

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Joseph Prstac, 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 400.1 to permit an accessory structure (garage) outside the required 1/3 of the rear yard farthest removed from the side street.

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

At rear of Garage is a concrete patio 12x18 which was built to accommodate a picnic table and chairs, this would be useless to me and very hard to eliminate if I extend my garage in the rear.

My existing garage which was built 54 years ago measures 12x18 and cannot accommodate a modern car, therefore, I file this petition allowing me the right to extend 5ft. towards Walnut Ave.

If this petition is denied me, I will have to tear down the block work which has already been completed and causes me a financial hardship.

My present tax appraisal on this garage as is, is \$700.00. And is useless to me.

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.

Contract purchaser: Joseph Prstac Legal Owner
Address: 5544 Link Ave.
Baltimore, Md. 21227
Petitioner's Attorney: _____
Protector's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of October, 1975, 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 held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 1st day of December, 1975, at 10:00 o'clock.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE
Northwest corner of Link and Walnut
Avenues, 13th District
JOSEPH N. PRSTAC, Petitioner : Case No. 76-123-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.

Charles E. Kuntz, Jr.
Deputy People's Counsel

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

I hereby certify that on this 26th day of November, 1975, a copy of the foregoing

Order was mailed to Mr. Joseph N. Prstac, 5544 Link Avenue, Baltimore, Maryland 21227, Petitioner.



December 2, 1975

Mr. Joseph N. Prstac
5544 Link Avenue
Baltimore, Maryland 21227

RE: Petition for Variance
NW/corner of Link and Walnut Avenues
13th Election District
Joseph N. Prstac - Petitioner
NO. 76-123-A (Item No. 85)

Dear Mr. Prstac:

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

Very truly yours,

George J. Martinak
Deputy Zoning Commissioner

GJM/me

Attachments

cc: John W. Hession, Esquire
People's Counsel

DESCRIPTION FOR VARIANCE

JOSEPH PRSTAC

LOCATED ON THE NORTHWEST CORNER OF LINK AVENUE AND WALNUT AVENUE AND KNOWN AMONG THE BALTIMORE COUNTY LAND RECORDS AS LOT 174 OF NORTH HALETHORPE PLAT NO. 3 LIBER 6 FOLIO 84.

ALSO KNOWN AS 5544 LINK AVENUE.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: November 28, 1975
FROM: William D. Fromm, Director
Office of Planning and Zoning
SUBJECT: Petition #76-123-A. Petition for a Variance for an Accessory Structure Northwest corner of Link and Walnut Avenues
Petitioner - Joseph N. Prstac

13th District

HEARING: Monday, December 1, 1975 (10:00 A.M.)

The staff of the Office of Planning and Zoning will offer no comment on this petition at this time.

William D. Fromm
William D. Fromm, Director
Office of Planning and Zoning

WDF:WEG:rw

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County, Maryland Department of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

December 19, 1975

Bureau of Engineering
ELLSWORTH H. DIVER, P. E. CHIEF

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

Re: Item 85 (1975-1976)
Property Owner: Joseph Prstac
N/W cor. of Link Ave. & Walnut Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (garage) outside the required 1/3 of the rear yard farthest removed from the side street.
District: 13th

Dear Mr. DiNenna:

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:

The submitted plan must be revised to correctly indicate this Lot 174, and Lots 172, 173, 175 and 176, and also the Link Avenue right-of-way which transitions from 50 feet to 40 feet in width at this location as shown on "Plat No. 3 North Halethorpe" recorded W.P.C. 8 Folio 84, and the road improvements in relation thereto.

Baltimore County utilities and highway improvements are not directly involved. However, highway right-of-way widening including any necessary reversible easements for slopes shall be reserved so as to provide a 50-foot width right-of-way for Link Avenue with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering, and the submitted plan must be revised accordingly.

Very truly yours,

Ellsworth H. Diver
ELLSWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:PWR:ss
cc: J. Trenner

G-SW Key Sheet
20 SW 1/4 Pos. Sheet
SW 5 D Topo
108 Tax Map

baltimore county
department of public engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHENE COLLINS
DIRECTOR

December 3, 1975

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

Re: Item 85 - ZAC - November 4, 1975
Property Owner: Joseph Prstac
Location: NW/C of Link Ave. & Walnut Avenue
Existing Zoning: DR 5.5
Proposed Zoning: Var. from Sec. 400.1 to permit an accessory structure (garage) outside the req. 1/3 of the rear yard farthest removed from the side street

No. of Acres:
District: 13th

Dear Mr. DiNenna:

No Traffic Engineering problems are anticipated by the requested variance to permit accessory structure outside of the required 1/3 of the rear yard farthest removed from the street.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

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

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 (garage) outside the required 1/3 of the rear yard farthest removed from the side street should be granted.

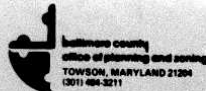
Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 2nd day of December, 1975, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

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 day of 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



WILLIAM D. PROHM
DIRECTOR

November 24, 1975

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #85, Zoning Advisory Committee Meeting, November 4, 1975, are as follows:

Property Owner: Joseph Prstac
Location: NW/C of Link Avenue and Walnut Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (garage) outside the required 1/3 of the rear yard farthest removed from the side street.
No. of Acres:
District: 13th

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, Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 17, 1975

Mr. Joseph N. Prstac
5544 Link Avenue
Baltimore, Maryland 21227

RE: Variance Petition
Item 85
Joseph Prstac - Petitioner

Dear Mr. Prstac:

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 is located on the northwest corner of Walnut & Link Avenues, in the 13th Election District of Baltimore County.

The property is currently improved with a large frame dwelling, pool, and existing garage in the rear yard. Similar type dwellings, with accessory structures in the rear, surround this site.

The petitioner is requesting a Variance from Section 400.1 to allow a garage to be located outside of the rear third of the lot farthest removed from the side street in order to raze the existing garage and construct a larger one.

Mr. Joseph N. Prstac
Re: Item 85
November 18, 1975
Page 2

Field inspection revealed that a portion of the proposed garage has already been constructed, as shown on pictures that are part of the zoning file.

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,

FRANKLIN T. HOGANS, JR.,
Chairman, Zoning Plans
Advisory Committee

NICHOLAS B. COMMODARI
Zoning Technician II

PTH:NBC:JD

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 29, 1975

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

Z.A.C. Meeting of: November 4, 1975

Re: Item 85
Property Owner: Joseph Prstac
Location: NW/C of Link Avenue & Walnut Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure (garage) outside the required 1/3 of the rear yard farthest removed from the side street.

District: 13th
No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative.

H. EMELIE PARKS, Secretary
EUGENE C. HESS, Chairman
MRS. ROBERT L. BERNY

MARCUS M. BOTSARIS
JOSEPH N. MIDDIAN
ALVIN L. DECK
JOSEPH W. WHITE, JR., Chairman

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.E.
MRS. RICHARD A. BAYARD

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

November 14, 1975

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

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #85, Zoning Advisory Committee Meeting, November 4, 1975, are as follows:

Property Owner: Joseph Prstac
Location: NW/C of Link Ave. & Walnut Avenue
Existing Zoning: DR 5.5
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (garage) outside the required 1/3 of the rear yard farthest removed from the side street.

No. of Acres:
District: 13th

Public water and sewer existing.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

SHV:dlsc

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
828-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Joseph Prstac

Location: NW/C of Link Avenue & Walnut Avenue

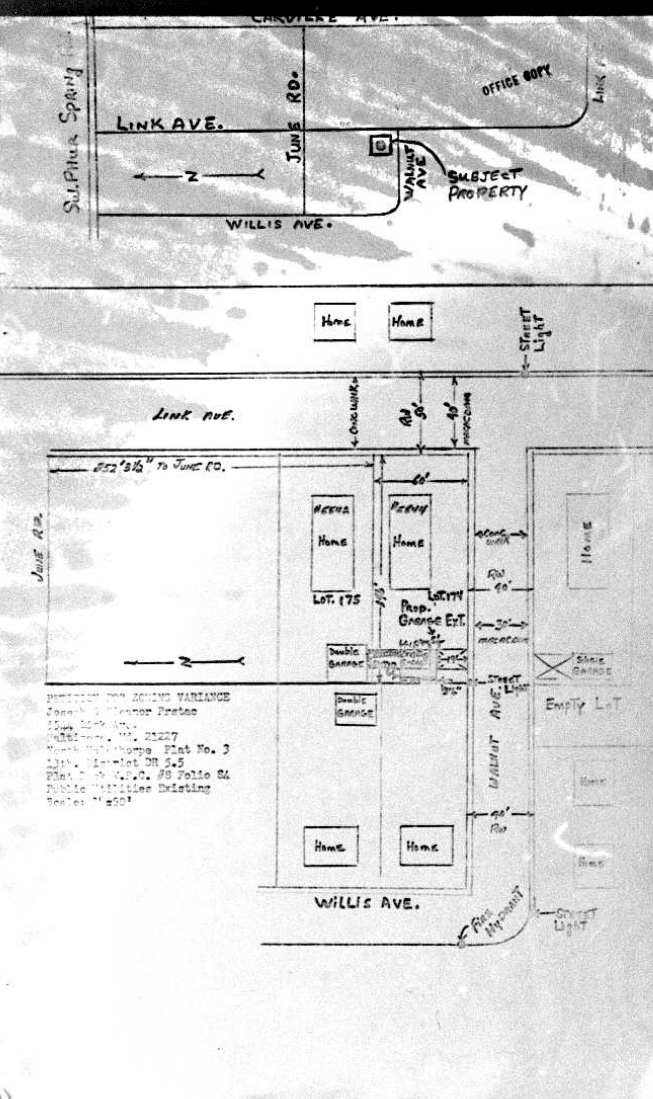
Item No. 85 Zoning Agenda November 4, 1975

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 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.
- () 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 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: [Signature] Noted and Approved: [Signature]
Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau



OFFICE OF
THE TIMES
NEWSPAPERS
RANDALLSTOWN, MD. 21133 Nov. 12, 1975

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for A Variance- Joseph H. Prater
was inserted in the following

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

weekly newspapers published in Baltimore County, Maryland, once a week for _____ week before the _____ day of _____ 19____, that it to say, the same was inserted in the issues of November 12, 1975.

STROMBERG PUBLICATIONS, INC.
BY Patricia Smith

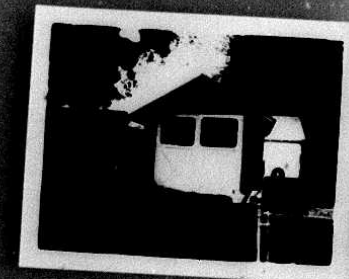
CERTIFICATE OF PUBLICATION

TOWSON, MD. November 12, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., commencing on _____ day of _____, 19____, the said publication appearing on the _____ day of _____, 19____.

THE JEFFERSONIAN
L. L. Smith
Manager

Cost of Advertisement, \$ _____



PETITION MAPPING PROGRESS SHEET

FUNCTION	Well 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>das</u>										
Previous case: _____										

Revised Plans:
Change in outline or description _____ Yes
Map # _____ No

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 6th day of October 1975. Filing Fee \$ 25.00 Received ☒ Check _____ Cash _____ Other _____

H. D. V.
S. Eric Dinkins,
Zoning Commissioner

Petitioner Joseph Prater Submitted by Joseph Prater
Petitioner's Attorney _____ Reviewed by das

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

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
MISCELLANEOUS CASH RECEIPT

DATE November 12, 1975 AMOUNT \$25.00

RECEIVED Joseph Prater, 111 W. Chesapeake Ave., Baltimore, MD 21204

FOR Submitting and getting of property 975-123-4

ACC 580 NOV 26 46.75 MC

VALIDATION BY SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
MISCELLANEOUS CASH RECEIPT

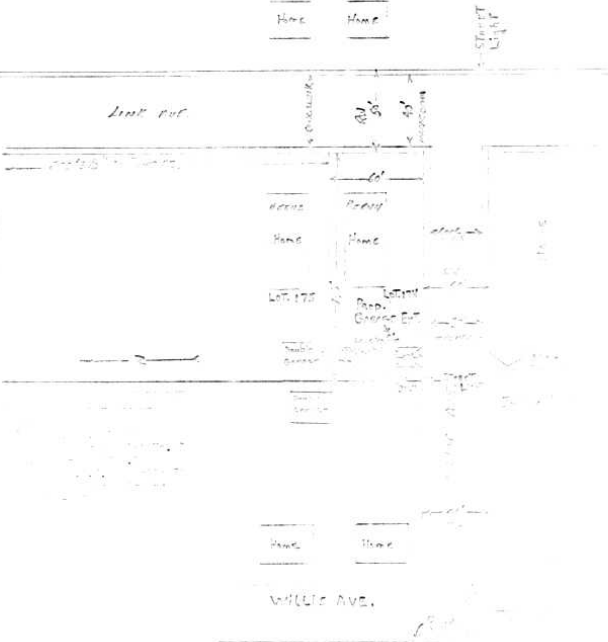
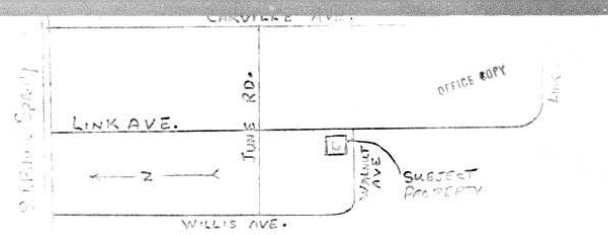
DATE Nov. 12, 1975 AMOUNT \$25.00

RECEIVED Joseph H. Prater, 111 W. Chesapeake Ave., Baltimore, MD 21204

FOR Submitting and getting of property 975-123-4

ACC 449 NOV 10 25.00 MC

VALIDATION BY SIGNATURE OF CASHIER



PETITION MAPPING PROGRESS SHEET										
FUNCTION	Web Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and notation plotted on map										
Petition number added to outline										
Plotted										
Checked by N. A. C. C. A.										
Revised Plans: Change in outline or description	Yes _____ No _____									
Map #										

**OFFICE OF
THE TIMES
NEWSPAPERS**

RANDALLSTOWN, MD. 21133 Nov. 12, 1975

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for A Variance- Joseph N. Pratac
was inserted in the following

☐ Catonsville Times ☐ Towns in Times
☐ Dundalk Times ☒ Arbutus Times
☐ Essex Times ☐ Community Times

weekly newspapers published in Baltimore County, Maryland, once a week for one week before the 1st day of Dec 19 75, that it to say, the same was inserted in the issues of November 12, 1975.

STROMBERG PUBLICATIONS, INC.
BY Patti Swink

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 13, 1975

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~~ one time ~~announced~~ announced before the 1st day of December, 19 75, the first publication appearing on the 13th day of November 19 75.

THE JEFFERSONIAN
G. Leach
Manager.

Cost of Advertisement, \$.....



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 6th day of Oct 1975. Filing Fee \$ 25.00. Received ☒ Check ☐ Cash ☐ Other

S. Eric Dinenna
S. Eric Dinenna,
Zoning Commissioner

Petitioner Joseph Pratac Submitted by Joseph Pratac
Petitioner's Attorney _____ Reviewed by SAS

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

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

No. 26000

DATE November 26, 1975 ACCOUNT 01-662

AMOUNT \$46.75

RECEIVED FROM Joseph Pratac, 5544 Link Ave., Balto., Md. 21227

FOR Advertising and posting of property #16-123-A

46.75 REC

VALIDATION OR SIGNATURE OF CASHIER

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

No. 25971

DATE Nov. 10, 1975 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM Joseph N. Pratac, 5544 Link Ave., Balto., Md.

FOR Petition for Variance #16-123-A

25.00 REC

VALIDATION OR SIGNATURE OF CASHIER

1-SIGN

76-123-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 13th Date of Posting Nov. 11, 1976
Posted for: PETITION FOR VARIANCE
Petitioner: JOSEPH N. PRSTAC
Location of property: NW/COR. OF LINK AND WALNUT AVES.
Location of Signs: FRONT 5544 LINK AVE.
Remarks: _____
Posted by Thomas L. Boland Date of return: Nov. 21, 1975
Signature