

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 1802.3.C.1.1 to permit a side setback of 5 feet in lieu of the required 10 feet.

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

- 1) The garage will not be in proportion to the driveway.
- 2) Fireplace will not allow a smaller area to build.
- 3) A detached garage will not add to the aesthetics of the house.

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.

I, We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)

Legal Owner(s):
Frank A. Luca
(Type or Print Name)
Signature: *Frank A. Luca*
Rosenarie Luca
(Type or Print Name)
Signature: *Rosenarie Luca*

Signature for Petitioner:

(Type or Print Name)
Signature: _____

Address:
111 Wyndcrest Ave., Catonsville, Md. 21228
City and State: _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Name: _____
Address: _____
Phone No.: _____

Attorney's Telephone No.: _____
Address: _____
Phone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of April, 1982, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through 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 17th day of June, 1982, at 9:45 o'clock A.M.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE/S of Wyndcrest Ave., 380'
NW of Summit Ave., 1st District : CF BALTIMORE COUNTY
FRANK A. LUCA, et ux, : Case No. 82-274-A
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 therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 27th day of May, 1982, a copy of the foregoing

Order was mailed to Mr. and Mrs. Frank A. Luca, 111 Wyndcrest Avenue, Catonsville, Maryland 21228, Petitioners.

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

**BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE**



**PETITION AND SITE PLAN
EVALUATION COMMENTS**

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 3, 1982

COUNTY OFFICE BLDG.
111 W. GAYNESDALE AVE.
TOWSON, MARYLAND 21284

Chairman
Members
Deputy People's Counsel
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Engineering
Sea, Ice Department
Project Planning
Building Department
Bureau of Education
Building Administration
Industrial Development

Mr. & Mrs. Frank A. Luca
111 Wyndcrest Avenue
Baltimore, Maryland 21228

Item No. 213
Petitioner - Frank A. Luca, et ux
Variance Petition

Dear Mr. & Mrs. Luca:

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.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

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

Enclosed
Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
TO: Office of Planning and Zoning Date: 4/24/82, 1982
FROM: Ian J. Forrest
SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item # 172 - Salvatore & Deborah A. Fransketti
- Item # 176 - North Park Associated
- Item # 179 - Abell Communications
- Item # 181 - Dorothy M. Markel
- Item # 185 - Margaret E. Hickey
- Item # 188 - Robert J. Rosacka, Jr.
- Item # 191 - Richard W. Ater
- Item # 192 - Vernon E. & Patricia A. Hodges
- Item # 195 - William E. & Jeannette M. Tunney
- Item # 197 - Leonard Gordon
- Item # 199 - Charles & Mary L. Gebhard
- Item # 200 - Raymond A. & Linda M. DuWall
- Item # 202 - William T. & Irene P. McKeever
- Item # 203 - Sheldon S. & Freya H. Salsky
- Item # 207 - James J. Ward, III
- Item # 209 - Charles H. & Ora P. Michael
- Item # 213 - Frank A. & Rosemarie Luca
- Item # 218 - Leonard & JoAnne Yaker
- Item # 220 - Joseph Christopher Clonono
- Item # 221 - H M H Company
- Item # 222 - Belair Beltway Partnership

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

127/rlh

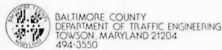
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. William Hammond, Zoning Commissioner
TO: Mr. Nick Commodari, Zoning Date: May 20th, 1982
Charles E. Barnhart, Plans Review
FROM: Nicholas R. Commodari
SUBJECT: Zoning Advisory Meeting of April 27, 1982

- Item #210 Standard comments.
- Item #211 Standard comments.
- Item #212 See comments.
- Item #213 Standard comments.
- Item #214 See comments.
- Item #215 Standard comments.
- Item #216 Standard comments.
- Item #217 Standard comments.

CHS:ee



STEPHEN E. COLLINS
DIRECTOR

June 4, 1982

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

RE: SAC Meeting of 4/27/82

Dear Mr. Hammond:

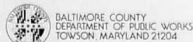
This office has no comments for items 210 through 216.

213

Sincerely,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRS/GMS/r13



HARRY J. PISTEL, P.E.
DIRECTOR

May 21, 1982

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

Re: Item #213 (1981-1982)
Property Owner: Frank A. & Rosemarie Luca
N/E/S Wyndcrest Ave., 380' N/W Summit Ave.
Area: 80 x 90 District: 1st

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 exist and are not directly involved.

Development of this property through striping, 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 striping 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 213 (1981-1982).

Very truly yours,

Robert A. Morton
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAH:SMH:FW:SS

H-RE Key Sheet
9 SW 23 Rev. Sheet
SW 3 G Topo
101 Tax Map

Frank A. Luca, et ux
111 W. Wyndcrest Ave., 380' NW of
Summit Avenue
82-274-A
18

ORDER RECEIVED FOR FILING
DATE 5/27/82

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 17th day of June, 1982, that the herein Petition for Variance(s) to permit a side yard setback of 6 feet in lieu of the required 10 feet, for the expressed purpose of constructing a garage, in accordance with the site plan filed herein, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Run-off for the proposed addition shall be directed away from the adjoining property.
2. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

Jan M. H. Jung
Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

Richard Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: April 27, 1982

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: April 27, 1982

RE: Item No: 210, 211, 212, 213, 214, 215, 216, 217
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Mr. Nick Petrovich, Assistant
Department of Planning

WNT/tp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner
Norman E. Gerber, Director
Office of Planning and Zoning

Date: June 7, 1982

TO: Zoning Commissioner
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition No. 82-274-A
Frank A. Luca, et ux

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

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG/JGHalc

cc: Arlene January
Shirley Hiss



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 17, 1982

Mr. & Mrs. Frank A. Luca
111 Wyndcrest Avenue
Catonville, Maryland 21228

RE: Petition for Variance
NE/S of Wyndcrest Ave., 380' NW of
Summit Ave., - 1st Election District
Frank A. Luca, et ux - Petitioners
NO. 82-274-A (Item No. 213)

Dear Mr. & Mrs. Luca:

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

Very truly yours,

Jan M. H. Jung
JAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/me

Attachments

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

ORDER RECEIVED FOR FILING

DATE June 17, 1982
BY John M. H. Jung
Deputy Zoning Commissioner

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7030

June 14, 1982

PAUL H. RENCKE
Chief

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

Attention: Nick Comodori, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Frank A. and Rosemarie Luca
Location: NE/S Wyndcrest Avenue 380' NW Summit Avenue

Item No. 213 Zoning Agenda Meeting of April 27, 1982

Comments:

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 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 operation.
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 BY: *John L. Wimbley* Noted and Approved
Planning Group Approved: *John L. Wimbley*
Special Inspection Division Fire Prevention Bureau

JWab/cm
82-617

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3311

NORMAN E. GERBER
DIRECTOR

June 8, 1982

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

Dear Mr. Hammond:

Comments on Item #213, Zoning Advisory Committee Meeting, April 27, 1982, are as follows:

Property Owner: Frank A. & Rosemarie Luca
Location: NE/S Wyndcrest Avenue 380' N/W Summit Avenue
Acres: 80 X 90
District: 1st

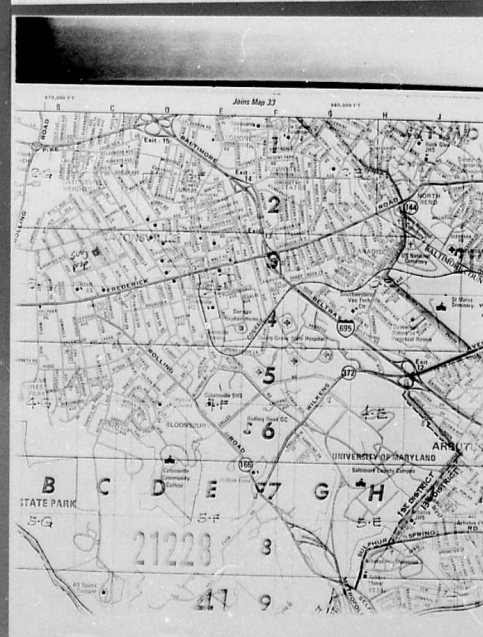
This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on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

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

JLW/rh

4/17
82-274-A



May 18, 1982

Mr. & Mrs. Frank A. Luca
111 Wyndcrest Avenue
Catonville, Maryland 21228

NOTICE OF HEARING

Re: Petition for Variance
NE/S of Wyndcrest Avenue, 380' NW of Summit Avenue
Frank A. Luca, et ux - Petitioners
Case #82-274-A

TIME: 9:45 A.M.

DATE: Thursday, June 17, 1982

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,
TOWSON, MARYLAND

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

No. 106857

CLERK COMMISSIONER OF
BALTIMORE COUNTY

DATE: 6/17/82 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED FROM: Frank A. Luca

FOR: File for zoning variance

Rosemarie Luca

25.00

VALIDATION OR SIGNATURE OF CASHIER

Patuxent Publishing Corp.
17000 Line Pl...
Catonsville, Md. 21044
Telephone 278-1111
Circulation 11,111
The Company is a member of the National Association of Publishers, Inc. and the Maryland Newspaper Publishers Association, Inc. It is a member of the National Association of Business Publications, Inc. and the National Association of Women's Business Owners, Inc. It is also a member of the National Association of Professional Publishers, Inc. and the National Association of Newspaper Publishers, Inc. It is also a member of the National Association of Newspaper Publishers, Inc. and the National Association of Newspaper Publishers, Inc.

Office of
PATUXENT
17000 Line Pl...
Catonsville, Md. 21044

MAY 27, 19 82

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE FRANK A. LUCA
33542

was inserted in the following:

Catonsville Times
 Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for ONE successive weeks before the 27 day of MAY 19 82, that is to say, the same was inserted in the issues of

MAY 27, 1982

PATUXENT PUBLISHING CORP.
By Walter H. Hill

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS

Defendant

CERTIFICATE OF PUBLICATION OF

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21284
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 11, 1982

Mr. & Mrs. Frank A. Luca
111 Wyndcrest Avenue
Catonsville, Maryland 21228

Re: Petition for Variance
NE/S of Wyndcrest Ave., 380' NW
of Summit Avenue
Frank A. Luca, et ux - Petitioners
Case #82-274-A Item #213

Dear Mr. & Mrs. Luca:

This is to advise you that \$41.70 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21284, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 107681

DATE 6/17/82 ACCOUNT 01-662

AMOUNT \$41.70

RECEIVED FROM Frank A. Luca

FOR Advertising & Posting Case #82-274-A

\$ 017*****417010 81724

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE

1st Election District

ZONING: Petition for Variance
LOCATION: Northeast Side of Wyndcrest Avenue, 380 feet Northwest of Summit Avenue
DATE & TIME: Thursday, June 17, 1982 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner 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 setback of 6' in lieu of the required 10'

The Zoning Regulation to be excepted as follows:
Section 1B02, 3.C.1 - minimum side yard setback in a D.R. 5, 5 zone

All that parcel of land in the First District of Baltimore County

Frank & Rosemarie Luca
beginning at a point 380 feet N.W. from Summit Ave. on the N.E. side of Wyndcrest Ave., as recorded in the land records of Baltimore County in Plat Book 43, Folio 70, Lot 1 of "Luca's Property", otherwise known as 111 Wyndcrest Ave. in the First Election District.

Being the property of Frank A. Luca, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, June 17, 1982 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 27, 1982.

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 for ONE successive weeks before the 27th day of MAY, 19 82, the first publication appearing on the 27th day of MAY, 19 82.

THE JEFFERSONIAN
L. Frank Sirosh
Manager

Cost of Advertisement, \$.....

Mr. & Mrs. Frank A. Luca
111 Wyndcrest Avenue
Catonsville, Md. 21228

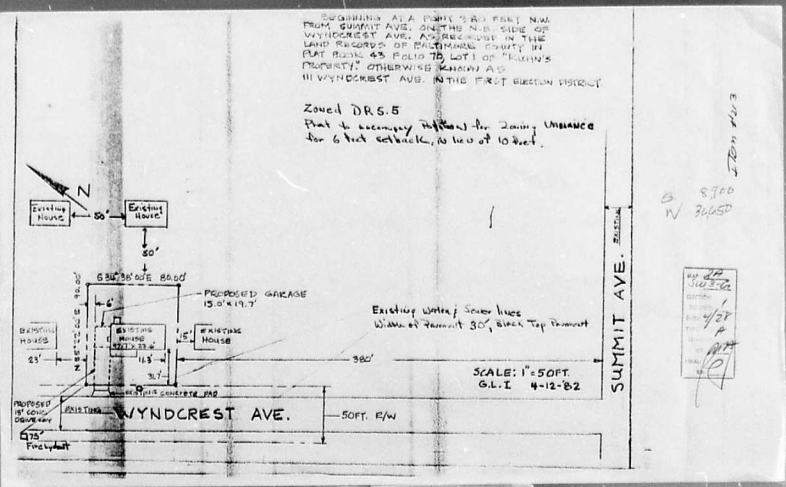
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21284

Your Petition has been received and accepted for filing this 27th day of May, 19 82.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Frank A. Luca, et ux
Petitioner's Attorney: Nicholas F. Commodari
Reviewed by: Nicholas F. Commodari
Chairman, Zoning Plans Advisory Committee



APPROVED BY CIVIL ENGINEER
DATE 6/17/82
BY [Signature]
[Signature]

ITEM #113
8700
W 30650

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland 82-274-A

District: 1st Date of Posting: May 27, 82

Posted for: 2 Notices

Petitioner: Frank A. Luca, et ux

Location of property: N.E. S. of Wyndcrest Ave. 380' NW of Summit Avenue

Location of signs: on front of 111 Wyndcrest Avenue

Remarks: None

Posted by: [Signature] Date of return: June 4, 1982

Number of Signs: 2