

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Helen A. Przybiski, legal owner of the property located 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 1900.26.01 to permit a setback of 50' _____ on lots 25, 26, and 27 _____ East to line of the proposed 55' East Avenue to the 100' East Avenue to permit side setbacks for existing dwelling (see #6) of 7 feet instead of the required 10 feet in Sub. 5-5 Zone of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County for the following reasons: practical difficulty - underused lot

See attached description

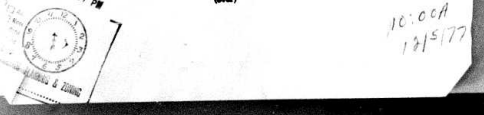
Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and ordinances of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

John A. Auten Contract purchaser
7726 Eastdale Road
Baltimore, Md. 21224

Louis A. Przybiski Petitioner's Attorney
7411 Belmont Avenue
Baltimore, Md. 21224

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____ 1977, 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 100, County Office Building in Towson, Baltimore County, on the _____ day of _____ 1977, at _____ o'clock _____ M.

S. Eric Dinenna
Zoning Commissioner of Baltimore County



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY #78-119-A
Towson, Maryland

District: 12th Date of Posting: 11-17-77

Posted for: Helen A. Przybiski

Petitioner: Louis A. Przybiski

Location of property: Side of Belmont Ave. 350' SW of Edna Ave.

Location of signs: 1 sign posted on front lot 350' SW of Edna Ave. 1 sign posted on side lot 350' SW of Edna Ave.

Remarks: _____

Posted by: Paul H. Vane Date of return: 11-22-77

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
56/5 of Belmont Ave. 350' SW of Edna Ave., 12th District OF BALTIMORE COUNTY
LOUIS A. PRZYBISKI, et ux, Petitioner : Case No. 78-119-A

1111111
ORDER TO ENTER APPEARANCE

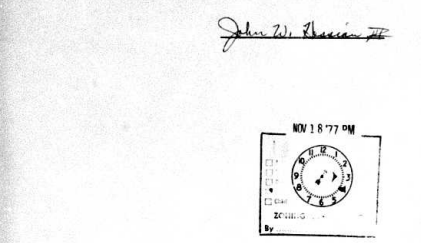
Mr. Commissioner:

Pursuant to the authority contained in Section 534.1 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. Kauter, Jr.
Charles E. Kauter, Jr.
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
496-2188

I HEREBY CERTIFY that on this 17th day of November, 1977, a copy of the foregoing Order was mailed to Mr. and Mrs. Louis A. Przybiski, Petitioners, 7411 Belmont Avenue, Baltimore, Maryland 21224.



BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna, Zoning Commissioner Date: November 17, 1977

FROM: Leslie H. Graf, Director of Planning

SUBJECT: Petition #78-119-A. Petition for Variance for Lot Widths and Side Yard Setbacks Southeast side of Belmont Avenue 350 feet Southwest of Edna Avenue. Petitioner - Louis A. Przybiski and Helen W. Przybiski

12th District

REMARKS: Monday, December 5, 1977 (10:00 A.M.)

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

Leslie H. Graf
Director of Planning

LHG:JGH



Mr. & Mrs. Louis A. Przybiski
7411 Belmont Avenue
Baltimore, Maryland 21224

December 8, 1977

RE: Petition for Variances
SE/5 of Belmont Avenue, 350' SW of Edna Avenue - 12th Election District
Louis A. Przybiski, et ux - Petitioners
NO. 78-119-A (Item No. 66)

Dear Mr. & Mrs. Przybiski:

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

Very truly yours,
George J. Mastinak
George J. Mastinak
Deputy Zoning Commissioner

GJM/mc
Attachments

cc: Mr. & Mrs. John A. Auten
7726 Eastdale Road
Baltimore, Maryland 21224

John W. Hession, III, Esquire
People's Counsel

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 November 17 19 77

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR VARIANCE - Louis A. Przybiski 56/5 of Belmont Ave., was inserted in the following:

- | | |
|--|--|
| ☐ Catonsville Times | ☐ Towson Times |
| ☐ Dundalk Times | ☐ Arbutus Times |
| ☐ Essex Times | ☐ Community Times |
| ☐ Suburban Times East | ☐ Suburban Times West |

weekly newspapers published in Baltimore, County, Maryland, once a week for _____ successive weeks before the 18th day of _____ 1977, that is to say, the same was inserted in the issues of November 17, 1977

STROMBERG PUBLICATIONS, INC.
BY Edwin Burger

Beginning at a point 350 feet Southwest of the intersection of Edna Avenue and Belmont Avenue on the northerly side of Belmont Avenue, being lots number 25, 26, and 27 of Section 9 of the subdivision of Eastern Heights as recorded in the Land Records of Baltimore County in Liber #5, Folio #34. Also known as 7411 Belmont Avenue.



CERTIFICATE OF PUBLICATION

TOWSON, MD. _____ November 17, 1977

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 at one time _____ weeks before the _____ day of _____ 1977, that is to say, the same publication appearing on the _____ day of _____ 1977.

THE JEFFERSONIAN
L. L. Smith
Manager

Cost of Advertisement, \$ _____



PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		GOD Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline					0-26	MP				
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>John</u>	Revised Plans:									
Previous case: <u>None</u>	Change in outline or description _____ Yes _____ No									
	Map # <u>SE1E</u>									

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 11th day of Sept 1977. Filing Fee \$ 45.00. Received _____ Check _____ Cash _____ Other _____

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Louis A. Przybiski Submitted by: John A. Auten, Jr.
Petitioner's Attorney: _____ Reviewed by: John

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

ORDER RECEIVED FOR FILING
DATE 10/21/77
By: [Signature]

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 GRANTED and it is further 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:

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of December, 1977, that the herein petition for the aforementioned Variance should be and the same are 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 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 NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of December, 1977, that the above Variance be and the same is hereby DENIED.

Mr. Louis A. Przybilski
Page 2
Item Number 66
November 23, 1977

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,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rfz



THORNTON M. MOURING, P.E.
ENGINEER

F-NE Key Sheet
4 SE 20 Pos. Sheet
SE 1 E Topo
96 Tax Map

November 19, 1977

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

Re: Item #66 (1977-1978)
Property Owner: Louis A. & Helen W. Przybilski
Location: 525' Belmont Ave. 525' SW Edna Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'.
Acres: 0.172 District: 12th

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.

Highways:

Belmont Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on the existing 50-foot right-of-way.

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.

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 exist in Belmont Avenue. Additional fire hydrant protection is required in the vicinity.

Very truly yours,
[Signature]
ELLENWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAH/PWR:us
cc: W. Munchel

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

who
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Planning
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

November 23, 1977

Mr. Louis A. Przybilski
Mrs. Helen W. Przybilski
7411 Belmont Avenue
Baltimore, Maryland 21224

RE: Variance Petition
Item Number 66
Petitioner - Louis Przybilski

Dear Mr. & Mrs. Przybilski:

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 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.

Located on the southeast side of Belmont Avenue 525' southwest of Edna Avenue in the 12th Election District, this property consists of three (3) 50-foot lots presently improved with a single family dwelling. Adjacent properties are zoned D.R. 5.5 and are improved with similar type uses.

This Variance is necessitated by your proposal to sell two (2) lots each 50' wide in order to construct dwellings on both and as a result cause the existing dwelling to remain on the same size lot in lieu of the required 55 feet. Since the side property lines of the existing house will change, the existing setbacks of 7' in lieu of the required 10' have been included with this request.



STEPHENE COLLINS
DIRECTOR

October 21, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
1st Floor, County Office Building
Towson, Maryland 21204

Re: Item 66 - ZAC - October 4, 1977
Property Owner: Louis A. & Helen W. Przybilski
Location: 525' Belmont Ave. 525' SW Edna Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'.
Acres: 0.172
District: 12th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the lot width.

Very truly yours,
[Signature]
C. Richard Moore
Assistant Traffic Engineer

CRM/cam



Mr. Eric S. DiNenna, Zoning Commissioner

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

November 4, 1977

Dear Mr. DiNenna:

Comments on Item #66, Zoning Advisory Committee Meeting, October 4, 1977, are as follows:

Property Owner: Louis A. & Helen W. Przybilski
Location: 525' Belmont Avenue 525' SW Edna Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'.
Acres: 0.172
District: 12th

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,

[Signature]
John L. Winkley
Planner III
Project and Development Planning



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

November 1, 1977

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

Dear Mr. DiNenna:

Comments on Item #66, Zoning Advisory Committee Meeting, October 4, 1977 are as follows:

Property Owner: Louis A. & Helen W. Przybilski
Location: 525' Belmont Ave. 525' SW Edna Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'.
Acres: 0.172
District: 12th

Metropolitan water and sewer are available, therefore, no health hazards are anticipated.

Very truly yours,

[Signature]
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

KS:ma6

