

IN RE: PETITION FOR SPECIAL HEARING
S/S Aigburth Road, 432' E of
York Road
(8 Aigburth Road)
9th Election District
4th Councilmanic District

Benjamin A. Petrilli, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-57-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 8 Aigburth Road, located in the vicinity of York Road in Towson. The Petition was filed by the owners of the property, Benjamin A. and Ida A. Petrilli. The Petitioners seek approval to add two apartments to an owner-occupied residence and to amend Restriction No. 2 of the Order issued in prior Case No. 89-93-A which permits only a single family dwelling use. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Benjamin and Ida Petrilli, owners of the property. Appearing as Protestants in the matter were Judith M. Giacomo, John S. H. Chapman, Anne P. Orrell and I. Paul Hartman, all residents from the surrounding community.

Testimony and evidence offered revealed that the subject property consists of .33 acres, more or less, zoned D.R. 5.5 and is improved with a three-story brick dwelling and a detached two car garage. The property was the subject of prior Case No. 89-93-A in which the Petitioners were granted variance relief by then Commissioner J. Robert Haines to permit the creation of two lots (to be known as 8 and 10 Aigburth Road) with side yard setbacks of 15 feet each side for both lots. As a condition to the

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By

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ENCLOSURE

and the evidence supports that, his property is of sufficient size and is appropriately zoned to meet the conversion standards that would allow a three-apartment use to operate thereon. However, as a result of the restriction imposed by Commissioner Haines in the prior case, the relief requested is necessary in order to establish the two additional apartments proposed herein. Mr. Petrilli asserted that he would not operate the subject property as an absentee landlord. He testified that he intends to reside in the first floor apartment and that his daughter, son-in-law and their small child would reside in the second floor apartment.

Mr. Petrilli submitted photographs of his property and surrounding homes and apartments. The photographs submitted by Mr. Petrilli show that his property is extremely well-maintained and that the house is a nice addition to the community. Mr. Petrilli testified that he has spent a great deal of money improving the property and those efforts are reflected in the beautiful home that is located on this property. It is clear from the photographs that the subject property is maintained far and above those others in the immediate vicinity.

As stated previously, several residents from the surrounding community appeared in opposition to the Petitioners' request. The cumulative testimony offered by these individuals was that they would like to see Commissioner Haines' decision upheld and Restriction No. 2 thereof remain in force. Testimony revealed that the neighborhood has encountered problems with apartment houses and has worked hard to promote an environment where single family residences will prevail. These individuals are concerned that the community will lose the benefit of a single family residence on the subject property if the relief is granted to allow its conversion to an apartment house. These individuals believe that apart-

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By JBP

ment houses have a detrimental effect upon the quality of life of the community in which they exist and have asked that this property remain limited to a single family use.

After considering all of the testimony offered by the Petitioners as well as the Protestants who attended the hearing, I am inclined to grant the relief requested in the special hearing. Mr. Petrilli has demonstrated that he has invested a tremendous amount of money in this property and has made a substantial improvement to the community at large. Both properties on either side of the subject site are utilized as apartment houses. Across the street from the Petrilli property is an apartment building. The subject property itself is of sufficient size and is appropriately zoned for use as a multi-family dwelling. The only impediment to Mr. Petrilli is Restriction No. 2 of the Order issued in the prior case.

Mr. Petrilli appears to be an extremely responsible individual. He testified that he was employed by the Baltimore County Board of Education as a guidance counselor both at Towson High School and Loch Raven High School. He appears to be a responsible citizen who intends to live in the house after it is converted. He has agreed to have that restriction imposed upon him as a condition of approval of his request. This would provide on-site management of the property given the fact that the owner will reside therein. Therefore, I find that the conversion of the subject property to a three apartment dwelling is appropriate, for so long as Mr. Petrilli resides on the property. Furthermore, as stated previously, the second floor apartment, at least initially, will be occupied by Mr. Petrilli's daughter, son-in-law, and grandchild. I believe that situation to not have any detrimental effect upon the surrounding community. I'm sure Mr. Petrilli will use great care in selecting a suitable

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tenant for the third floor apartment, given the fact that he and his family will be residing on the property.

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

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of October, 1996 that the Petition for Special Hearing seeking approval to add two apartments to an owner-occupied residence and to amend Restriction No. 2 of the Order issued in prior Case No. 89-93-A which permits only a single family dwelling use, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The subject dwelling shall be utilized as three separate apartments only for so long as the property is occupied by its owner of record. In the event the owner of record ceases to reside on the subject property, the dwelling shall be converted back to a single family dwelling.

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Date 10/3/96
By [Signature]

3) The Petitioner shall record a copy of this Order in the Land Records for Baltimore County to ensure that any potential purchaser of the subject property shall have notice that the property can only be used as a three apartment dwelling for so long as the owner of record resides therein.

4) The adjacent property known as 10 Aigburth Road shall remain limited to use as a single family dwelling. This Order shall not affect the restriction imposed upon that property in prior Case No. 89-93-A.

5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

COPIES RECEIVED FOR FILING
10/3/96
[Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 3, 1996

Mr. & Mrs. Benjamin Petrilli
8 Aigburth Road
Towson, Maryland 21286

RE: PETITION FOR SPECIAL HEARING
S/S Aigburth Road, 432' E of York Road
(8 Aigburth Road)
9th Election District - 4th Councilmanic District
Benjamin A. Petrilli, et ux - Petitioners
Case No. 97-57-SPH

Dear Mr. & Mrs. Petrilli:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Judith M. Giacomo
17 Aigburth Road, Towson, Md. 21286

Mr. I Paul Hartman, 18 and 1/2 Cedar Avenue, Towson, Md. 21286
Ms. Anne P. Orrell, 23 Aigburth Road, Towson, Md. 21286
Mr. John S. H. Chapman, 66 Cedar Avenue, Towson, Md. 21286

People's Counsel

Case File

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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

8 AIGBURTH RD

which is presently zoned

DR5.5

97-57-SPH

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

PERMISSION TO PUT TWO APARTMENTS IN OWNER
OCCUPIED RESIDENCE AND TO AMEND CASE # 89-93-A
CONDITION 2, WHICH PERMITS ONLY SINGLE FAMILY DWELLING

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

I, or we, agree to pay expenses of 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/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

State

Zipcode

Legal Owner(s):

BENJAMIN A PETRILLI
(Type or Print Name)

Benjamin A Petrilli
Signature

IDA ANN PETRILLI
(Type or Print Name)

Ida Ann Petrilli
Signature

8 AIGBURTH RD 410 823-4219
Address Phone No.

TOWSON MD 21286
City State Zipcode
Name, Address and phone number of representative to be contacted.

BENJAMIN A. PETRILLI
Name
8 AIGBURTH RD (410) 823-4219
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: STP DATE 8.6.96

56.

ORDER RECEIVED FOR FILING

Date

By

EXAMPLE 3 -- Zoning Description

97-57-SPH

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 8 AIGBURTH RD. TOWSON, MD. 21286
(address)

Beginning at a point on the SOUTH side of
(north, south, east or west)

AIGBURTH RD. which is 50'
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 432' EAST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street YORK RD.
(name of street)

which is 60' R/W wide. *Being Lot # 2,
(number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of AIGBURTH RD.
LIBER (name of subdivision)

as recorded in Baltimore County Plat Book # 7887, Folio # 669.

containing 0.3325 ^{14,482 SQ FT}. Also known as 8 AIGBURTH RD.
(square feet or acres) (property address)

and located in the 9 Election District, 4 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

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56

CASE NUMBER: 97-57-SPH (Item 56)

8 Aigburth Road

S/S Aigburth Road, 432' E of York Road

9th Election District - 4th Councilmanic

Legal Owner(s): Benjamin A. Petrilli and Ida Ann Petrilli

ast by: 8/25/96

Special Hearing to approve two apartments in owner occupied residence and to amend case #89-93-A, condition 2, which permits only single family dwelling.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Town, Maryland

97-57-
SPH

District 9th Date of Posting 8/24/96
Posted for: 9-9-96 HEARING
Petitioner: Petrilli
Location of property: 8 Aigburth Rd
Location of Signs: _____
Remarks: _____
Posted by AB Signature _____ Date of return: _____
Number of Signs: 1

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CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Aug 22, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 22, 1996

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

MICROFILMED

OFFICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will

hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-57-SPH (Item 56)
8 Algburth Road
S/S Algburth Road 432
E of York Road
9th Election District
4th Councilmanic
Legal Owner(s):
Benjamin A. Petrilli and Ida Ann Petrilli

Special Hearing: to approve proposed apartments in owner occupied residence and to amend case #89-93-A, condition 2, which permits only single family dwelling.
Monday, September 2, at 11:00 a.m. in Room 106 of the County Office Building.

E.E. SCHMIDT
Commissioner for
my
Hearings are
accessible; for
accommodations
553
on concern-
r Hearing.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 56 Petitioner: BENJAMIN A. PETRILLI

Location: 8 AIG BIRTH RD. TOWSON, MD. 21286

PLEASE FORWARD ADVERTISING BILL TO:

NAME: BENJAMIN A PETRILLI

ADDRESS: 8 AIG BIRTH RD.

TOWSON, MD. 21286

PHONE NUMBER: (410) 823-4219

56



TO: PUTUXENT PUBLISHING COMPANY

August 22, 1996 Issue - Jeffersonian

Please forward billing to:

Benjamin A. Petrilli

8 Aigburth Road

Towson, MD 21286

823-4219

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-57-SPH (Item 56)

8 Aigburth Road

S/S Aigburth Road, 432' E of York Road

9th Election District - 4th Councilmanic

Legal Owner(s): Benjamin A. Petrilli and Ida Ann Petrilli

Special Hearing to approve two apartments in owner occupied residence and to amend case #89-93-A, condition 2, which permits only single family dwelling.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

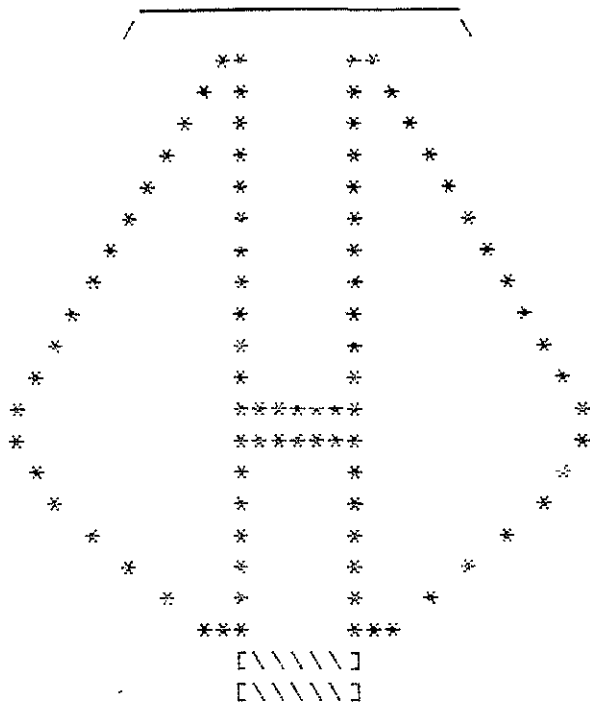
LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



...FIRE PROTECTION BY COMPUTER DESIGN

* FIRE-MAK INC. *
* 9010 JUNCTION DRIVE *
* *
* ANNAPOLIS JUNCTION, MD 20701 *
* 410-880-3100 *

* CONTRACTOR SCHAFFER *
* NAME GBMC - EXCIMER LASER SUITE *
* LOCATION 6701 NORTH CHARLES STREET, BALTIMORE MD 21204 *
* SYSTEM NO. 1 *
* CONTRACT NO. 2407ME *



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 15, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-57-SPH (Item 56)
8 Aigburth Road
S/S Aigburth Road, 432' E of York Road
9th Election District - 4th Councilmanic
Legal Owner(s): Benjamin A. Petrilli and Ida Ann Petrilli

Special Hearing to approve two apartments in owner occupied residence and to amend case #89-93-A, condition 2, which permits only single family dwelling.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Benjamin and Ida Petrilli

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 5, 1996

Mr. and Mrs. Benjamin A. Petrilli
8 Aigburth Road
Towson, MD 21286

RE: Item No.: 56
Case No.: 97-57-SPH
Petitioner: B. Petrilli, et ux

Dear Mr. and Mrs. Petrilli:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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BALTIMORE COUNTY, MARYLAND
ELECTRICAL INSPECTION FEE SCHEDULE
EFFECTIVE APRIL 1, 1992

MINIMUM FEE FOR ELECTRICAL PERMITS IS \$17.00

PERMIT EXPIRATION

A permit shall expire one year from the date it was issued unless it is extended, in which case it can only be extended for one additional year. The maximum duration of an electrical permit is two years.

INVESTIGATION FEE

Whenever any work for which a permit is required under this code has been commenced without authorization of such permit, a special investigation shall be made before a permit may be issued for such work. In addition to the regular permit fee, an investigation fee of \$43.00 shall be collected.

ROUGH WIRING

FIXTURES

switches, receptacles, and lights to be counted as outlets:

1 to 50 outlets . . . \$17.00	1 to 50 fixtures . . . \$17.00
For each additional 25 outlets or fraction thereof . \$3.00	For each additional 25 fixtures or fraction thereof . \$3.00

COMPLETED INSTALLATIONS, where wiring and fixtures are installed and can be inspected on one visit, apply rough wiring schedule based on total number of outlets.

FEES - NEW RESIDENCE - FLAT RATE - INCLUDES ALL APPLIANCES & SERVICE

Not over 100 amp. service \$44.00
Not over 200 amp. service \$52.00
Over 200 amp. service \$57.00

FEES - NEW APARTMENTS - INCLUDES ALL APPLIANCES - SERVICE ADDITIONAL

1 to 5 - Use Rough Wiring & Fixture Schedules, Service Additional 6 or more - \$17.00 per apartment, Service Additional

CONDITIONS & REMODELING - Use Rough Wiring and Fixture Schedules. Appliances such as electric ranges, range tops, ovens, air conditioners, water heaters, disposals, dishwashers, dryers, water pumps, electric heating units, etc., installed in dwelling occupancies: a charge of \$5.00 will be made for the first unit 20 KW or less, and \$2.00 for each additional unit or outlets.

INDUSTRIAL AND COMMERCIAL EQUIPMENT - such as air conditioners, motors, generators, commercial heaters, transformers, capacitors, welders and similar devices: Secondary Fee

Single unit or group not exceeding 5 motors whose total capacity does not exceed 1 HP or KW . . . \$17.00 -- \$5.00
1 HP to 40 HP, KW or KVA \$17.00 -- \$5.00
Over 40 HP to 75 HP, KW or KVA \$17.00 -- \$6.00
Over 75 HP, KW or KVA \$17.00 -- \$7.00

NOTE: Where above motor fees exceed \$75.00 and inspections can be completed within 90 days of filing application, apply 50% of the above fees for the amount over \$75.00.

RFM SERVICE - RELOCATION OR CHANGE IN SERVICE

Not over 400 amps \$17.00
Over 400, not over 800 amps \$25.00
Over 800 amps \$43.00

MODULAR HOMES OR PREFABRICATED STRUCTURES

Must bear a sticker of approval from the U.S. federal government, the state, a national testing facility, or other recognized inspection bureau. When this sticker is in evidence, a flat rate of \$43.00 will be charged.

TRANSFORMERS, VAULTS - OUTDOOR ENCLOSURES OUTDOOR SUB-STATIONS

Not over 200 KVA \$19.00
Over 200 to 500 KVA \$21.00
Over 500 KVA \$28.00

NOTE: Above applied to each bank of transformers.

SWIMMING POOLS

Bonding \$17.00
Filters & Pool Lights (use fixture & appliance schedule)

REINSPECTION OR REINTRODUCTION OF CURRENT

Charge is in relation to amount of supervision, but no less than \$43.00
Any equipment not heretofore approved, the schedule covering classification to apply used.

ADDITIONAL INSPECTIONS

For reported correction of defects found in original installation (after notice of correction and second inspection) \$17.00

ELECTRIC SIGNS

Electric discharge sign lighting systems, charge based on amp. rating of each sign:
0 to 10 amp. \$17.00
Each additional 5 amp. or fraction thereof . \$7.00
For incandescent signs, divide total number of sockets by "4" applying rough wiring schedule for each sign,
minimum fee. \$17.00

Charge for each combination incandescent and gas tube sign to be computed by adding charge for each class.

ELEVATOR INSTALLATIONS

Single unit, non-automatic, 1 to 20 HP each \$17.00
Single unit, non-automatic, Over 20 HP: Apply primary motor schedule. Automatic elevators: Add \$5.00 to primary motor schedule.

RADIO OR TV APPARATUS

Minimum fee \$17.00
PROTECTIVE SIGNALING SYSTEMS, SOUND OR TIME SYSTEMS OUTLETS, TELEPHONES

1 to 15 devices \$17.00
Each additional 5 \$3.00

TEMPORARY INSTALLATIONS AND DECORATIVE DISPLAYS
Temporary installations for carnivals, Christmas decorations, halls churches, etc., where inspection is on a one-time basis, apply the following fees:

1 to 10 KW \$17.00
11 to 25 KW \$21.00
26 to 50 KW \$28.00
Over 50 KW \$34.00

Where inspection is not on a one-time basis, see Special Services below:

SPECIAL SERVICES

Special services (such as annual inspections, hospital operating floors, motion picture equipment, mobile homes, etc.) and/or conditions not provided for in the schedule shall be charged for on the basis of time required.
Minimum fee \$17.00

Temporaries and inspections requested after the first inspection, when work was not ready, EACH \$43.00

Issuance of duplicate certificate . . . \$3.00
PRE-PURCHASE AND USE POSTCARD PERMITS (\$17.00) FOR SIMPLE, ONE-ITEM INSPECTIONS.

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/15/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: BENJAMIN A. PETRILLI & IDA ANN PETRILLI
Location: S/S AIGBURTH RD., 432' E OF YORK RD. (8 AIGBURTH RD.)

Item No.: 056

Zoning Agenda: SPECIAL HEARING

Gentlemen:

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

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", 1991 edition prior to occupancy. INNER CONNECTED A/C SMOKE DETECTORS ARE REQUIRED.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



08/15/96

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: August 23, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for August 26, 1996
 Item No. 056

The Development Plans Review Division has reviewed the subject zoning item. Adequate on-site parking shall be provided.

RWB:HJO:jrb

cc: File

ZONE23B

RECEIVED
AUG 23 1996



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

8-16-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 056 (TRA)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: September 4, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 8 Aigburth Road

INFORMATION:

Item Number: 56

Petitioner: Benjamin A. Petrilli

Property Size: _____

Zoning: DR 5.5

Requested Action: _____

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

The site in question, 8 Aigburth Road was the subject of a previous zoning hearing, Case No. 89-93A. The site is within the Towson Community Plan area in an area designated as Community Conservation area. A two lot minor subdivision had been recorded for one panhandle lot, Lot 2 or 8 Aigburth and Lot 1 with road frontage, 10 Aigburth. At the time of the original hearing, the property was zoned DR 16; a setback Variance was granted for side yards of 15 feet in lieu of 25 feet for the construction of a single family home on each lot. The Variance was granted with a restriction #2 stating "only single family dwellings shall be permitted to be constructed on each lot."

The site in question was rezoned to DR 5.5 during the 1992 Comprehensive Zoning Map Process. The lot for 8 Aigburth contains approximately 14,482 sq. ft. which is large enough to meet the conversion standards in the Baltimore County Zoning Regulations which requires an 80' wide lot and 10,000 sq. ft. area for two apartments or a 95' wide lot and 13,000 sq. ft. area for three apartments. Side yard setback requirements are 15' for one side and 35' for the sum of both sides. The property owner should demonstrate why condition two should be removed and should clarify what the plans are for the vacant lot, Lot 1.

MICROFILMED

TO: ■ Arnold Jablon, Director, PDM
FROM: Arnold F. "Pat" Keller, III, Director, OP

Finally, it should be noted that the Zoning Commissioner's Policy Manual (4-3) states that a dwelling may be converted to multi-family occupancy only after a five year occupancy as a single family dwelling. It further states that a special hearing may be held to confirm the good faith occupancy.

Prepared by: _____

Division Chief: _____

AFK/JL/lw

MICROFILMED

RE: PETITION FOR SPECIAL HEARING
8 Aigburth Road, S/S Aigburth Road,
432' E of York Road
9th Election District, 4th Councilmanic

Benjamin A. and Ida A. Petrilli
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-57-SPH

* * * * *

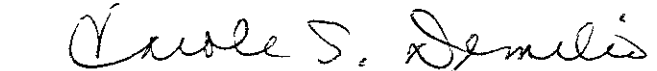
ENTRY OF APPEARANCE

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



PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of September, 1996, a copy of the foregoing Entry of Appearance was mailed to Benjamin A. and Ida A. Petrilli, 8 Aigburth Road, Towson, MD 21286, Petitioners.


PETER MAX ZIMMERMAN

MICROFILMED

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
S/S Aigburth Road, 421.75' *
E of York Road * ZONING COMMISSIONER
(8 and 10 Aigburth Road) *
9th Election District * OF BALTIMORE COUNTY
4th Councilmanic District *
Benjamin Petrilli, et ux * Case No. 89-93-A
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit side yard setbacks of 15 feet each for Lots 1 and 2 in lieu of the required 25 feet for each lot for two proposed dwellings as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Mrs. Ida Petrilli, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of October, 1988 that the Petition for Zon-

56.

MICROFILMED

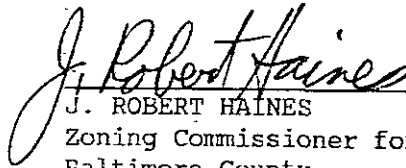
MICROFILMED

ing Variance to permit side yard setbacks of 15 feet each for Lots 1 and 2 in lieu of the required 25 feet for each lot for two proposed dwellings in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Only single-family dwellings shall be permitted to be constructed on each lot.

JRH:bjs


J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

10/6/85
Bette J. Schulman

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Ida A Petrucci
Benjamin A Petrucci

ADDRESS

8 Argbark Rd.
8 Argbark Rd.

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

mail to
To

Paul Hartman

Anne P. Orrell

John S. H. Chapman

JUDITH M. GIACOMO

18 1/2 Cedar Ave, Towson 21286

23 Argbuth Rd

66 Cedar Ave, Towson 21286

17 AIGBUTH RD, TOWSON 21286



7/27/77 153

PROPERTY ADDRESS: 8 Aigburth Road

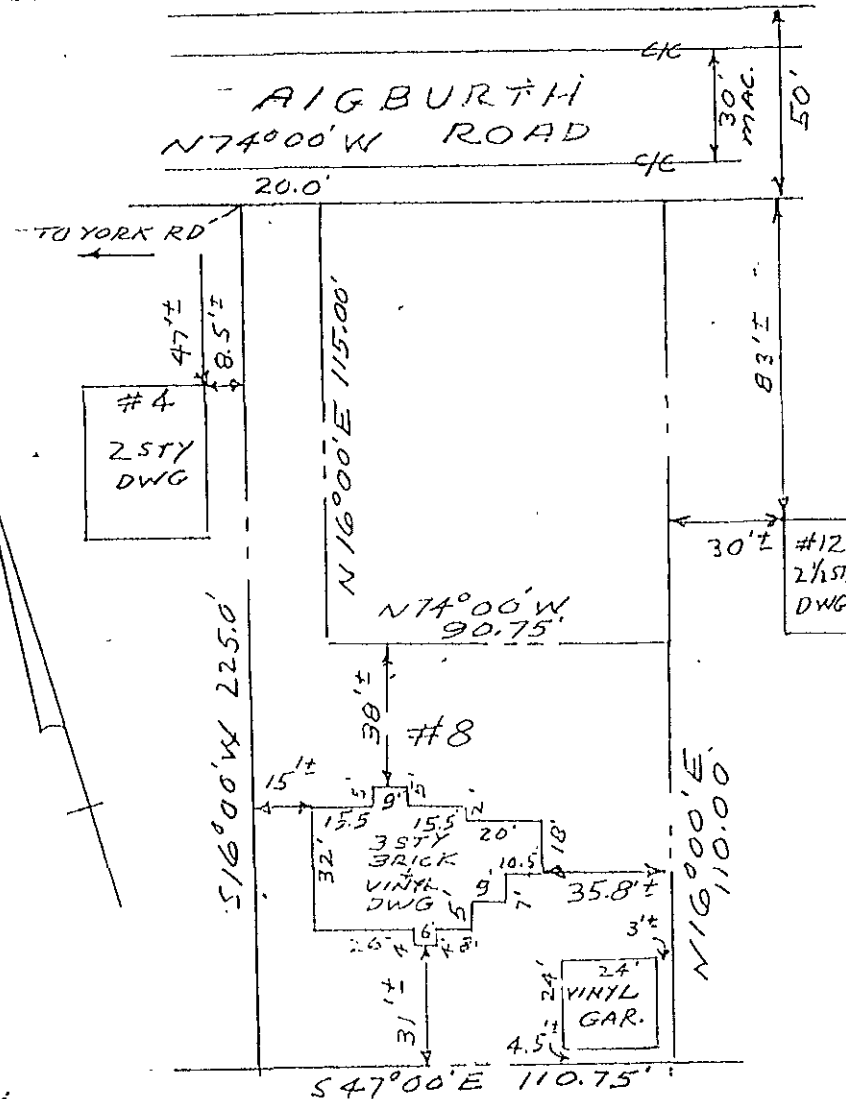
see pages 5 & 6 of the CHECKLIST for additional required information

97-57-5PH

plat book# _____, folio# _____, lot# _____, section# _____

Liber 7887, Folio 669-673

OWNER: Benjamin Pettrilli



DEFENDANT'S EXHIBIT /

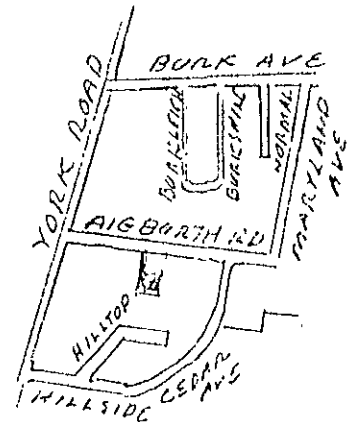


North

date: 7/26/96

prepared by: Don Kuyper

Scale of Drawing: 1" = 50'



North

Vicinity Map

scale: 1"=1000'

LOCATION INFORMATION

Election District: 9

Councilmanic District: 4

1"=200' scale map# : **NE 9A**

Zoning: *DR S. 5*

Lot size: .33246 14482
acres square feet

SEVER: ☒ public ☐ private

WATER : ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings:

89-93 A

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

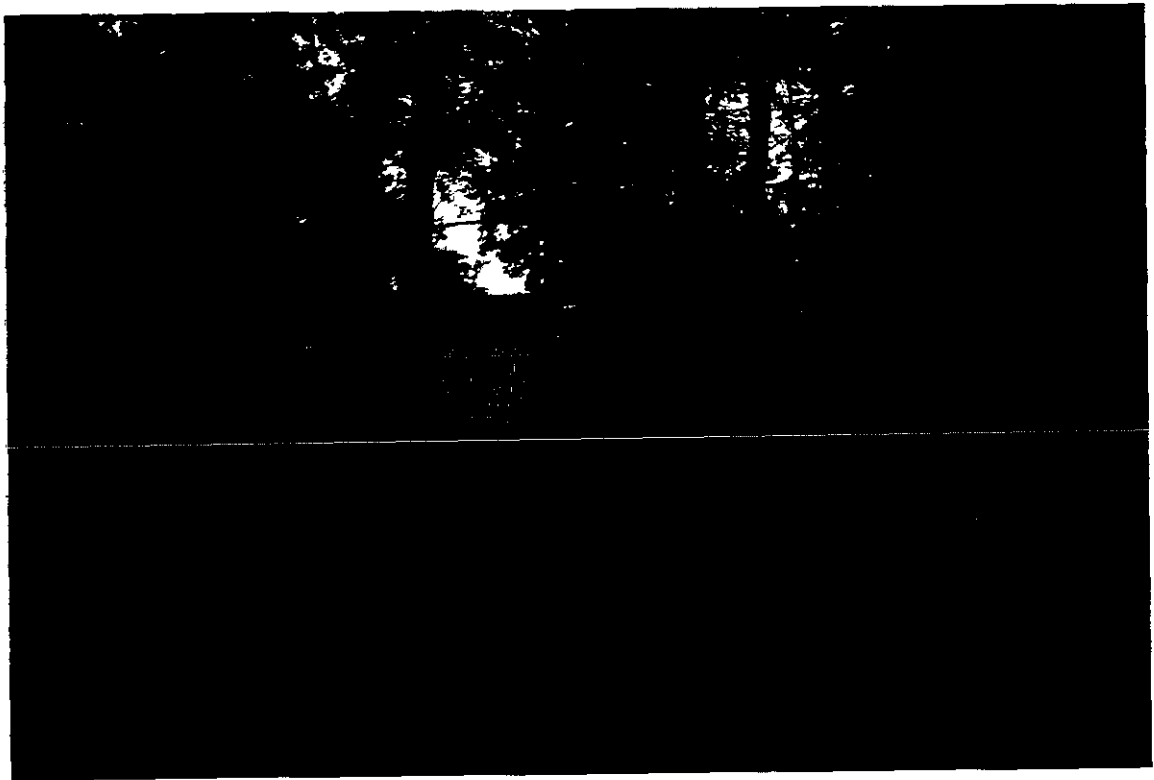
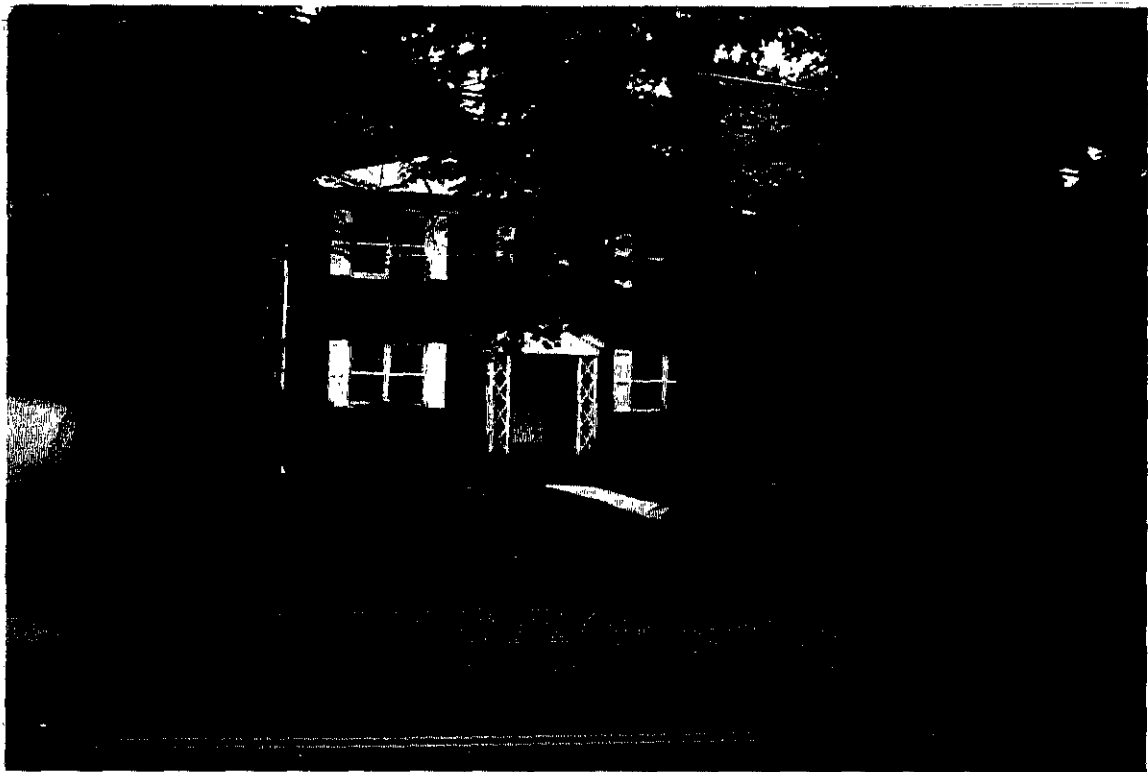
STN | SG

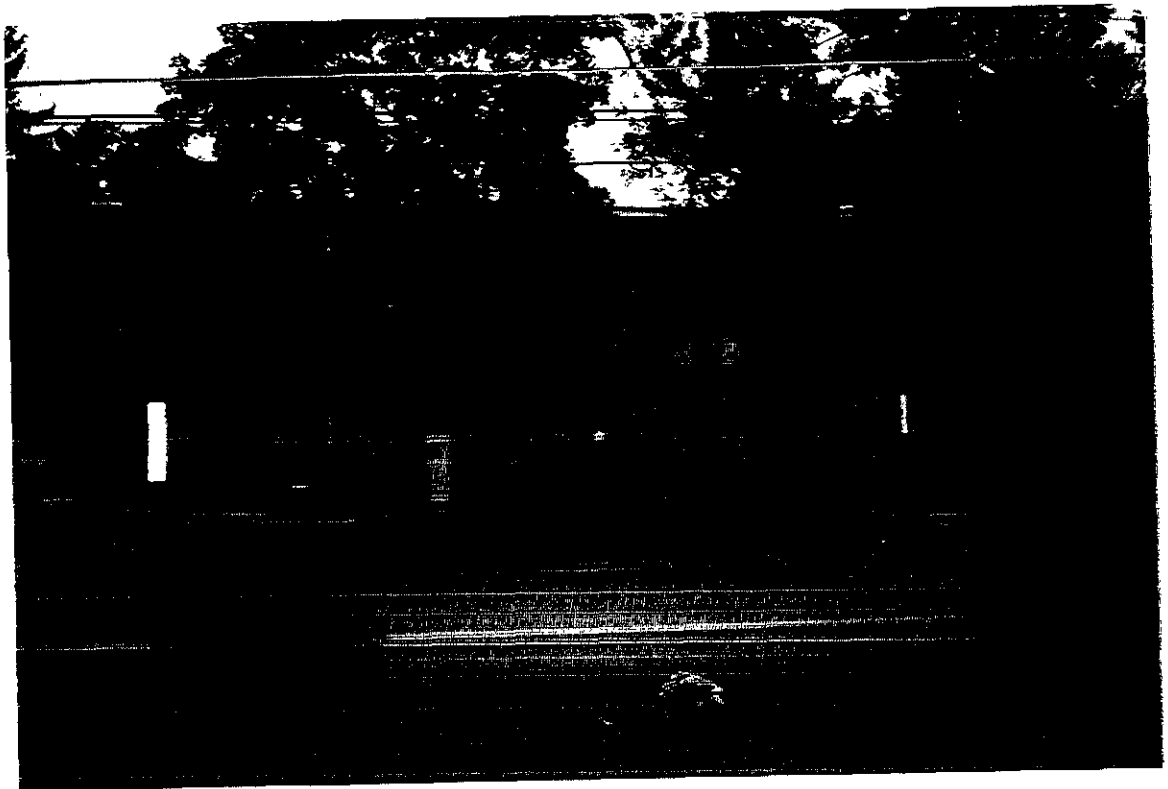
MA 10
INFORMATION
82

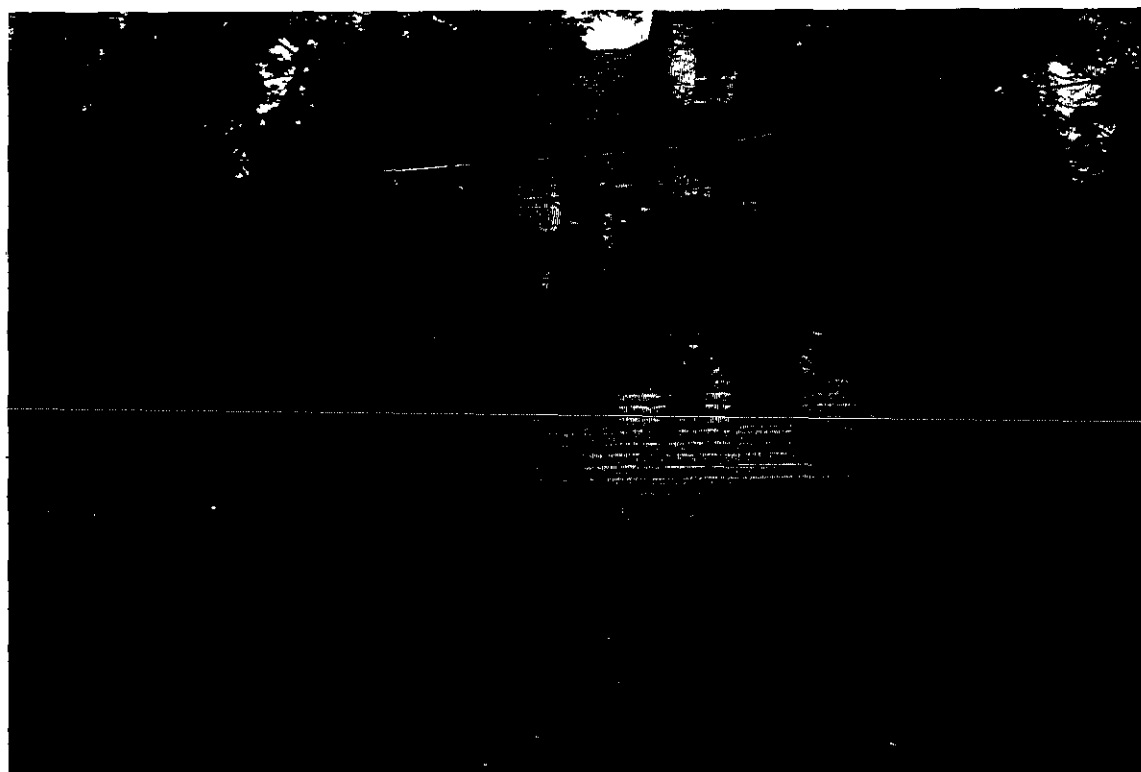
Peterson's
photographs

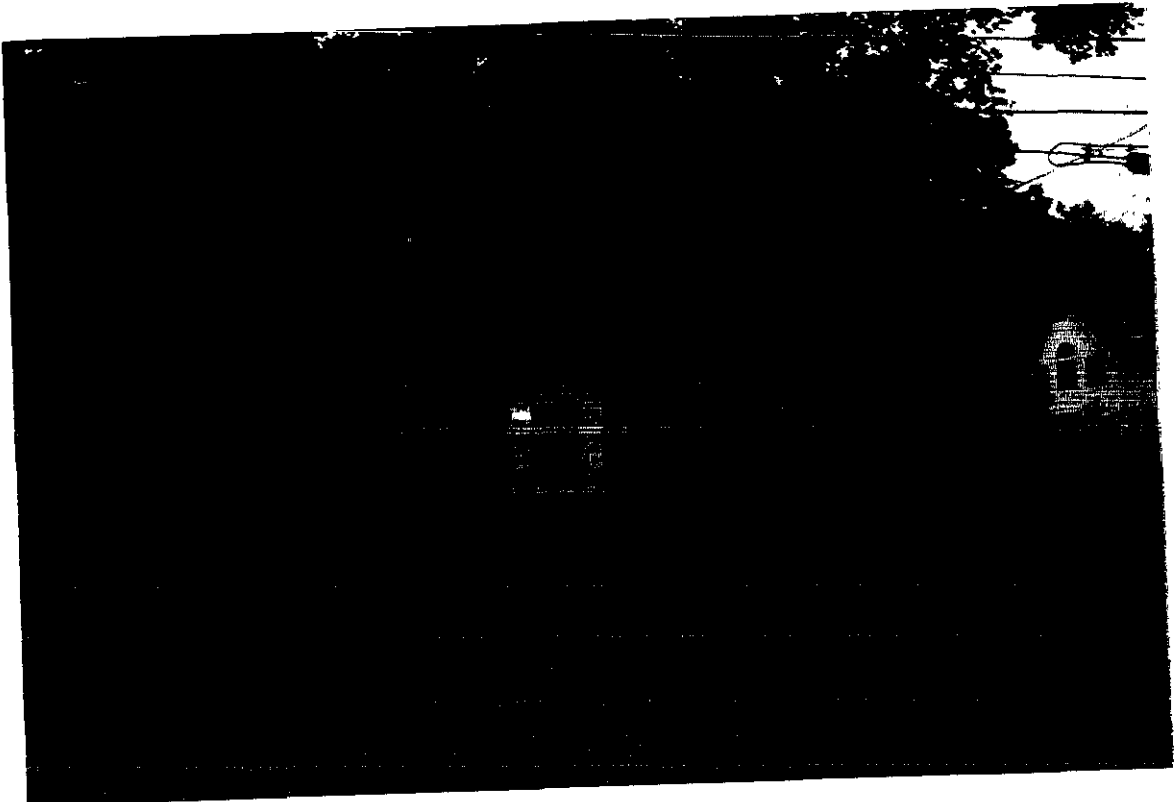
Case 97-57-SPH

MICROFILMED

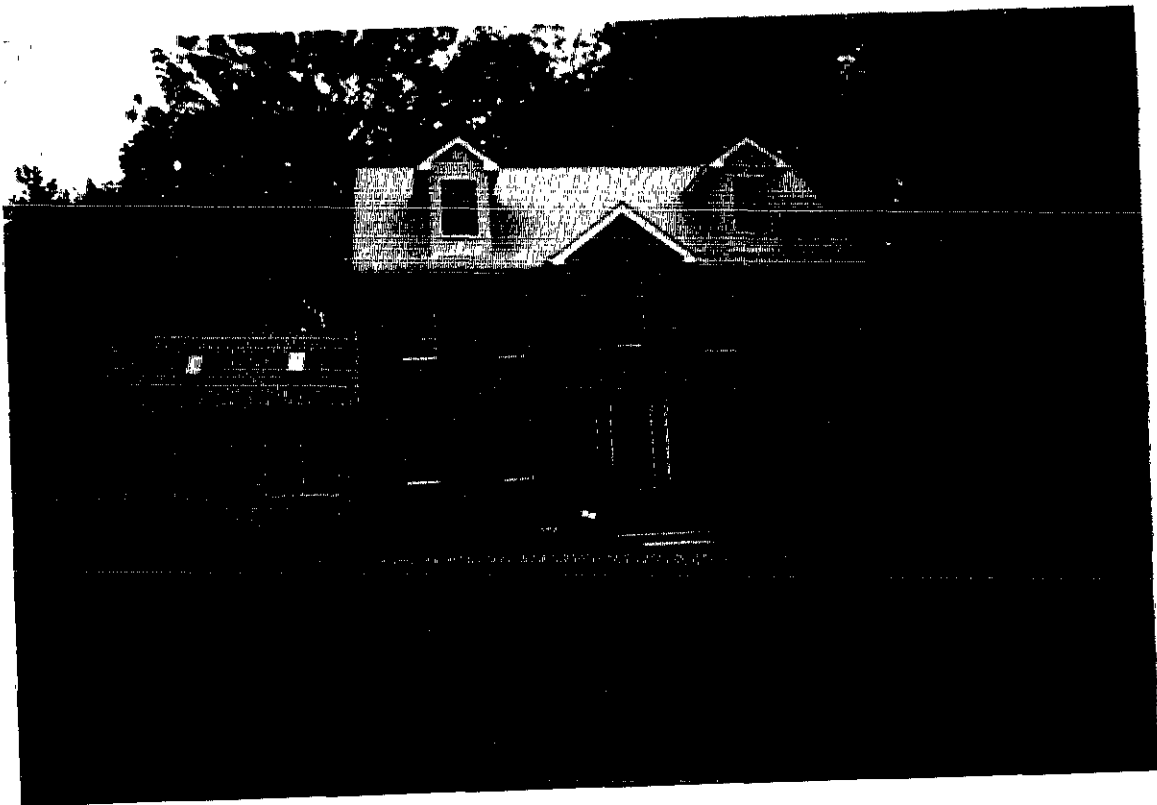


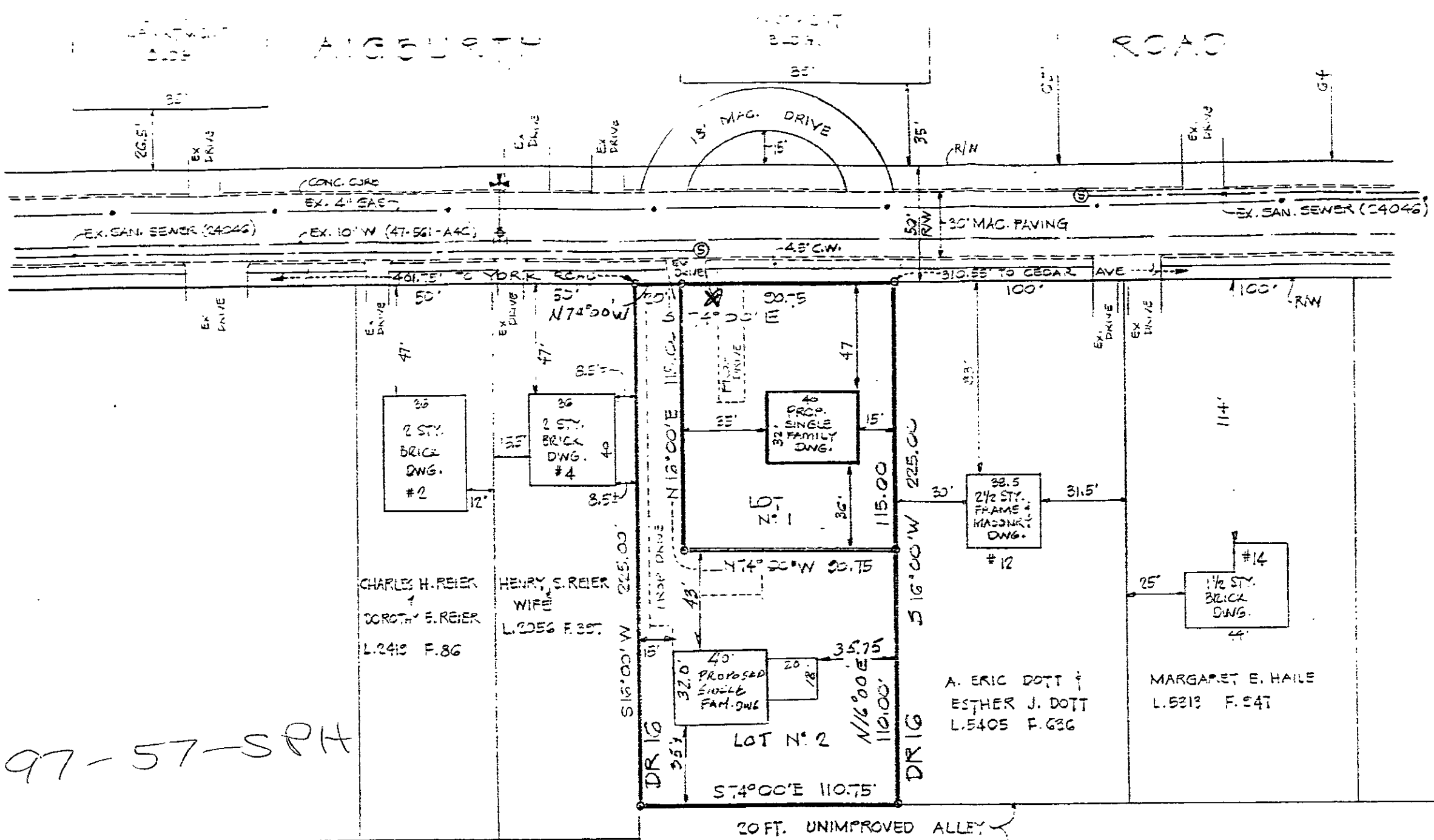




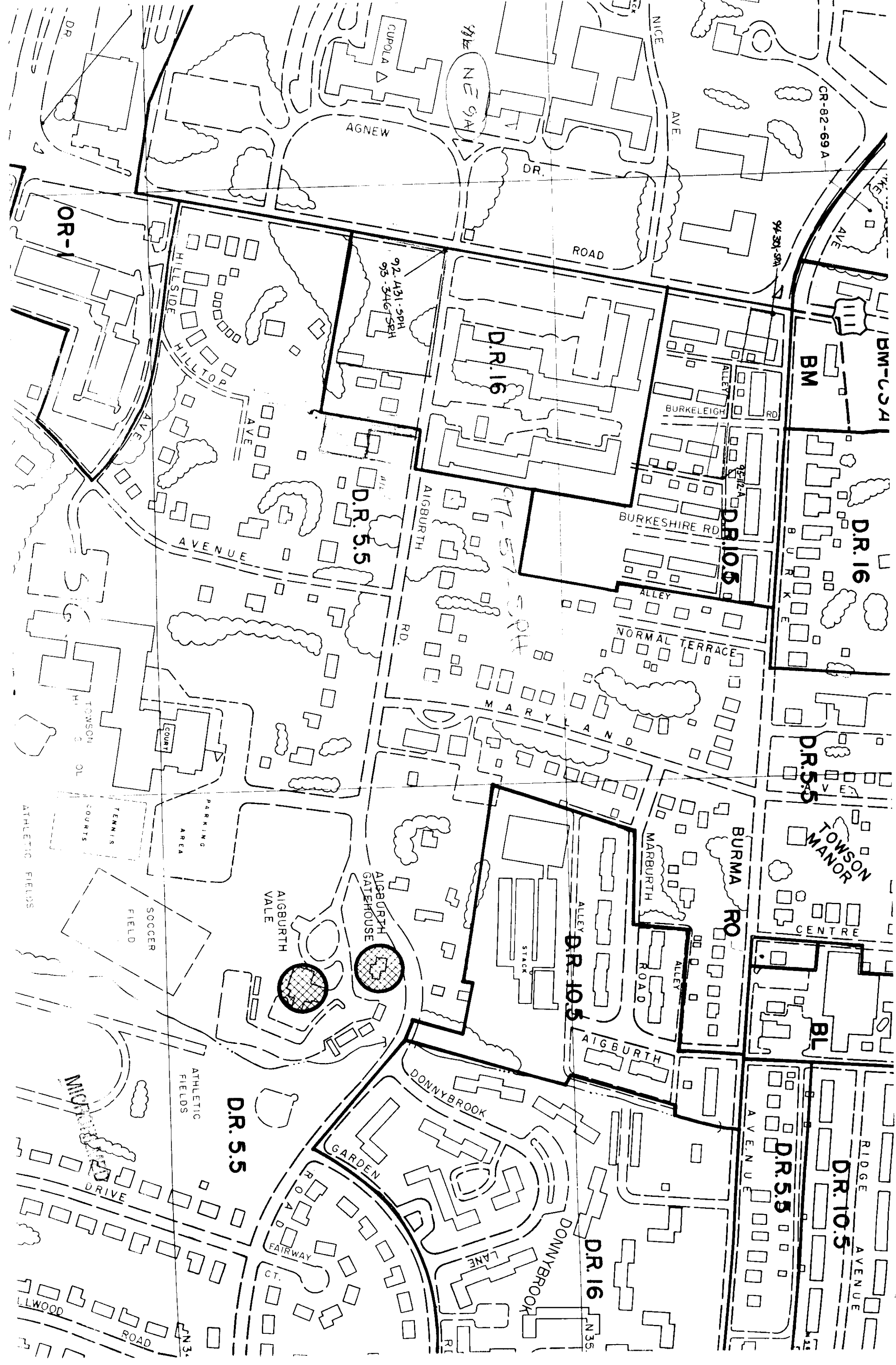












IN RE: PETITION FOR SPECIAL HEARING
S/S Aigburth Road, 432' E of
York Road
(8 Aigburth Road)
9th Election District
4th Councilmanic District
Benjamin A. Petrilli, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-57-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 8 Aigburth Road, located in the vicinity of York Road in Towson. The Petition was filed by the owners of the property, Benjamin A. and Ida A. Petrilli. The Petitioners seek approval to add two apartments to an owner-occupied residence and to amend Restriction No. 2 of the Order issued in prior Case No. 89-93-A which permits only a single family dwelling use. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Benjamin and Ida Petrilli, owners of the property. Appearing as Protestants in the matter were Judith M. Giacomo, John S. H. Chapman, Anne P. Orrell and I. Paul Hartman, all residents from the surrounding community.

Testimony and evidence offered revealed that the subject property consists of .33 acres, more or less, zoned D.R. 5.5 and is improved with a three-story brick dwelling and a detached two car garage. The property was the subject of prior Case No. 89-93-A in which the Petitioners were granted variance relief by then Commissioner J. Robert Haines to permit the creation of two lots (to be known as 8 and 10 Aigburth Road) with side yard setbacks of 15 feet each side for both lots. As a condition to the

relief granted, a restriction was imposed wherein the proposed dwellings for each lot were limited to use as single family dwellings. Mr. Petrilli now comes before me seeking an amendment to that restriction to allow the use of the dwelling at 8 Aigburth Road as a three-apartment dwelling.

On behalf of the request, Mr. Petrilli testified that he purchased the property known as 10 Aigburth Road in 1988 at which time the property was improved with an older home approximately 100 years in age. The house was occupied at that time by eight Towson State University students who were utilizing the house as a fraternity. The house and grounds were in deplorable condition at the time and Mr. Petrilli purchased the property with the intention of constructing his own single family dwelling. Soon after his purchase of the property, Mr. Petrilli subdivided the property to create two lots, Lot 1 of which would be known as 10 Aigburth Road, and Lot 2, known as 8 Aigburth Road. Mr. Petrilli subsequently tore down the old house and constructed a dwelling on Lot 2. That dwelling is known as 8 Aigburth Road, and is the subject of this request. The subject dwelling consists of 4,000 sq.ft. over three floors. Mr. Petrilli and his wife reside in the house at this time, along with their daughter, son-in-law, and grandchild. However, pursuant to this request, Mr. Petrilli wishes to install a kitchen on the second floor which would make the second floor a separate apartment and provide additional privacy for his daughter and son-in-law. In addition, Mr. Petrilli wishes to create a third apartment on the third floor which would be utilized as a separate rental unit, not lived in by Mr. Petrilli or his daughter and son-in-law.

In support of his request, Mr. Petrilli argued that the surrounding homes are utilized as apartment dwellings. Furthermore, he testified,

- 2 -

and the evidence supports that, his property is of sufficient size and is appropriately zoned to meet the conversion standards that would allow a three-apartment use to operate thereon. However, as a result of the restriction imposed by Commissioner Haines in the prior case, the relief requested is necessary in order to establish the two additional apartments proposed herein. Mr. Petrilli asserted that he would not operate the subject property as an absentee landlord. He testified that he intends to reside in the first floor apartment and that his daughter, son-in-law and their small child would reside in the second floor apartment.

Mr. Petrilli submitted photographs of his property and surrounding homes and apartments. The photographs submitted by Mr. Petrilli show that his property is extremely well-maintained and that the house is a nice addition to the community. Mr. Petrilli testified that he has spent a great deal of money improving the property and those efforts are reflected in the beautiful home that is located on this property. It is clear from the photographs that the subject property is maintained far and above those others in the immediate vicinity.

As stated previously, several residents from the surrounding community appeared in opposition to the Petitioners' request. The cumulative testimony offered by these individuals was that they would like to see Commissioner Haines' decision upheld and Restriction No. 2 thereof remain in force. Testimony revealed that the neighborhood has encountered problems with apartment houses and has worked hard to promote an environment where single family residences will prevail. These individuals are concerned that the community will lose the benefit of a single family residence on the subject property if the relief is granted to allow its conversion to an apartment house. These individuals believe that apart-

- 3 -

ment houses have a detrimental effect upon the quality of life of the community in which they exist and have asked that this property remain limited to a single family use.

After considering all of the testimony offered by the Petitioners as well as the Protestants who attended the hearing, I am inclined to grant the relief requested in the special hearing. Mr. Petrilli has demonstrated that he has invested a tremendous amount of money in this property and has made a substantial improvement to the community at large. Both properties on either side of the subject site are utilized as apartment houses. Across the street from the Petrilli property is an apartment building. The subject property itself is of sufficient size and is appropriately zoned for use as a multi-family dwelling. The only impediment to Mr. Petrilli is Restriction No. 2 of the Order issued in the prior case.

Mr. Petrilli appears to be an extremely responsible individual. He testified that he was employed by the Baltimore County Board of Education as a guidance counselor both at Towson High School and Loch Raven High School. He appears to be a responsible citizen who intends to live in the house after it is converted. He has agreed to have that restriction imposed upon him as a condition of approval of his request. This would provide on-site management of the property given the fact that the owner will reside therein. Therefore, I find that the conversion of the subject property to a three apartment dwelling is appropriate, for so long as Mr. Petrilli resides on the property. Furthermore, as stated previously, the second floor apartment, at least initially, will be occupied by Mr. Petrilli's daughter, son-in-law, and grandchild. I believe that situation to not have any detrimental effect upon the surrounding community. I'm sure Mr. Petrilli will use great care in selecting a suitable

- 4 -

tenant for the third floor apartment, given the fact that he and his family will be residing on the property.

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

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of October, 1996 that the Petition for Special Hearing seeking approval to add two apartments to an owner-occupied residence and to amend Restriction No. 2 of the Order issued in prior Case No. 89-93-A which permits only a single family dwelling use, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The subject dwelling shall be utilized as three separate apartments only for so long as the property is occupied by its owner of record. In the event the owner of record ceases to reside on the subject property, the dwelling shall be converted back to a single family dwelling.

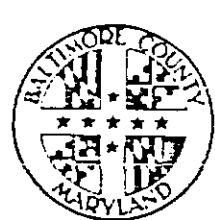
- 5 -

- 3) The Petitioner shall record a copy of this Order in the Land Records for Baltimore County to ensure that any potential purchaser of the subject property shall have notice that the property can only be used as a three apartment dwelling for so long as the owner of record resides therein.
- 4) The adjacent property known as 10 Aigburth Road shall remain limited to use as a single family dwelling. This Order shall not affect the restriction imposed upon that property in prior Case No. 89-93-A.
- 5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

- 5 -



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 3, 1996

Mr. & Mrs. Benjamin Petrilli
8 Aigburth Road
Towson, Maryland 21286

RE: PETITION FOR SPECIAL HEARING
S/S Aigburth Road, 432' E of York Road
(8 Aigburth Road)
9th Election District - 4th Councilmanic District
Benjamin A. Petrilli, et ux - Petitioners
Case No. 97-57-SPH

Dear Mr. & Mrs. Petrilli:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,
Timothy M. Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Judith M. Giacomo
17 Aigburth Road, Towson, Md. 21286

Mr. I Paul Hartman, 18 and 1/2 Cedar Avenue, Towson, Md. 21286
Ms. Anne P. Orrell, 23 Aigburth Road, Towson, Md. 21286
Mr. John S. H. Chapman, 66 Cedar Avenue, Towson, Md. 21286

People's Counsel
Case File



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 8 AIGBURTH RD
97-57-SPH which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

*PERMISSION TO PUT TWO APARTMENTS IN OWNER
OCCUPIED RESIDENCE AND TO AMEND CASE # 89-93-A
CONDITION 2, WHICH PERMITS ONLY SINGLE FAMILY DWELLING*

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of 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.

Current Purchaser/Lessee:

Type or Print Name

Signature

Address

City State Zipcode

Attorney for Petitioner:

Type or Print Name

Signature

Address

City State Zipcode

Phone No.

State Zipcode

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following date

ALL OTHER

REVIEWED BY: STJ DATE 8.6.96

56.

EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8 1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 8 AIGBURTH RD. TOWSON, MD 21286
(address)

Beginning at a point on the SOUTH side of
(north, south, east or west)
AIGBURTH RD. which is 50'
(number of feet of right-of-way width)
name of street on which property fronts)
wide at the distance of 432' EAST of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street YORK RD.
(name of street)
which is 60' R/W wide. "Being Lot # 2"
(number of feet of right-of-way width)
Block 1188 Section # 1188 in the subdivision of AIGBURTH RD.
(name of subdivision)
as recorded in Baltimore County Plat Book # 7887, Folio # 667
containing 0.3325 acres Also known as 8 AIGBURTH RD.
(square feet or acres) (property address)
and located in the 9 Election District, 4 Councilmanic District.

"If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber --- Folio ---" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N. 87° 12' 13" E. 321.1 ft. S. 18° 27' 03" E. 87.2 ft. S. 62° 19' 00" W. 318 ft. and N. 08° 15' 22" W. 80 ft. to the place of beginning.

56

CASE NUMBER: 97-57-SPH (Item 56)

8 Aigburth Road
S/S Aigburth Road, 432' E of York Road
9th Election District - 4th Councilmanic
Legal Owner(s): Benjamin A. Petrilli and Ida Ann Petrilli

Special Hearing to approve two apartments in owner occupied residence and to amend case #89-93-A, condition 2, which permits only single family dwelling.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 9th Date of Posting 8/24/96
Posted for: 9-9-96 Hearing
Petitioner: Petrilli
Location of property: 8 Aigburth Rd.
Location of Sign: _____
Remarks: AB
Posted by: _____ Signature _____ Date of return: _____
Number of Signs: 1

56

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 118 of the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-57-SPH (Item 56)
8 Aigburth Road
S/S Aigburth Road, 432' E of York Road
9th Election District - 4th Councilmanic
Legal Owner(s): Benjamin A. Petrilli and Ida Ann Petrilli

Special Hearing to approve two apartments in owner occupied residence and to amend case #89-93-A, condition 2, which permits only single family dwelling.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug 22, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 22, 1996

THE JEFFERSONIAN,
A. H. HENRICKS
LEGAL AD. - TOWSON



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 56 Petitioner: BENJAMIN A. PETRILLI
Location: 8 AIGBURTH RD. TOWSON, MD. 21286
PLEASE FORWARD ADVERTISING BILL TO:
NAME: BENJAMIN A. PETRILLI
ADDRESS: 8 AIGBURTH RD.
TOWSON, MD. 21286
PHONE NUMBER: (410) 823-4219

56

12

TO: MYSTIC PUBLISHING COMPANY
August 22, 1996 Issue - Jeffersonian

Please forward billing to:

Benjamin A. Petrilli
8 Aigburth Road
Towson, MD 21286
823-4219

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-57-SPH (Item 56)
8 Aigburth Road
S/S Aigburth Road, 432' E of York Road
9th Election District - 4th Councilmanic
Legal Owner(s): Benjamin A. Petrilli and Ida Ann Petrilli

Special Hearing to approve two apartments in owner occupied residence and to amend case #89-93-A, condition 2, which permits only single family dwelling.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAURENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 15, 1996

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-57-SPH (Item 56)
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Legal Owner(s): Benjamin A. Petrilli and Ida Ann Petrilli

Special Hearing to approve two apartments in owner occupied residence and to amend case #89-93-A, condition 2, which permits only single family dwelling.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Benjamin and Ida Petrilli

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 5, 1996

Mr. and Mrs. Benjamin A. Petrilli
8 Aigburth Road
Towson, MD 21286

RE: Item No.: 56
Case No.: 97-57-SPH
Petitioner: B. Petrilli, et ux

Dear Mr. and Mrs. Petrilli:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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on Recycled Paper

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-3500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/15/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: BENJAMIN A. PETRILLI & IDA ANN PETRILLI
Location: S/S AIGBURTH RD., 432' E OF YORK RD. (8 AIGBURTH RD.)

Item No.: 056 Zoning Agenda: SPECIAL HEARING

Gentlemen:

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

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", 1991 edition prior to occupancy. INNER CONNECTED A/C SMOKE DETECTORS ARE REQUIRED.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, N5-1102F

cc: File

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TO: Arnold Jablon, Director, PDM
FROM: Arnold F. "Pat" Keller, III, Director, OP
SUBJECT: 8 Aigburth Road

SUMMARY OF RECOMMENDATIONS:

The site in question was rezoned to DR 5.5 during the 1992 Comprehensive Zoning Map Process. The lot for 8 Aigburth contains approximately 14,482 sq. ft. which is large enough to meet the conversion standards in the Baltimore County Zoning Regulations which requires an 80' wide lot and 10,000 sq. ft. area for two apartments or a 95' wide lot and 13,000 sq. ft. area for three apartments. Side yard setback requirements are 15' for one side and 35' for the sum of both sides. The property owner should demonstrate why condition two should be removed and should clarify what the plans are for the vacant lot, Lot 1.

Finally, it should be noted that the Zoning Commissioner's Policy Manual (4-3) states that a dwelling may be converted to multi-family occupancy only after a five year occupancy as a single family dwelling. It further states that a special hearing may be held to confirm the good faith occupancy.

AFK/JL/lw

ITEM56/PZONE/ZAC

TO: Arnold Jablon, Director
Department of Permits & Development
Management

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for August 26, 1996
Item No. 056

Date: August 23, 1996

06181 DAK

ZONE238

David L. Winstead
Secretary

Parker F. Williams
Administrator

RE: Baltimore County
Item No. 056 (JRA)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Smail at 410-545-5581 if you have any questions

Thank you for the opportunity to review this item.

Very truly yours

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

ENTRY OF APPEARANCE

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

Peter Max Zimmerman
PETER MAX ZIMMERMAN

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners, by Mrs. Ida Petrilli, appeared and testified.
There were no Protestants.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of October, 1983 that the Petition for Zon-

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

[illegible]

