

S. ERIC DINENNA ONING COMMISSIONER

June 24, 1976

Mr. Michael J. Ruck, Vice-President and Treasurer Leonard J. Ruck, Inc. 5303-09 Harford Road Baltimore, Maryland 21214

> RE: Raquest for relief of required screening Duda-Ruck Funeral Home of Dundalk, Inc. 7922 Wise Avenue 12th Election District

Dear Mr. Ruck:

I am in receipt of your letter of April 6, 1976, in which you submit a petition in support of the above referenced proposal.

The petition and request to permit a height of two feet, six inches for the required screening is accepted and approved by this office. As noted in your letter, it is further understood that future affected neighbors may request said screening to be provided in accordance with the provisions of Section 409 of the Baltimore County Zoning Regulations.

The approved plans now on file with this office must be revised to reflect this waiver.

If further information or assistance is required, please feel free to contact this office.

S. ERIC DINENNA,

SED: FTH: JD

cc: George J. Martinak, Deputy Zoning Commissioner James E. Dyer, Zoning Supervisor Franklin T. Hogans, Jr., Zoning Technician III

PETITION FOR ZONING VANIANCE FROM AREA AND HEIGHT REGULATIONS 25-283 A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: Duda-Ruck Funeral Home

I. or we, of Dundalk, Inc. legal owner of the property situate in Baltimor County and which is described in the description and plat attached hereto and made a part hereof

hereby petition for a Variance from Section 1802.2B (504-V.B.2) and 301.1 To

permit a side yard of 15 Feet on the east side of said property instead of

the required 20 Feet and a side yard of 10 Feet on the west side of said

property instead of the required 15 Feet on the west side.

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

Cannot provide adequate cover from the elements for persons boarding Cannot provide adequate cover from the elements for persons boarding funeral cars and cannot utilize the foundation of the residence heretofore existing on the east side of said property without the grant of the Variances petitioned for. Also, without the grant of the Variances petitioned for, we cannot provide the best possible facilities for our clients, the people of Dundalk, and especially those larger families which require viewing rooms of the proper size which can only be provided if the Variances petitioned for are granted.

See attached description

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

Lor we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this, etc., by the contraint of further agree to and are to be bound by the zoning regulations and restrictions, of althour county adopted pursuant to the Zoning Law For Baltimore County.

DUDA-RUCK FUNERAL HOME OF DUNDALK, INC.

Dundalk, Md. 21222

BY: Bernard Clark PRESIDENT
BERNARD C. RUCK Legal Owner Address 7922 Wise Avenue

John R. Cerevio

JOHN R. CICERO

Address 321 N. Calvert St., Balto., Md. 21202. Tel.- 727-8655

ONDERED By The Zoning Commissioner of Baltimore County, this 6th

of Nay 197 5, that the subject matter of this petition be advertised, as petitived by the Zoning Law of Baltimore County, in two newspapers of general circulation through sulf 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 Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County in Room 106, County Office Building in Toward Baltimore County In Room 106, County Office Building In R

THE OF TOMES & COURS

FRANK S. LEE Registered Land Surveyor

1277 Neighbors Avenue - Baltimore, Md. 21237 June 3, 1974

(0)

Duda Funeral Home Rorth Side of Wise Avenue 647.77 east of Lynch Boad 12th District Baltimore County, Maryland

Beginning for the same on the north side of Wise Avenue at the distance of sured along the north side of Wis. Avenue from the intersection of the side of Wise Avenue South 65 degrees 03 minutes 30 seconds East 170.04 aving Wise Avenue and running North 20 degrees 06 minutes 30 se g Diehlwood Road for three lines of division as follows: - South 20 degree 00 minutes West 119,74 feet, South 65 degrees 03 minutes 30 seconds East 60 feet and South 20 degrees 00 minutes West 125.47 feet to the place of beginning.

Containing 1.14 acres of land more or less,

RE: PETITION FOR VARIANCES N/S of Wise Avenue, 647.77 E of Lynch Road - 12th Elec-Duda-Ruck Funeral Home of Dundalk, Inc. - Petitioner NO. 75-282-A (Item No. 199)

DUDA-RUCK OF DUNDALL

B of B/K BMOH

Lynch Lynch

BEFORE THE ZONING COMMISSIONER OF

BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of a Petition filed by the Duda-Ruck Funeral Home of Dundalk, Inc., for Variances, from Sections 1B02, 2B. (504-V, B, 2) and 301, 1 of the Baltimore County Zonin; Regulations, to permit a side yard setback of 15 feet on the east side of the subject property in lieu of the required 20 feet; and a side yard setback of 10 teet on the west side of the subject property in lieu of the required 15 feet. Said property is located on the north side of Wise Avenue, 647.77 feet east of Lynch Road, in the Twelfth Election District of Baltimore County, and contains 1. 14 acres of land, more or less.

Testimony indicated that the subject property was previously granted a Special Exception for the expansion of an existing funeral home (Case No. 75-14-X; dated August I, 1974). The present request is a minor change to the setbacks previously indicated on the plat submitted with the aforemer Special Exception request.

At the outset of the hearing, John W. Hessian, III, Esquire, People's sel, raised an objection, indicating that this was the incorrect procedure o follow; that is, an additional Special Exception request should have been iled. The Zoning Commissioner overruled the motion and feels that the subest is not a substantial change from the plan approved with the Special ception. In fact, the square footage of the building is reduced from the

July 3, 1975

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours.

S. ERIC DI NENNA

RE: Petition for Variances

Clection District

N/S of Wise Avenue, 647.77' E of Lynch Road - 12th

Duda-Ruck Funeral Home of Dundalk, Inc. - Petitioner NO. 75-282-A (Item No. 199)

The Petitioner indicated that the expansion and the purpose for his new facilities necessitates the Variances. The request for the Variance for 10 feet on the west side of the property is for a portico (awning). The request for the Variance for 15 feet on the east side of the property is for the configuration of a building necessary for this operation.

Without reviewing the evidence further in detail but based on all the evience presented at the hearing, in the judgment of the Zoning Commissioner, the Variances, as petitioned for, should be granted. In the instant case, strict interpretation and enforcement of the Baltimore County Zoning Regulations would create a practical difficulty or unreasonable hardship upon the Petitioner and the granting of the subject Petition would not be detrimental to the health, safety, and general welfare of the locality involved.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of July, 1975, that the Variances to permit a side yard setback of 15 feet on the east side of the subject property in lieu of the required 20 feet; and a side yard setback of 10 feet on the west side of the subject property in lieu of the required 15 feet should be and the same are GRANTED from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning

20 FEET; AND TO PERMIT A
SIDE YARD OF 10 FEET ON THE WEST
SIDE INSTEAD OF THE REQUIRED BALTIMORE COUNTY 15 FEET. North side of Wise Avenue, 647.77 feet East of Lynch Road. 12th DUDA-RUCK FUNERAL HOME OF . Case No. 75-282-A, Item 199 ORDER TO ENTER APPEARANCE

Mr. Commissioner

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



0 RE: PETITION FOR VARIANCE

TO PERMIT A SIDE YARD OF 15 FEET ON THE EAST SIDE

INSTEAD OF THE REQUIRED

BEFORE THE

ZONING COMMISSIONER

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this day of June, 1975 to John R. Cicero, Esquire, 321 N. Calvert Street, Baltimore, Maryland 21202, Attorney for Petitioner.

per

I will not attend, JWH.

INTER-OFFICE CORRESPONDENCE

BALTIMORE COUNTY, MARYLAND

TO S. Eric DiNenna, Zoning Commissioner Date June 4, 1975

FROM William D. Fromm, Director of Planning

SURJECT Petition #75-282-A. Petition for Variance for Side Yards. North side of Wise Avenue 647.77 feet East of Lynch Road Petitioner - Duda-Ruck Funeral Home of Dundalk, Inc.

HEARING: Wednesday, June 11, 1975 (10:15 A.M.)

The staff of the Office of Planning and Zoning will offer no comment on this petition at this time.

William Migner lrector of Planning

WDF:NEG:nv



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

SED/sew

Dear Mr. Cicero;

cc: John W. Hessian, III, Esquire People's Counsel

John R. Cicero, Esquire 321 North Calvert Street Baltimore, Maryland 21202 PREVIOUS ZONING CASES 3944 X & 75-14 X

DUDA-RUCK FUNERAL HOME THE PROTECT BALTIMORE COUNTY, MARYLAND GCALB I'm sol-of THE PLANE GITE PLAN PREHARED BY : FUNERAL HOME IND. INC.

SOF THAN PROPERTY DISCONDENS NO. COLUMBUS, 2000 COL

4-25-75

4/21/01

S. ERIC DINENNA



May 9, 1975

Mr. S. Eric DiNenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. DiNenna

Comments on Item #199, Zoning Advisory Committee Meeting, May 6, 1975, are as follows:

Property Owner: Duda-Ruck Funeral Home of Dundalk, Inc.
Location: N/S of Wise Ave. 647.77' E of Lynch Road
Existing Zoning: D.R.S.5
Proposed Zoning: Oriente from Sec. 1802.28 (304V82) and 301.1 to permit a side
yard of 15' on the E/S of property instead of the required 20' and a side yard of
10' on the W/S of property instead of the req.ired and a side yard of 10' on the
N/S of property instead of the req.ired and a side yard of 10' on the
No. of Acres: 1.14
District: 12th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John Zevenilly John L. Wimbley Planning Specialist II Project and Development Planning BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Item 199

John R. Cicero, Esq. 321 M. Calvert Street Baltimos, Md. 21202

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

Petitioner Duda-Buck Funeral Rome of Duncalk, Inc. Petitioner's Attorney John R. Cicero GO: Frank S. Lee., Land Surveyor 1277 Heighbors Avenue Beltimore, Md. 21237

Franklin T. Hogans, T. Chairman, Zoning Advisory Committee

MEMBERS

HEALTH DEPARTMENT

BUREAU OF FIRE PREVENTION

DEPARTMENT OF TRAFFIC ENGINEERS

STATE HIGHWAY ADMINISTRATION

BUREAU OF ENGINEERING

PROJECT AND DEVELOPMENT PLANNERS

OFFICE OF THE

June 9, 1975

F-anklin'T: Hogan XXXXXXXXXXXXX John R. Cicero, Esq. 321 N. Calvert Street Baltimore, Maryland 21202

RE: Petition for Variance Item 199 Duda-Ruck Funeral Home of Dundalk, Inc. - Petitioners

Dear Mr. Cicero:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning 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 of the protector of Planning may file a written report with tecommendations as to the appropriateness of the requested zoning.

The subject property is currently soned D.R.
5.5 and is located on the north side of Wise Avenue
approximately 647 feet southeast of Lynch Avenue
in the 12th Election District of Baltimore County. This
property is presently improved with an existing funcal
home and an accompanying parking area. There are also
remants of the foundations of two houses that were
moved from this property to a location on Dichlwood
Road. Single family dwellings surround the property
and curb and gutter exist along Wise Avenue

This property was the subject of an earlier Special Exception request (75-14-%, granted August 1, 1974) at which time the petitioner was proposing a 4272 square foot addition. At this time, the petitioner is requesting side yard variances to build

John R. Cicero, Esq. Re: Item 199 June 9, 1975 Page 2

an open portico roof on the west side and a 6786 square foot addition on the east side of the existing funeral home, as well as expanding the present parking facilities.

This petition is accepted for filing on the date or the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future. near future.

Very truly yours,

FRANKLIN T. HOGANS, JR. Chairman, Zoning Plans Advisory Committee

Merbolos B. Cornodos

NICHOLAS B. COMMODARI, Zoning Technician II

FTH: NBC: JD

cc: Frank S. Lee, Land Surveyor 1277 Neighbors Avenue Baltimore, Md. 21237

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-



ION, MAR"LAND 21204

May 9, 1975

Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Comments on Item #199, Zoning Advisory Committee Meeting, May 6, 1975, are as follows:

Property Owner: Duda-Ruck Funeral Home of Dundalk, Inc.
Location: N/S of Wise Ave. 647.77' E of Lynch Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: One from Sec. 1802.28(504V82) 6
301.1 to permit a side yard of 15'
on the E/S of property instead of the
required 20' & a side yard of 10' on
the W/S of property instead of the
required 15'.
No. of Acres: 1.14

No. of Acres: 1.14 District: 12th

Metropolitan water and sewer are available to this site.

Very truly yours,

Thom A whin Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

HVB/cas

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFOND. P.E.

June 4, 1975

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

Re: Item 199 - ZAC - May 6, 1975
Property Owner: Duda-Ruck Pumeral Home of Dundalk, Inc.
Location: W/S of Wise Ave. 647.77° E of Lynch Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 1802.2B (504VB2) & 301. 1 to permit
a side vard of 15° on the E/S of property instead of

variance from Sec. 1802-28 (504982) & 301. 1 to pers a side yard of 15' on the E/S of property instead of the required 20' & a side yard of 10' on the W/S of property instead of the required 15'.

No. of Acres: 1.14 District: 12th

Dear Mr. DiNenna:

The requested side yard variances are not expected to cause any traffic problem

Very truly yours.

Hichael S. Flanigan Traffic Engineering Assoc

MSF/bza

Baltimore County Fire Department

J. Austin Deitz



Towson. Maryland 21204 825-7310

Office of Planning and Dning Baltimore County Office Building Towson, Haryland 21204

Attention: Mr. Jack Dillon, Chairman

Re: Property Owner: Duda-Ruck Puneral Home of Dundalk, Inc.

Location: N.C. Wise Avenue, 6h7.77' E. of Lynch Road

Item Mo. 100

Zoning Agenda May 6, 1920

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 rest along an approved read in accordance with Saltimore 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

EXCERDS the maximum allowed by the Fire Department.

() L. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(rw) 5. The buildings and structures edisting or proposed on the site shall comply with all applicable requirements of the Maximum Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to accumumnes.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

Special Inspection Mivision

Deputy Chief Fire Prevention Bureau

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING 105 WEST CHESAPEAKE AVENUE

AREA CODE 301 PLANNING 494-3211 ZONING 494-3251

Baltimore County, Maryland Bepartment Of Bublic Works

COUNTY OFFICE BUILDING

Bureau of Engineering ELLEWORTH N. DIVER, P. E. CHIEF

June h, 1975

Mr. S. Bric DiNenna Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Item \$109 (1976-1975)

Property Other: Dada-Suck Funeral Home of Dundalk, Inc.
N/S of Mise Ave., 617,779 R. of Lynch Hd.
Existing Zoning: D.E. 5.5

Proposed Zoning: Variance from Sec. 1802,28 (564782)
and Boll to permit a side yard of 15° on the X/S of
property instead of the required 20° and a side yard
of 10° on the M/S of property instead of the required
15°.
No. of former. 3 No. No. of Acres: 1.1h District: 12th

The following comments are furnished in regard to the plat submitted to this office for review by the Toning Advisory Committee in connection with the subject

The possents supplied in connection with the Zoning Advisory Committee review of this site for Item \$200 (1973-1974) remain valid and applicable to this Item \$199 (1074-1975) and are referred to for your consideration.

Very truly yours,

Sclemont D. Dever BLISWORTH M. DIVER, F.E. Chief, Bureau of Engineering

END-HAM: TWEETS

E-SW Key Sheet 12 SE 2L Pas. Sheet SW 3 F Topo 10h Tax Map

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: May 2, 1975

Mr. S. Eric DiNenna Zoning Commissioner Baltimore County Office Building Towson, Maryland 21204

Z.A.C. Meeting of: May 6, 1975

Re: Item 199
Property Owner: Duda-Ruck Funeral Home of Dundalk, Inc.
Location: N/S of Wise Ave. 647.77° E. of Lynch Road
Prasont Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.28(504VR2) & 301.1
to permit a side yard of 15° on the E/S of property instead of the required 20° and a side yard of 10° on the W/S of property instead of the required 15°.

District: No. Acres:

No effect on student population.

Very truly yours, W. Wich tetronel

W. Nick Petrovich., Field Representative.

CERTIFICATE OF PUBLICATION

OFFICE OF

"The Dundalk Times" DUNDALK, MD., Nay 22 19 75

THIS IS TO CERTIFY, that the annexed advertisement of PETITION - NORTH SIDE OF WILL AVENUE.

was inserted in THE DUNDALK TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one suspessive weeks before the

11th. day of June 1975 ; that is to say,

the same was inserted in the issues of Ray 22,1975

Stromberg Publications, Inc.

By a Curren

PETITION FOR A VARIANCE

1800 28 (144 V S.2) — Side feet.

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time successive weeks before the 11th

A Lunch Stucker

Cost of Advertisement, 5

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY #75-282-A

District 12 M	Date of Posting 5-22-77
Posted for Medicy Wel Jane	11 # 1975 @ 1015 DE MI
Petitioner Duck Buch Turk	much Home & Dandall Decen
Location of property N/S 4 Miss	are 647,77 last of Lynch Rd
10 8 71	012910118
Location of Signs Larga Challed	in Sand of The Builder Burg.
	News
Posted by Must Hise	Date of return: 5/28/21
Posted by Trivel Signature	Date of return YZ CZ JZZ

PETITION	M	APPI	NG	PRC	OGRE	SS	SHE	T		
FUNCTION		Wall Map		inal	Duplicate		Tracing		200	Sheet
104011014	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										

		•	
BALTIMORE COL	NTY OFFICE OF	PLANNING AND ZONI	NG
11	ounty Office Bu 1 W. Chesapea wson, Maryland	ce Avenue	
April Your Petiti 1970	S. Zor	Hin Ali Zer Eric DiNenna, ling Commissioner	25 00 chil would Ruch
Petitioner / NUCK Petitioner's Attorney	SAML	Reviewed by	V-Taban
* This is not to be inte assignment of a hearin	rpreted as acc	A CONTRACTOR OF THE PARTY OF TH	tition for

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	No. 21616
DATE Jume 9, 1975 ACCOUNT 01-	
WHITE CASHER PIRE REENCY	STALOW CUSTOMER
Duda-Book Pumeral Home of D 7922 Wise Ave. Ealtitore, Md. 21222 Advertising and posting of 1 #75-282-4	

ALTIMORE COUNT FICE OF FINAN RE ISCELLANEOUS C	VENUE DIVISION	No. 20289
DATE May 20, 1975	ACCOUNT 01	-662
	AMOUNT_	125.00
BHITE CASHIER	PINK ADENCY	VELLOW - CUSTOMER
Leonard J. 5303-5309 B Baltimore, Petition for	arford Ed.	in-Ruck Funeral Home









