

345
87-466-A
#345
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 1902.3.C.1 to permit a front street setback of 19 ft. in lieu of the required 25 ft. and a rear yard setback of 10 ft. in lieu of the required 30 ft. also S.400.1 to permit an existing garage to be located in the side yard in lieu of the required rear yard.

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

A variance is required to fit the size dwelling on the lot A corner lot is restrictive because of the street setback requirements.
The garage was existing and will be accessory to the proposed Dwelling

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):
JOSEPH S. MENTO
(Type or Print Name)
Signature
ALICE L. MENTO
(Type or Print Name)
Signature
5411 Cynthia Terrace
Address
Baltimore, Maryland 21206
City and State
Name, address and phone number of legal owner, contractor purchaser or representative to be contacted
Name
Address
Phone No.

DATE FILED
4B
15
DATE
8/19/87
E 30,500

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of April, 1987, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of May, 1987, at 9:30 o'clock A.M.

(over)
Zoning Commissioner of Baltimore County.

IN RE: PETITION FOR ZONING VARIANCE
SW/S Dalton Avenue, Corner
NW/S Mildred Avenue
15th Election District
7th Councilmanic District
Joseph S. Mento, et ux
Petitioners
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-466-A

The Petitioners herein request a variance to permit a front street setback of 19 feet in lieu of the required 25 feet, a rear yard setback of 10 feet in lieu of the required 30 feet, and to permit an existing garage to be located in the side yard in lieu of the required rear yard.

Testimony by and on behalf of the Petitioners indicated that the subject property was subdivided and purchased from a family member six years ago. The lot purchased by the Petitioners is located on the corner of Dalton and Mildred Avenues, and was improved with a garage, which opens towards Dalton Avenue. The Petitioners subsequently designed their home to front onto Dalton Avenue to be conveniently compatible with the existing garage. Both Dalton and Mildred Avenues are dead-end streets. A variance is required for the size of the dwelling proposed and to meet the setback requirements for the garage. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 4th day of June 1987, that a variance to permit a front street

ORDER RECEIVED FOR FILING
Date 6/18/87
By Betty J. Johnson

ORDER RECEIVED FOR FILING
Date 6/18/87
By Betty J. Johnson

setback of 19 feet, a rear yard setback of 10 feet, and an existing garage to be located in the side yard, in accordance with the plan submitted, be and is hereby GRANTED, from and after the date of this Order.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
Arnold Jablon
Zoning Commissioner

June 4, 1987

Mr. & Mrs. Joseph S. Mento
5411 Cynthia Terrace
Baltimore, Maryland 21206

RE: Petition for Zoning Variance
SW/S Dalton Avenue, Corner
NW/S Mildred Avenue
15th Election District
7th Councilmanic District
Case No. 87-466-A

Dear Mr. & Mrs. Mento:

Pursuant to the hearing recently held on the above-referenced case, enclosed please find a copy of the decision rendered. Your Petition for Zoning Variance has been Granted 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

JMH:jbj

Enclosures

cc: People's Counsel

Phone: 687-6922

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

February 18, 1987

Southwest corner of Dalton and Mildred Avenues
15th District Baltimore County, Maryland

Beginning for the same in the center of Dalton Avenue at the distance of 160.21 feet measured southeasterly along the center of Dalton Avenue from the center of Philadelphia Road, thence running and binding on the center of Dalton Avenue South 47 degrees 11 minutes East 163.50 feet to the center of Mildred Avenue, thence running and binding on the center of Mildred Avenue South 42 degrees 49 minutes West 76 feet, thence running for two lines of division as follows: North 47 degrees 11 minutes West 163.5 feet and North 42 degrees 49 minutes East 76 feet to the place of beginning.

Containing 9058 square feet of land more or less.



PETITION FOR ZONING VARIANCES

15th Election District - 7th Councilmanic District
Case No. 87-466-A

LOCATION: Southwest Side of Dalton Avenue, Corner/Northwest/Side Mildred Avenue

DATE AND TIME: Thursday, May 21, 1987, at 9:30 a.m.

PUBLIC HEARING: Room 301, 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 Variances to permit a front street setback of 19 feet in lieu of the required 25 feet, a rear yard setback of 10 feet in lieu of the required 30 feet, and an existing garage to be in the side yard in lieu of the required rear yard

Being the property of Joseph S. Mento, 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 JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES
SW/S Dalton Ave., Corner NW/S
Mildred Ave., 15th District
JOSEPH S. MENTO, et ux,
Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-466-A

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 29th day of April, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Joseph S. Mento, 5411 Cynthia Terrace, Baltimore, MD 21206, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this
day of April, 1987.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: Joseph S. Mento, et ux Received by: James E. Dyer
Petitioner's Attorney Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: April 13, 1987
Norman E. Gerver, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 87-462-A, 87-463-A, 87-464-A, 87-466-A and 87-467-A

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

Norman E. Gerver
Norman E. Gerver, AICP
Director

NEG:JGH:sld

RECEIVED
APR 14 1987

ZONING OFFICE

CPS-nna

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 8, 1987

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

000

Chairman

MEMBERS

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

Mr. Joseph Mento
5411 Cynthis Terrace
Baltimore, Maryland 21206

RE: Item No. 345 - Case No. 87-466-A
Petitioner: Joseph S. Mento, et ux
Petition for Zoning Variance

Dear Mr. Mento:

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 suit-
ability 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
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

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

STEPHEN E. COLLINS
DIRECTOR

March 19, 1987

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 327, 329, 330, 332, 333, 334, 335, 337, 338, 339, 340, 344, 345,
346, 347, and 348.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt



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

PAUL H. REINCKE
CHIEF

March 5, 1987

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

RE: Property Owner: Joseph S. Mento, et ux

Location: SW/S Dalton Ave., corn. NW/S Mildred Avenue

Item No.: 345 Zoning Agenda: Meeting of 3/3/87

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: *John F. O'Neill* Noted and Approved: _____
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

March 13, 1987

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

Dear Mr. Jablon:

Comments on Item # 345 Zoning Advisory Committee Meeting are as follows:
Property Owner: Joseph S. Mento
Location: SW/S Dalton Ave., cor NW/S Mildred Ave.
District: 15th

APPLICABLE ITEMS ARE CIRCLED:

- (1) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85,
the Maryland Code for the Handicapped and Aging (A.M.C.G. #17-1 - 1985) and other applicable Codes and Standards.
- (2) 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.
- E. All Use Groups except B-1 Single Family Detached Buildings require a minimum of 1 hour fire rating for
exterior walls closer than 5'-0" to an interior lot line. B-1 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 1408.0 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 501 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/Temporary 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 Use _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Flood/Elevation. Please see the attached
copy of Section 214.0 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.

John F. O'Neill
Mr. C. E. Barnard, Chief
Building Plans Section

LJZ/RS



JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 12, 1987

Mr. Joseph S. Mento
Mrs. Alice L. Mento
5411 Cynthia Terrace
Baltimore, Maryland 21206

RE: PETITION FOR ZONING VARIANCES
SW/S Dalton Ave., Cor./NW/S Mildred Ave.
15th Election District - 7th Councilmanic District
Joseph S. Mento, et ux - Petitioners
Case No. 87-466-A

Dear Mr. and Mrs. Mento:

This is to advise you that \$81.57 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.

Please make check payable to **35861** **Prince George's County, Maryland, and remit to**
King, Towson, Maryland

Please Print or Type

No. 35861

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

DATE 5/21/87 ACCOUNT R-01-615-000

SIGN & POST
RETURNED AMOUNT \$ 81.57 CASH

Mr. Joseph S. Mantos, et ux

RECEIVED FROM: ADVERTISING & POSTING COSTS RE CASE #87-466-A

FOR: 1

\$ 5011*****8157:4 \$2187

VALIDATION OR SIGNATURE OF CASHIER

Mr. Joseph S. Mento
Mrs. Alice L. Mento
5411 Cynthia Terrace
Baltimore, Maryland 21206

April 9, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
SW/S Dalton Ave., Cor./NW/S Mildred Ave.
15th Election District - 7th Councilmanic District
Joseph S. Mento, et ux - Petitioners
Case No. 87-466-A

TIME: 9:30 a.m.

DATE: Thursday, May 21, 1987

PLACE: Room 301, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland

AJ:med

**Zoning Commissioner
of Baltimore County**

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

No. 30560

DATE 2/23/87 AMOUNT 01-615-000

1

AMOUNT \$ 35.00

RECEIVED Joseph S. Marino

FOR Var. # 395

8 8014*****3500g*8232F

VOIDANCE OR SIGNATURE OF OFFICER

CERTIFICATE OF POSTING
SEWING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 5/28/87
 Posted for: Valance
 Postmaster: Susan S. Menzies, at 101
 Location of property: SW 1/4 Dakota Ave., NW 1/4 NE 1/4, NW 1/4 NE 1/4
 Location of Sign: Facing Dakota Ave., across 15' E. road W 1/4, NW 1/4
 property of Robinson
 Remarks:
 Posted by: [Signature] Date of return: 5/28/87
 Number of Signs: 1

[illegible]

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 30, 1987

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 April 30, 1967.

THE JEFFERSONIAN.

Publisher

32.17

[illegible]

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

April 30,

1987

THIS IS TO CERTIFY, that the annexed advertisement of
Arnold Jablon in the matter of Zoning Hrgs. - Case #87-466-A -
P.O. #86970 - Req. #M00116 - 86 lines @ \$34.40.

was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week

for one ~~subsequent~~ week before the

1st day of May 19 87 ; that is to say,

the same was inserted in the issues of April 30, 1987

Kimbel Publication, Inc.

per Publisher

By K.C. Decker

