

4:20 PM June 23rd 76-234-A #201 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Frank J. & Margaret M. Surdyka, 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, (1945 VI 6.3)

herby petition for a Variance from Section 1002.3 A1 (995) to permit side street setback of 21.24 feet in lieu of required 10 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reason(s): (Indicate hardship or practical difficulty) I would like to put an addition on the side of my house, which would not interfere with anyone. There are no houses at all facing Boaz Rd. Directly across the street (Boaz Rd.) there are only garages and parking area for paving equipment belonging to Jasper Construction Co. I want to come out the side instead of the back since I have an aluminum screened-in porch which would have to be torn down to put an addition on the back and it would take quite a bit of money to replace. Also, I have a little vegetable garden in the back which would have to be reduced in size. Building onto the back would give me additional dead space on the side of my house for which I have no use as it is usually a shaded area. I cannot even use it as a garden. The addition will in no way block any view as far as traffic is concerned. My house also has an inset of about 4 feet as compared to the houses on Neighbors and Narcissus Avenues. Boaz Road begins at Narcissus and ends at Neighbors Ave., a distance of about 500 feet total. This addition will greatly improve my property.

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 Frank J. Surdyka
Address 1250 PRIMROSE AVE
Baltimore, MD 21237
Petitioner's Attorney John W. Hessian, III
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of June, 1976, 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 17th day of May, 1976 at 10:00 clock.

John W. Hessian, III
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SE corner of Primrose Avenue : OF BALTIMORE COUNTY
and Boaz Road, 15th District :
FRANK J. & MARGARET M. : Case No. 76-234-A
SURDYKA, Petitioners

ORDER TO ENTER APPEARANCE

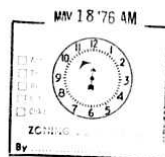
Mr. Commissioner:

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 therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kountz, Jr.
Charles E. Kountz, Jr.,
Deputy People's Counsel
John W. Hessian, III
John W. Hessian, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 14th day of May, 1976, a copy of the foregoing Order was mailed to Mr. & Mrs. Frank J. Surdyka, 1250 Primrose Avenue, Baltimore, Maryland 21237, Petitioners.

John W. Hessian, III
John W. Hessian, III



DESCRIPTION FOR VARIANCE

Being known as the southeast corner of Boaz Road and Primrose Avenue, in the 15th Election District. As recorded in the Land Records of Baltimore County in Liber 16, Folio 107, Brook Plat of Philadelphia Heights, Section B, Lot 1250, otherwise known as 1250 Primrose Avenue.

Mr. & Mrs. Frank J. Surdyka
1250 Primrose Avenue
Baltimore, Maryland 21237

RE: Petition for Variance
SE corner of Primrose Avenue and
Boaz Road - 15th Election District
Frank J. Surdyka, et ux - Petitioners
NO. 76-234-A (Item No. 201)

Dear Mr. & Mrs. Surdyka:

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

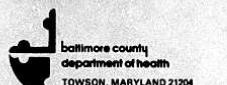
Very truly yours,

George J. Makinak
GEORGE J. MAKINAK
Deputy Zoning Commissioner

GJM/mc

Attachments

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



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

June 14, 1976

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

Dear Mr. DiNenna:

Comments on Item #201, Zoning Advisory Committee Meeting, April 20, 1976, are as follows:

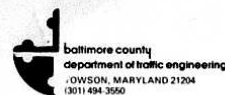
Property Owner: Frank J. & Margaret M. Surdyka
Location: SE/C Boaz Road & Primrose Avenue
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit side setback of 21.24' in lieu of the required 10'.
Acres: 100 X 32.66
District: 15th

Metropolitan water and sewer are available.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HJR:pb



STEPHEN E. COLLINS
DIRECTOR

May 12, 1976

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

Re: Item 201 - ZAC - April 20, 1976
Property Owner: Frank J. & Margaret M. Surdyka
Location: SE/C Boaz Road & Primrose Avenue
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit side setback of 21.24' in lieu of required 10'.
Acres: 100 X 32.66
District: 15th

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested variance to the side yard setback.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Associate

MSF:nc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: S. Eric DiNenna, Zoning Commissioner Date: May 4, 1976
William D. Fromm, Director of Planning

FROM: Petition #76-234-X Petition for Variance for a Side Yard
SUBJECT: Southeast corner of Primrose Avenue and Boaz Road
Petitioner - Frank J. Surdyka and Margaret M. Surdyka

15th District

HEARING: Monday, May 17, 1976 (10:00 A.M.)

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

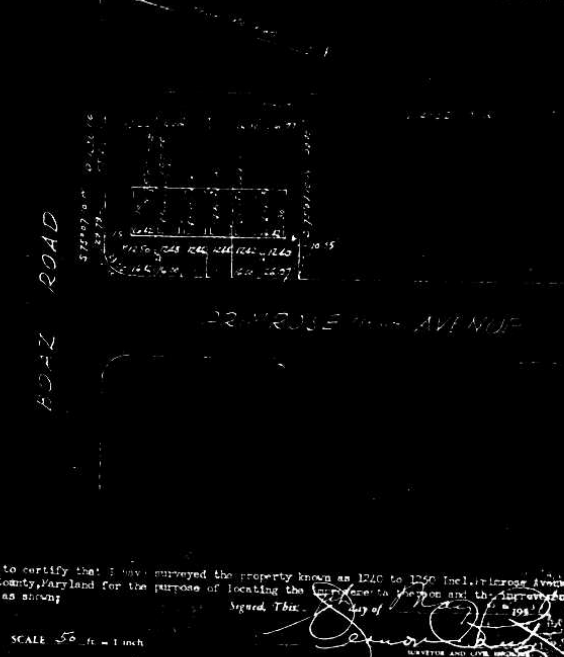
William D. Fromm
William D. Fromm
Director of Planning

WDF:JGN:rw

VERNON C. LUTZ SURVEYOR AND CIVIL ENGINEER

Town, Street and Roadway Reproduction - Maps
Topographical - Surveying and Mapping

City Planning - Building Operations
1200 ELSKOFF AVENUE
BALTIMORE, MARYLAND 21204



PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Frank J. & Margaret M. Surdyka 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, AS (1915 VI 6.3)

hereby petition for a Variance from Section 100.3 of the Zoning Regulations of Baltimore County, to permit side street setback of 2.74 feet in lieu of 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)
I would like to put an addition on the side of my house, which would not interfere with anyone. There are no houses at all facing Boaz Rd. Directly across the street (Boaz Rd.) there are only garages and parking areas for paving equipment belonging to Jasper Construction Co. I want to come out the side instead of the back since I have an aluminum screened-in porch which would have to be torn down to put an addition on the back and it would take quite a bit of money to replace. Also, I have a little vegetable garden in the back which would have to be reduced in size. Building onto the back would give me additional dead space on the side of my house for which I have no use as it is usually a shaded area. I cannot even use it as a garden. The addition will in no way block any view as far as traffic is concerned. My house also has an inset of about 4 feet as compared to the houses on neighbors Avenue. Boaz Road begins at Narcissus and ends at Neighbors Ave., a distance of about 140 feet total. This addition will greatly improve my property.

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	Legal Owner
Address	Address
Petitioner's Attorney	Protestant's Attorney
Address	Address

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of April, 1976, 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 108, County Office Building in Towson, Baltimore County, on the 17th day of May, 1976 at 10:00 o'clock A.M.

(over)

RE: PETITION FOR VARIANCE
SE corner of Primrose Avenue
and Boaz Road, 15th District
OF BALTIMORE COUNTY
FRANK J. & MARGARET M.
SURDYKA, Petitioners
Case No. 76-234-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. Kountz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 14th day of May, 1976, a copy of the foregoing Order was mailed to Mr. & Mrs. Frank J. Surdyka, 1250 Primrose Avenue, Baltimore, Maryland 21237, Petitioners.

John W. Hessian, III



May 24, 1976

Mr. & Mrs. Frank J. Surdyka
1250 Primrose Avenue
Baltimore, Maryland 21237

RE: Petition for Variance
SE corner of Primrose Avenue and
Boaz Road - 15th Election District
Frank J. Surdyka & Mrs. Margaret M. Surdyka
Case No. 76-234-A (Rev. No. 2-61)

Dear Mr. & Mrs. Surdyka:

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

Very truly yours,

George J. Hessian, III
GEORGE J. HESSIAN, III
Deputy Zoning Commissioner

CJH:mme

Attachments

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



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

June 14, 1976

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

Dear Mr. DiNenna:

Comments on Item #201, Zoning Regulations, received May 19, April 20, 1976, are as follows:

Property Owner: Frank J. & Margaret M. Surdyka
Location: SE/C Boaz Road & Boaz Avenue
Existing Zoning: O.F. 15-A
Proposed Zoning: Variance to use front yard & rear yard
Area: 100 x 12.46
District: 15th

Metropolitanwater and sewer are available.

Very truly yours,

Donald J. Roop
Donald J. Roop, M.D., M.P.H.
Deputy State and County Health Officer



Mr. S. Eric DiNenna

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

Re: Item #201 - Zoning Regulations, 15th District
Property Owner: Frank J. & Margaret M. Surdyka
Location: SE/C Boaz Road & Boaz Avenue
Existing Zoning: O.F. 15-A
Proposed Zoning: Variance to use front yard & rear yard

Area: 100 x 12.46
District: 15th

Dear Mr. DiNenna:

Re: Petition for Variance to use front yard & rear yard for parking and loading.

Very truly yours,

John W. Hessian, III
John W. Hessian, III
Deputy Zoning Commissioner

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner

FROM: Mr. S. Eric DiNenna, Zoning Commissioner

SUBJECT: Variance to use front yard & rear yard for parking and loading.

RE: Item #201 - Zoning Regulations, 15th District

RE: Item #201 - Zoning Regulations, 15th District

RE: Item #201 - Zoning Regulations, 15th District

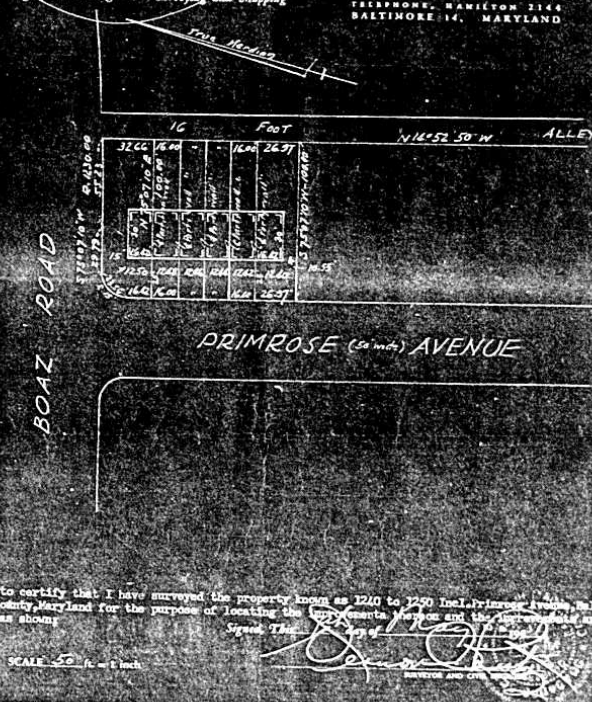
RE: Item #201 - Zoning Regulations, 15th District

STATE REGISTRATION

VERNON C. LUTZ

SURVEYOR AND CIVIL ENGINEER
Town, Street and Roadway Supervising, a Topographical Work, a Surveying and Mapping

City Planning - a Building Operations
4200 ELSRODE AVENUE
BALTIMORE, MARYLAND 21244



This is to certify that I have surveyed the property known as 1250 to 1260 Incl. Primrose Avenue, Baltimore County, Maryland for the purpose of locating the property and the survey is as located as shown.

SCALE 50' = 1" = 100'

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 Petitioners

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

to permit side street setback of 2.24 feet instead of a Variance the required 10 feet should be granted.

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27th

day of May 1976, 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 following: the addition must be one-story only; utilization must not be for the creation of an additional dwelling unit on the premises; and approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

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 May 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Frank J. Surdyka
150 Primrose Avenue
Baltimore, Md. 21237

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 6th day of April 1976.

S. Eric DiNenna,
Zoning Commissioner

Petitioner Frank J. & Margaret M. Surdyka

Petitioner's Attorney
cc: Vernon C. Lutz
4200 Elserode Avenue
Baltimore, Md. 21214

Reviewed by Franklin T. Hoggans, Jr.
Chairman, Zoning Plans
Advisory Committee



Paul H. Reincke
Chief

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

Attention: Mr. Paul H. Reincke, Chairman
Zoning Advisory Committee

Re: Property Owner: Frank J. & Margaret M. Surdyka

Location: SE/C Boaz Road & Primrose Avenue

Item No. 201 Zoning Agenda April 20, 1976

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

Reviewed: H. J. Kelly Noted and Approved: Louis H. Murphy
Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 10, 1976

Mr. Frank J. Surdyka
1250 Primrose Avenue
Baltimore, Maryland 21237

RE: Variance Petition
Item 201
Frank J. & Margaret M. Surdyka -
Petitioners

Dear Mr. Surdyka:

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 southeast corner of Boaz Road and Primrose Avenue, and is currently improved with a single family end of the group row house. The petitioner is requesting a Variance to permit the construction of an addition on the side of his existing dwelling. His existing dwelling is 16.42 feet wide; the proposed addition is 14 feet wide. The addition as proposed will leave a setback of 2.24 feet from the right-of-way of Boaz Road.

Field inspection of the subject site reveals just how much the proposed addition engulfs this corner lot. The petitioner should submit additional information prior to the hearing to indicate whether the proposed addition is to be one story or two-story. Finally, all parties involved should be made aware that the proposed addition may not be used for the creation of an additional dwelling unit; that is, only one kitchen may exist on the premises of 1250 Primrose Avenue.

Mr. Frank J. Surdyka
Re: Item 201
May 10, 1976
Page 2

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. Hoggans, Jr.
Chairman, Zoning Plans
Advisory Committee

PTH:JD

Enclosure

cc: Vernon C. Lutz
4200 Elserode Avenue
Baltimore, Maryland 21214



May 6, 1976

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

Re: Item #201 (1975-1976)
Property Owner: Frank J. & Margaret M. Surdyka
S/E cor. Boaz Rd. & Primrose Ave.
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit side setback of 2.24' in lieu of the required 10'.
Acre: 100 x 32.66 District: 15th

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 indicate that this property is #1250 Block "B" of the recorded "Brook Plat of Philadelphia Heights" (G.L.B. 16, Folio 107). Further the revised plan must correctly depict the outline of the subject lot including all bearings and dimensions and accurately show the relationship of the proposed addition thereto. The indicated 14-foot width of the proposed addition may be excessive as it would place it only 1 foot from the 60-foot right-of-way line for Boaz Road. The locations of sidewalks, curb and gutter, and road pavements are also to be more correctly shown.

Highways:

Boaz Road and Primrose Avenue, improved County streets, require no additional improvements at this time.

Sediment Control:

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.

Item #201 (1975-1976)
Property Owner: Frank J. & Margaret M. Surdyka
Page 2
May 6, 1976

Storm Drains:

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.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this residence.

Very truly yours,

Ellsworth M. Diver, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:SS

1-SW Key Sheet
10 NE 21 Pos. Sheet
NE 3 F Topo
89 Tax Map

