

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Paul F. and Rosemary Nucle, legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section NE/C of the Zoning Regulations of Baltimore County, to allow the addition of a new living room by extending and using the area now occupied by the front porch, the proposed location being the best and most practical due to the layout of the existing ground floor and front porch and the fact that the house is on a corner lot.

Section 1802-3.C.1 - To permit a front setback of 20 feet instead of the required 25 feet.

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

This petition for a Variance is to allow the addition of a new living room by extending and using the area now occupied by the front porch, the proposed location being the best and most practical due to the layout of the existing ground floor and front porch and the fact that the house is on a corner lot.

See attached description

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

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

Contract purchaser

Legal Owner

Address: 3701 Lochearn Drive

Baltimore, Maryland 21207

Petitioner's Attorney

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of June, 1977, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of August, 1977, at 10:30 o'clock.



Eric S. DiNenna
Zoning Commissioner of Baltimore County.

(over)

10:30A
8/1/77

RE: PETITION FOR VARIANCE
NE/C Lochearn Drive and Carol Road,
3rd District
PAUL NUCLO, et ux, Petitioners
Case No. 78-18-A (Item 261)

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.

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

John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 19th day of July, 1977, a copy of the foregoing Order was mailed to Mr. and Mrs. Paul Nucle, 3701 Lochearn Drive, Baltimore, Maryland 21207, Petitioners.

John W. Hession, III
John W. Hession, III



August 11, 1977

Mr. & Mrs. Paul F. Nucle
3701 Lochearn Drive
Baltimore, Maryland 21207

RE: Petition for Variance
NE/C corner of Lochearn Drive and
Carol Road - 3rd Election District
Paul F. Nucle, et ux - Petitioners
NO. 78-18-A (Item No. 261)

Dear Mr. & Mrs. Nucle:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/mc

Attachments

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

DESCRIPTION

Being known as the Northeast corner of Lochearn Drive and Carol Road, as recorded in the LAND RECORDS of Baltimore County in Liber 8 Folio 76, all of Lot 44 and the Southwestmost half plus 10.02 feet of Lot 43, Block I, Section Two, Plat of Lochearn. Otherwise known as 3701 Lochearn Drive, in the Third Election District.



STEPHEN E. COLLINS
DIRECTOR

August 1, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
1st Floor, County Office Building
Towson, Maryland 21204

Re: Item 261 - ZAC - June 21, 1977
Property Owner: Paul F. & Rosemary Nucle
Location: NE/C Lochearn Dr. & Carol Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a setback of 45' from the center of the street in lieu of the required 50'.
Acres: 0.257
District: 3rd

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the setback from the street.

Sincerely,

Michael S. Flanagan
Michael S. Flanagan
Associate Traffic Engineer

MSF/11F



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

Dear Mr. DiNenna:

Comments on Item #261, Zoning Advisory Committee Meeting, June 21, 1977, are as follows:

Property Owner: Paul F. and Rosemary Nucle
Location: NE/C Lochearn Drive and Carol Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a setback of 45' from the center of the street in lieu of the required 50'.
Acres: 0.257
District: 3rd

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,

John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning

July 27, 1977

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: July 20, 1977
FROM: Leslie H. Green, Director of Planning

SUBJECT: Petition #78-18-A, Petition for Variance for Front Setbacks
Northeast corner of Lochearn Drive and Carol Road
Petitioner - Paul F. Nucle and Rosemary Nucle

3rd District

HEARING: Monday, August 1, 1977 (10:30 A.M.)

There are no comprehensive planning factors requiring comments on this petition.

Leslie H. Green
Leslie H. Green
Director of Planning

LHG/JGH:hw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

ORDER RECEIVED FOR FILING

DATE *June 14, 1977*
BY *John H. Davis*

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 strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners

the above Variance should be had; and it further appearing that by reason of the fact that the Variance requested not adversely affecting the health, safety and general welfare of the community, Variances to permit a setback of 45 feet from the center line of the street instead of the required 50 feet and a front yard setback of 20 feet instead of the required 25 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this *11th* of August, 1977, that the herein Petition for the aforementioned Variance should be and the same is 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.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Calverton Ave.
TOWSON, MARYLAND 21204

Nicholas B. Commodari
Chairman

MEMBERS

BUREAU OF ENGINEERING
TRAFFIC ENGINEERING
DEPARTMENT OF
STATE ROADS COMMISSION
BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

July 21, 1977

Mr. Paul F. Nucleo
Mrs. Rosemary Nucleo
3701 Lochearn Drive
Baltimore, Maryland 21207

RE: Variance Petition
Item No. 261
Petitioner - Paul F. Nucleo

Dear Mr. & Mrs. Nucleo:

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 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.

This D.R. 5.5 zoned site is located on the north-east corner of Lochearn Drive and Carol Road in the 3rd Election District and is improved with a two brick dwelling and shed in the rear. Adjacent properties are also zoned D.R. 5.5 and improved with similar type uses.

Because of your proposal to construct an addition to the front of the existing dwelling within 20 feet of the proposed right-of-way of Carol Road in lieu of the required 25 feet, this Variance is required.

Mr. Paul F. Nucleo
Page 2
Item No. 261
July 21, 1977

Particular attention should be afforded the comments of the Bureau of Engineering concerning the aforementioned road widening of Carol Road,

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 filing certificate, will be forwarded to you in the near future.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

July 8, 1977

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

Dear Mr. DiNenna:

Comments on Item #261, Zoning Advisory Committee Meeting, June 21, 1977, are as follows:

Property Owner: Paul F. & Rosemary Nucleo
Location: NE/C Lochearn Dr. & Carol Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a setback of 45' from the center of the street in lieu of the required 50'.

Acres: 0.257
District: 3rd

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

Very truly yours,
Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TBD:KAS:pb

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MURPHY, P.E.
DIRECTOR

July 5, 1977

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

Re: Item #261 (1976-1977)
Property Owner: Paul F. & Rosemary Nucleo
N/E cor. Lochearn Dr. & Carol Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a setback of 45' from the center of the street in lieu of the required 50'.
Acres: 0.257 District: 3rd

Dear Mr. DiNenna:

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

Highways

Lochearn Drive and Carol Road, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 50-foot rights-of-way. Highway right-of-way widening including a filter area for sight distance at the intersection and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

The construction of concrete sidewalks, curbs and gutters, entrance, apron, etc. will be the full responsibility of the Petitioner.

Setback Control

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #261 (1976-1977)
Property Owner: Paul F. & Rosemary Nucleo
Page 2
July 5, 1977

Water and Sanitary Sewer

Public water supply and sanitary sewerage are serving this property. Additional fire hydrant protection is required in the vicinity.

Very truly yours,

Ellsworth M. Dwyer
ELLSWORTH M. DWYER, P.E.
Chief, Bureau of Engineering

END:EM:PM:SS

CC: J. Somers
W. Munchel

K-M Key Sheet
17 NW 20 & 21 Ros. Sheets
NW 1, E & P Topo
88 Tax Map

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
DN:1825-7310

Paul H. Heinicke
Chief

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nicholas B. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Paul F. & Rosemary Nucleo
Location: NE/C Lochearn Dr. & Carol Rd.

Item No. 261

Zoning Agenda June 21, 1977

Gentlemen:

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

1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at _____ NO exceeds the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
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", 1970 Edition prior to occupancy.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

BY: *George M. Hagood*
Special Inspection Division
Noted and Approved: *George M. Hagood*
Deputy Chief
Fire Prevention Bureau

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEVIER
DIRECTOR

June 14, 1977

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

Dear Mr. DiNenna:

Comments on Item # 261, Zoning Advisory Committee Meeting, June 21, 1977 are as follows:

Property Owner: Paul F. & Rosemary Nucleo
Location: N/E/C Lochearn Dr. & Carol Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a setback of 45' from the center of the street in lieu of the required 50'.

Acres: 0.257
District: 3rd

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ 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.
- ☐ D. 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.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief
CB:rrj c.s.p.

Date: June 16, 1977

Z.A.C. Meeting of: June 21, 1977

RE: Item No: 261
Property Owner: Paul F. & Rosemary Nucleo
Location: NE/C Lochearn Dr. & Carol Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a setback of 45' from the center of the street in lieu of the required 50'.

District: 3rd
No. Acres: 0.257

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

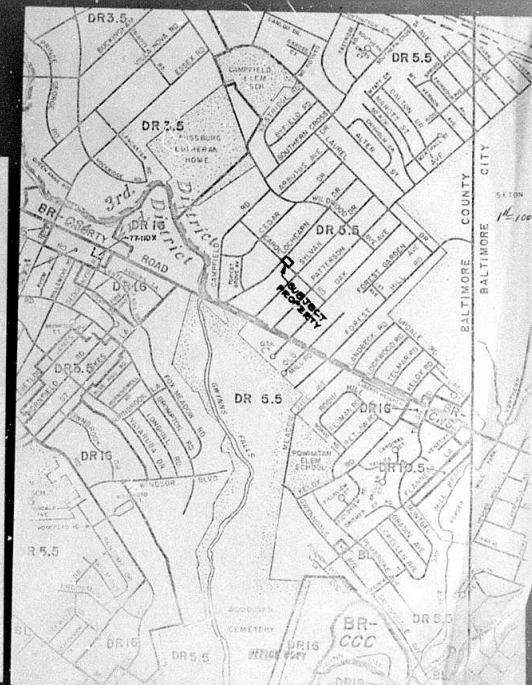
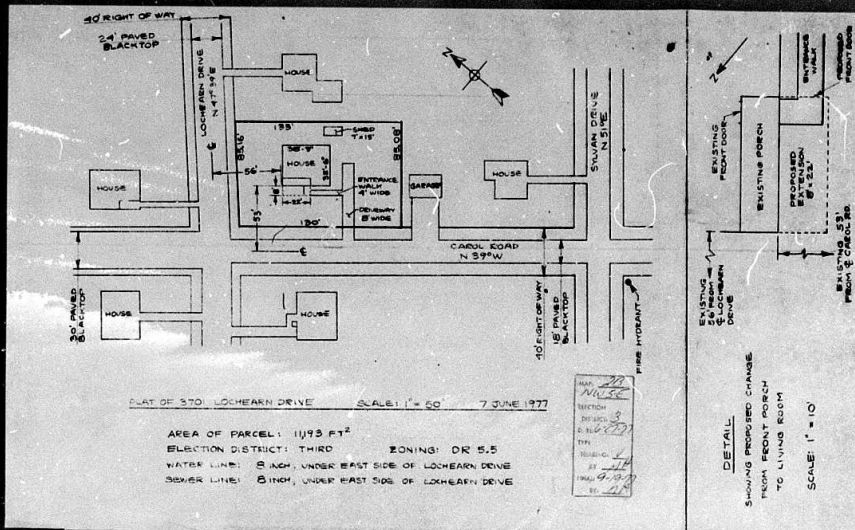
W. Nick Petrovich,
Field Representative

KMP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. DAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOTHEARIS

THOMAS H. BOYER
MRS. LORRAINE F. CHIRCUS
ROGER B. HAYDEN
ROBERT V. GIBBEL, SUPERINTENDENT

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1-SIGN 78-18-A

District 3rd Date of Posting July 16, 1927
 Posted for PETITION FOR VARIANCE
 Petitioner: PAUL F. NUCLE
 Location of property NE COR. OF LOCHARN DR AND CABEL RD.
 Location of Signs FRONT 3701 LOCHARN DR.
 Remarks:
 Posted by Thomas E. Roland Date of return July 22, 1927

[illegible]

OFFICE OF
THE
TIMES
NEWSPAPERS

TOWSON, MD. 21204 July 14 1977

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCE - Paul F. Muclo, NE/cor.
Lochearn, Dr. & Carol Rd.
was inserted in the following:

- ☐ Catonsville Times
- ☐ Dundalk Times
- ☐ Essex Times
- ☐ Suburban Times East
- ☐ Towson Times
- ☐ Arbutus Times
- ☒ Community Times
- ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 15th day of July 19 77, that is to say, the same was inserted in the issues of July 14, 1977.

STROMBERG PUBLICATIONS, INC.

BY Esther Burger

[illegible]

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 14 1977

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 a week~~ once a week or one time ~~successive weeks~~ before the 1st day of August, 19 72, the ~~next~~ publication appearing on the 14th day of July, 19 72.

THE JEFFERSONIAN

Cost of Advertisement \$

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

No. 51862

DATE August 1, 1977 ACCOUNT 01-662

AMOUNT \$43.25

RECEIVED FROM Paul F. Muelo 3701 Lochman Drive, Balto., Md.
21207
FOR Advertising and posting of property
#10-18-A

48679142 1 432510

VALIDATION OF SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF THE TAX REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 51827

DATE July 7, 1977 ACCOUNT 01-660

AMOUNT \$25.00

RECEIVED Paul P. Muelo 3701 Lookham Dr., Balto., Md.
\$25.00 Petition for Vacatur 878-18-1

FOR

ISS 5 6 7 JUL 8 25.00 REC

VALIDATION OR SIGNATURE OF AGENT



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Mr. Paul F. Wasto
Mrs. Rosemary Wasto
3701 Lochness Drive
Baltimore, Maryland

Exam No. 261

Your Petition has been received and accepted for filing
this 31st day of June 1978.

Petitioner **Paul F. & Rosemary Macle**

Petitioner's Attorney

Reviewed by Nicholas B. Commodari
Nicholas B. Commodari,
Planning & Zoning
Associate III

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 2 day of 197. Filing Fee \$ 22. Received Check

Petitioner L.R. & P. Submitted by R. L. ...

Petitioner's Attorney _____ Reviewed by _____

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