PETITION FOR SPECIAL HEARING

TO THE SONING COMMISSIONER OF BALTIMORE COUNTY!

I, or um. Proph Searfield legal coner. of the p. operty situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Specia Hearing Under Section 500.7 of the Soning Regulations of Baltimore County to determine whether or not the Soning Commissioner and/or Deputy Soning

Commissioner chould approve on exendment to the final development olen of

nty Zoning Regulations	NAME OF TAXABLE PARTY.
· Section of the contract of t	DESTROY
and the second state of the second states of the se	
Language of the manufacture planes add as the British well.	TYPE HEARING

Property is to be posted and advertised as prescribed by avoing, ulations.

I, or we, agree to pay expenses of above Special Hearing advertising, sting, etc., upon filing of this petition, and further agree to and are be bound by the zoning regulations and restrictions of Baltimore County opted pursuant to the zoning Law for Baltimore County.

be bound by the soning regulations and restrictions of Baltimore County pred pursuant to the Soning Law for Baltimage County.

| Solid | Solid

Address Protestant's Attorney Protestant's Attorney

day often by the foring Commissioner of Baltimore County, this day of the the subject matter of this patition be advertised. Frequisted by the forth county that advertised are requisted by the forth county that advertised to the forest that the forest that the public hearing be had before the toning property be posted, and that the public hearing be had before the toning commissioner of Balticare County in Jacon 166, County Oftice Building in Townon, Baltimore County on the day of the public hearing th

Zoning Commissioner of Baltimore County

April 21, 1977

Mr. Frank Scarfield 6610 Holabird Avenue Baltimore, Maryland 21224

1

RE: Petitions for Variance and Special Hearing S/S of Virginia Avenue, 775,88' SE of Eastern Boulevard - 15th Election District Frank Scarfield - Petitioner

Dear Mr. Scarfield

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

Very truly spure.

S. ERIC DI NENNA
Zeelsg Commissioner

SED/erl

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

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE PONING COMMISSIONER OF BALTIMORE COUNTY

I, or we. Frank Sporfield legs owner of the property situate in Baltimor-County and which is described in the description and plat stitched hereto and made a part hereof, hereby publics for a Variance from Section SO4 (V.S. 5 b.)

of 15 feet from tract boundary in lieu of the required 30 feet

for a building without windows.

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

We have reduced dwelling units by 33-1/3% from previously approvalen and by using 30 foot restriction we will lose 1 lot.

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

If or we, agree to pay expenses of above Variance advertising, porting, etc., upon sliing of the puttien, and further agree to and are to be bound by the socing regulations and restrictions of matters and the second of the Zoning Law For Ballinger County.

Contract purchaser 1

Address SSIQ Holabird Avenue
Beltimore, Maryland 21224

Petitioner's Attorney

County, on the 1998 day of 1997 A 2300. o'clock

Zoning Commissioner of Baltimore Cou



GAN & HOLDEFER, INC

SURVEYORS AND CIVIL ENGINEERS
SO13 BILLAIR NO. / BALTIMORE MD. 21238 (301) 668-1501
SUR YOR AN STREET / CAMBRIDGE MD. 24(2) (301) 228-2370
115 CAMBRIDGET / MCAMBRIDGE MD. 24(2) (301) 228-2370
115 CAMBRIDGET / MCAMBRIDGE MD. 24(2) (301) 228-2370

Re-typed 1/24/77

DESCRIPTION OF SECTION II- "VILLA CAPRI" 15th ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

BEGINNING FOR THE SAME on the South side of Virginia Avenue, 60 feet wide, as laid out and shown on Baltimore County Department of Public Works Green, of Land Acquisition, right of way plat No. H.S.W. 73-015, at a point distant 775.86 feet, measured southeasterly along said South side of Virginia Avenue from its intersection with The Southeast side of Eastern Blvd., 80 feet wide, said point of beginning also being situate at the Northwesternmos corner of the Boundary of Section II, Villa Capri, recorded among the land records of Baltimore County in Plat Book E.H.K., Jr. No. 39, folio 33, thence leaving said place of beginning and running and binding on the South side of Virginia Avenue. 60 Feet wide, referring all sources of this description to the Grid Meridian as established by the Baltimore County Metropolitan District (1) Easterly by a line curving to the left with a radius of 830.00 feet for a distance of 140.01 feet, (the erc of said curve being subtended by a chord bearing North 77 degrees 42 minutes 54 seconds East 145.68 Feet) to a point in line with the Southeesterly prolongation of the Southwest side of Marie Avenue, 50 feet wide, as shown on Baltimore County Department of Public Works, Bureau of Land Acquisition right of way plat No. H.A.W., No. 58-242-6-A, thence running and binding on said Southeasterly prolongation of Marie Avenue, (2) South 36 degrees 12 minutes 39 seconds East 1.90 feet to the South side of said Virginia Avenue as shown on said plat of Section II, Villa Capri, thence running and binding on the South side of Said Virginia Avenue as shown on said plat of Villa Cepri, the 3 following courses and distances, viz: (3) North 65 degrees 52 minutes 36 seconds East 287.67 feet to a point of curve, (4) Northeasterly by a line curving to the left with a radius of 1457.29 feet for a distance of 396.57 feet (the erc of said curve being subtended by a chord bearing North 58 degrees 04 minutes

L ALAP TYANG, P.E., L.S. & CARROLL HAGAN, L.S. GEORGE Y: HOLDEFER, P.E.

CAMBRIDGE and EASTON

WESTMINSTER



RE: PETITION FOR VARIANCE

end PETITION FOR VARIANCE and PETITION FOR SPECIAL HEARING S/S of Virginia Ave. 775.88' SE of Eastern Blvd., 15th District

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

FRANK D. SCARFIELD. Patitioner

NK D. SCARFIELD, Permaner

......

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

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

Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Houston, III
People's Course!
County Office Building
Townon, Maryland 21204

I HEREBY CERTIFY that on this 24th day of March, 1977, a capy of the aforegoing Order was mailed to Mr. Frank D. Scarfield, 6610 Holabird Avenue, Baltimore, Maryland 21224, Petitioner.

John W. Hessian, III



Si exconde test 395.34 feet) to a point of curve and (8) Non-theasterly by a line curving to the right with a residue of 970.00 feet for a distance of 194.85 feet, (1 he are of each durve being outstander by a shord bearing North 55 degrees 02 sinutes 33 exconds East 194.62 feet) on the Westermant boundary of Section II, Villa Capri, thence leveling Vinginia Avenue and running and binding on seld Westermant boundary of Section II, Villa Capri the 2 following courses and distances, viz: (8) South 36 degrees 12 sinutes 45 exconds 32 exconds East 0.70 feet and (7) South 15 degrees 41 sinutes 45 exconds Neat 383.00 feet, more or less, to the setters of Back filter, thence binding on seld extent of Seck nive (8) by an irregular line curving in a south-easterly direction for a distance of 837.00 feet, more or less to the effort easterly direction for a distance of 837.00 feet, more or less to the stone-easterly direction for a distance of 837.00 feet, more or less to the sfort east of 835 feet of 14, Villa Capri, thence leaving east distance of 536 kilva and running and binding on said Westermant boundary of seld Section II, Villa Capri, thence leaving east of 850 kilva and running and binding on said Westermant boundary of Section II, Villa Capri, (8) North 12 degrees 03 sinutes 40 exconds East 282.36 feet to the place of beginning

Containing 4.08 cores of land, some or less. Saing subject however to a 10 foot drainings and utility essents along the first, the 7th and the 5th lines of the abovementhed percent, so laid out and shown on plat of Section 11, Villa Copri, recorded among the land records of Estimate Court and Section 11, Villa Copri, and the land records of Settlemer Court in Plat Book Evit.K., J-, No. 38, folio 33, records of Settlemer Court in Plat Book Evit.K., J-, No. 38, folio 33,

Also subject however to a 10 foot drainage and utility essented as laid out and shown on Baltimore County Department of Public Morke, Durseu of Land Acquisition right of way Plat No. R.W. 60-121-2.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDEN

S. Eric DiNenna, Zoning Commissioner Date March 16, 1977

FROM Norman B. Gerber, Acting Director of Planning

SUBJECT Petition \$77-188-MSUH. Petition for Variance to permit cetback from tract boundary. Petition for Special Hearing to mend final development plan. South side of Virginia Avenue 775,88 feet Southeast of Bastern Boulevard Petitioner - Prant Scarfield

15th District

HEARING: Wednesday, March 30, 1977 (1:00 P.M.)

Any approval should be in conformance with the smended plan of Villa Capri approved by the Planning Board in December of 1976.

Norman E. Gerber
Acting Director of Planning

NEG: JGH; rw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna, Zoning Commissioner
TO. Zoning Office
George H. Pryor, Chief
PROM. Project and Development Planning

Date December 17, 1976

SUBJECT Development Plan-Villa Cor

Forwarding to you on this date 3rd Amended Development Plann of Villa Capri approve by the Baltimore County Planning Board, for Public Hearing.



George Hi, Pryor, Chief Project and Development Planni

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following finding of facts that, in accordance with the power granted unto the Zoning Commissione" by Section 500.7 and the requirements of Section 1B01.3A.7 of the Baltimore County Zoning Regulations having been met, it is hereby determined that the use, as herein requested, will not be detrimental to the health, safety, and general welfare of the community and would be within the spirit and intent of said Regulations, and, therefore, the Special Hearing to approve an amendment final development plan of Villa Capri, in the manner provided under Section 602 of the Baltimore County Zoning Regulations, should be granted, IS ORDERED by the Zoning Commissioner of Baltimore County, this day of April, 1977, that the herein Petition for the Special Hearing to an amendment to the final development plan of Villa Capri should be and

> of a site plan by the Department of Public Works and the Office of Planning Commissioner of Baltimore County

is GRANTED, from and after the date of this Order, subject to the ap-

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of____ the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this -----day of_____, 196__, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 23, 1977

COUNTY OFFICE BLDG 11: W. Chesspeaks Ave. Towns, Mary and 2179 Nicholas B. Comm Chairman

BUREAU OF

DEPARTMENT OF TRAFFIC ENGINEERING

STATE BOADS COMM

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMEN

BROLLET DI ANNUAG

BUILDING DEPARTMEN

BOARD OF EDUCATION

ZONING ALMINISTRATIO

INDUSTRIAL DE ELOPMENT

6610 Holapird Avenu Baltimore, Maryland 21224

RE: Special Hearing Petition Item 170 Frank Scarfield - Petitioner

Dear Mr. Scarfield:

Mr. Frank Scarfield

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced etition 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 appropriate-ness 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 appropriateness of the requested zoning.

Located on the south side of Virginia Avenue at the termination of Marie, Eugene, and Goeller Avenues, this currently vacant tract of land is part of the overall development of Villa Capri. Also part of this development are exting townhouses and a vacant lot on the north side of Virginia Avenue, with the surrounding property con-sisting of single family dwellings and the Riverside Nursing Home

Your original intention as shown on the 2nd Amended Final Development Plan of Villa Capri, was to construct apartments on this site, however, your proposal at this time is to change to townhouses. Because the existing townhouses have been sold and

Pursuant to the advertisement, posting of property, and public hearing on the about Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner.

the wasse. Variance should be had; and it further appearing that by reason of the greating of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit a sotback of 15 feet from the the tract boundary in lieu of the required 30 feet for a building without window in a D.R. 16 Zone should be granted.

April 197 .7., that the herein Petition for the aforem ance should be and the same is GRANTED, from and after the date of this Order. A. A. To subject to the approval of a site plan by the Department of Public Works and the-Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petitical and it appearing that by reacon of ...

the above Variance should NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this

.... 197 ... that the above Variance be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

Mr. Frank Scarfield RE: Item 170 March 23, 1977 Page 2

coupled with Section 1B01. 3A.7b. of the Zoning Regulations, this Special Hearing to amend the approved final development plan is required. In addition, a Variance request to permit a building within 15 feet of the tract boundary in lieu of the required 30 feet is included.

This petition is accepted for filing on the date of 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 diving certificate, will be forwarded to you in the near future

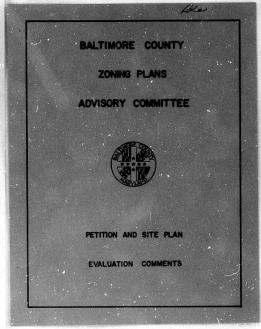
Very truly yours,

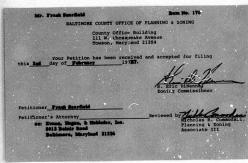
Milde B Conmoden. NICHOLAS B. COMMODARI, Acting Chairman, Zoning Plans Advisory Committe

NBC:tk

Enclosure

cc: Evans, Hagan & Holdefer, Inc. 8013 Belair Road Baltimore, Maryland 21236







THORNTON M. MOURING, P.E.

Jarch 14, 1977

Mr. S. Fric DiNenna County Office Building Towson, Maryland 21204

> Re: Item #170 (1976-1977) Item 8170 (1976-1977)
> Froperty Omer. Frank Scarfield
> S/S Viryinia Ave., 775.86' S/E Eastern Blwd.
> Existing Zoning: D.R. 16 & B.L.
> Proposed Zoning: Special Hearing to amend the Final
> Development Plan of "Villa Capri."
> Acres: 4.08 District; 15th

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

Baltimore County utilities and highway improvements are as secured by Public Works sement #157504 executed in conjunction with the development of "Villa Capri".

The proposed construction within tidal areas of a boat ramp, pier, etc., is subject to all icc.l, state and federal regulations and requirements.

This office has no further comment in regard to the plan subsitted for Zoning Advisory Committee review in connection with this Item #170 (1976-1977).

Cllsworth M. Diver /2020160
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END: EAM: PWR: 85

cc: R. Morton H. Shalowitz

I-SW Key Sheet 2 & 3 NE 25 & 26 Pos. Sheets



March 8, 1977

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

Dear Mr. DiNenna

Comments on Item \$170, Zoning Advisory Committee Meeting, February 2, 1977, are as follows:

Property Conner. Frank ScotFuld Location: 5/3 Virginia Ave 773.66' SE Exstern Blvd Existing Zoning; D. N. N and B. I. Proposed Zoning: Special Hearing to amend the Final Development Plan of "Villa Capri" District: 15th

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 bearing on this petition.

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

Very truly yours,

piect and Development Planning

Mr. Eric S. DiNenna Zoning Commissioner 2nd Floor, Courthouse Towson, Maryland 21204

Item 170 - ZUC - February 2, 1977
Freparty Owner: Temas Resident French French

District: 15th Dear Mr. DiNenna:

No increase in traffic generation is anticipated by the requested amendment to the final development plan of "Villa Capri".

Very truly yours michael S. Han Michael S. Planigan Traffic Engineer Associa

MSP/41#



January 31, 1977

Mr. S. Eric LiNenna, Zoning Commissioner Office of Planning and Zoning County Office Bullding Towson, Maryland 1120h

Comments on Item # 170 Zoning Advisory Committee Meeting, Pebruary 2, 1977

Frank Scarfield S/S Virginia Ave. - 775.86 S/E Eastern Blvd. D.R. 16 & B.L. Existing Zoning: Special Hearing to amend the Final Development Plans of "Villa Capri".

4.08 15th Acres: District:

(X) A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.

(X) B. A building permit shall be required before construction can begin. C. Three sets of construction drawings will be required to file an application for a building permit.

Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

(__) G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours.

Mark E. Sunham CS B

Charles E. Burnham Plans Review Chief CEB:rrj



DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

February 7, 1977

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

Dear Mr. DiNanna:

Comments on 170, Zoning Advisory Committee Meeting, February 2, 1977 are as follows:

Prank Scarfiel. 8/S Virginia Ave. 775.86' SE Eastern Elvd. D.R. 16 & B.L. Special Hearing to amend the Final Development Plan of "Villa Capri." 4.08 Property Owner:

Since metropolitan water and sewer are available, no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director BURRAU OF ENVIRONMENTAL SERVICES

THD/RJW/fthe

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON MARYLAND . 21204

Date: February 1, 197/

Mr. S. Eric DiNenna Zoning Commissioner Saltimore County Office Building

Z.A.C. Meeting of: February 2, 1977

RE: Item No: 170 Item Nov. 170
Property Owner: Frank Scarfield
Location: S/S Virginia Ave. 775.86 SE Eastern Blvd.
Present Zoning: D.R. Io and Big. to amend the Final Development
Proposed Zoning: Special Hearing to amend the Final Development
Flam of "Villa Cappi".

District: 15th No. Acres: 4.09

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours, Which total W. Nick Petrovich, Field Representative

CERTIFICATE OF PUBLICATION TOWSON, MD. ... Barch 10

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspap : printed appearing on the _____lOth _day of _____ 10 77 THE JEFFERSONIAN, D. Frank Street

CIFICE OF LMLES

TOWSON, MD. 21204

THIS IS TO CERTIFY, that the annexed advertisement of Petition for Variance- Scarfield

☐ Catonsville Times
☐ Dundalk Times Essex Times ☐ Suburban Times Fast

☐ Towson Times ☐ Arbutus Times
☐ Community Times ☐ Suburban Times West

March 9, 1977

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 30th day of March 1977, that is to say, the same was inserted in the issues of March 9, 1977.

> STROMBERG PUBLICATIONS, INC. Path Smak

46533 BALTIMORE COUNTY, MARYLAND FFICE OF FINANCE REVENUE DIVISION DISCELLANEOUS CASH RECEIPT DATE April 7, 1977 ACCOUNT 01-662 AMOUNT \$120.50 Mariagement Co., 6610 Holobird Ave. 100 2 FF MM 11 12050NK VALIDATION OR SIGNATURE UT CASHIER

BALTIMORE COUNTY, MARYLAND No. 46456 OFFICE OF FINAN REVENUE DIVISION MISCELL ANEOUS CASH RECEIPT DATE March 8, 1977 ------- 01-662 AMOUNT \$25.00 Enlto., Md. 21236 1088875NN 8 25.00 KM

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY #77-188. ASPK Towner Maryland

157	Date of Posting 3-10-77
District	W. 2. IAAA A I'AA RM
Posted for - Hearing Mid	mac. 36. 19 11 G 2000 00 Mile
Quil Sandi	
Petitioner:	1 88 10 1
ocation of property 6/5 & des	gima eta 725 A. ki
M+ n1.10	Mar. 36. 1927 & 100 a. l. M. general 1958 M. S. L. G. 1955 M. S. L. G.
Laster Bill	11 11 10/ 1 May 1 Mar 061
sention of Sime 2 dies Do	Il Als of lugine on offer 125,00
11 . 0 + 00	1
8. E of Caelism Water	old L/c of Auginia are opposed 725,89.
Posted by Mark H. Hen	Date of return: 3-17-77
Posted by Ither H. Hes	Date of return:
Signature	

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Courty Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Patition has been received * this 18

JAN 1977. Filing Fee \$_ Cash __Other

Petitioner F SCARFIELD _Submitted by Petitioner's Attorney Reviewed by NBZ

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

