APPLICANT:

APPLICANT'S ADDRESS

CHECK ITEM	ITEMS	CODE #	FEE
	Amusement Devices	01.201	
	Taxicabs	01.204	
	Electrical Adm. Board Licenses	01.221	
	Plumbing Board Licenses	01.222	
	Solicitors & Canvassers Permit	01.224	
	Towing Vehicles License	01.233	
	Refuse Collectors' & Disposers' Permits	01.235	
	Fire Prevention Code	01.237	
	Public Swimming Pool & Bathing Beach	01.241	
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	Elevator Licenses	01.256	
	Trailer Permits	01.258	
	Electrical Permits	01.260	
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	Dog License Penalties	01.305	
	Bingo Applications	01.607	
	Electrical Adm. Board Examination Fees	01.609	
	Electrical Adm. Board Tuition-Code School	01.610	
	Sale of Building Code Books	01.664	
	Trailer Camps	01.671	
	Control of Day Nurseries	01.672	
	Percolation Tests	01.675	
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	Sub-soil Drain Permit Applications	31.603	
	Storm Drain Applications	31.203	
	Septic Tank Permits	31.202	
	Gas Permit Applications	31.201	
	Sewer Service Charge Pro-rated	30.601	
	Sewer System Connection Charge	31.614	
	Water System Connection Charge	31.615	
	Water Distribution Account	32.604	
	Building Permit Applications	01.251	
	TOTAL (Make check payable to Baltimore County, Md.)		

Description

GERARD J. DIETZ, DIRECTOR

APPLICANTS COPY

BY:

This is not a Permit or License and does not authorize construction of any kind.

BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

15-03-26020

BUILDING ADDRESS-319 ST. GEORGE ROAD

OWNER NAME-FRANK CHIOFOLO — 66199 — 15

MAILING ADDRESS-2008 SOUTHERN AVE., BALTO., MD., 21214

OWNER

N/A

C. TYPE OF IMPROVEMENT — D. TYPE OF USE

CONSTRUCT AN ADDITION FOR A KITCHEN, LIVING ROOM, ON REAR OF DWELLING.

B. OWNERSHIP — 14,000

D. TYPE OF CONSTRUCTION — TYPE OF WATER SUPPLY — E. RESIDENTIAL ONLY

TYPE OF HEATING FUEL — TYPE OF SEWAGE DISPOSAL

F. DIMENSIONS - CUBIC FEET A. K. 12-10-74

G.

MR. FRANK CHIOFOLO 12-11-74

2008 SOUTHERN AVE., BALTO., MD., 21214

FRANK CHIOFOLO 686-8253

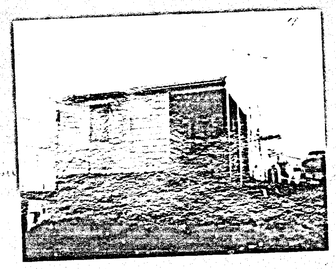
50 X 270/280 — N/C — H/C-H/C — 711

$10.00 — 06190 — 12-11-74

OCCUPANCY FEE-Information

2160 — H MIDDLEBOROUGH — 4 — 191

7110 — 2 DWELLINGS, 2 GAR.



#87-80-SPH — 15th District

NE/s St. Georges Rd., approx. 655' SE Middleborough Rd.
(319 & 321 St. Georges Road)

CHRISTINE CHIOFOLO

1 SIGN

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 21st day of July, 1986.

ARNOLD JABLON
Zoning Commissioner

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

Petitioner Christine Chiofolo
Petitioner's Attorney Robert A. Hoffman, Esquire

87-80-SPH

PETITION FOR SPECIAL HEARING
15th Election District
Case No. 87-80-SPH

LOCATION: Northeast Side of St. Georges Road, approximately 655' Southeast of Middleborough Road (319 and 321 St. Georges Road)

DATE AND TIME: Tuesday, September 9, 1986, at 9:30 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 Special Hearing to approve the nonconforming use of one property for 2 dwellings, and the expansion of 1 dwelling.

Being the property of Christine Chiofolo, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

8/188 Aug. 21.

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 21, 19 86

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 21, 19 86

THE JEFFERSONIAN,

Publisher

Cost of Advertising

24.75

BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

15-03-26020

BUILDING ADDRESS 321 ST. GEORGES ROAD

OWNER NAME CHRISTINE CHIOFOLO (WIFE OF AUGUSTINE-DECEASED) — 66673 — 10-9-84

MAILING ADDRESS 2008 SOUTHERN RD., 21214 — MR — 15 — 18

OWNER N. W. FLORA AND SONS MIC. #1006

A. TYPE OF IMPROVEMENT — C. TYPE OF USE

CONSTRUCT ADDITION ON FRONT OF EXISTING DWELLING TO BE USED AS TWO BEDROOMS, WATERFRONT PROPERTY, MIN. F. F. = 11.2

B. OWNERSHIP — 7,000

D. TYPE OF CONSTRUCTION — E. RESIDENTIAL ONLY

F. DIMENSIONS

G.

CHRISTINE CHIOFOLO 10-9-84

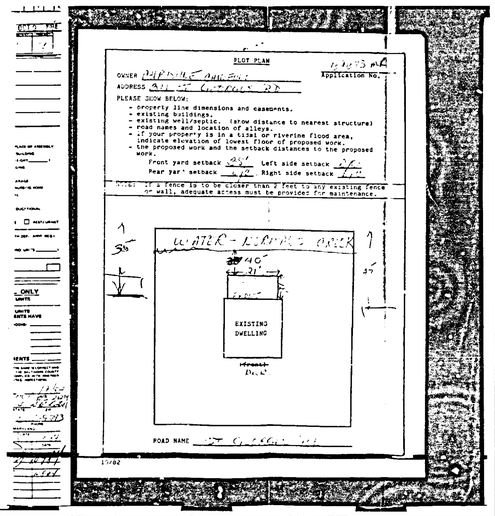
2008 SOUTHERN RD., BALTO., MD., 21214

NORMAN W. FLORA 655-8293

$25.00 — 68437 — 10-24-84

50 X 270/280 — 290 — 32,400 — N/C — 179 — 19612 — 34 — M. MIDDLEBOROUGH — 4 — 191

OFFICE


PLOT PLAN

OWNER Chiofolo, Augustine

ADDRESS 911 St. Charles Rd.

Application No. 87-80-SPH

PLEASE SHOW BELOW:
- property line dimensions and easements.
- existing buildings.
- existing well/septic. (show distance to nearest structure)
- road names and location of alleys.
- if your property is in a tidal or riverine flood area, indicate elevation of lowest floor of proposed work.
- the proposed work and the setback distances to the proposed work.

Front yard setback 25' Left side setback 15'
Rear yard setback 45' Right side setback 15'

NOTE: If a fence is to be closer than 3 feet to any existing fence or wall, adequate access must be provided for maintenance.

WATER - LEAKIN'S CREEK

35' 40' 31'

EXISTING DWELLING

Deck

35'

ROAD NAME St. Charles Rd.

S. ERIC DiNENNA, P.A.
Attorney At Law

Honorable Gerard W. Wittstadt
Page 2
October 16, 1986

SED:ka

cc: Linwood O. Jarrell, Esquire
Arnold Jablon, Zoning Commissioner
Mr. Frank Chiofolo
Mrs. Augustine Chiofolo
Mr. Edward Seibert, County Attorney

DiNENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DiNENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.

SUITE 600
MERCANTILE-TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(301) 296-6820

December 3, 1986

Chairman
County Board of Appeals
Court House
Towson, Maryland 21204

RE: Case No.: 87-80-SPH - appeal filed 11-04-86
Petition for Special Hearing
Petitioner: Chiofolo
My File No.: 86-41

Dear Mr. Chairman:

As you are aware, I represent the Petitioner in the above-captioned matter with reference to his appeal before your Board.

This is to advise you that the property that is the subject of this appeal is before the District Court of Maryland for Baltimore County and has been in several times and postponed awaiting disposition of the administrative process.

Accordingly, would you be so kind as to set this matter in for hearing as soon as possible, and I again request that prior to setting this matter, please have your office contact me so that there is no conflict in scheduling.

I appreciate your cooperation in this matter.

Very truly yours,

S. ERIC DiNENNA

SED:kar

cc: Honorable Gerard W. Wittstadt
District Court Case No.: 6220-85 SP/T
Mr. Frank Chiofolo
Mrs. Christine Chiofolo
Curtis Coon, Esquire
Edward Seibert, Esquire

RECEIVED - COUNTY BOARD OF APPEALS
'86 DEC -5 A 11:34

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Arnold Jablon, Zoning Commissioner Date August 26, 1986

FROM Norman E. Gerber, AICP, Director, Office of Planning and Zoning

SUBJECT Zoning Petition No. 87-80-SpH

Please consider the Chesapeake Bay Critical Area comments (see memo Gerber to Jablon dated 8/26/86) to represent the position of this office.

Norman E. Gerber, AICP
Director

NEG/JGH/sf

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Arnold Jablon, Zoning Commissioner Date August 26, 1986

FROM Norman E. Gerber, AICP, Director, Office of Planning and Zoning

SUBJECT Chesapeake Bay Critical Area Findings - Christine Chiofolo (87-80-SpH, Item 300)

The Baltimore County Office of Planning and Zoning has reviewed this petition and has determined that it is consistent with the requirements of the Chesapeake Bay Critical Area Statute without the need for mitigation.

Norman E. Gerber, AICP
Director

NEG/PS/sf

cy: Jean Jung
Uri Avin
Tim Dugan
Andrea Van Arsdale
People's Counsel
Tom Vidmar

CPS-008

87-835

S. Eric DiNenna, P.A.
Attorney at Law

406 W. Pennsylvania Avenue
Towson, Maryland 21204

301-296-6820

pls in Case 87-80-SPH

RECEIVED
OCT 20 1986
ZONING OFFICE

October 16, 1986

Honorable Gerard W. Wittstadt
District Court of Maryland
for Baltimore County
100 Center Place
Dundalk, Maryland 21221

RE: Jablon v. Chiofolo
Case No.: 6220-85 SP/T

Dear Judge Wittstadt:

This matter has been going around and around and this is to advise you that this matter is set for hearing before you on a disposition on Wednesday, October 29, 1986 at 1:30 p.m. in Towson.

As I had advised you previously, the Deputy Zoning Commissioner has heard the Chiofolo request concerning a decision as to whether or not the property enjoys a non-conforming use, which was the subject of the hearing before you.

I would respectfully request a postponement of the hearing set for October 29, 1986, inasmuch as, as of this date, Mr. Chiofolo has not received the decision of the Deputy Zoning Commissioner.

Linwood O. Jarrell, Jr., Esquire, power of attorney for Mrs. Chiofolo, has contacted me to ask whether or not his attendance would be required.

Inasmuch as I represent the Chiofolos, I would respectfully request that this court render an Order, by letter, that Mr. Jarrell's presence is not required.

Also by carbon copy of this letter, I am respectfully requesting that the Deputy Zoning Commissioner issue an Order and Opinion relative to this request as soon as possible and to forward this court a copy thereof.

Thank you for your cooperation.

Very truly yours,

S. ERIC DiNENNA

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Malcolm F. Spicer, Jr., County Attorney
Thomas Bollinger, Asst. County Attorney Date October 23, 1986

FROM Peter Max Zimmerman, Deputy People's Counsel

SUBJECT Christine Chiofolo, Petitioner
Zoning Case No. 87-80-SPH (Item 300)

It appears that this case, being a special hearing upon nonconforming use, is within the jurisdiction of your office rather than ours. Please note that if an appeal is desired, the time limit for filing is Monday, November 10, 1986.

Peter Max Zimmerman
Deputy People's Counsel

Enclosure:
Order dtd. 10/10/86

PMZ:sh

11-10-86 — Referred Order of Appeal to CBA to County Atty.

RECEIVED - COUNTY BOARD OF APPEALS
'86 NOV 10 P 2:58

DiNENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DiNENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.

SUITE 600
MERCANTILE-TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(301) 296-6820

November 25, 1986

Chairman
County Board of Appeals
Court House
Towson, Maryland 21204

RE: Case No.: 87-80-SPH - 3/25 10 AM
Petition for Special Hearing
Petitioner: Chiofolo
My File No.: 86-41

Dear Mr. Chairman:

Please be advised that I represent the appellant, Christine Chiofolo, as per the appeal filed in the above-captioned matter.

As you are aware, I sit as a Master in the Circuit Court for Baltimore County and would respectfully request that you have your office contact me prior to setting the hearing on this matter so that there is no conflict in scheduling.

I appreciate your cooperation in this matter.

Very truly yours,

S. ERIC DiNENNA

SED:kar

cc: Mr. Frank Chiofolo
Mrs. Christine Chiofolo
Curtis Coon, Esquire

RECEIVED
COUNTY BOARD OF APPEALS
'86 NOV 28 A 11:21

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

ooo

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

August 1, 1986

Robert A. Hoffmar, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No. 300 - Case No. 87-80-SPH
Petitioner: Christine Chiofolo
Petition for Special Hearing

Dear Mr. Hoffman:

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,

James E. Dyer/mkb

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

NORMAN E. GEVICKE
DIRECTOR

AUGUST 19, 1986
(CRITICAL AREA)

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

Re: Zoning Advisory Meeting of FEB. 25, 1986
Item # 300
Property Owner: CHRISTINE CHIOFOLO
Location: NE/S OF ST. GEORGES RD APPROX. 655' SE OF MIDDLE BOROUGH RD. (3119 + 321 ST. GEORGES RD.)

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

( ) There are no site planning factors requiring comment.
( ) A County Review Group Meeting is required.
( ) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
( ) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
( ) A record plat will be required and must be recorded prior to issuance of a building permit.
( ) The access is not satisfactory.
( ) The circulation on this site is not satisfactory.
( ) The parking arrangement is not satisfactory.
( ) Parking calculations must be shown on the plan.
( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
( ) The amended Development Plan was approved by the Planning Board on _____.
( ) Landscaping: Must comply with Baltimore County Landscape Manual.
( ) The property is located in a deficient service area as defined by Bill 178-79. No building permits may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change may require more funding. The Basic Services Areas are reevaluated annually by the County Council.
(X) Additional comments:
(1) "THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIVISION."
(2) "ANY FUTURE EXPANSION OF SITE MUST COMPLY TO ALL APPLICABLE COUNTY REGULATIONS + STANDARDS"

cc: James Hoswell

Eugene A. Bober
Chief, Current Planning and Development

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

STEPHEN E. COLLINS
DIRECTOR

March 14, 1986

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

Item No. -ZAC- Meeting of February 25, 1986
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 289, 290, 291, 292, 294, 295, 296 297, 298, 299, (300) and 301.

Michael S. Flanigan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

February 21, 1986

Mr. Arnold Jablon
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: Christine Chiofolo

Location: NE/S St. Georges Road, 655' SE of Middleborough Road

Item No.: 300 Zoning Agenda: Meeting of 2-25-86

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.

REVIEWER: Capt. Joseph Kelly 2/21/86 Noted and Approved: John J. O'Neill
Planning Group
Special Inspection Division
Fire Prevention Bureau

/mb

STATE OF MARYLAND
State Department of Assessments and Taxation
OFFICE OF
Supervisor of Assessments for Baltimore County
COURT HOUSE - TOWSON, MARYLAND 21204

JAMES M. BARRY
SUPERVISOR

J. CARROLL MUELLER
ASSISTANT SUPERVISOR

June 3, 1977

Mr. Frank J. Chiofalo
2809 Southern Avenue
Baltimore, Maryland

RE: Property Assessment - 1977-78
Property Number - 15-03-230820
District - 15

Dear Mr. Chiofalo:

Pursuant to the Rezing Application Number R7374, dated February 7, 1977, we have reviewed the assessment on the above referenced property and wish to advise that the dwelling, two sheds, and pavilion, assessed in the amount of $4,450.00 have been stated.

We trust our decision in this matter is entirely satisfactory.

Very truly yours,

SUPERVISOR OF ASSESSMENT

James M. Barry
Supervisor

JMB:s

Joint exh 1

DiNENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DiNENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.

ROBERT A. BRESCHI

406 WEST PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204

(301) 296-0820

7/24/86 TC BD 8

July 22, 1986

Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

ATTENTION: Betty

RE: CHRISTINE Chiofolo
Case No.: 87-80-SPH

Dear Betty:

Please enter my appearance on behalf of the Petitioner concerning the above-captioned matter.

It is my understanding that this matter is set for hearing for Tuesday, September 9, 1986 at 9:30 a.m.

Please direct all future correspondence, etc. to my attention.

Very truly yours,

S. ERIC DiNENNA

SED:kar

cc: Mr. Frank Chiofolo

SPECIAL NOTE FOR CONSTRUCTION IN TIDAL OR RIVERINE AREAS
BILL #17-85 BALTIMORE COUNTY BUILDING CODE 1984
EFFECTIVE - APRIL 22, 1985

SECTION 516.0 A Section added to read as follows:

SECTION 516.0 CONSTRUCTION IN AREAS SUBJECT TO FLOODING

516.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tidewaters, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100-year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Areas beneath buildings will not be considered as basements if headroom to underside of floor joists is less than six feet or if enclosure walls are at least 50 percent open.

2. Crawl spaces under buildings constructed in the tidal plain, as determined by the U.S. Army Corp of Engineers or the Federal Flood Insurance Study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

516.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.

1. No structures or additions shall be within the 100-year flood plain of any watercourse. The 100-year flood plain shall be based upon the Federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive. This determination shall include planned future development of the watershed area.

2. Reconstruction of residential dwelling units shall be governed by Sections 103.0 or 120.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 516.1 of this Section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 516.1 when damage exceeds 50 percent of physical value.

April 1985

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

February 28, 1986

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

Dear Mr. Jablon:

Comments on Item # 300 Zoning Advisory Committee Meeting are as follows:

Property Owner: Christine Chiofolo
Location: NE/S St. Georges Road, 655 feet SE of Middleborough Road
District: 15th.

APPLICABLE ITEMS ARE CIRCLED:

(A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117.1 - 1980) and other applicable Codes and Standards.

(B) A building and other miscellaneous permits shall be required before the start of any construction.

(C) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

NOTE: (E) All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1604.2 and Table 1root. No openings are permitted in an exterior wall within 3'-0 of an interior lot line. See Section 505.2

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____, _____, _____. See Section 312 of the Building Code.

TIDAL AREA (I) The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

(J) Comments: Tidal - land and building elevations are not shown. See copy of Section 516.0 as amended by Council Bill #17-85 enclosed.

K. These abbreviated 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 the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

BY: C. E. Burnham, Chief
Building Plans Review

L/22/86

8-18-87

DPZ Reviewed [illegible]

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND LICENSES
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204
CASH SLIP RECEIPT

No. 006190 DATE 12-10-86

APPLICANT: [illegible]

APPLICANT'S ADDRESS: [illegible]

CHECK ITEM	ITEMS	CODE #	FEE
	Amusement Devices	01.201	
	Taxicabs	01.204	
	Electrical Adm. Board Licenses	01.221	
	Plumbing Board Licenses	01.222	
	Solicitors & Canvassers Permit	01.224	
	Rental Facilities License	01.225	
	Refuse Collectors & Disposers' Permits	01.233	
	Fire Prevention Code	01.237	
	Public Swimming Pool & Bathing Beach	01.241	
	Dog Licenses	01.254	
	Electrical Licenses	01.256	
	Trailer Permits	01.258	
	Electrical Permits	01.260	
	Amusement Device Penalties	01.304	
	Dog License Penalties	01.305	
	Rental Facilities Penalties	01.309	
	Electrical Adm. Board Examination Fees	01.609	
	Electrical Adm. Board Tuition-Code School	01.610	
	Sale of Building Code Books	01.664	
	Cemetery Lots	01.671	
	Certificate of Nurseries	01.674	
	Percolation Tests	01.675	
	Eating & Drinking Establishment Permits	01.677	
	Bingo Licenses	14.201	
	Water Applications (See Reverse Side)	31.606	
	Sale of Plumbing Code Books	31.711	
	Sewer House Connection Applications	31.605	
	Sewer System Connection Charge	31.613	
	Sub-soil Drain Permit Applications	31.603	
	Storm Drain Applications	31.703	
	Septic Tank Permits	31.702	
	Cut Permit Applications	31.701	
	Sale of Specifications Proposed	31.614	
	Sewer System Connection Charge	31.613	
	Water System Connection Charge	31.615	
	Water Distribution Account	33.604	
	Building Permit Applications	01.251	12 00
	TOTAL (Make check payable to Baltimore County, Md.)		12 00

Description

GERARD J. DIETZ, DIRECTOR

APPLICANTS COPY BY:

This is not a Permit or License and does not authorize construction of any kind.

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

Building Address: 319 St. George Road Zoning: [illegible]
Property Address: 319 St. George Road Election District: 15
Property Owner: [illegible] Lot #: [illegible]

5. TYPE OF IMPROVEMENT

6. DISTRICT AN ADDITION FOR A STORAGE, LIVING ROOM ON REAR OF DWELLING.

8. OWNERSHIP

9. TYPE OF CONSTRUCTION

10. TYPE OF WATER SUPPLY

11. TYPE OF SEWAGE DISPOSAL

E. RESIDENTIAL ONLY

F. DIMENSIONS - CUBIC FEET: A. 16 x 20 = 320

G. [illegible]

H. MISCELLANEOUS

I hereby certify that I am the owner of the property described herein and that all information herein given is true to the best of my knowledge and belief. I have read the zoning regulations and will comply with them. I understand that the issuance of this permit does not authorize any violation of the zoning regulations. I understand that if the work described herein is not started within six months of the date of this permit, it will become void.

Signature of Owner [illegible]

Signature of Contractor [illegible]

Frank Chiofolo
Tele 494-5421

PROTESTANT EXHIBIT

12/10/86 - Following notified of hearing set for Wed. March 25, 1987, at 10 a.m.:

S. Eric DiNenna
Christine Chiofolo
Curtis Coon, Esq.
Alfred Novak
Phyllis Freedman
Norman Gerber, James Hoswell
Arnold Jablon, Jean Jung, James Dyer
Margaret DuBois

[illegible]

[illegible]

[illegible]

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 87-80-SPH

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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

the non-conforming use of this property for two (2) dwellings and the expansion of one (1) dwelling (policy #RM-14)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing 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:	Legal Owner(s):	MAP NE LOT
(Type or Print Name)	Christine Chiofolo (Type or Print Name)	48
Signature	Christine Chiofolo Signature	15
Address	(Type or Print Name)	DATE 7/21/87
City and State	Signature	200
		1000
		DP

11 3435
E 53980

Attorney for Petitioner:

Robert A. Hoffman (Type or Print Name) — S. Eric DiNenna 2808 Southern Ave. 426-5621 Address Phone No.

Signature — 409 Washington Ave. Towson, Md. Baltimore, Md. 21204

210 Allegheny Avenue (296-6820) Address — City and State

Towson, Maryland 21204 City and State

Attorney's Telephone No.: 823-4111

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Robert A. Hoffman
Name
210 Allegheny Avenue
Towson, Maryland 21204 823-4111
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of July, 19 86, 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 9th day of September, 19 86, at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

Z.C.O.—No. 1 (over)

ORDER RECEIVED FOR FILING
Date 7/21/86
By Kathi Schlaner

OFFICE COPY

Item #326 RLS-08-48

Item #326 RLS-08-43

Christine Chiofolo #87-80-SPH NE/S of St. Georges Rd., approx. 655' SE of Middleborough Rd. (319 and 321 St. Georges Rd.) 15th Elec. Dist.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-80-SPH

District 15th Date of Posting 7/25/86

Posted for: Special Hearing

Petitioner: Christine Chiofolo

Location of property: NE/s St. Georges Rd., approx 655' SE/of Middleborough Rd. 319 & 321 St. Georges Rd.

Location of Signs: Facing St. Georges Rd., approx. 12' Fr. road way, on property of Petitioner

Remarks: Sign posted on 319 St. Georges Rd., approx 8' Fr. property line of 319 & 321.

Posted by [signature] Signature Date of return: 8/1/86

Number of Signs: 1

Petition Special Hearing

15th Election District
Case No. 87-80-SPH

LOCATION: Northeast Side of St. Georges Road, approximately 655 feet Southeast of Middleborough Road (319 and 321 St. Georges Road).

DATE & TIME: Tuesday, September 9, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West 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 Special Hearing to approve non-conforming use of this property for 2 dwellings and the expansion of 1 dwelling.

Being the property of Christine Chiofolo, as shown on plat plan filed with the Zoning Office.

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
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md., Aug 21 1986

This is to Certify, That the annexed

Petition - Christine Chiofolo
Reg # 92773

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 21st day of August, 1986

Publisher.

IN THE MATTER OF THE APPLICATION OF CHRISTINE CHIOFOLO RE: PETITION FOR SPECIAL HEARING ON PROPERTY LOCATED ON THE NORTHEAST SIDE ST. GEORGES RD., APPROX. 655' SOUTHEAST OF MIDDLEBOROUGH RD. (319 and 321 ST. GEORGES RD.) 15th ELECTION DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 87-80-SPH

OPINION

This case comes before the Board as a result of a decision by the Deputy Zoning Commissioner of Baltimore County ordering that the request for the expansion of the one dwelling, known as 321 St. Georges Road, in the 15th Election District of Baltimore County, must be removed.

The Deputy Zoning Commissioner of Baltimore County found a non-conforming use of the subject site for two (2) dwellings that are known as 319 and 321 St. Georges Road. The matter before us is only the question of the expansion of 321 St. Georges Road and whether this expansion was proper.

The history of this property is unique, the testimony and exhibits most interesting, and the basis for our conclusion almost facetious.

Mr. Frank Chiofolo testified that his father and mother purchased the subject site in 1941, and there existed on what is now known as 321 St. Georges Road, an improvement which contained a structure approximately 600 sq.ft. in size. On the water side of the structure, there was a covered porch with a rail or partition which closed in the bottom of the porch so that ingress and egress could only be obtained by going through the house. The testimony of all witnesses is uncontradicted in this regard and the Board finds this to be the condition of the structure as far back as 1942. In 1955, the porch was completely enclosed. The Board finds that this enclosure was not an expansion of the original structure, but was an improvement of the existing structure from 1942.

The Baltimore County Zoning Regulations (BCZR) allow an expansion of up to 25% of a legally nonconforming use, which means the property at 321 St. Georges Road could be expanded 150 sq. ft. In 1984, the Appellants added a section to the enclosed porch comprising 180 sq. ft. This expansion obviously is 30 sq. ft. beyond the permissible amount. This case, however, will turn on the "out-house".

In addition to Mr. Chiofolo, the Board heard testimony from two (2) neighboring Protestants, Mr. Alfred Novak and Mrs. Lavinia Bellman. Mrs. Bellman testified she is 74 years of age and has lived in the neighborhood since "the year of '34". This witness has a remarkable memory and testified that in 1942, when the property was purchased by Mr. Chiofolo, there existed at 321 St. Georges Road, an outhouse that she described to be "a two seater", the size of the witness box in which she was sitting in the Board hearing room. This area is 4 ft. by 6 ft. in size, or 24 sq. ft. The Board finds as a fact, that most certainly an outhouse, although a separate structure, was a most necessary part and parcel of the original domicillary, and thus the 24 sq. ft. should be added to the original 600 sq. ft. to determine the amount of expansion legally allowed. The Board finds as a fact after considering all of the testimony and reviewing all of the exhibits, that the addition added in 1984 to 321 St. Georges Road, is within 10 sq. ft. of the allowable expansion, and as such finds the addition legal and permissible.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 9th day of April, 1987, by the County Board of Appeals, ORDERED that the decision of the Deputy Zoning Commissioner, regarding the expansion of 321 St. Georges Road, must be REVERSED and that the present addition is permissible.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Thomas J. Bollinger, Acting
Chairman

LeRoy B. Spurrier

Harry E. Buchheister, Jr.
Harry E. Buchheister, Jr.

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

April 9, 1987

RECEIVED
APR 9 1987
ZONING OFFICE

S. Eric DiNenna, Esq.
Mercantile-Towson Building
409 Washington Blvd.
Towson, Md. 21204

Re: Case No. 87-80-SPH
Christine Chiofolo

Dear Mr. DiNenna:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled matter.

Very truly yours,

June Holmen

June Holmen, Secretary

Encl.
cc: Ms. Christine Chiofolo
Curtis Coon, Esq.
Mr. Alfred Novak
Phyllis C. Friedman
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. duBois

RE: PETITION FOR SPECIAL HEARING
NE/S of St. Georges Rd., approx. 655' SE of Middleborough Rd. (319 and 321 St. Georges Rd.)
15th Election District
Christine Chiofolo - Petitioner
Case No. 87-80-SPH
APPEAL FILED BY: APPELLANT/PETITIONER, CHRISTINE CHIOFOLO
DATE APPEAL FILED: 11/7/86

1. Petition
2. Description of Property
3. Certificate of Posting
4. Certificates of Publication
5. Zoning Advisory Committee Comments
6. Comments from the Director of Planning
7. Entry of Appearance
8. Order of Deputy Zoning Commissioner
9. Order of Appeal filed on November 7, 1986, by Appellant/Petitioner, Christine Chiofolo
10. Letter advising all parties of filing of appeal, dated 11/18/86
11. Petitioner's Exhibits:
    - No. 1 - Undated plan for Special Hearing
    - No. 2 - Undated color photograph - No Copy Retained
    - No. 3 - Permit No. 66199 and Cash Receipt No. D06190
    - No. 4 - Permit No. 69673
    - No. 5 - Letter to Mr. Frank Chiofolo, from S. Eric DiNenna, dated 1/30/75
    - No. 6 - Letter to John Grason Turnbull, II, Esquire, from James E. Dyer, dated 3/6/80
    - No. 7 - Undated color photograph - No Copy Retained
12. Protestant's Exhibits:
    - No. 1 - Inked outline of 1974 addition
    - No. 2 - Sheet of photographs, taken 3/4/75
    - Nos. 3, 4, 5, and 6 - 2 color photographs - one dated 1184 and the other dated 6/78 and 2 black and white photographs, one dated 1954 and the other dated 5/29/70 - No Copies Retained
    - No. 7 - Tax records - 3 sheets
13. Joint Exhibit 1 - Letter to Frank J. Chiofolo, from James M. Barry, dated 6/3/77

* S. Eric DiNenna, Esquire — Attorney for Appellant/Petitioner
Suite 600, Mercantile-Towson Building
409 Washington Avenue
Towson, Maryland 21204
(296-6820)

Ms. Christine Chiofolo — Appellant/Petitioner
2808 Southern Avenue
Baltimore, Maryland 21214
(426-5621)

Curtis Coon, Esquire — Attorney for Appellee/Protestant, Mr. Alfred Novak
9 West Mulberry Road
Baltimore, Maryland 21201

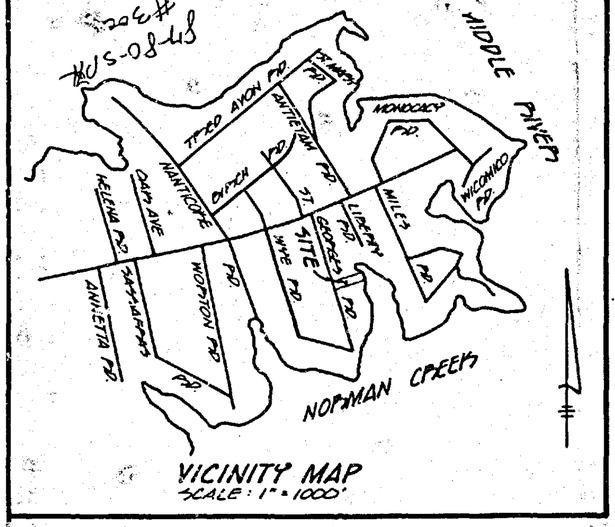
IIIII

Mr. Alfred Novak — Appellee/Protestant
325 St. Georges Road
Baltimore, Maryland 21221

~~Phyllis Cole Friedman, Esquire~~
~~People's Counsel for Baltimore County~~
~~Room 223 Courthouse~~
~~Towson, Maryland 21204~~

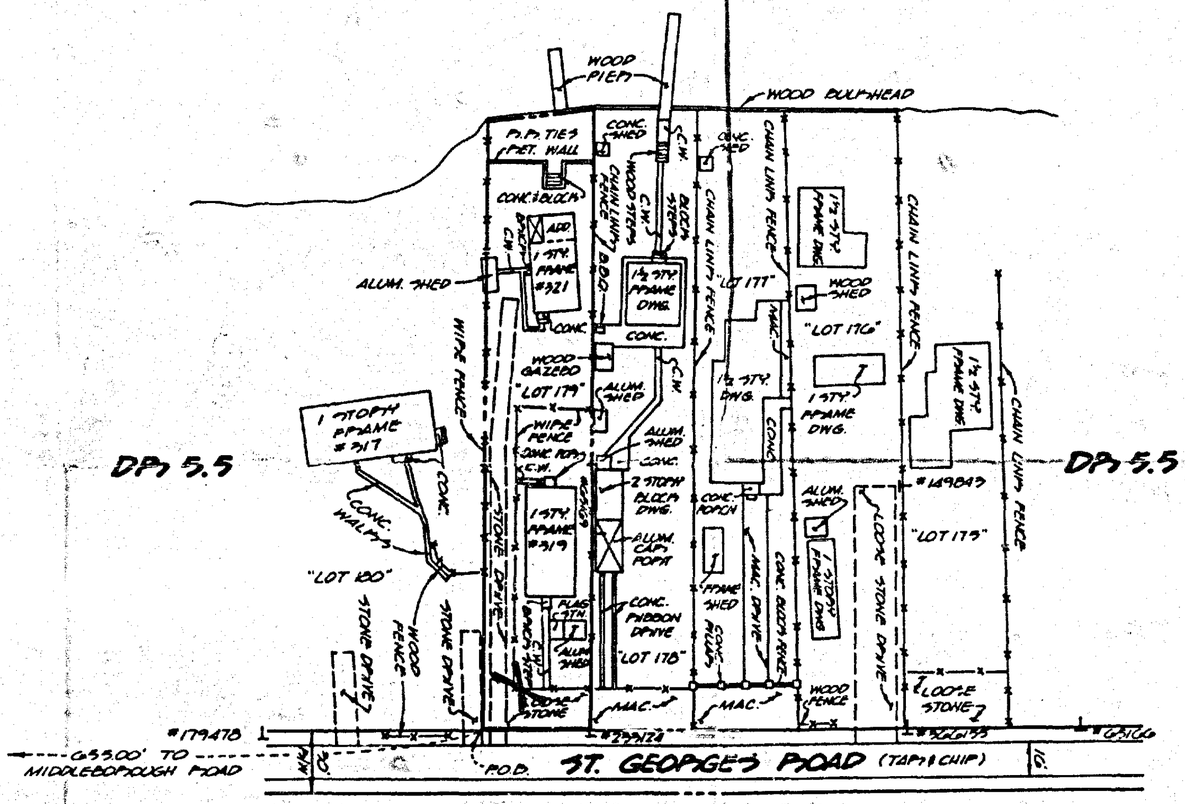
	Request Notification
Norman E. Gerber	" "
James Hoswell	" "
Arnold Jablon	" "
Jean M. H. Jung	" "
James E. Dyer	" "
Margaret E. du Bois, Appeals Clerk, Zoning Office	" "

Case # 2015-08-43



VICINITY MAP
SCALE: 1" = 1000'

NORMAN CREEK



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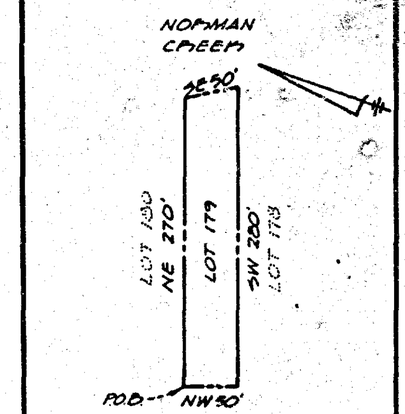
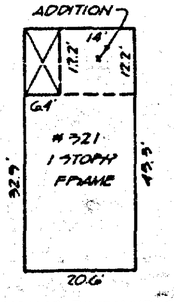


SITE AS SHOWN ON PLAT OF "MIDDLEBOROUGH" W.P.C. 4/191 SCALE: 1" = 100'



HOUSE DIMENSIONS OF #321 ST. GEORGES RD. SCALE: 1" = 20'

ZONING DESCRIPTION

BEGINNING ON THE NORTHEAST SIDE OF ST. GEORGES RD. (30' WIDE), AT THE DISTANCE OF 655'± SOUTHEAST OF THE INTERSECTION OF THE NORTHEAST SIDE OF ST. GEORGES RD. AND THE SOUTHEAST SIDE OF MIDDLEBOROUGH RD. (40' WIDE). BEING LOT 179 IN THE SUBDIVISION OF "MIDDLEBOROUGH", BOOK 4 FOLIO 191. ALSO KNOWN AS 319 & 321 ST. GEORGES RD. LOCATED IN THE 15TH ELECTION DISTRICT PROPERTY CONTAINS 13,750 SQ. FT. OR 0.316 ACRES ±.

Saurabh Munshi.

OWNER: AUGUSTINE CHIOFOLO
DEED REF.: E.H.K. Jr. 6373-475
ELECTION DISTRICT: 15
SUBDIVISION: "MIDDLEBOROUGH" 4/191
LOT 179 ~ 319 & 321 ST. GEORGES RD.
EXISTING UTILITIES IN ST. GEORGES RD.
SCALE: 1" = 50'
ZONED: DR> 5.5

"PLAT FOR SPECIAL HEARING"
NON CONFORMING USE

300

PETITIONER'S OFFICE COPY
EXHIBIT 1