

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, legal owner 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 1802.3B (21b.1 and 21b.3) 201.1 to permit a side yard setback of 3' for an open carport instead of the required 11' (DR 5.5)

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

Water in the basement

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
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day

of October 1979, 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 20th day of December 1979 at 2:30 o'clock P.M.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Almond Ave., 63'
W of Debbie Ave., 15th District : OF BALTIMORE COUNTY
ALBERT S. CURCIO, et ux, Petitioners : Case No. 80-130-A

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.

Peter Max Zimmerman
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 23rd day of November, 1979, a copy of the foregoing

Order was mailed to Mr. and Mrs. Albert S. Curcio, 508 Almond Avenue, Baltimore, Maryland 21221, Petitioners.

John W. Hessian, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Albert S. Curcio
508 Almond Avenue
Baltimore, Maryland 21221

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 2nd day of October 1979.

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Albert S. Curcio, et ux
Petitioner's Attorney

Reviewed by Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 12, 1979

Mr. & Mrs. Albert S. Curcio
508 Almond Avenue
Baltimore, Maryland 21221

RE: Item No. 67
Petitioners - Albert S. Curcio, et ux
Variance Petition

Dear Mr. & Mrs. Curcio:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 suitability of the requested zoning.

At the time of field inspection, the supporting posts for the proposed carport were already existing. As a result of our previous telephone conversation, it is my understanding that you will be able to satisfy the comments of the Department of Permits and Licenses, concerning the type of construction of this carport.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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
Chairman
Zoning Plans Advisory Committee

NBC:khk

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

November 28, 1979

Mr. William E. Hammond
Commissioner
Office Building
Maryland 21204

Re: Item #67 (1979-1980)
Property Owner: Albert S. and Viva L. Curcio
N/S Almond Ave. 63' W. Debbie Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 11.25' for an open carport.
Acres: 0.13 District: 15th

Dear Mr. Hammond:

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.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #155906, executed in conjunction with the development of Alpine Gardens, of which, this property is Lot 13, Block A, Alpine Gardens, recorded W.J.R. 27, Folio 48.

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.

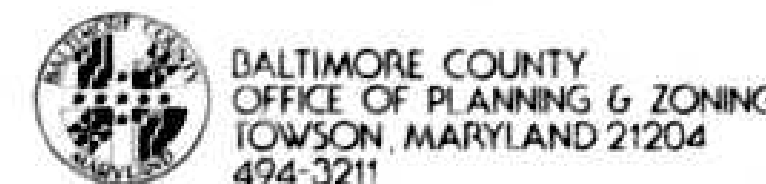
The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage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

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 67 (1979-1980).

Very truly yours,

ELLISWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWK: ss
1-SW Key Sheet
9 NE 28 Pos. Sheet
NE 3 G Topc
90 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

December 5, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #67, Zoning Advisory Committee Meeting, October 2, 1979, are as follows:

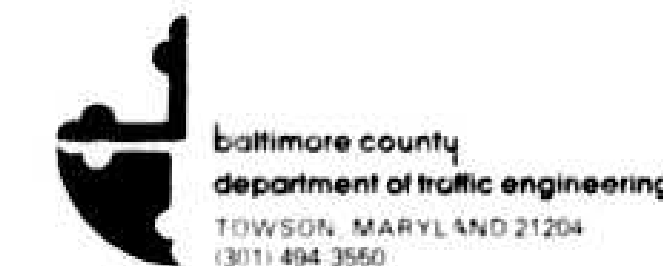
Property Owner: Albert S. and Viva L. Curcio
Location: N/S Almond Ave. 63' W. Debbie Ave.
Existing Zoning: D.R.5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 11.25' for an open carport
Acres: 0.13
District: 15th

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,

John L. Wimbley
Planner III
Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

November 21, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

This department has no comment for the following items: 67, 68, 70, 71, and 72.

Sincerely yours,

Michael S. Flanigan
Traffic Engineering Associate II

MSP/mjm

Pursuant to the advertisement, posting of property, and public hearing on the 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(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of March, 1980, that the herein Petition for Variance to permit a side yard setback of 3 feet in lieu of the required 11 1/2 feet, for the expressed purpose of erecting an open carport, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The inclusion of a rain gutter of sufficient size so as to handle the volume of rain water draining from the roof of the dwelling and carport and a downspout directing the flow away from the abutting property.
2. The construction of a 6 inch high impervious asphalt berm, to be located in the area parallel with the carport support poles for the entire length of the carport roof and 6 inches west of a vertical line established from the west edge of the rain gutter to the Petitioners' land.
3. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County



Paul H. Reincke
CHIEF

October 8, 1979

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

Attention: Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee

Re: Property Owner: Albert S. & Viva L. Curcio
Location: N/S Almond Ave. 63' W Debbie Ave.

Item No. 67 Zoning Agenda: Meeting of 10/2/79

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 or _____ 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 _____

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.

(x) 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" 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

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

REVIEWED: *George M. Negandhi* Noted and Approved: *George M. Negandhi*
Planning Group Fire Prevention Bureau
Special Inspection Division



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

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

November 23, 1979

Mr. William H. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #67, Zoning Advisory Committee Meeting of October 2, 1979, are as follows:

Property Owner: Albert S. & Viva L. Curcio
Location: N/S Almond Ave. 63' W Debbie Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 11.25' for an open carport.
Acres: 0.13
District: 15th

Metropolitan water and sewer exist; therefore, the proposed carport should not pose any health hazards.

Very truly yours,

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRF/fthg



BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND LICENSES
TOWSON, MARYLAND 21204
(301) 384-3610

JOHN D. SEYFERT
DIRECTOR

October 25, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 67 Zoning Advisory Committee Meeting, October 2, 1979 are as follows:

Property Owner: Albert S. & Viva L. Curcio
Location: N/S Almond Ave. 63' W Debbie Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit side setback of 3' in lieu of the required 11.25' for an open carport.

Acres: 0.13
District: 15th

The items checked below are applicable:

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

X B. A building permit shall be required before construction can begin.

C. Additional _____ permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

F. 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.

X G. 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. Structure shall be constructed in a manner to provide a 3 1/2 hour fire rating.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

I. No Comment.

J. Comment:

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: September 25, 1979

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

A.C. Meeting of: October 2, 1979

RE: Item No: 29, 65, 66, 67, 68, 69, 70, 71, 72
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no adverse effect on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. BARBAR WILLIAMS, JR., VICE-PRESIDENT
MARCUS N. BOTTSBANE

THOMAS K. BOYER
MRS. LORRAINE F. CHIRCH
ROGER S. HAYDEN
ROBERT V. DUBEL, SUPERINTENDENT

ALVIN LOPECK
MRS. MILTON E. SMITH, JR.
RICHARD W. TRACEY, D.V.M.



WILLIAM E. HAMMOND
ZONING COMMISSIONER

March 7, 1980

Mr. & Mrs. Albert S. Curcio
508 Almond Avenue
Baltimore, Maryland 21221

RE: Petition for Variance
N/S of Almond Avenue, 63' W of
Debbie Avenue - 15th Election
District
Albert S. Curcio, et ux -
Petitioners
NO. 80-130-A (Item No. 67)

Dear Mr. & Mrs. Curcio:

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

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/eri

Attachments

cc: Mr. Albert J. Komin
506 Almond Avenue
Baltimore, Maryland 21221

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

VARIANCE DESCRIPTION

Located on the north side of Almond Avenue approximately 63 feet west of Debbie Avenue and known as Lot #13 as shown on Plat of Alpine Gardens which is recorded in the Land Records of Baltimore County in Liber 27, folio 48.

Also known as 508 Almond Avenue

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
TO: John D. Seyfert, Director
Office of Planning and Zoning
FROM: Mr. W. E. Hammond
SUBJECT: Petition No. 80-130-A - Item 67

Petition for Variance for side yard setback
North side of Almond Avenue, 63 feet west of Debbie Avenue
Petitioner - Albert S. Curcio, et ux

15th District

HEARING: Thursday, December 20, 1979 (9:30 A.M.)

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

John D. Seyfert
John D. Seyfert, Director
Office of Planning and Zoning

JDS:JGM:dme

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 18 day of Sept, 19 79

Filing Fee \$ 25 Received: ☒ Check

☐ Cash

☐ Other

Petitioner Curcio Submitted by William E. Hammond, Zoning Commissioner

Petitioner's Attorney _____ Reviewed by WEL

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

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	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										
Reviewed by: <u>WEL</u>										
Revised Plans: Change in outline or description										
Previous case:										
Map #										

67

PETITION FOR VARIANCE
15th District

EXISTING: Petition for Variance to side yard setback. North side of Almond Avenue, 15th District. Public Hearing: Thursday, December 20, 1979 at 9:30 A.M. County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland. The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing. Petition for Variance to permit a side yard setback of 5 feet for an existing structure on the subject lot. The Zoning Regulations to be accepted as follows: Section 15-1-1: Projections into yards. All that parcel of land in the 15th District of Baltimore County, located on the north side of Almond Avenue, approximately 60 feet west of Double Avenue and known as Lot No. 13, as shown on Plat of Almond Avenue, which is recorded in the Land Records of Baltimore County in Liber 27, folio 48. Also known as 508 Almond Avenue. Being the property of Albert S. Curcio, as set on above as plat plan filed with the Zoning Department. Hearing: Thursday, December 20, 1979 at 9:30 A.M. County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland. BY ORDER OF WILLIAM E. HAMMOND, Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

Nov. 30, 1979

THIS IS TO CERTIFY, that the annexed advertisement of Zoning Commissioner of Baltimore County William E. Hammond, per Sondra Jones was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week, November 29, 1979; that is to say, the same was inserted in the issue of November 29, 1979

Kimbel Publication, Inc.

Publisher.

By Kimbel Publication, Inc.

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 29, 1979

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 at one time November 29, 1979 before the 20th day of December, 1979. the last publication appearing on the 29th day of November, 1979.

THE JEFFERSONIAN
L. Leank Surfer
Manager

Cost of Advertisement \$ _____

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	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										
Reviewed by: <u>WEL</u>										
Revised Plans: Change in outline or description										
Previous case:										
Map #										

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15 Date of Posting 12/1/79
Posted for: Petition for Variance
Petitioner: Albert S. Curcio
Location of property: 15th Almond Ave., 13th No. 13
Location of Signs: front of property (15th Almond Ave.)
Remarks: _____
Posted by: Sam. Saloner Date of return: 12/1/79
Signature

1. Page

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

No. 83168

DATE September 10, 1979 ACCOUNT 01-662

AMOUNT \$25.00 (Cash)

RECEIVED FROM Albert S. Curcio

FOR Filing Fee for Variance

87272010

J.O.C.M.C.

VALIDATION OR SIGNATURE OF CASHIER

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

No. 83295

DATE December 13, 1979 ACCOUNT 01-662

AMOUNT \$41.75

RECEIVED FROM Albert S. Curcio

FOR Advertising and Posting of Case No. 80-130-A

88928013

41.75

VALIDATION OF SIGNATURE OF CASHIER

