

87-116-A

N/S of Weywood Dr., 2052.94' W of the c/l of Hanover
Pike (5410 Weywood Dr.)

4th Elec. Dist.

#6

8/1/86

Variance - filing fee \$35.00 - Noel A. Cervino, et ux

8/1/86

Hearing set for 9/22/86, at 10:00 a.m.

9/22/86

Advertising and Posting - \$65.37

9/24/86

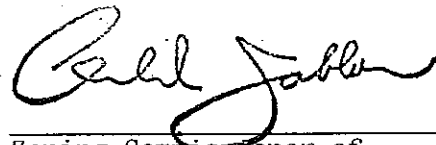
Ordered by the Zoning Commissioner that the Petition for Zoning Variance to permit a side yard setback of 47' in lieu of the required 50' is GRANTED with conditions.

1987-0116 A

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 24th day of September, 1986, that the Petition for Zoning Variance to permit a side yard setback of 47 feet in lieu of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

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.



Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. & Mrs. Noel A. Cervino

People's Counsel

6 87-116-A **PETITION FOR ZONING VARIANCE** 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 102.3.3 (1000.3.B.3) to permit a side yard setback of 47 ft. in lieu of the required 50 ft.

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

- (1) Would be on top of septic system if in back of house.
- (2) Roof to be higher than limit to match style of house (cape cod).
- (3) Need to exceed building line to get proper size of garage (24x24).

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.:

Legal Owner(s):

Dolores M. Cervino

(Type or Print Name)

Signature

Noel A. Cervino

(Type or Print Name)

Signature

5410 Weywood Drive

Address

Reisterstown, Md. 21136

City and State

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

Name

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of August, 1986, 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 22nd day of September, 1986, at 10:00 o'clock.

Carl J. Jaron
Zoning Commissioner of Baltimore County.
(over)

ZONING DESCRIPTION

BEGINNING ON THE NORTH SIDE OF WEYWOOD DRIVE 50 FEET WIDE AT A DISTANCE OF 2052.94 FEET WEST OF THE CENTERLINE OF HANOVER PIKE. BEING KNOWN AND DESIGNATED AS LOT NO. 22 AS SHOWN ON A PLAT ENTITLED WOODGLEN FARMS, WHICH PLAT IS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK E.H.K.Jr. NO. 43 FOLIO 69 ALSO KNOWN AS 5410 WEYWOOD DRIVE IN THE FOURTH ELECTION DISTRICT.
1.25 AC ±

PETITION FOR ZONING VARIANCE

4th Election District

Case No. 87-116-A

LOCATION: North Side of Weywood Drive, 2052.94' West of the Centerline of Hanover Pike (5410 Weywood Drive)

DATE AND TIME: Monday, September 22, 1986, 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 Zoning Variance to permit a side yard setback of 47 feet in lieu of the required 50 feet

Being the property of Noel A. Cervino, et ux, 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 JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Weywood Dr., 2052.94' : OF BALTIMORE COUNTY
W of C/I of Hanover Pike (5410 :
Weywood Dr.), 4th District :
NOEL A. CERVINO, et ux, : Case No. 87-116-A
Petitioners :
: : : : :
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
Phyllis Cole Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 18th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Noel A. Cervino, 5410 Weywood Dr., Reisterstown, MD 21136, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JARLON
ZONING COMMISSIONER
September 18, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. Noel A. Cervino
Mrs. Dolores M. Cervino
5410 Weywood Drive
Reisterstown, Maryland 21136

RE: PETITION FOR ZONING VARIANCE
N/S of Weywood Dr., 2052.94' W of the c/I
of Hanover Pike (5410 Weywood Dr.)
4th Election District
Noel A. Cervino, et ux - Petitioners
Case No. 87-116-A

Dear Mr. and Mrs. Cervino:

This is to advise you that \$65.37 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.

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

No. 025526

DATE 9/22/86

ACCOUNT R-01-615-000

SIGN & POST RETURNED

\$65.37

RECEIVED FROM

Mrs. Dolores M. Cervino, 5410 Weywood Drive, Reisterstown, Md. 21136

FOR

ADVERTISING & POSTING COSTS RE CASE #87-116-A

FOR

B 8023*****653778 0222F

VALIDATION OR SIGNATURE OF CASHIER

Mr. Noel A. Cervino
Mrs. Dolores M. Cervino
5410 Weywood Drive
Reisterstown, Maryland 21136

August 8, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S of Weywood Dr., 2052.94' W of the c/I
of Hanover Pike (5410 Weywood Dr.)
4th Election District
Noel A. Cervino, et ux - Petitioners
Case No. 87-116-A
10:00 a.m.

TIME: Monday, September 22, 1986

DATE: Monday, September 22, 1986

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

TO: ZONING COMMISSIONER

FROM: NOEL & DOLORES CERVINO

SUBJECT: VARIANCE REQUEST NUMBER 6.

THIS IS TO ADVISE YOU THAT I HAVE INFORMED MY NEIGHBORS OF A VARIANCE OF 47 FEET TO THE BUILDING LINE FROM THE 50 FOOT STANDARD.

I HAVE ADVISED MY NEIGHBORS THAT I AM REQUESTING THE VARIANCE FOR THE PURPOSE OF BUILDING A GARAGE.

THE GARAGE WILL BE BUILT BY A PROFESSIONAL BUILDER. IT WILL BE 24 FEET WIDE AND 24 FEET DEEP.

IT WILL MATCH THE CAPE COD STYLE OF MY HOUSE AND WILL HAVE THE SAME PITCH ROOF AS MY HOUSE.

THE ARTIST CONCEPT OF THE GARAGE WILL SHOW THAT IT WILL ENHANCE MY PROPERTY IN VALUE AND APPEARANCE.

THE SIGNATURES LISTED BELOW ARE CONFIRMING THAT THIS HAS BEEN DISCUSSED WITH THEM AND THERE ARE NO OBJECTIONS.

RESPECTFULLY,

NOEL AND DOLORES CERVINO.

Henry Rozek
John M. Stanger
John Barry
Julius A. Cieser

5408 Weywood Dr. Reisterstown, Md.
5412 Weywood Dr.
5417 Weywood Dr. 21136
5409 Weywood Dr.

PETITIONER'S
EXHIBIT 2

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 4th Date of Posting August 22, 1986
Posted for: Variance
Petitioner: Noel A. Cervino, et ux
Location of property: N/S of Weywood Dr., 2052.94' W of the c/I of Hanover Pike (5410 Weywood Dr.)
Location of Signs: 5410 Weywood Dr. in front of subject property.
Remarks: I, J. Jaron
Posted by: J. Jaron
Number of Signs: 1
Date of return: August 22, 1986

CERTIFICATE OF PUBLICATION

LOCATION: North side of Weywood Drive, 2052.94 ft. W of centerline of Hanover Pike, Towson, Maryland 21204. Case No. 87-116-A.

DATE AND TIME: Monday, September 4, 1986, at 10:00 a.m. PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, has held a public hearing on the Petition for Zoning Variance to permit a building to be constructed on the property of Noel A. Cervino, et ux, at 2052.94 ft. W of centerline of Hanover Pike, in the 4th Election District, Baltimore County, Maryland, and has received the following comments:

THE JEFFERSONIAN, Publisher

Cost of Advertising 24.75

UNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., Sept. 4, 1986.

RTIFY that the annexed...Req. 1/10/81...P.O. #80166 one (1) successive week's days previous day of September, 1986, in the County Times, a daily newspaper published in Westminster, Carroll County, Maryland, town News, a weekly newspaper published in Baltimore County, Maryland, nity Times, a weekly newspaper published in Baltimore County, Maryland.

UNITY NEWSPAPERS OF MARYLAND, INC.

Per: *Donald Keefe*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

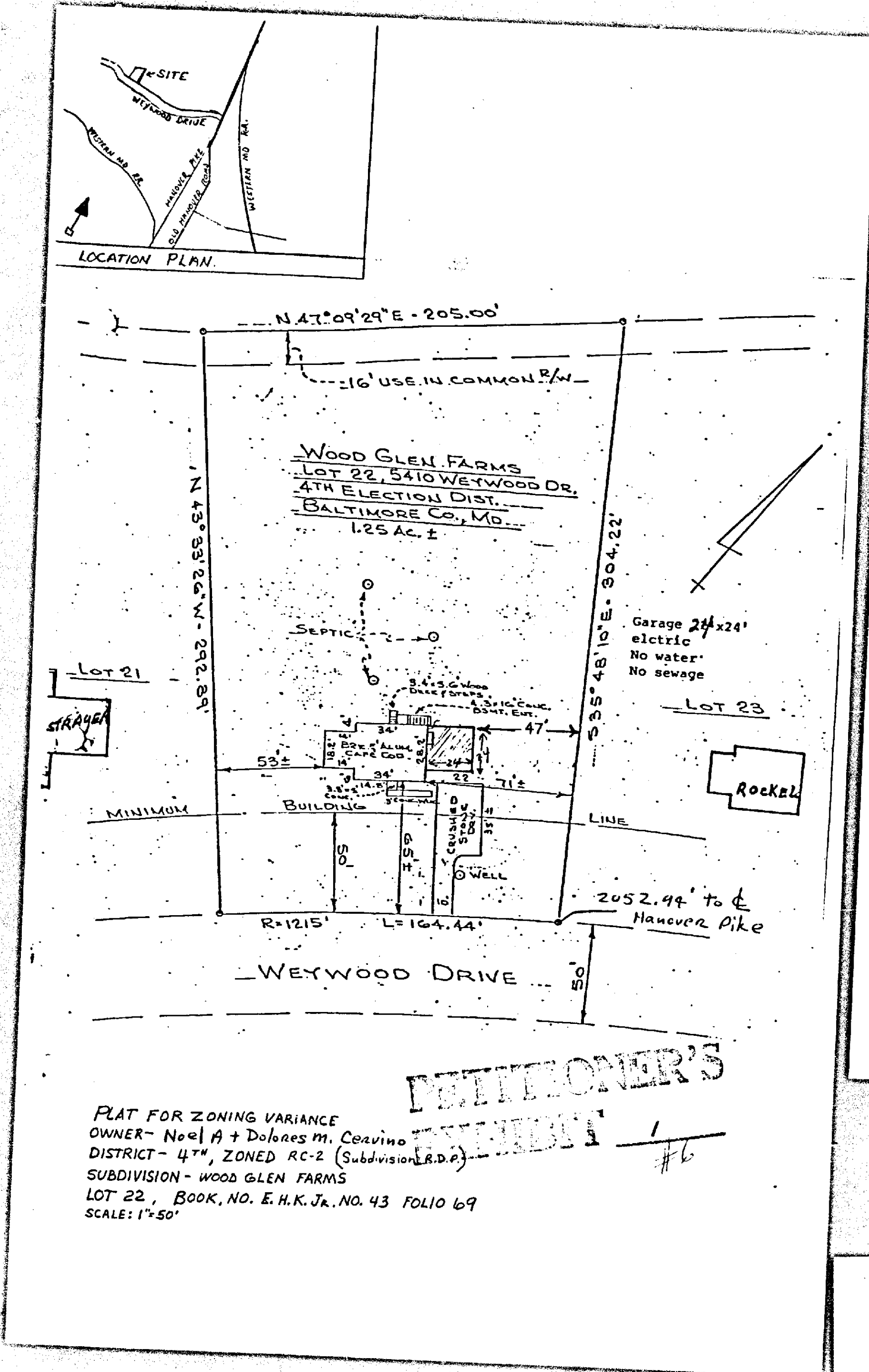
Arnold Jablon
TO: Zoning Commissioner

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

SUBJECT: Zoning Petitions No. 87-116-A, 87-127-A, 87-128-A, 87-130-A, 87-133-A, 87-134-A, 87-135-A, 87-136-A, and 87-137-A

There are no comprehensive planning factors requiring comment on these petitions.

NEG:JGH:slm



87-116-A

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 1st day of August, 1986.

Arnold Jablon
Zoning Commissioner

Petitioner: Noel A. Cervino, et ux
Petitioner's Attorney

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



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 26, 1986

Ms. Dolores M. Cervino
5410 Weywood Drive
Reisterstown, Maryland 21136

RE: Item No. 6 - Case No. 87-116-A
Petitioner: Noel A. Cervino, et ux
Petition for Variance

Dear Ms. Cervino:

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
Chairman
Zoning Plans Advisory Committee

JED:kbb
Enclosures

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

STEPHEN E. COLLINS
DIRECTOR

August 14, 1986

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

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

Very truly yours,
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

**BALTIMORE COUNTY
DEPARTMENT OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-4500**

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

August 21, 1986

RE: Zoning Advisory Meeting of July 15, 1986
Item 6
Property Owner: NOEL A. CERVINO, et ux
2052.94' W. OF E. OF HANOVER PIKE

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.

1. County Review Group Meeting is required.

2. In County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.

3. This site is part of a larger tract. Therefore it is defined as a subdivision. The plan must show the entire tract.

4. A record plat will be required and must be recorded prior to the issuance of a building permit.

5. The access is not satisfactory.

6. The circulation on this site is not satisfactory.

7. The parking calculations must be shown on the plan.

8. This category/condition is not satisfactory.

9. Development on these soils is prohibited.

10. Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-23 of the Development Regulations.

11. Development of this site may constitute a potential conflict with the Baltimore County Zoning Plan.

12. The proposed Development Plan was approved by the Planning Board.

13. Landscaping: Not comply with Baltimore County Landscape Manual, 8111-173-27. No existing service area as defined by Capacity Use Certificate has been issued. The deficient service is the proposed service.

14. The property is located in a flood plain. Therefore, a copy of the Flood Insurance Study, 1511-173-27, and its conditions change the characteristics of the property. The Flood Insurance Study is available to the County Council.

15. Additional comments:

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

PAUL H. REINCKE
CHIEF

July 17, 1986

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

RE: Property Owner: Noel A. Cervino, et ux
Location: N/S Weywood Dr., 2052.94 ft. W of centerline of Hanover Pike
Item No.: 5
Zoning Agenda: Meeting of July 15, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ 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: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group
Special Inspection Division
Fire Prevention Bureau

/mb

To: Ms. Karen Baker
Balto. Cty Zoning Office.

From: Noel A. Cervino
5410 Weywood Drive
Reisterstown Md. 21136

Date: 7/22/86

Subject: Variance No. 6 Hearing Date.

As per our phone conversation on July 22nd I am requesting a change in the scheduled hearing date from September 10th to the week of September 22nd.

This is due to my being away, out of the area, for two weeks vacation.

If there is a problem with this change please advise and I will return for the hearing on Sept. 10th.

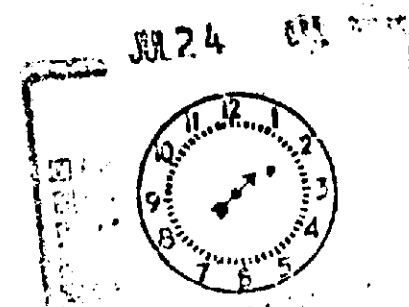
Your cooperation will be appreciated.

Please advise.

Thanks for your help on the phone.

Respectfully,

Noel A. Cervino
Noel A. Cervino.



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

July 30, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 6 Zoning Advisory Committee Meeting are as follows:

Property Owner: Noel A. Cervino, et ux
Location: N/S Weywood Drive, 2052.94 feet W of c/l of Hanover Pike
District: 4th.

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.M.S.T. #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. if more than one story.
- 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.
- 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 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible 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.
- 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:

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.

Charles E. Burman
BY: C. E. Burman, Chief
Building Plans Review

4/22/86