

79-132-4 64 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MARY PRZYWARA, 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 100-3C.1 to permit side yard setback of 7 ft. in lieu of the required 10 foot sideyard setbacks in ADR 55 zone

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

Loss of 7 ft. due to county surveyor between Homberg an marker

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.

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Plaintiff's Attorney 1978 11 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

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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 and; 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 to permit a side yard setback of seven feet in lieu of the required ten feet should be granted.

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of January, 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 14th day of January, 1978, that the aforementioned Variance(s) be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Mr. Kathryn Levedahl
Attorney-at-Law
810 Loyola Drive
Towson, Maryland 21204

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

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 19th day of September, 1978.

ST. ERIC DI NENNO
Zoning Commissioner

Petitioner: Mary Praywara
Petitioner's Attorney: Kathryn Levedahl
Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Chairman

Members

Department of Engineering

Department of Traffic Engineering

State Route Commission

Department of Public Works

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Mr. Kathryn Levedahl
Attorney-at-Law
810 Loyola Drive
Towson, Maryland 21204

November 27, 1978

RE: Item No. 64
Petitioner - Mary Praywara
Variance Petition

Dear Mr. Levedahl:

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

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOHRING, P.E.
DIRECTOR

December 4, 1978

Mr. R. Eric DiNunno
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #64 (1978-1979)
Property Owner: Mary Praywara
8106 Homberg Ave. 150' NE George Ave.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 7' in lieu of the required 10'.
Acres: 0.1974 District: 15th

Dear Mr. DiNunno:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways

East Homberg Avenue, an existing public road, is proposed to be improved in the future as a 40-foot closed section roadway on a 60-foot right-of-way. Highway right-of-way widening, including any necessary easements for slopes, will be required in connection with any grading or building permit application.

Sediment Control

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, denying private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping 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. Direction 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

An 8-inch public water main and public 8-inch sanitary sewerage exist in East Homberg Avenue.

Very truly yours,

Thornton M. Mohring, P.E.
Chief, Bureau of Engineering

THM:DM/PM/BS
cc: J. Tinner, J. Somers

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
(410) 484-3201

LENN CHAY
DIRECTOR

October 24, 1978

Mr. S. Eric DiNunno, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNunno:

Comments on Item #64, Zoning Advisory Committee Meeting, September 19, 1978, are as follows:

Property Owner: Mary Praywara
Location: NW/4 Homberg Avenue 150' NE George Avenue
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 7' in lieu of the required 10'
Acres: 0.1974
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
Planner III
Current Planning and Development

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(410) 484-3600

JOHN SEVIER
DIRECTOR

September 25, 1978

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

Dear Mr. DiNunno:

Comments on Item #64, Zoning Advisory Committee Meeting, September 19, 1978, are as follows:
Property Owner: Mary Praywara
Location: NW/4 Homberg Avenue - 150' NE George Ave.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 7' in lieu of the required 10'.

Acres: 0.1974
District: 15th

The items checked below are applicable:

- 1A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.
- 1B. A building permit shall be required before construction can begin.
- 1C. Additional: Points shall be required.
- 1D. Building shall be required to use a required retention pond.
- 1E. Three sets of construction drawings will be required to file an application for a building permit.
- 1F. Three sets of construction drawings with a registered Maryland Engineer's original and will be required to file an application for a building permit.
- 1G. 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.
- 1H. Requested setback variance conflicts with the Baltimore County Building Code. See Section 320.0.
- 1I. No Comment.
- 1J. Comments: Please be aware of Section 320.0 in construction in areas subject to inundation by tidal waters - See the attached Code Section 320.2. Item F may be applicable.

Very truly yours,

John L. Wimbley
Planner III

CSH/

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(410) 484-3800

STEPHEN E. COLLINS
DIRECTOR

October 20, 1978

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

Item No. 64 - SHC - September 19, 1978
Property Owner: Mary Praywara
Location: NW/4 Homberg Ave. 150' NE George Ave.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 7' in lieu of the required 10'.
Acres: 0.1974
District: 15th

Dear Mr. DiNunno:

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

Very truly yours,

Michael S. Flanagan
Engineer Associate II

MMF/BS

Section 320.0 Construction in Areas Subject to Inundation

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 tidal waters, surface water or running streams shall have floor elevations and water-tightness as set forth in this Code.

Subsection 320.2 Areas Subject to Inundation by Tidal Waters

a. Where buildings are built in areas subject to inundation by tidal waters, the first or main floor elevation shall not be lower than 10 feet above mean low tide. Such building 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 enclosure walls and floor construction shall be of masonry construction of concrete of sufficient strength and specifically designed for water-tightness 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 2 inch minimum concrete floor sub-base.

c. All alcoves 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 alcoves for windows, doors, and other openings below 10 feet above mean low tide shall be constructed by service weight masonry or 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 by an elevation of not less than 8 1/2 feet above mean low tide. The crawl space areas 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 or 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 of the same. Construction shall be in conformity with the requirements set forth in this Code, titled "Areas Subject to Inundation by Tidal Waters."

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

PETITION FOR VARIANCE
18th DISTRICT

MOVING: Petition for Variance for side yard setback.

LOCATION: Northwest side of Roseburg Avenue, 180 feet North-east of George Avenue.

DATE & TIME: Monday, December 11, 1978 at 10:15 A.M.

PUBLIC HEARING: Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Board/Deputy Board Commissioners of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a side yard setback of 7 feet in lieu of the required 10 feet.

The Board/Deputy Board Commissioners will be held as follows:

Section 1801 N.C. side yard setback to a D.R.S.S. Zone.

All that parcel of land in the Fifteenth District of Baltimore County.

Lot 11, Supplementary Plat of Henry Rosenberg, 18th District/Baltimore County, Maryland.

Be-laying for the same on the east side of Roseburg Avenue 140 feet wide, at the distance of 12 feet from the northwesterly corner of the lot, a line of 7 feet in width, from the east side of George Avenue, 140 feet wide and thence running and binding on the northwesterly side of Roseburg Avenue in a westerly direction, a line of 42 feet thence leaving Roseburg Avenue for three lines of division as follows:

1. A northwesterly direction, 90 feet.

2. A northwesterly direction, 42 feet and in a southeasterly direction 300 feet to the place of beginning.

Containing 8000 square feet of land.

Being the property of Mary B. Przywara, as shown on plat filed with the "Zoning Department."

Hearing Date: Monday, December 11, 1978 at 10:15 A.M.

Public Hearing: Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order Of:

S. ERIC DIRMENIA,
Board Commissioner and
GEORGE J. MARTINAK,
Deputy Board Commissioner
of Baltimore County
Nov. 23

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 23, 1978

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~successive~~ one time ~~successive weeks~~ before the 11th day of December, 1978, the 19th publication appearing on the 23rd day of November 1978.

THE JEFFERSONIAN

L. L. Smith
Manager.

Cost of Advertisement, \$



OFFICE OF

THE TIMES

NEWSPAPERS

TOWSON, MD. 21204 November 23 1978

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Mary B. Przywara

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 one 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 *Ertha Berger*



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 8 day of

Sept 1978. Filing Fee \$ 25. Received Check

Cash

J. her

S. Eric Dirmenia
S. ERIC DIRMENIA,
Zoning Commissioner

petitioner Mary Przywara Submitted by Robert Hesse 6871491

Petitioner's Attorney Reviewed by SH

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

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

No. 73501

DATE 9/8/78 ACCOUNT 01-662

AMOUNT 25.00

RECEIVED FROM Zoning Variance

FOR Robert Hesse / Mary Przywara
1931 W. H. St. Rd

20016 SEP 8 2120 25.00 PM

VALIDATION OR SIGNATURE COUNTER

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

No. 76177

DATE December 7, 1978 ACCOUNT 01-662

AMOUNT \$51.06

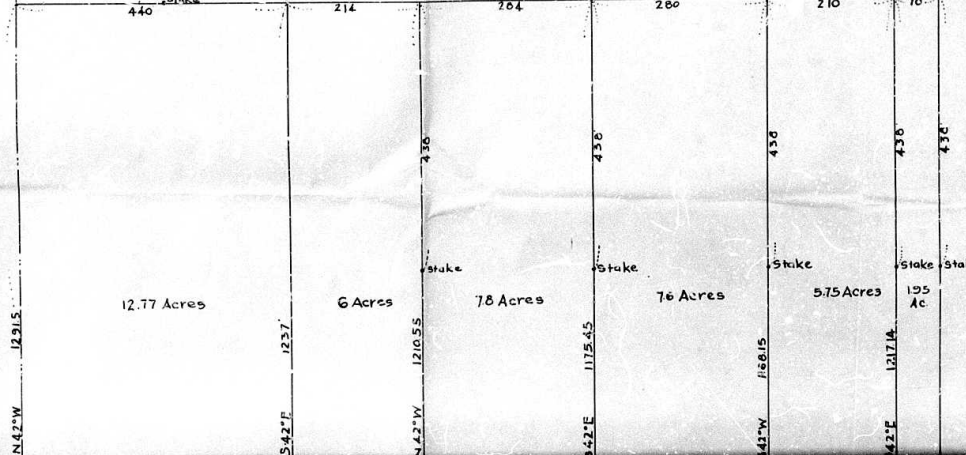
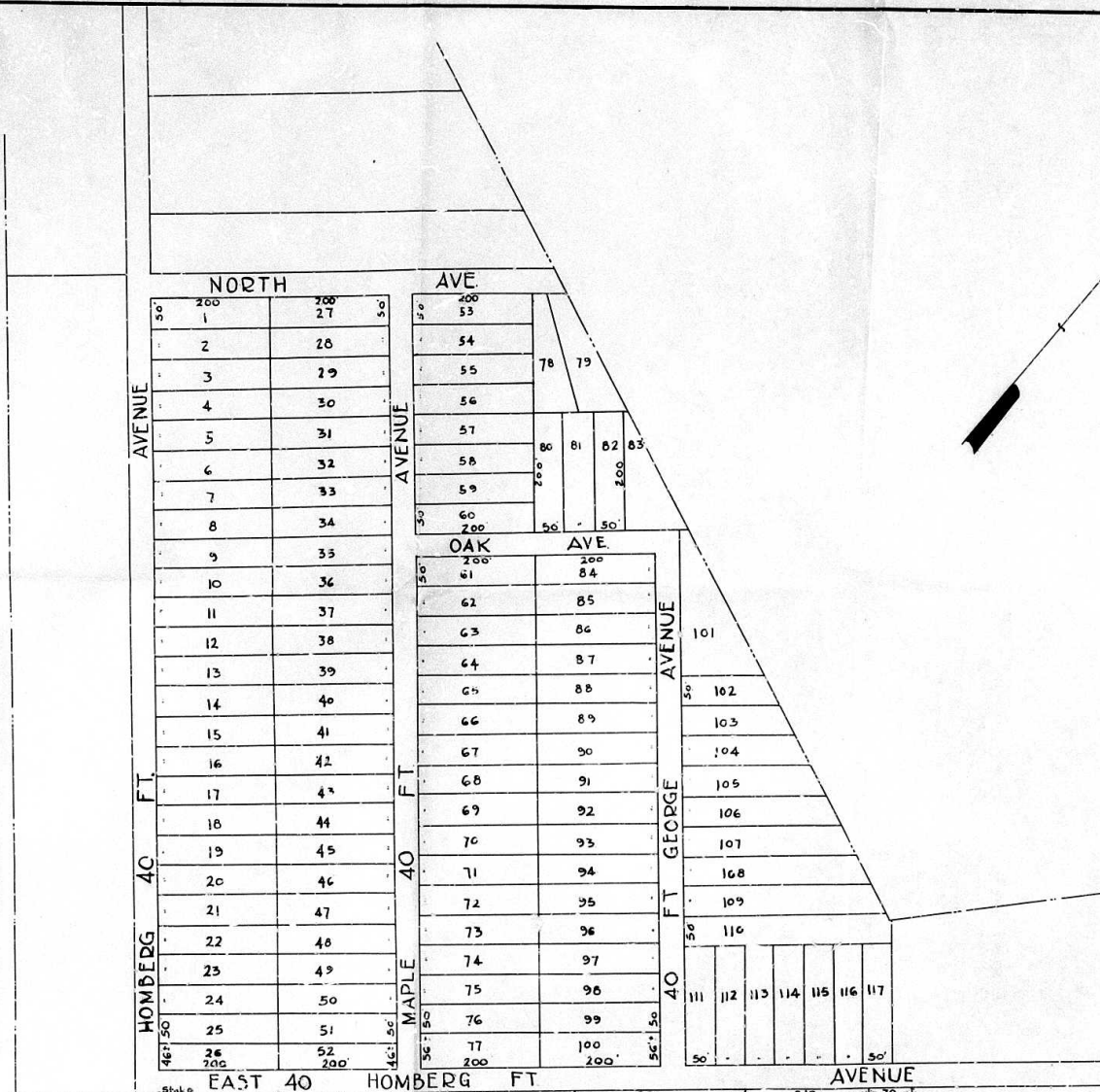
RECEIVED FROM Kathryn Seaton Lovendahl

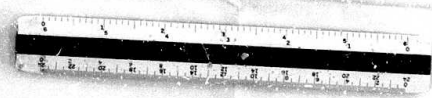
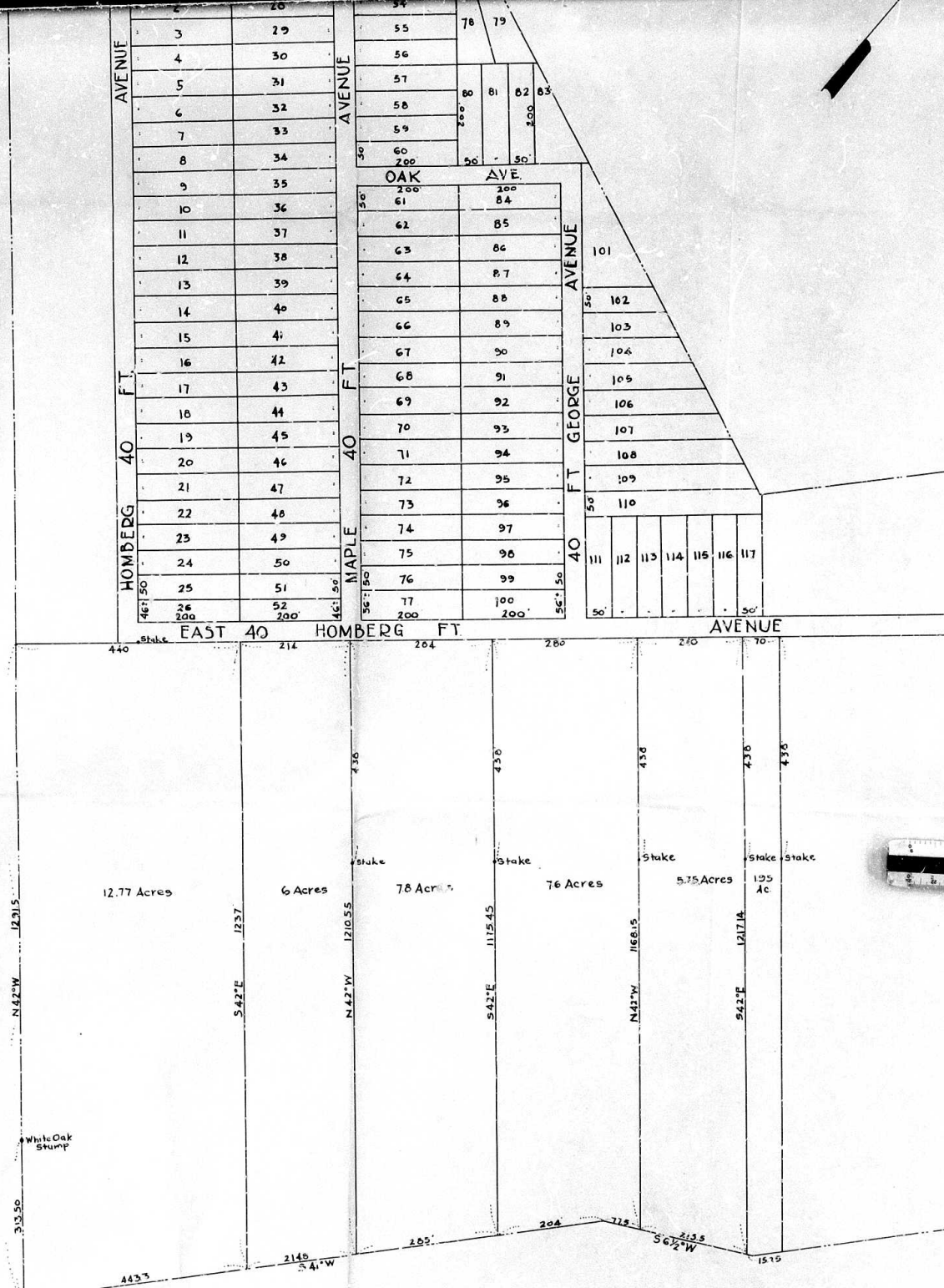
FOR Cost of Advertising and Posting Case No. 79-132-A

20017 DEC 7

51.06 MS

VALIDATION OR SIGNATURE COUNTER





Plat received for record
September 16, 1920
Leak
Wm Cole Clerk

SUPPLEMENTARY
Plat of Land Belonging to
HENRY HOMBERG
in the
15th District
Baltimore Co.
Scale: 1"=100' Sept 13, 1919
E. V. Brown & Co.
Surveyors & Civil Engineers
Baltimore Md.