

86-187-A
#48

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property, made 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 1.B01.2.C.2.a to allow side yards of 10.5 feet and 25 feet instead of the required 35 foot tract boundary AND to amend the Final Development Plan of "Bunny Hill" to allow the house outside of the building envelope.

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

1. Not advised of set backs when lot was purchased
2. Wrong information received when zoning dept. called for set backs.
3. Have already sold and settled on present house. 1079 Downton Rd.

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)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney's Telephone No.: _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
Name _____
Address _____
City and State _____
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of September, 1985, 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 29th day of October, 1985, at 11:00 o'clock A.M.

Carl J. Jablo
Zoning Commissioner of Baltimore County.
(over)

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 6, 1985

Mr. and Mrs. Salvatore A. Pasta
1079 Downton Road
Baltimore, Maryland 21227

RE: PETITION FOR VARIANCE
S/S Mineral Avenue, 205'
E of Francis Avenue
13th Election District
Salvatore A. Pasta, et ux,
Petitioners
Case No. 86-187-A

Dear Mr. and Mrs. Pasta:

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

Very truly yours,

JEAN M. H. JUNG
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Mr. Charlie Phelps
1406 N. Rolling Road
Catonsville, Md. 21228

Salvatore A. Pasta, et ux
S/S Mineral Avenue, 205' E of Francis Ave.
13th Dist.

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-8000

August 5, 1985

DESCRIPTION TO ACCOMPANY VARIANCE:

Beginning for the same at a point on the south side of Mineral Avenue, distant South 66 degrees 27 minutes 33 seconds East 205 feet more or less from the centerline of Francis Avenue, thence being all of lot 4 as shown on the plat entitled "Revised Plat of Bunny Hill" recorded among the plat records of Baltimore County in Plat Book 51 folio.

RE: PETITION FOR VARIANCES
S/S Mineral Ave., 205'
E of Francis Ave.,
13th District
SALVATORE A. PASTA,
et ux, Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-187-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of October, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Salvatore A. Pasta, 1079 Downton Rd., Baltimore, MD 21227, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

October 24, 1985

Mr. & Mrs. Salvatore Pasta
1079 Downton Road
Baltimore, Maryland 21227

Re: Petition for Variance
S/S Mineral Ave., 205' E/Francis Ave.
13th Election District
Salvatore A. Pasta, et ux - Petitioners
Case No. 86-187-A

Dear Mr. & Mrs. Pasta:

This is to advise you that \$51.31 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office Building, 1079 Downton Road, Baltimore, Maryland 21227.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012802
DATE *Oct 27, 1985* ACCOUNT *01-615*
AMOUNT *\$51.31*
RECEIVED FROM *Salvatore A. Pasta*
FOR *Advertising + Posting*
Case # *86-187-A*
VALIDATION OF SIGNATURE OF CARRIER

Arnold Jablon
JABLON
Commissioner

JUN 12 1986

Office of
PATUXENT
PUBLISHING CORP.
10750 Line Patuxent Hwy.
Columbia, MD 21044

October 10 19 85

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE

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 12 day of October 19 85, that is to say, the same was inserted in the issues of

October 10, 1985

PATUXENT PUBLISHING CORP.
By [Signature]

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF

86-187-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 10, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on

October 10, 1985

THE JEFFERSONIAN,
[Signature]
Publisher

Cost of Advertising
27.50

86-187-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 13

Posted for: [Signature] Date of Posting: October 9, 1985

Petitioner: Salvatore A. Pasta, et ux

Location of property: S/S Mineral Ave., 205' E of Francis Ave.

Location of Sign: S/S of Mineral Ave. at entrance to subject property

Remarks:

Posted by: [Signature] Date of return: October 12, 1985

Number of Signs: 7

Mr. & Mrs. Salvatore A. Pasta
1079 Downton Road
Baltimore, Maryland 21227

September 27, 1985

NOTICE OF HEARING
RE: PETITION FOR VARIANCE
S/S Mineral Ave., 205' E of Francis Ave.
13th Election District
Salvatore A. Pasta, et ux, Petitioners
Case No. 86-187-A

TIME: 11:00 a.m.

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

No. 008645

DATE: 9-6-85 ACCOUNT: 20-115

AMOUNT: \$35.00

RECEIVED FROM: FG. Basso

FOR: Building for 13th

VALIDATION OR SIGNATURE OF CARRIER: [Signature] Zoning Commissioner of Baltimore County

8/4/85

Homeowners,

The signing of this petition with grant the said lot owner permission to decrease the variance of ten (10) feet from property line in order to have construction of a two car garage that will be attached to completed house.

Lot owner. Mr. & Mrs. Salvatore A. Pasta (Bunny Hill) #4

[Signature]
Salvatore A. Pasta

[Signature]
Dorothy L. Pasta

Lot owner #1 [Signature]

Lot owner #2 [Signature]

Lot owner #3 [Signature]

Lot owner #5 [Signature]

I Thank you for fine cooperation.

OFFICE COPY

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 7, 1985

COUNTY OFFICE BLDG.
131 W. Chesapeake Ave.
Towson, Md. 21204

Mr. and Mrs. Salvatore A. Pasta
1079 Downton Road
Baltimore, Maryland 21227

RE: Item No. 48 - Case No. 86-187-A
Petitioners - Salvatore A. Pasta, et ux
Variance Petition

Dear Mr. and Mrs. Pasta:

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 on 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,
[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Hudkins Associates, Inc.
200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

OCTOBER 7, 1985

Re: Zoning Advisory Meeting of August 20, 1985
Item 48
Property Owner: Salvatore A. Pasta, et ux
Location: S/S Mineral Ave. 205' E of Francis Ave.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable:

☒ There are no site planning factors requiring comment.
☒ A County Review Group Meeting is required.
☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
☒ A record plat will be required and must be recorded prior to issuance of a building permit.
☒ The access is not satisfactory.
☒ The circulation on this site is not satisfactory.
☒ The parking arrangement is not satisfactory.
☒ Parking calculations must be shown on the plan.
☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
☒ The amended Development Plan was approved by the Planning Board on 10/1/85.
☒ Landscaping: Must comply with Baltimore County Landscape Manual, 8111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is 15.
☒ The property is located in a traffic area controlled by a "D" level intersection as defined by 8111 178-79, and as conditions change are re-evaluated annually by the County Council.
☒ Additional comments:
ADOPT THE FINAL DEVELOPMENT PLAN WITH THE AMENDMENT ADDED SHOULD BE SUBMITTED

cc: James Hoswell Eugene A. Boker
Chief, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

August 26, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 48
Property Owner: Salvatore A. Pasta, et ux
Location: S/S Mineral Ave., 205' E of the centerline of Francis Road
Existing Zoning: D. R. 3.5
Proposed Zoning: Variance to allow side yards of 10.5' and 25' instead of the required 35' tract boundary and to amend the Final Development Plan of "Bunny Hill" to allow the house outside of the building envelope

Acres: .407 acres ±
District: 13th Election District

Dear Mr. Jablon:

The Department of Traffic Engineering has no comment on this particular item.

[Signature]
Michael S. Flanagan
Traffic Engineering Associate II

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2556
494-4500

PAUL H. RENCKE
CHIEF

August 20, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Salvatore A. Pasta, et ux
Location: S/S Mineral Avenue, 205' E of centerline of Francis Avenue
Item No.: 48 Zoning Agenda: Meeting of August 20, 1985

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 of 750 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 [Location] 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.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

JUN 12 1986

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-187-A

Date: October 21, 1985

A copy of the Final Development Plan with the amendment should be submitted to the Division of Current Planning and Development.

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

NEG:JGH:slm

Case No. 86-187-A

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
24th day of September, 1985

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner Salvatore A. Pasta, et ux Received by: James E. Dyer, Jr.
Petitioner's Attorney James E. Dyer, Jr. Chairman
Zoning Plans Advisory Committee



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
404-3610

September 10, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 48 Zoning Advisory Committee Meeting are as follows:

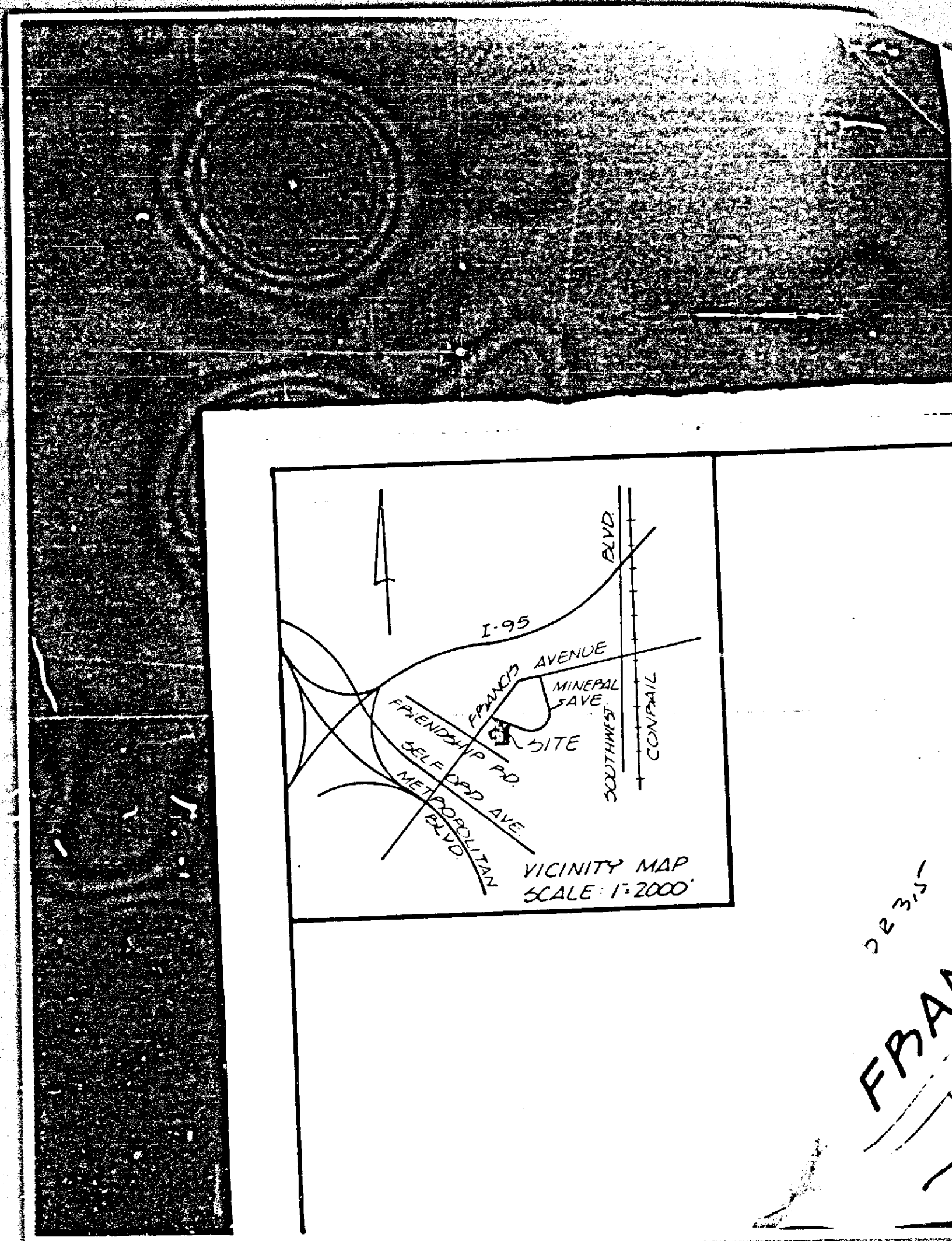
Property Owners: Salvatore A. Pasta, et ux
Location: S/S Mineral Avenue, 205 E of the c/l of Francis Avenue
District: 15th.

APPLICABLE ITEMS ARE CIRCLED:

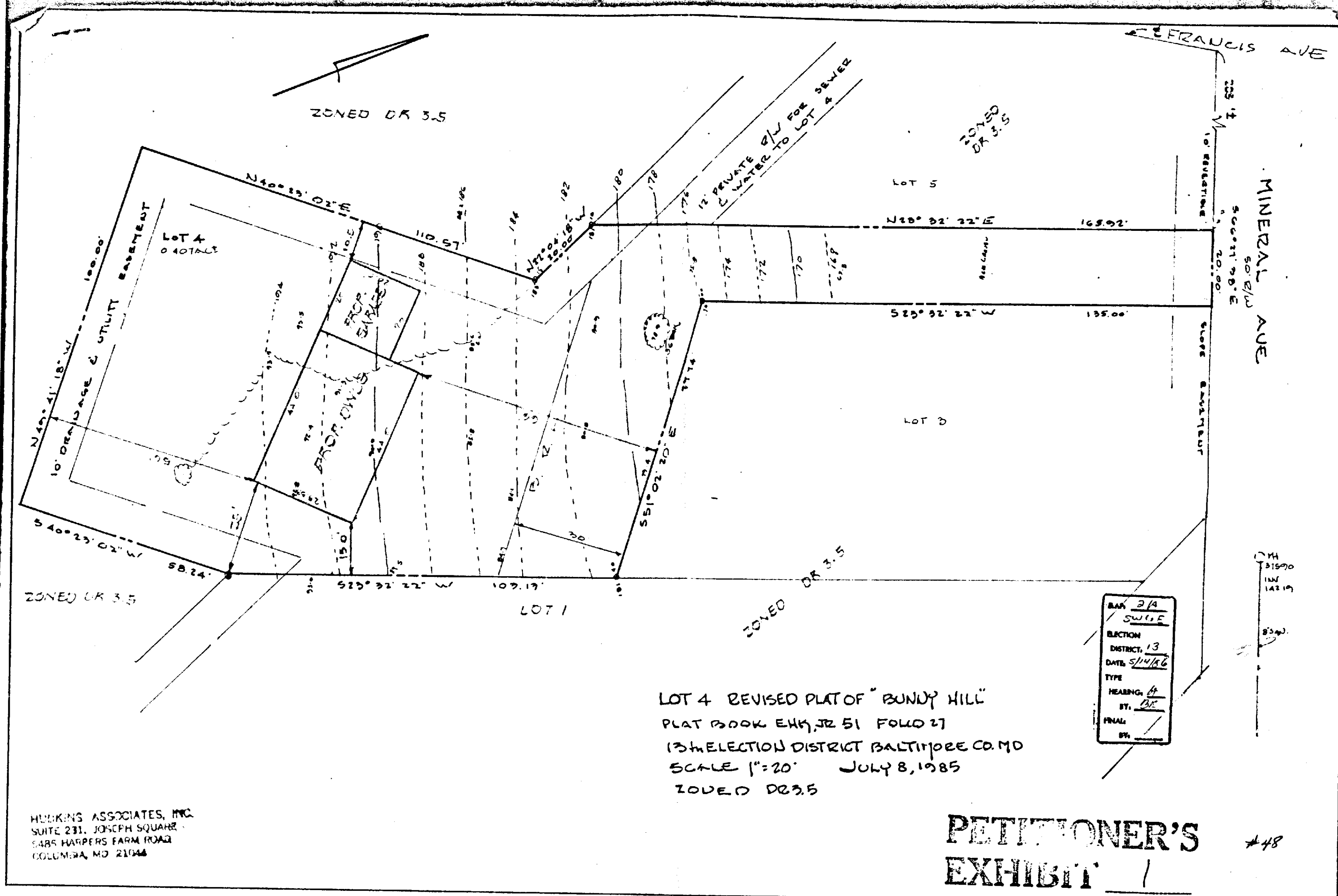
1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85; the Maryland Code for the Handicapped and Aged (A.B.S.I. #17-1, 1980) and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 3106.2 and Table 3102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____. See Section 311 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 316.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- J. Comments:
- K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 100 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Dyer, Jr.
By: C. E. Dyer, Jr., Chief
Building Plans Review

10/22/85



223.5
FRAN



PETITIONER'S
EXHIBIT 1