

79-131-A #75 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Vincent & Bernadette Alchimowicz, 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 1202.3(1), its amendments, 50 ft. lot, 1st. 2nd. in line of the required 55 ft. and Section 1802.3C, 1 to permit sideyard setbacks of 5 feet on both sides in lieu of the 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)

- HARDSHIP: 1. Husband will be retiring next year and will have a limited income.
2. We cannot afford the high taxes and added expense of sewerage which will be completed in 1 to 1-1/2 years.
3. Husband is in poor health with arthritis through his entire body and unable to do much.
4. We have a 15 year old son at home. His support and education still have to be taken care of.
5. We would like to build a small home and give up the expense of the large one.

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.

DATE: December 12, 1978
SUBJECT: Petition for Variance from Area and Height Regulations
Contract purchaser: Vincent & Bernadette Alchimowicz
Petitioner's Attorney: Peter Max Zimmerman
Petitioner's Address: 694 Bauerschmidt Drive, Baltimore, Maryland 21221

RECORDED BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, this 3rd day of December, 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 130, County Office Building in Towson, Baltimore County, on the 11th day of December, 1978, at 10:00 A.M.

By: *[Signature]*
Zoning Commissioner of Baltimore County.

RE: PETITION FOR VARIANCES
N/S Bauerschmidt Rd., 230' W of Bayside Dr., 15th District
VINCENT ALCHIMOWICZ, et al,
Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 79-131-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.

[Signature]
Peter Max Zimmerman
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 20th day of November, 1978 a copy of the foregoing Order was mailed to Mr. and Mrs. Vincent Alchimowicz, 694 Bauerschmidt Drive, Baltimore, Maryland 21221, Petitioners.

[Signature]
John W. Hession, III
John W. Hession, III

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(410) 461-2000

S. ERIC DINENNO
ZONING COMMISSIONER
George J. Martiak
Deputy Zoning Commissioner

December 12, 1978

Mr. & Mrs. Vincent Alchimowicz
694 Bauerschmidt Drive
Baltimore, Maryland 21221

RE: Petition for Variance
N/S of Bauerschmidt Drive,
230' W of Bayside Drive -
15th Election District
Vincent Alchimowicz, et al -
Petitioners
NO. 79-131-A (Item No. 75)

Dear Mr. & Mrs. Alchimowicz:

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

Very truly yours,
[Signature]
GEORGE J. MARTIAK
Deputy Zoning Commissioner

GJM:mr

Attachment

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

DESCRIPTION OF PROPERTY

Beginning at a point on the north side of Bauerschmidt, 230 feet west of Bayside Drive, Block 2 Lot 87, plot of Bauerschmidt Manor, as recorded in the Land Records of Baltimore County Book 12 Folio #1 R.F.D. address.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dinenna
Zoning Commissioner
November 24, 1978
TO: Leslie H. Gray
Director of Planning
FROM: Petition 79-131-A, Petition for Variance for lot width and side yard setbacks
SUBJECT: 1/4th side of Bauerschmidt Road, 230 feet West of Bayside Drive
Petitioner - Vincent and Bernadette Alchimowicz

15th District

HEARING: Monday, December 11, 1978 (10:00 A.M.)

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

[Signature]
Leslie H. Gray
Director of Planning

LHG:HWH

BALTIMORE COUNTY

ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Vincent Alchimowicz
694 Bauerschmidt Drive
Baltimore, Maryland 21221

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted for filing
this 3rd day of October 67978.

[Signature]
S. ERIC DINENNO
Zoning Commissioner

Petitioner: Alchimowicz
Petitioner's Attorney:

Reviewed by: *[Signature]*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 27, 1978

Mr. & Mrs. Vincent Alchimowicz
694 Bauerschmidt Drive
Baltimore, Maryland 21221

RE: Item No. 75
Petitioner - Alchimowicz
Variance Petition

Dear Mr. & Mrs. Alchimowicz:

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 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,
[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/af

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 unreasonable hardship upon the Petitioner(s),

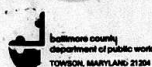
the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) to permit a lot width of fifty feet in lieu of the required fifty-five feet and side yard setbacks of five feet in lieu of the required ten feet, for Lot No. 87, should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of December, 1978, that the herein Petition for the aforementioned Variance(s) 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 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 25th day of December, 1978, that the aforementioned Variance(s) be and the same is/are hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. MOURNIN, P.E.
DIRECTOR

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

Re: Item #75 (1978-1979)
Property Owner: Vincent & Bernadette Alchikowicz
N/S Bauerschmidt Rd. 230' W. Bay Side Dr.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55' for lot 87 and side setbacks of 5' in lieu of the required 10'.
Acres: 0.1723 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:

Bauerschmidt Drive, an existing public road, is proposed to be improved in the future, as a 30-foot cross 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.

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 Drainage:

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. Collection of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.



JOHN E. DIVER, P.E.
DIRECTOR

October 6, 1978

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

Dear Mr. DiNenna:

Comments on Item #75 Zoning Advisory Committee Meeting, October 3, 1978 are as follows:

Property Owner: Vincent & Bernadette Alchikowicz
Location: N/S Bauerschmidt Rd. - 230' W. Bay Side Dr.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55' for lot 87 and side setbacks of 5' in lieu of the required 10'.

Acres: 0.1722
District: 15th

The items checked below are applicable:

X 4. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1978 Edition and the 1978 Supplement, State of Maryland Code for the Department and any and all other applicable codes.

X 8. A building permit shall be required before construction can begin.

C. Additional: Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

F. 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.

X 6. Roof 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. See below Item 3.

H. Proposed setback variance conflicts with the Baltimore County Building Code. See Section.

I. No Comment.

X 7. Comment: 1 hour fire rated walls will be required facing interior property lines. This structure will be in an area subject to tidal inundation. See the requirements of Section 320.2 attached. If the structure is required to comply with Section 320.0 a structural engineer shall certify the drawings with seal and signature.

Very truly yours,
Charles E. Diver
Plans Review Chief

CB202

Item #75 (1978-1979)
Property Owner: Vincent & Bernadette Alchikowicz
Page 2
October 6, 1978

Water and Sanitary Sewer:

There is a public 8-inch water main in Bauerschmidt Drive. The house schmidt major sanitary sewerage system, pump station, force main and gravity lateral sewers are under contract; construction is anticipated to be completed in the latter half of 1979.

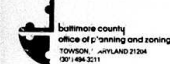
Very truly yours,

ELLENWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END: EAM:PMW

cc: J. Somers
J. Bellistri

I-SE Key Sheet
1 & 2 SE 39 Pos. Sheets
NE 1 & 2 Topo
98 Tax Map



LESLIE H. DRAKE
DIRECTOR

November 21, 1978

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 #75, Zoning Advisory Committee Meeting October 3, 1978, are as follows:

Property Owner: Vincent & Bernadette Alchikowicz
Location: N/S Bauerschmidt Road 230' W. Bay Side Drive
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55' for lot 87 and side setbacks of 5' in lieu of the required 10'.
Acres: 0.1722
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. Winkley
Planner III
Current Planning and Development



Paul H. Reincke
CHIEF

November 9, 1978

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Vincent & Bernadette Alchikowicz
Location: N/S Bauerschmidt Rd. 230' W. Bay Side Dr.

Item No. 75

Zoning Agenda Meeting of 10/3/78

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 _____

- (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.
- (7) The Fire Prevention Bureau has no comments, at this time.

Respectfully,
Special Inspection Division

Noted and Approved: [Signature]
Fire Prevention Bureau

Section 320.0 Construction in Areas Subject to Flooding

Subsection 320.1 General Requirements. All buildings and structures hereafter erected or moved in areas in Baltimore County as designated by the Department of Public Works of Baltimore County and which are subject to inundation by tide water, surface water or running streams shall have floor elevations and watertightness as set forth in this Code.

Subsection 320.2 Areas Subject to Inundation by Tide Water.
a. Where buildings are built in areas subject to inundation by tide water, the first or main floor elevation shall not be lower than 2.0 feet above mean low tide. Such buildings shall be supported on piles, reinforced concrete piers, masonry concrete foundations or other approved means of support.

b. Where basements or other floors are constructed below 10 feet above mean low tide, the end walls and floor construction shall be of masonry construction of concrete of sufficient strength and specifically designed for watertightness and hydrostatic pressure, as certified by a Professional Engineer registered in the State of Maryland. Such walls shall be made watertight by membrane waterproofing on the exterior face and the membrane protected by 1 inch minimum cement plaster, ceiling. All floors below 10 feet above mean low tide shall be made watertight by membrane waterproofing on 3 inch minimum concrete floor slabs.

c. All areas for windows, doors, and other openings below 10 feet above mean low tide shall be made watertight as required for walls and floors as set forth in this Code.

d. All areas for windows, doors, and other openings below 10 feet above mean low tide shall be connected by service weight cast iron soil pipe to an adequate pump pump located in the basement and discharging to elevation not less than 18 feet above mean low tide; the said pump shall have a discharge capacity of not less than 15 gallons per minute.

e. Crawl spaces under floors of buildings or structures below 10 feet above mean low tide shall have enclosure walls conforming to the requirements of this Code except such enclosure walls may be of concrete masonry units set in mortar and shall be capable of withstanding the hydrostatic pressure. All openings to the crawl spaces, including access doors, shall be enclosed to an elevation of not less than 8 1/2 feet above mean low tide. The crawl space area and enclosures shall be drained by cast iron soil pipe with a proper backwater valve, and shall discharge to the adjacent grade or into an approved drainage system.

Subsection 320.3 Areas Subject to Inundation by Surface Waters on Running Streams.

a. The first or main floor elevation of buildings subject to inundation by surface water or streams shall be not less than 2 feet above the flood level as determined by the Department of Public Works of Baltimore County, or at such elevation as may be necessary to grade a lot to prevent flooding at the cause. Construction shall be in conformity with the requirements set forth in this Code, titled "Areas Subject to Inundation by Tide Waters."

b. All basement or other floors below the first or main floor shall be in conformity with the requirements set forth in this Code.

MAR 14 1979

November 22, 1978

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

Dear Mr. DiNenna:

Comments on Item #75, Zoning Advisory Committee Meeting of October 3, 1978, are as follows:

Property Owner: Vincent & Bernadette Alchimowicz
Location: 1/2 Bowerscheidt Rd. 230' W. Bayside Dr.
B.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55' for lot 87 and side setbacks of 5' in lieu of the required 10'.
Acres: 0.1722
District: 15th

Metropolitan water is available and sanitary sewer is under construction but not yet completed. A building permit on this lot will not be approved until sanitary sewer service is available.

Very truly yours,

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

TED/BB/rlp

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 18, 1978

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

Z.A.C. Meeting of: October 5, 1978

RE: Item No: 75
Property Owner: Vincent & Bernadette Alchimowicz
Location: 1/2 Bowerscheidt Rd. 230' W. Bayside Drive
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55' for lot 87 and side setbacks of 5' in lieu of the required 10'.

District: 15th
No. Acres: 0.1722

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

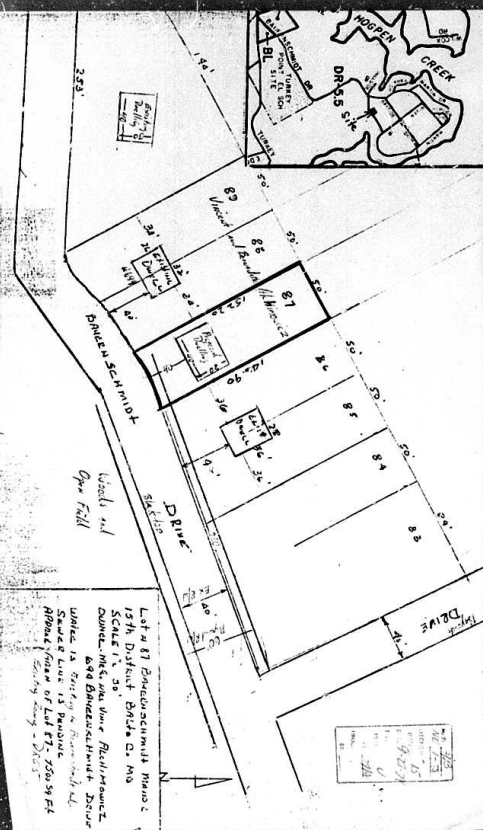
W. Rich Petrovich
W. Rich Petrovich,
Field Representative

MJP/lp

JOSEPH H. KESLER, CHIEF
T. BAYARD WILLIAMS, JR., VICEPRESIDENT
HAROLD W. BOUTRICK

THOMAS H. BOYER
MRS. LOUANN F. CHURCH
ROGER W. JANTON
ROBERT W. SCHULZ, SUPERINTENDENT

ALVIN LOWERY
MRS. WILSON W. RANTA, JR.
RICHARD W. TRACY, JR.



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 11/26/78
Posted for: Vincent & Bernadette Alchimowicz
Petitioner: Vincent & Bernadette Alchimowicz
Location of property: 1/2 Bowerscheidt Rd. 230' W. Bayside Dr.
Location of Sign: Front of property
Remarks: Variance to permit a lot width of 50' in lieu of the required 55' for lot 87 and side setbacks of 5' in lieu of the required 10'.
Posted by: Thomas H. Devlin Date of return: 12/1/78

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 22, 1978

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper, or printed and published in Towson, Baltimore County, Md. commencing on... 11/19/78... successive weeks before the... 12/1/78... day of... December... 1978, the said publication appearing on the... 23rd... day of... November... 1978...

THE JEFFERSONIAN
L. L. L. L.
Manager

Cost of Advertisement, \$.....



TOWSON, MD. 21204 November 22 1978

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Vincent Alchimowicz, et al. was inserted in the following:

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

week newspapers published in Baltimore County, Maryland, once a week for... 08... successive weeks before the 24th day of... November... 1978, that is to say, the same was inserted in the issues of November 23, 1978

STROMBERG PUBLICATIONS, INC.
BY *E. L. L. L.*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 21 day of September 1978. Filing Fee \$25. Received ☒ Check ☐ Cash ☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner *Vincent & Bernadette Alchimowicz* Submitted by *Bernadette Alchimowicz*
Petitioner's Attorney reviewed by *S. Eric DiNenna*

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

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall 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: <i>S. Eric DiNenna</i>	Revised Plans: Change in outline or description Yes ☐ No ☒									
Previous case: <i>Nine</i>	Map # <i>ME 1-T</i>									

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

DATE November 15, 1978 ACCOUNT 01-562

AMOUNT \$50.00

RECEIVED Bernadette Alchimowicz
FOR Filing Fee for Case No. 79-131-A

33772 15 21000
VALIDATION BY SIGNATURE OF CASHIER

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

DATE December 1, 1978 ACCOUNT 01-562

AMOUNT \$50.00

RECEIVED Bernadette Alchimowicz
FOR Cost of Advertising and Posting Case No. 79-131-A

30172 7 40420
VALIDATION BY SIGNATURE OF CASHIER

