

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Joseph F. and Helen Ziemski, 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 1, 200-20-1 to permit a 40' front yard setback and a 7' minimum side yard instead of the required 55' frontage and a 7' minimum side yard instead of the required 70' and a sum total

of 100' 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 use of this lot has been delayed about 15 years during the development by the S.R.C. of the S.R. Expressway presently under construction. The Expressway effectively blocks Franklin Ave.

2. The S.R.C. has taken a portion of the original lot making it impossible to develop in accordance with the zoning regulations without the granting of these variances.

See attached description

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

I, the undersigned, 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: Joseph F. Ziemski, Legal Owner
Address: 1307 East Thacker Ave.
Baltimore, Md. 21221

Petitioner's Attorney: [Signature]
Protestant's Attorney: [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 4th day

of February, 1972, 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 28th day of February, 1972, at 10:30 o'clock.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

Telephone: RElmont 5-5034

CHARLES A. LOGAN

REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR

612 EAST 34TH STREET BALTIMORE, MARYLAND 21218

January 19, 1972

ZONING DESCRIPTION FOR 1407 FRANKLIN AVE., BALTIMORE, MD. 21201

Beginning at a point 275' east of the intersection of the centerline of Essex Ave and the south property line of Franklin Ave., thence binding on the south property line of Franklin Ave. S 82° 46' 28" E, a distance 800-48' 16", thence S 82° 46' 28" E, a distance 275' to the place of beginning and being recorded among the Land Records of Baltimore County in Liber 1972 Folio 450

Containing 6,862 sq. ft.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: February 23, 1972

FROM: George E. Gavrillis, Director of Planning

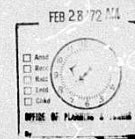
SUBJECT: Petition 172-189-A, South side of Franklin Avenue 275 feet east of Essex Avenue
Petition for variance to front and side yards.
Joseph F. and Helen Ziemski - Petitioners

15th District

HEARING: Monday, February 28, 1972 (10:30 A.M.)

The planning staff will offer no comment on the subject petition.

GEG:NEG:mh



The subject property is located on the S.S. of Franklin Ave. 275' E of Essex Ave. The property at the east is being developed as part of the South East Freeway. The property to the west is developed as a school on the submitted plat. There is no curb and gutter center along Franklin Ave. at this location.

Att. Comm. Blue App

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna Date: February 9, 1972

FROM: Ellsworth N. Diver, P.E.

SUBJECT: Item 122 (1971-1972)
Property Owner: Joseph F. and Helen Ziemski
Location: 225' E. of Essex Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C1
District: 15th
No. Acres: 6825 sq. ft.

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

A subdivision or record plat appears to remain a requirement in connection with the completion of the proposed subdivision of the Ziemski property of which this parcel is a part.

Highways

Franklin Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed-type roadway cross-section on a 50-foot right-of-way, and shall terminate with a standard Tee Turn-around. Highway improvements, including highway right-of-way and any necessary reversible easements for abutment, will be required in connection with any grading or building permit application.

The proposed Southwestern Freeway State Road right-of-way traverses the formerly proposed subdivision of the Ziemski property and is contiguous to this parcel of that land. Therefore, this site is also subject to State Highway Administration requirements.

Sediment Control

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.

Storm Drains

Provisions for accommodating storm water or drainage have not been indicated on the submitted plans.

Item 122 (1971-1972)

Property Owner: Joseph F. and Helen Ziemski
Page 2
February 9, 1972

Storm Drains: (Cont'd)

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.

The proposed Southwestern Freeway is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

Water

Public water supply can be made available to serve this property by construction of a public water main extension, approximately 40 feet in length, from the existing 8-inch water main in Franklin Avenue, see Drawings #52-0643 and #54-1276 (A-I-B). File 3.

Sanitary Sewer

Public sanitary sewer can be made available to serve this property by construction of a public sanitary sewer extension, approximately 75 feet in length, from the existing 8-inch sanitary sewer in Franklin Avenue, see Drawing #53-0995 (A-I-B). File 3.

The Petitioner is cautioned as to the relative shallow depth of the existing public sewer.

[Signature]
Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

ENCLOSURES:

1-34 Key Sheet
7 VS 30 & 31 Position Sheets
85 2 H Tops
90 Tax Map



STATE HIGHWAY ADMINISTRATION

300 WEST PRESTON STREET
BALTIMORE, MD. 21201

February 8, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: Mr. U. L. Myers

Dear Sir:

The subject plan correctly indicates the right of way for the State Highway improvement. The petition requires no further comment.

ITEM 122

Re: Z. A. C. Meeting 2/1/72
Prop. Owner: Joseph F. and Helen Ziemski
Location: S/S Franklin Ave. 225' E. of Essex Ave.
Present Zoning: D.R. 5.5
Prop. Zoning: Variance from Section 1802.3C1 - Lot width & side yards
15th District
No. Acres: 6825 sq. ft.
Southeast Freeway

Very truly yours,

Charles Lee, Chief
Development Engineering
Section
[Signature]
Asst. Development Engineer

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers Date: February 2, 1972

FROM: Hoyt V. Bonner

SUBJECT: Item 122 - Zoning Advisory Committee Meeting, February 1, 1972

122. Property Owner: Joseph F. and Helen Ziemski
Location: S/S Franklin Avenue, 225' E. of Essex Ave.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C1 Lot width and side yards
District: 15
No. Acres: 6825 sq. ft.

Metropolitan water and sewer must be extended to the building site prior to approval of building permit.



[Signature]
Superintendent

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 Petitioner and the Variance requested would grant relief without substantial injury to the public health, safety and general welfare of the locality involved,

the above Variance should be granted, ~~and it is hereby ordered that the Variance be granted~~

to permit a front yard at the building line of forty-two (42) feet instead of the required fifty-five (55) feet and to permit seven (7) feet minimum side yard instead of the required ten (10) feet and sum total for both sides of seventeen (17) feet instead of the required twenty (20) feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 8th day of March 1972, that the herein Petition for a Variance should be and the

same is granted, from and after the date of this order, to permit a front yard at the building line of forty-two (42) feet instead of the required fifty-five (55) feet; and to permit seven (7) feet minimum side yard instead of the required ten (10) feet and sum total for both sides of seventeen (17) feet instead of the required twenty (20) feet. Deputy Zoning Commissioner of Baltimore County

Subject to approval of a site plan by the Bureau of Public Services 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 8th day of March 1972, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna
Attn: Oliver L. Myers
FROM: Michael S. Flanigan
SUBJECT: Item 122 - ZAC - February 1, 1972
Property Owner: Joseph F. & Helen Ziemski
Franklin Avenue E. of Essex Avenue
Variance from Section 1802.3C1
Lot width and side yards

Date: February 2, 1972

No traffic problems are anticipated at this site.

Michael S. Flanigan
Traffic Engineer Associate

MSF:nr

BALTIMORE COUNTY DEPARTMENT OF EDUCATION
ZONING ADVISORY COMMITTEE MEETING
OF Feb. 1, 1972

Petitioner: Ziemski
Location:
District: 15
Present Zoning:
Proposed Zoning: VAR.
No. of Acres:

Comments: NO BEARING ON STUDENT POPULATION

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna
Zoning Commissioner
FROM: Richard A. Williams
Project Planning Division
SUBJECT: Zoning Advisory Agenda Item #122

Date: February 23, 1972

February 1, 1972
Joseph F. and Helen Ziemski
5/5 Franklin Avenue,
223 E. of Essex Avenue

The Office of Planning has reviewed the subject site plan and offers the following comments:

Prior to a building permit being issued the developer must comply with the Subdivision Regulations of Baltimore County.

PETITION FOR A VARIANCE
TO THE ZONING REGULATIONS
OF THE BALTIMORE COUNTY ZONING REGULATIONS
FOR THE PURPOSE OF PERMITTING THE CONSTRUCTION OF A BUILDING ON THE SOUTH SIDE OF FRANKLIN AVENUE, 275 FEET EAST OF ESSEX AVENUE, TOWSON, MARYLAND.
DATE & TIME: MONDAY, FEBRUARY 13, 1972, 10:00 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 Board of Commissioners of Baltimore County, will hold a public hearing on the petition for a Variance from the Zoning Regulations of Baltimore County to permit a front yard of 42 feet instead of the required 55 feet; and to permit seven (7) feet minimum side yard instead of the required ten (10) feet and sum total for both sides of 17 feet instead of the required 20 feet.

THIS IS TO CERTIFY that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in the following

☐ Catonsville Times
☐ Dundalk Times
☒ Essex Times
☐ Towson Times
☐ Arbutus Times
☐ Community Times

weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 11th day of February 1972, that it is to say, the same was inserted in the issue of February 10, 1972.

S. HONBERG PUBLICATIONS, INC.

By Ruth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. FEBRUARY 10, 1972

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., 6600-20-0000

on one time, ~~successive weeks~~ before the 23rd day of February 1972, the 2nd publication appearing on the 10th day of February 1972.

THE JEFFERSONIAN
L. Leach, Jr.
Manager

Cost of Advertisement, \$

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15N Date of Posting: 2-10-72

Posted for: Henry Mondy Feb. 28, 1972 10:30 A.M.

Petitioner: Joe Ziemski

Location of property: 5/5 of Franklin Ave. 275 E. Essex Ave.

Location of Sign: On Public in front of lot 140? Also on the corner

Cherry St.

Remarks:

Posted by: David X. Hess Signature Date of return: 2-17-72

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sh-ft
	date	by	date	by	date	by	date	by	date
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: [Signature]	Revised Plans: Change in outline or description Yes ___ No ___								
Previous case:	Map #								

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

DATE: Jan. 17, 1972 ACCOUNT: 01-662

AMOUNT: \$25.00

WHITE - CASHIER
CASH (Mr. Ziemski)
Petition for Variance for Joseph Ziemski

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

DATE: Feb. 28, 1972 ACCOUNT: 01-662

AMOUNT: \$43.25

WHITE - CASHIER
Helen Ziemski
1309 Eastview Ave.
Baltimore, Md. 21221
Advertising and posting of property
#72-189A

Mr. Joseph F. Ziemski
1309 Eastview Avenue
Baltimore, Md. 21221

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted for filing

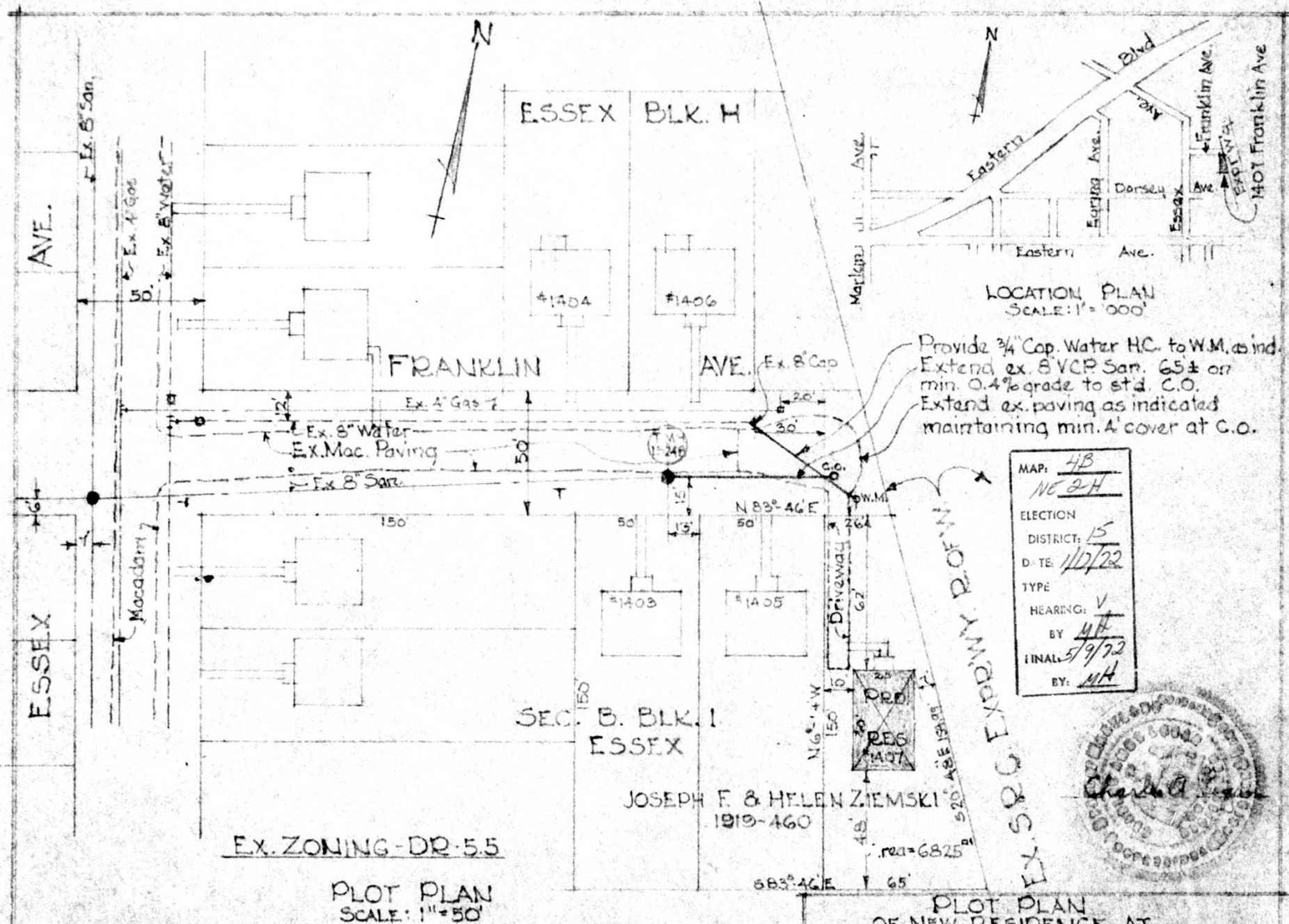
this 8th day of February 1972

S. Eric DiNenna
Zoning Commissioner

Petitioner: Joseph F. and Helen Ziemski

Petitioner's Attorney: Reviewed by: [Signature] Advisory Committee

South side of Franklin Ave. 275 feet East of Essex Ave., Petition for variance to front and side yards.



CHARLES A. LOGAN
REG. PRO. ENG'R. & L.S. #808
BALTIMORE, MARYLAND, 21218.

JAN. 17, 1972
SCALES: AS IND.
SHEET 1 OF 1.

ELECT. DIST. 15

