

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, or we, Vincent A. Bocianowski, 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:

herely petition for a Variance from Section 1801.25.1 to permit a sidewalk setback of 35' in lieu of the required 50' from the center line of Edna Avenue (Edna Ave.) back to permit a side street setback of 10' in lieu of the required 25'.

in a D.R. 5.5 zone of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reason: (indicate hardship or practical difficulty)

Property in question is only 50' wide. Allowing for a 10' setback on neighboring side and meeting with a 50' setback from center line of road would only leave us with 15' to build a house. Only vacant lot left in area. All other houses conform with a 35' setback or less from center line of road. Just recently purchased lot and was told by realtor and lawyer to follow old restrictions with no mention of present zoning restrictions. 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: Vincent A. Bocianowski
 Legal Owner: Vincent A. Bocianowski
 Address: 565 South 47th Street
 Baltimore, MD 21224

ORDERED BY The Zoning Commissioner of Baltimore County, this 18th day of October, 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 106, County Office Building in Towson, Baltimore County, on the 5th day of December, 1977, at 10:00 o'clock a.m.

Zoning Commissioner of Baltimore County.

Being known as the northeast corner of Edna and Poplar Avenues as recorded in the Land Records of Baltimore County in Plat Book W.P.C. No. 5 Folio 83, as Lot No. 19, Section C, as shown on the Plat of Eastern Heights

BE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 NE corner of Edna & Poplar Aves., : OF BALTIMORE COUNTY
 12th District

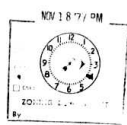
VINCENT A. BOCIANOWSKI, et al, : Case No. 78-120-A
 Petitioners

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

John W. Hession III
 John W. Hession, III
 People's Counsel
 County Office Building
 Towson, Maryland 21204
 494-2186

I HEREBY CERTIFY that on this 18th day of November, 1977, a copy of the aforesaid Order was mailed to Mr. & Mrs. Vincent A. Bocianowski, 565 South 47th Street, Baltimore, Maryland 21224, Petitioners.



Baltimore County
 Office of Planning and Zoning
 TOWSON, MARYLAND 21204
 (301) 654-2821

5 ERIC DINENNO
 ZONING COMMISSIONER
 December 8, 1977

Mr. & Mrs. Vincent A. Bocianowski
 565 South 47th Street
 Baltimore, Maryland 21224

RE: Petition for Variance
 NE/corner of Edna and Poplar Avenues
 12th Election District
 Vincent A. Bocianowski, et al -
 Petitioners
 NOA 78-120-A (Item No. 73)

Dear Mr. & Mrs. Bocianowski:
 I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
Eric Dinunno
 ERIC DINENNO
 Deputy Zoning Commissioner

GJM/mc
 Attachments
 cc: John W. Hession, III, Esquire
 People's Counsel

Mrs. Doris Kern
 7430 Poplar Road
 Baltimore, Maryland 21224

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: 5. Eric Dinunno, Zoning Commissioner Date: November 17, 1977
 FROM: Leslie H. Groat, Director of Planning
 SUBJECT: Petition #78-120-A, Petition for Variance for Side Setbacks, Northeast corner of Edna and Poplar Avenues
 Petitioner - Vincent A. Bocianowski and Helen C. Bocianowski

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

Leslie H. Groat
 Leslie H. Groat
 Director of Planning

LHG:JGH/rw

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

November 23, 1977

Chairman
 Nicholas B. Commodari

Mr. Vincent Bocianowski
 Mrs. Helen Bocianowski
 565 South 47th Street
 Baltimore, Maryland 21224

RE: Variance Petition
 Item Number 73
 Petitioner - Vincent Bocianowski

Dear Mr. & Mrs. Bocianowski:

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 suitability of the requested zoning.

This currently vacant D.R. 5.5 zoned property is located on the northwest corner of Poplar and Edna Avenues in the 12th Election District. Surrounding properties are similarly zoned and are improved with detached dwellings on the same side of Poplar Avenue, while directly opposite the site is an existing school.

This Variance is necessitated by your proposal to construct a dwelling within 10-feet of the side property line along Edna Avenue and 35-feet from the centerline of this street, in lieu of the required 25-foot and 50-foot, respectively.

Mr. Vincent Bocianowski
 Mrs. Helen Bocianowski
 Page 2
 Item Number 73
 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:rf

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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 Variances requested not adversely affecting the health, safety, and general welfare of the community, Variances to permit a side setback of 35 feet instead of the required 50 feet from the center line of Edna Avenue and a side street (Edna Avenue) of 10 feet instead of the required 25 feet should be granted.

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 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.

Zoning Commissioner of Baltimore County

Baltimore County Department of Public Works TOWSON, MARYLAND 21204
Thornton M. McPherson, P.E. DIRECTOR
December 7, 1977
Mr. S. Eric DiNenna, Zoning Commissioner
County Office Building
Towson, Maryland 21204
Re: Item #73 (1977-1978)
Property Owner: Vincent & Edna Bocianowski
W/C cor. Edna Ave. & Poplar Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 10' in lieu of the required 25' and a side street setback of 35' in lieu of the required 50' to the center of the street.
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: Edna and Poplar Avenues, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways 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: There are 8 and 12-inch public water mains in Poplar and Edna Avenues, respectively. There is an 8-inch public sanitary sewer in Poplar Avenue.
Very truly yours,
E. Elsworth N. Diver, P.E.
Chief, Bureau of Engineering
END: EAM: PM: 118

Baltimore County Department of Planning and Zoning TOWSON, MARYLAND 21204 1301 494 2211
November 1, 1977
Mr. Eric S. DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Dear Mr. DiNenna:
Comments on Item #73, Zoning Advisory Committee Meeting, October 18, 1977, are as follows:
Property Owner: Vincent & Edna Bocianowski
Location: NE/C Edna Avenue and Poplar Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 10' in lieu of the required 25' and a side street setback of 35' in lieu of the required 50' to the center of the street
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 one to assure that all parties are made aware of plans or problems with regard to development plans which 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
Planner III
Project and Development Planning

Baltimore County Department of Health TOWSON, MARYLAND 21204
DONALD J. ROOP, 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 #73, Zoning Advisory Committee Meeting of October 18, 1977 are as follows:
Property Owner: Vincent and Edna Bocianowski
Location: NE/C Edna Avenue and Poplar Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 10' in lieu of the required 25' and a side street setback of 35' in lieu of the required 50' to the center of the street
Acres: 0.172
District: 12th
Metropolitan water and sewer are available, therefore, no health hazards are anticipated.
Very truly yours,
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES
KS:jlg

Baltimore County Department of Public Engineering TOWSON, MARYLAND 21204 1301 494 2550
STEPHENE COLLINS DIRECTOR
October 27, 1977
Mr. Eric S. DiNenna, Zoning Commissioner
1st Floor, County Office Building
Towson, Maryland 21204
Re: Item #73 - 24C - October 18, 1977
Property Owner: Vincent & Edna Bocianowski
Location: NE/C Edna Ave. & Poplar Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 10' in lieu of the required 25' and a side street setback of 35' in lieu of the required 50' to the center of the street.
Acres: 0.172
District: 12th
Dear Mr. DiNenna:
No traffic problems are anticipated by the requested variance.
Very truly yours,
C. Richard Moore
Assistant Traffic Engineer
CRM/cwm

Baltimore County Department of Public Works TOWSON, MARYLAND 21204 1301 494 2210
Paul H. Heinicke Chief
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: N. Camandari, Chairman
Zoning Advisory Committee
Re: Property Owner: Vincent & Edna Bocianowski
Location: NE/C Edna Ave. & Poplar Ave.
Item No. 73 Zoning Agenda Meeting of 10/18/77
Comments:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and intended 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 drive-end condition shown at _____
RESIDES 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 construction.
() 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.
() 7. The Fire Prevention Bureau has no comments, at this time.
Reviewed: [Signature]
Noted and Approved: [Signature]
S. Kelly
Planning Bureau
Special Inspection Division
S. Kelly
Fire Prevention Bureau

Baltimore County Department of Permits and Licenses TOWSON, MARYLAND 21204 1301 494 3610
JOHN D. SEEVERT DIRECTOR
October 11, 1977
Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204
Dear Mr. DiNenna:
Comments on Item # 73 Zoning Advisory Committee Meeting, October 18, 1977 are as follows:
Property Owner: Vincent & Edna Bocianowski
Location: NE/C Edna Ave & Poplar Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 10' in lieu of the required 25' and a side street setback of 35' in lieu of the required 50' to the center of the street.
Acres: 0.172
District: 12th
The items checked below are applicable:
[X] A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
[X] B. A building permit shall be required before construction can begin.
[X] C. Three sets of construction drawings will be required to file an application for a building permit.
[] D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
[] E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
[] F. No comment.
[] G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
Very truly yours,
Charles E. Burshaw
Plans Review Chief
CEB:rcj

BOARD OF EDUCATION OF BALTIMORE COUNTY
TOWSON, MARYLAND - 21204
Date: October 4, 1977
Mr. S. Eric DiNenna, Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204
Z.A.C. Meeting of: October 18, 1977
Re: Item No: 73
Property Owner: Vincent & Edna Bocianowski
Location: NE/C Edna Ave. & Poplar Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 10' in lieu of the required 25' and a side street setback of 35' in lieu of the required 50' to the center of the street.
District: 12th
No. Acres: 0.172
Dear Mr. DiNenna:
No bearing on student population.
Very truly yours,
W. Nick Petrosich
Field Representative
WNP/tp
JOSEPH M. MCGOWAN, PRESIDENT
THOMAS H. ROYER
T. BRADSHAW WILLIAMS, JR., VICE-PRESIDENT
WILLIAM A. GARDNER
MARCUS B. BATESMAN
ROBERT F. TOWSEL, SUPERINTENDENT

SINGLE FAMILY DWELLINGS

BELMONT AVE

ELECTION DISTRICT #12



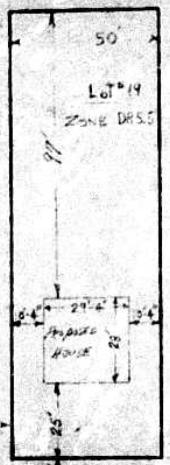
Zone DR.S

Zone DR.S

#23 #21 #20 #19 #17

#23 #21 #19 #17 #16 #15

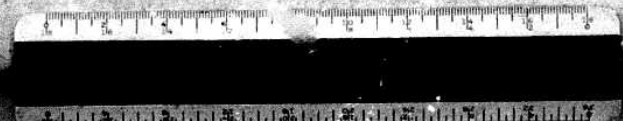
EDNA AVE



POPLAR AVE

SINGLE FAMILY DWELLINGS

- TREE
- FIRE HYDRANT
- PAVED ROAD
- SCALE 1" = 30'
- 8" SEWER LINE



SINGLE FAMILY DWELLINGS

School