

**PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Mr. and Mrs. James A. Narutowicz, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 46-9(a) of the Zoning Regulations of Baltimore County (ennis court) to be located outside the required 17' rear yard furthest removed from the side street, and to permit a tennis court to occupy more than 50% of said third.

1. Existing court is rear of house would interfere with the septic system. Natural drainage and slope on toward back of the property.
2. Necessary proposed addition to be built in the rear of the house. Necessary proposed addition to be built in the rear of the house. Necessary proposed addition to be built in the rear of the house.
3. If court were located on rear of property and existing grade were matched, the back wall of court would have to be 20 feet high plus a 10 foot fence. At present location court is completely hidden. You have to come off the streets and walk into the back yard to even see it.
4. Four of our five children are seven years old and under and back yard is the only safe area in which to play and to be located after Seminary Avenue is an extremely busy and dangerous road for children to play near.

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.

Mr. & Mrs. James A. Narutowicz, Sr.
Contract purchaser
Address: 900 E. Seminary Avenue
Towson, Maryland 21284

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____ 1977.

On _____ 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____ 1977, at _____ o'clock _____ M.



(over)

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21284
3011 464 2351

October 18, 1977

Mr. & Mrs. James A. Narutowicz, Sr.
900 East Seminary Avenue
Towson, Maryland 21204

RE: Petition for Variance
NE/corner of Seminary Avenue and
Margaret Avenue - 9th Election
District
James A. Narutowicz, Sr., et ux -
Petitioners
NO. 78-82-A (Item No. 28)

Dear Mr. & Mrs. Narutowicz:
I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
George F. Martinak
Deputy Zoning Commissioner

GJM/mc
Attachments
cc: John W. Hession, III, Esquire
People's Counsel

Thomas M. Torrey
1402 Annapolis Road
Towson, Maryland 21204

Commissioner of zoning
Baltimore County
10/18/77

The present owner of the property at 1402 Annapolis Rd in Baltimore County shared in buying the lot during of 1971. Since that time they have spent what must be an enormous amount of time and effort and money in improving the property. I am the owner of the land which abuts with almost one half of this on its lot.

They cleared a large number of unsightly old trees, put in a new driveway and gate - and have also constructed a tennis court in back. In the process, there was, of course, a considerable destruction of the yard. This has all been restored and in my opinion they have very satisfactorily

RE: PETITION FOR VARIANCE
NE/corner of Seminary & Margaret Aves.,
9th District
JAMES A. NARUTOWICZ, SR., et ux,
Petitioners

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. Kowitz, Jr.
Deputy People's Counsel
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21284
494-2188

I HEREBY CERTIFY that on this 27th day of September, 1977, a copy of the foregoing Order was mailed to Mr. and Mrs. James A. Narutowicz, Sr., 900 East Seminary Road, Towson, Maryland 21204, Petitioners.

John W. Hession, III



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: October 5, 1977
FROM: Leslie H. Groat, Director of Planning

SUBJECT: Petition 78-82-A, Petition for Variance for Accessory Structure (Tennis Court).

North-east corner of Seminary and Margaret Avenues
Petitioner - James A. Narutowicz and M. Patricia Narutowicz
9th District

HEARING: Monday, October 17, 1977 (10:15 A.M.)

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

Leslie H. Groat
Director of Planning

LHG:JGH

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
3011 464 3351

October 18, 1977

Mr. & Mrs. James A. Narutowicz, Sr.
900 East Seminary Avenue
Towson, Maryland 21204

RE: Petition for Variance
NE/corner of Seminary Avenue and
Margaret Avenue - 9th Election
District
James A. Narutowicz, Sr., et ux -
Petitioners
NO. 78-82-A (Item No. 28)

Dear Mr. & Mrs. Narutowicz:
I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
George F. Martinak
Deputy Zoning Commissioner

GJM/mc
Attachments
cc: John W. Hession, III, Esquire
People's Counsel

GJM ok 10/18/77
Waive 30 day
Appeal Period

To whom it may concern:
Re: Zoning question re property at
900 E. Seminary
(Leaving at 10:15 on Mon. 10/17/77)

We live directly across the street from the property in question. We feel that the addition of a tennis court, especially in the very attractive manner in which it is being done, will greatly add to the value - both aesthetically and economically - of the property and thus the whole neighborhood.

Sincerely,
Jay S. Goodman, Sr.
901 East Seminary Ave.
21204
823-7163

PETITIONER'S
EXHIBIT 2c

Signature of Jay S. Goodman, Sr.
10/18/77
Jay S. Goodman, Sr.
10/18/77

ANY COMMISSION EXPIRES JULY 1, 1978

ORDER RECEIVED

82-7
4-28-80-77

17-12-A
1220

10/18/77

15A
117

THORNTON M. MAURINO, P.E.
DIRECTOR

August 23, 1977

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21284

Re: Item #28 (1977-1978)
Property Owner: Mr. & Mrs. James A. Narutowicz, Sr.
112 E. Seminary Ave. & Margarette Rd.
Existing Zoning: D.R. 1
Proposed Zoning: Variance to permit an accessory structure (tennis court) to be located outside of the rear third of the lot farthest removed from the side street.
District: 9th

Dear Mr. DiNenna:

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

General

Baltimore County highway and utility improvements are not directly involved. This property is utilizing a public water supply and a private on-site sewage disposal system. Additional fire hydrant protection is required in the vicinity.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #28 (1977-1978).

Very truly yours,
Edmund M. Diver, P.E.
Edmund M. Diver, P.E.
Chief, Bureau of Engineering

END:EMH:PMR:iss

CC: W. Munchel

R-5M Key Sheet
46 647 RE 9 Pos. Sheets
RE 12 C Topo
41 Top Map

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

increased the value of the property.
I would attend the hearing but will be out of town. I have voluntarily submitted this letter for your consideration.

Thomas W. Cincin
112 E. Seminary Ave.
Towson, Md. 21284
11/23/77
MY COMMISSION EXPIRES JULY 1, 1978

PETITIONER'S EXHIBIT 2-A

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 granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, a Variance to permit an accessory structure (tennis court) to be located outside of the required 1/3 of the lot farthest removed from the side street and to allow the tennis court to occupy more than 50% of said third should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 23rd day 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.

Eric DiNenna
Deputy Zoning Commissioner of Baltimore County

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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of August, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 30, 1977

COUNTY OFFICE BLDG.
217 W. Chesapeake Ave.
Towson, Maryland 21284
Nicholas B. Commodari
Chairman

- MEMBERS
- BUREAU OF ENGINEERING
 - DEPARTMENT OF TRAFFIC ENGINEERING
 - STATE ROAD COMMISSION
 - BUREAU OF FIRE PREVENTION
 - HEALTH DEPARTMENT
 - PROJECT PLANNING
 - RECREATION DEPARTMENT
 - BOARD OF HEALTH
 - ZONING ADMINISTRATION
 - INDUSTRIAL DEVELOPMENT

Mr. & Mrs. James A. Narutowicz, Sr.
900 East Seminary Avenue
Towson, Maryland 21284

RE: Variance Petition
Item Number 28
Petitioner - Jas. A. Narutowicz

Dear Mr. & Mrs. Narutowicz:

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.

The subject property, zoned D.R. 1 is located on the northeast corner of Seminary and Margarette Avenues in the 9th Election District. Adjacent properties to the north and east are also zoned residential and are improved with single family dwellings.

This Variance hearing is necessitated by your proposal to construct a tennis court in conflict with Section 400.1 of the Baltimore County Zoning Regulations. At the time of field inspection, it was determined that the location of the proposed tennis court, as shown on the submitted plan, was inaccurate.

Mr. & Mrs. James A. Narutowicz, Sr.
Page 2
Item Number 28
August 30, 1977

In light of this, revised site plans, drawn to scale, should be submitted which accurately depict the proposed location of this structure. In addition, any future proposed accessory structures, i.e., swimming pools, garages and/or sheds should also be shown on the revised plan.

A determination must also be made by this office as to whether the proposed tennis court will occupy more than 50% of the third of the lot farthest removed from the side street. This will be done upon receipt of the revised site plan.

This petition is being withheld from a hearing date until such time as revised plans are received that reflect the comments above, and any comments from other departments as requested.

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

NBC:rf

August 31, 1977

Mr. Eric S. DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21284

Dear Mr. DiNenna:

Comments on Item #28, Zoning Advisory Committee Meeting, August 9, 1977, are as follows:

Property Owner: Mr. & Mrs. James A. Narutowicz, Sr.
Location: NE 1/3 Seminary Ave. and Margarette Road
Existing Zoning: D.R. 1
Proposed Zoning: Variance to permit an accessory structure (tennis court) to be located outside of the rear third of the lot farthest removed from the side street.
Acre: District: 9th

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.

The plan is not correct as to setback dimensions. The proposed tennis court should be screened from adjacent residences.

Very truly yours,

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

ORDER RECEIVED FOR FILING
DATE 8/23/77

Mr. & Mrs. James A. Narutowicz, Sr.
900 East Seminary Avenue
Towson, Maryland 21284
Item #28

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21284

Your Petition has been received and accepted for filing this 23rd day of August, 1977.

Eric DiNenna
ERIC DI NENNA
Zoning Commissioner

Petitioner James Narutowicz reviewed by Nicholas B. Commodari
Petitioner's Attorney Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 30, 1977

Nicholas B. Comodari, Chairman

Mr. James A. Narutowicz, Mrs. Patricia Narutowicz, 900 East Seminary Avenue, Towson, Maryland 21284

RE: Variance Petition, Item Number 28, Petitioner - Jas. A. Narutowicz

Dear Mr. & Mrs. Narutowicz:

I am in receipt of your revised plan for the above referenced matter which indicates the exact location of the proposed tennis court. From this plan it appears that the proposed court will occupy more than 50% of the rear third of the lot farthest removed from the side street. For this reason I have included this with your Variance Petition and corrected the forms accordingly.

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. Comodari, Chairman, Zoning Plans Advisory Committee

NBC:rf

Baltimore County Department of Public Engineering, Towson, Maryland 21284

STEPHEN E. COLLINS, DIRECTOR

September 13, 1977

Mr. Eric S. DiNenna, Zoning Commissioner, 2nd Floor, Courthouse, Towson, Maryland 21284

RE: Item 28 - ZAC - August 9, 1977. Property Owner: Mr. and Mrs. James A. Narutowicz, Sr. Location: NE/C Seminary Ave. & Margarette Rd. Existing Zoning: D.R. 1. Proposed Zoning: Variance to permit an accessory structure (tennis court) to be located outside of the rear third of the lot farthest removed from the side street.

Acres: District: 9th

Dear Mr. DiNenna: No traffic problems are anticipated by the requested variance to permit an accessory structure to be located outside the rear third of the lot farthest removed from the side street.

Very truly yours, Michael S. Flanagan, Traffic Engineer Associate

MSF/cm

Baltimore County Department of Health, Towson, Maryland 21284

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

October 11, 1977

Dr. S. Eric DiNenna, Zoning Commissioner, Office of Planning and Zoning, County Office Building, Towson, Maryland 21284

Dear Mr. DiNenna:

Comments on Item #28, Zoning Advisory Committee Meeting, August 9, 1977, are as follows:

Property Owner: Mr. & Mrs. James A. Narutowicz, Sr. Location: NE/C Seminary Ave. & Margarette Rd. Existing Zoning: D.R. 1. Proposed Zoning: Variance to permit an accessory structure (tennis court) to be located outside of the rear third of the lot farthest removed from the side street.

Acres: District: 9th

Since the sewage disposal system appeared to be functioning properly and metropolitan water serves the site, a health hazard is not anticipated.

Very truly yours, Stephen M. Klevin, Bureau of Environmental Services

MSJ/sg/rhg

Baltimore County Fire Department, Towson, Maryland 21284

Paul H. Reincke, Chief

Office of Planning and Zoning, Baltimore County Office Building, Towson, Maryland 21284

Attention: Nicholas Comodari, Chairman, Zoning Advisory Committee

RE: Property Owner: Mr. & Mrs. James A. Narutowicz, Sr.

Location: NE/C Seminary Ave. & Margarette Rd. Item No. 28 Zoning (agenda August 9, 1977)

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments to be made on the same are applicable and required to be carried out or incorporated into the final plans for the property.

- 1. Fire hydrants for the referenced property are approved and shall be located at intervals of 150 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 load-rest condition shown at...
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code...
5. The buildings and structures...
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments at this time.

Reviewed: [Signature], Planning Group, Social Inspection Division. Approved: [Signature], U-ways Chief, Fire Prevention Bureau.

Baltimore County Department of Permits and Licenses, Towson, Maryland 21284

August 2, 1977

Mr. S. Eric DiNenna, Zoning Commissioner, Office of Planning and Zoning, County Office Building, Towson, Maryland 21284

Dear Mr. DiNenna:

Comments on Item # 28 Zoning Advisory Committee Meeting, August 9, 1977 are as follows:

Property Owner: Mr. & Mrs. James A. Narutowicz, Sr. Location: N/C Seminary Ave. & Margarette Road. Existing Zoning: D.R. 1. Proposed Zoning: Variance to permit an accessory structure (tennis court) to be located outside of the rear third of the lot farthest removed from the side street.

Acres: District: 9th

The items checked below are applicable:

- A. Structure shall conform to Baltimore County Building Code...
B. A building permit shall be required before construction can begin.
C. Three sets of construction drawings may 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.
F. Height of fence shall be determined by Section 319.2 of the Baltimore County Supplement...
G. Requested setback variance conflicts with the Baltimore County Building Code.

Very truly yours, Charles E. Burman, Plans Review Chief

Charles E. Burman, Plans Review Chief

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: August 3, 1977

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

RE: Item No: 28. Property Owner: Mr. & Mrs. James A. Narutowicz, Sr. Location: N/C Seminary Ave. & Margarette Rd. Present Zoning: D.R. 1. Proposed Zoning: Variance to permit an accessory structure (tennis court) to be located outside of the rear third of the lot farthest removed from the side street.

District: 9th, No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours, W. Nick Iretovich, Field Representative

NSF/tp

JOSEPH W. MCCORMACK, THOMAS W. BOYER, ALVIN LORICK, E. RAYMOND WILLIAMS, JR., W. LORRAINE F. CHURCH, W. M. WELCH & SMITH, JR., MARCUS W. HOFFMAN, ROGER B. JAYSON, RICHARD W. TRACEY, D.V.M., ROBERT F. DUBEL, SUPERINTENDENT

PERMIT FOR A VARIANCE IN ZONING. BOARDING: Petition for Variance for Accessory Structure (Tennis Court)...

CERTIFICATE OF PUBLICATION

TOWSON, MD. September 27, 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. on each day of one time successive weeks before the 17th day of October 1977, the date of publication appearing on the 22nd day of September 1977.

THE JEFFERSONIAN, [Signature], Manager

Cost of Advertisement: \$

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY, Towson, Maryland #77-82-A

District: 9th, Date of Posting: 9/21/77, Petitioner: James A. Narutowicz, Sr., Location of property: N/C Seminary Ave. & Margarette Rd., Location of Signs: 1 Sign, 2nd St. & N/C Seminary Ave., Remarks: [Signature], Posted by: [Signature], Date of return: 9/21/77

BALTIMORE COUNTY, MARYLAND, OFFICE OF FINANCE REVENUE DIVISION, MISCELLANEOUS CASH RECEIPT, No. 51853

DATE: July 27, 1977, ACCOUNT NO. 662

AMOUNT: \$25.00

RECEIVED Cash - James A. Narutowicz, 900 E. Seminary Ave., Towson, Md. 21284, Petitioner for Variance

25.00, 25.00

BALTIMORE COUNTY, MARYLAND, OFFICE OF FINANCE REVENUE DIVISION, MISCELLANEOUS CASH RECEIPT, No. 57220

DATE: Oct. 13, 1977, ACCOUNT: 01-662

AMOUNT: \$17.25

RECEIVED James Narutowicz, Sr. 900 E. Seminary Ave., Towson, Md. 21284, for Advertising and posting of property #78-82-A

2577 7861 13, 4725

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 27 day of

July 1977 Filing Fee \$ 25.00 Received Check Cash Other

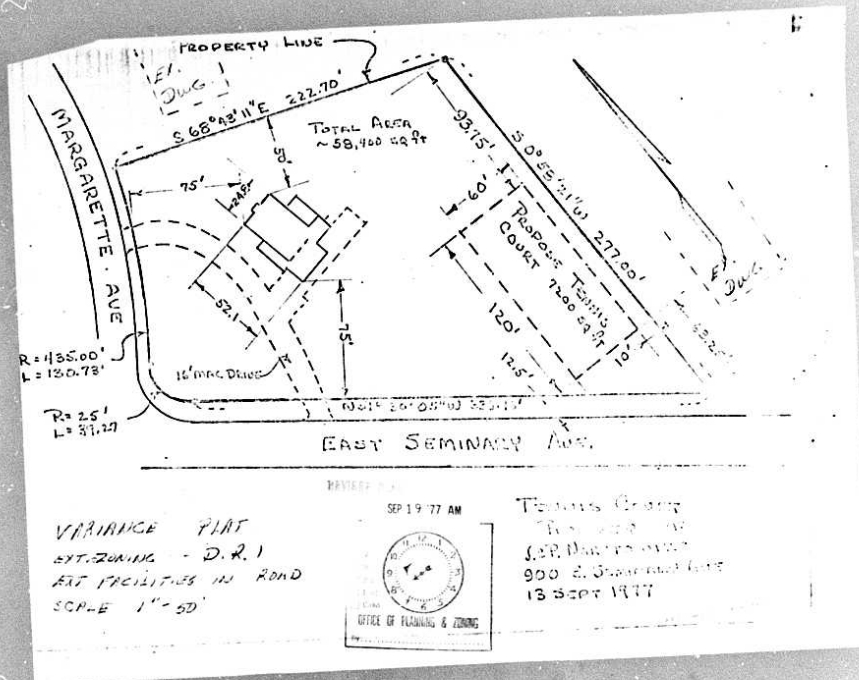
S. Eric DiNanna
S. Eric DiNanna,
Zoning Commissioner

Petitioner Mr. [unclear] Submitted by Mr. [unclear]

Petitioner's Attorney _____ Reviewed by _____

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

MICROFILMED



A.

SEPTIC SYSTEM

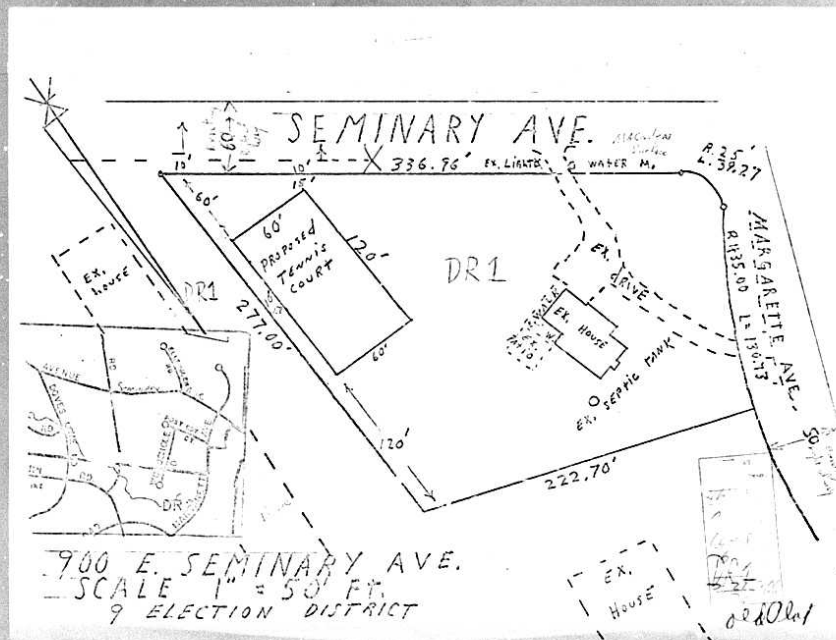
TO WHOM IT MAY CONCERN: IT IS MY CONSIDERED PROFESSIONAL OPINION THAT IF A TENNIS COURT WERE LOCATED IN THE REAR OF THIS HOUSE THAT THE NATURAL DRAINAGE WHICH ENABLES THIS SYSTEM TO WORK WOULD BE SERIOUSLY IMPAIRED. I WOULD NEVER GUARANTEE THAT THIS SYSTEM WOULD WORK IF A TENNIS COURT WERE LOCATED IN THE REAR OF THIS HOUSE.

SIGNED Wm. Williams

PETITIONER'S
EXHIBIT 2A

*Special info on this plat
given by [unclear]
[unclear]
[unclear]*
MY COMMISSION EXPIRES JULY 1, 1978

MICROFILMED



Pb-1

*Special info on this
plat given by [unclear]
[unclear]
[unclear]*

PETITIONER'S
EXHIBIT 2B

Dr. and Mrs. Rafael Hernandez
1400 Autumn Leaf Road
Towson, Maryland 21204

To whom it may concern, 10/6/77.
Mrs. James Rouseworthy is my backyard neighbor. His house is located at the corner of Margaret Rd. He is constructing a tennis court on his property, which I don't object. I don't believe that in any way it is affecting the beauty of the community. *Rafael Hernandez*

MICROFILMED

