

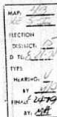
79-81-A 233 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Leonard A. Marchneck, 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 500.1 of the Zoning Regulations of Baltimore County to be located in the site plan instead of the required rear yard.

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

To rear yard.



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 of Baltimore County.

Contract purchaser _____ Legal Owner _____
Address: 1101 Gladway Road, Middle River, Maryland 21220.
Petitioner's Attorney _____ Protestants Attorney _____
Address: 391 2125

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of August, 1978, 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 14th day of September, 1978, at 10:00 o'clock A.M.

Deputy Zoning Commissioner of Baltimore County.
(over)

RE: PETITION FOR VARIANCE
E/S of Gladway Rd., 800'
S of Bird River Rd., 15th District
LEONARD A. MARCHNECK,
Petitioner
Case No. 79-81-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 574.1 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.

Peter Max Zimmerman
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 8th day of September, 1978, a copy of the foregoing Order was mailed to Mr. Leonard A. Marchneck, 1101 Gladway Road, Middle River, Maryland 21220, Petitioner.

John W. Hession, III
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: S. Eric DiNenna, Zoning Commissioner
FROM: Leslie H. Groef, Director of Planning
SUBJECT: Petition 79-81-A, Item #33

Petition for Variance for accessory structure in side yard
East side of Gladway Road, 800 feet South of Bird River Road
Petitioner - Leonard A. Marchneck

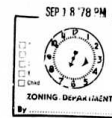
15th District

HEARING: Wednesday, October 4, 1978 (10:00 A.M.)

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

Leslie H. Groef
Director of Planning

LHG:JGH/w



October 10, 1978

Mr. Leonard A. Marchneck
1101 Gladway Road
Middle River, Maryland 21220

RE: 1 edition for Variance
E/S of Gladway Road, 800' S
of Bird River Road - 15th
Electra District
Leonard A. Marchneck -
Petitioner
NO. 79-81-A (Item No. 33)

Dear Mr. Marchneck:

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

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED:ar

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this 15th day of August, 1978.

Petitioner Marchneck

Petitioner's Attorney

Reviewed by
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Mr. Leonard A. Marchneck
1101 Gladway Road
Middle River, Maryland 21220

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 21, 1978

County Office Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Chairman

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

Mr. Leonard A. Marchneck
1101 Gladway Road
Middle River, Maryland 21220

RE: Variance Petition
Item No. 33
Petitioner - Marchneck

Dear Mr. Marchneck:

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 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 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
Chairman
Zoning Plans Advisory Committee

NBC:af

Enclosure

MAR 21 1979

Stamp with date and time: MAR 21 1979, 11:12 AM, 11:13 AM, 11:14 AM, 11:15 AM, 11:16 AM, 11:17 AM, 11:18 AM, 11:19 AM, 11:20 AM, 11:21 AM, 11:22 AM, 11:23 AM, 11:24 AM, 11:25 AM, 11:26 AM, 11:27 AM, 11:28 AM, 11:29 AM, 11:30 AM.

ORDER FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the 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/or unreasonable hardship upon the Petitioner(s),

the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of October, 1978, that the herein Petition for the aforementioned Variance(s) should be and the same is/are GRANTED, from and after the date of this Order, subject to the approval of a site plan by Department of Public Works, Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of October, 1978, that the aforementioned Variance(s) be and the same is/are hereby DENIED.

Zoning Commissioner of Baltimore County

10:00 AM
39-1-A
Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
THORNTON M. MOURING, P.E.
DIRECTOR

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

Re: Item #23 (1978-1979)
Property Owner: Leonard A. Marchineck
E/S Gladway Rd. 800' S. Bird River Rd.
Existing Zoning: R-1
Proposed Zoning: Variance to permit an accessory structure to be located in the side yard in lieu of the required rear yard.
Acres: 0.4821 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.

Highways:

Gladway Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

Setback/Contingency:

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 gradin, 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 nuisance or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may occur, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Item #23 (1978-1979)
Property Owner: Leonard A. Marchineck
Page 2
September 28, 1978
Water and Sanitary Sewer:

An 8-inch public water main exists in Gladway Road.
Public sanitary sewerage is not available to serve this property, which is utilizing private onsite sewage disposal.

Very truly yours,
Edward M. Mouring, P.E.
Chief, Bureau of Engineering

END:SAH:PM:R:as
OCT J. Somers
1-NE Key Sheet
20 NE 35 Pos. Sheet
NE 5 1 Topo
12 Top Map

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
SEP 28 1978
LESLIE H. GIBBY
DIRECTOR

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 #33, Zoning A-1, Zoning Committee Meeting, August 15, 1978, are as follows:

Property Owner: Leonard A. Marchineck
Location: E/S Gladway Road 800' S. Bird River Road
Existing Zoning: D, R-1
Proposed Zoning: Variance to permit an accessory structure to be located in the side yard in lieu of the required rear yard
Acres: 0.4821
District: 15th

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, Jr.
John L. Wimbley, Jr.
Planner III
Current Planning and Development

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
DONALD J. ROOF, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

September 21, 1978

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

Dear Mr. DiNenna:

Comments on Item #33, Zoning Advisory Committee meeting, August 15, 1978, are as follows:

Property Owner: Leonard A. Marchineck
Location: E/S Gladway Rd. 800' S. Bird River Rd.
Existing Zoning: R-1
Proposed Zoning: Variance to permit an accessory structure to be located in the side yard in lieu of the required rear yard.
Acres: 0.4821
District: 15th

Metropolitan water exists and the proposed garage will not interfere with the location of the septic system.

Very truly yours,
Thomas H. Devlin, Director
Bureau of Environmental Services

TMD/JRP:phg

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
3011825-7319
Paul H. Reinecke
CHIEF

August 29, 1978

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Mr. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Leonard A. Marchineck
Location: E/S Gladway Rd. 800' S. Bird River Rd.
Item No. 33
Zoning Advisory Committee Meeting of 08/15/78
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 _____ is not 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", 1973 Edition prior to occupancy.
- (6) Site plans are approved as drawn.
- (7) The Fire Prevention Bureau has no comments, at this time.

RECEIVED
Planning Group
Special Inspection Division
Noted and Approved
Fire Prevention Bureau

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
3011825-7319
JOHN D. SEEVER
DIRECTOR

August 23, 1978

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

Comments on Item # 33 Zoning Advisory Committee Meeting, August 15, 1978 are as follows:
Property Owner: Leonard A. Marchineck
Location: E/S Gladway Road 800' S. Bird River Road
Existing Zoning: R-1
Proposed Zoning: Variance to permit an accessory structure to be located in the side yard in lieu of the required rear yard.
Acres: 0.4821
District: 15th

The items checked below are applicable:

- XA. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1975 Supplement and other applicable codes.
- XB. A building permit shall be required before construction can begin.
- XC. Additional _____ permits shall be required.
- XD. Building shall be upgraded to new use - requires alteration permit.
- XE. Three sets of construction drawings will be required to file an application for a building permit.
- XF. Three sets of construction drawings with a registered Maryland Architect or Engineer's original and will be required to file an application for a building permit.
- CG. Wood frame walls are not permitted within 3'0" of a property line. Contact Planning Department if distance is between 3'0" and 4'0" of property line.
- EH. Reported setback variance conflicts with the Baltimore County Building Code. See Section _____.
- FI. No Comment.
- FJ. Comment: Please be aware of Section 300.0 in the Baltimore County Building Code Supplement if the basement floor is below elevation 10.

Charles E. Burnham
Plans Review Chief

BOARD OF EDUCATION
OF BALTIMORE COUNTY
TOWSON, MARYLAND - 21204
Date: August 11, 1978

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

J.A.C. Meeting of: August 15, 1978

RE: Item No: 33
Property Owner: Leonard A. Marchineck
Location: E/S Gladway Rd. 800' S. Bird River Rd.
Present Zoning: D, R-1
Proposed Zoning: Variance to permit an accessory structure to be located in the side yard in lieu of the required rear yard.

District: 15th
No. Acres: 0.4821

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
Wick Petrowski
Wick Petrowski
Field Representative

JOSEPH M. MCGOWAN, PRESIDENT
T. BARBARA WILLIAMS, JR., VICE-PRESIDENT
MARILYN M. BUTMAN
THOMAS H. DEVLIN
WES LOBBINGE P. CHAIRMAN
ROGER S. HAYDEN
ALVIN LORECK
WILLIAM L. SMITH, JR.
RICHARD W. TRACY, D.V.M.
ROBERT T. O'BRIEN, SUPERVISOR

MAR 23 1979

