

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Rizpah Gadziola, 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 1 B 02.3.C.1 (301.1) to permit a carport to be constructed ten feet (10') from the rear property line in lieu of the required 22.5 feet.

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

Lack of sufficient distance to rear property line to comply with zoning requirements for rear setback.

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 June 26, 1979
 Contract purchaser Rizpah Gadziola (825-2553)
 Address 700 Allegheny Avenue, Towson, Md. 21204
 Petitioner's Attorney John W. Hession, III
 Protestant's Attorney John W. Hession, III

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of May, 1979, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th day of June, 1979, at 10:30 o'clock A.M.

William E. Hammond
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond, Zoning Commissioner
 FROM: Norman E. Gerber, Acting Director, Office of Planning and Zoning
 SUBJECT: Petition #79-245-A, Item #167

Northwest corner of Allegheny Avenue and DeBaugh Avenue
 Petition for Variance for setback for open projection
 Petitioner - Rizpah Gadziola

9th District

HEARING: Monday, June 18, 1979 (10:30 A.M.)

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

Norman E. Gerber
Norman E. Gerber, Acting Director
Office of Planning and Zoning

NEG:JGH:rw

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 NW corner of Allegheny Ave. : OF BALTIMORE COUNTY
 and DeBaugh Ave., 9th District
 RIZPAH GADZIOLA, Petitioner : Case No. 79-245-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 posting of any preliminary or final Order in connection therewith.

Peter Max Zimmerman John W. Hession, III
 Deputy People's Counsel People's Counsel for Baltimore County
 County Office Building
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 31st day of May, 1979, a copy of the foregoing Order was mailed to Rizpah Gadziola, 700 Allegheny Avenue, Towson, Maryland 21204, Petitioner.

John W. Hession, III
John W. Hession, III

June 26, 1979

Mr. Rizpah Gadziola
 700 Allegheny Avenue
 Towson, Maryland 21204

RE: Petition for Variance
 NW corner of Allegheny and DeBaugh
 Avenues - 9th Election District
 Rizpah Gadziola - Petitioner
 NO. 79-245-A (Item No. 167)

Dear Mr. Gadziola:

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

Very truly yours,

William E. Hammond
Zoning Commissioner

WEH/arl

Attachment

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

Surveyor's Description of Property known as 700 Allegheny Avenue, Towson:

Beginning for the same at a point on the center line of Allegheny Avenue and west side of DeBaugh Avenue and running the following courses and distances:

1. N 73° 28' W 71.10'
2. N 33° 50' E, 132.5'
3. S 56° 2' E, 66.8'
4. S 32° 57' W, 110.10' to the point of beginning

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Rizpah Gadziola
 700 Allegheny Avenue
 Towson, Maryland 21204

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 1st day of May, 1979.

S. Eric Di Nenna
S. ERIC DI NENNA
Zoning Commissioner

Petitioner Rizpah Gadziola
 Petitioner's Attorney

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 29, 1979

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

cc: Nicholas B. Commodari
 Chairman

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

Mr. Rizpah Gadziola
 700 Allegheny Avenue
 Towson, Maryland 21204

RE: Item No. 167
 Petitioner - Gadziola
 Variance Petition

Dear Mr. Gadziola:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site 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.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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

NEC:mr

Enclosures

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 appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community, and, therefore, the Variance should be granted.

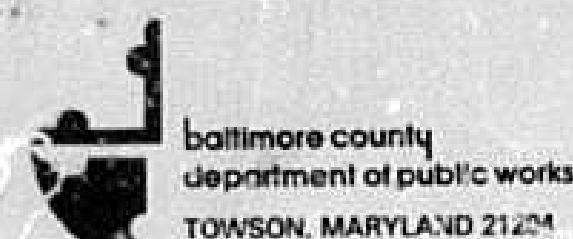
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of June, 1979, that the herein Petition for Variance to permit carpet to be constructed 10 feet from the rear property line in lieu of the required 22.5 feet should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County

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, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E.
DIRECTOR

March 12, 1979

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

Re: Item #167 (1978-1979)
Property Owner: Rizpah Gadziola
N/W cor. Allegheny Ave. & Debaugh Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a rear setback of 10' in lieu of the required 22.5' for an open carport.
Acres: 0.186 District: 9th

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:

Debaugh Avenue, 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 (40-foot minimum).

Allegheny Avenue, formerly State Route 141 and now a County road, is proposed to be improved in the future as a 44-foot closed section roadway on a 60-foot right-of-way in this vicinity.

Highway rights-of-way widenings, including a fillet area at the intersection for sight distance and 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 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.

Item #167
Property Owner: Rizpah Gadziola
Page 2
March 12, 1979

Water and Sanitary Sewer:

There are public 6-inch water mains in Debaugh and Allegheny Avenues, and 8-inch public sanitary sewerage in Allegheny Avenue.

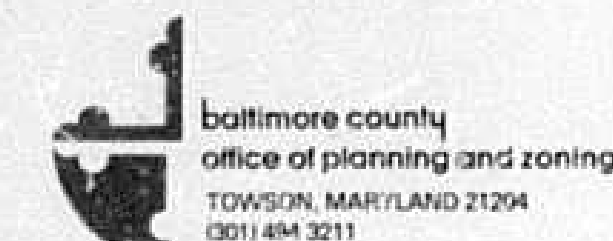
Very truly yours,

[Signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FW:188

cc: J. Trenner
J. Somers

ONE Key Sheet
39 NW 1 Per. Sheet
NW 10 A Topo
69 Tax Map



LESLIE H. GRAEF
DIRECTOR

March 5, 1979

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 #167, Zoning Advisory Committee Meeting, February 20, 1979, are as follows:

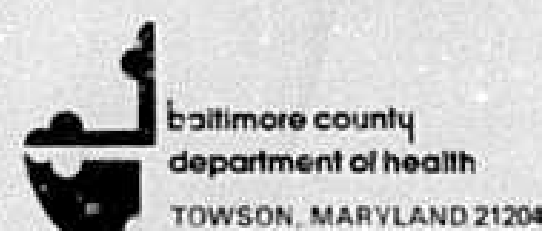
Property Owner: Rizpah Gadziola
Location: NW/C Allegheny Avenue and Debaugh Avenue
Existing Zoning: D.R.5.5
Proposed Zoning: Variance to permit a rear setback of 10' in lieu of the required 22.5' for an open carport
Acres: 0.186
District: 9th

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. Wimbley
Planner III
Current Planning and Development



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

March 29, 1979

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

Dear Mr. DiNenna:

Comments on Item #167, Zoning Advisory Committee Meeting of February 20, 1979, are as follows:

Property Owner: Rizpah Gadziola
Location: NW/C Allegheny Avenue and Debaugh Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 10' in lieu of the required 22.5' for an open carport.
Acres: 0.186
District: 9th

Metropolitan water and sewer exist.

Very truly yours,

[Signature]
Ian J. Forrest, Acting Director
BUREAU OF ENVIRONMENTAL SERVICES

YJP/JEP/sms



Paul H. Reineke
CHIEF

February 27, 1979

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

Attention: J. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Rizpah Gadziola

Location: NW/C Allegheny Ave. & Debaugh Ave.

Item No. 167 Zoning Agenda Meeting of 2/20/79

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 _____ 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 load and condition shown at _____

_____ exceeds 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 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", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

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

REVIEWED: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

BALTIMORE COUNTY, MARYLAND

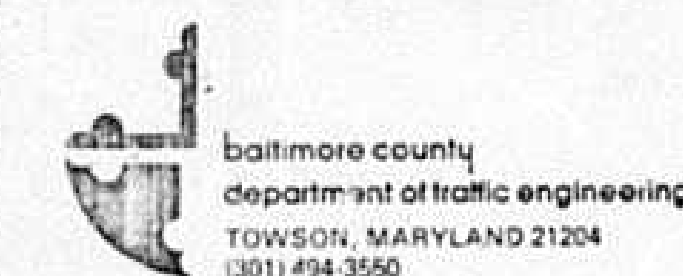
INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: February 23, 1979
FROM: Ted Burnham
SUBJECT: Zoning Advisory Meeting 2-20-79

ITEM NO. 167 Standard comments only

[Signature]
Ted Burnham, Chief
Plans Review

TS:rrj



STEVEN E. COLLINS
DIRECTOR

April 4, 1979

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

RE: Zoning Comments

Dear Mr. DiNenna:

The Department of Traffic Engineering has no comments on Items 166 and 167 of the Zoning Advisory Committee Meeting of February 20, 1979.

Very truly yours,

[Signature]
Michael S. Flanigan
Engineer Associate II

MSF/hmd

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 16, 1979

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

Z.A.C. Meeting of: February 20, 1979

RE: Item No:
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

Items 166, 167, 168 and 169 have no bearing on student population.

Very truly yours,

M. Nick Petrovich
M. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH H. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. ROTSIARIS

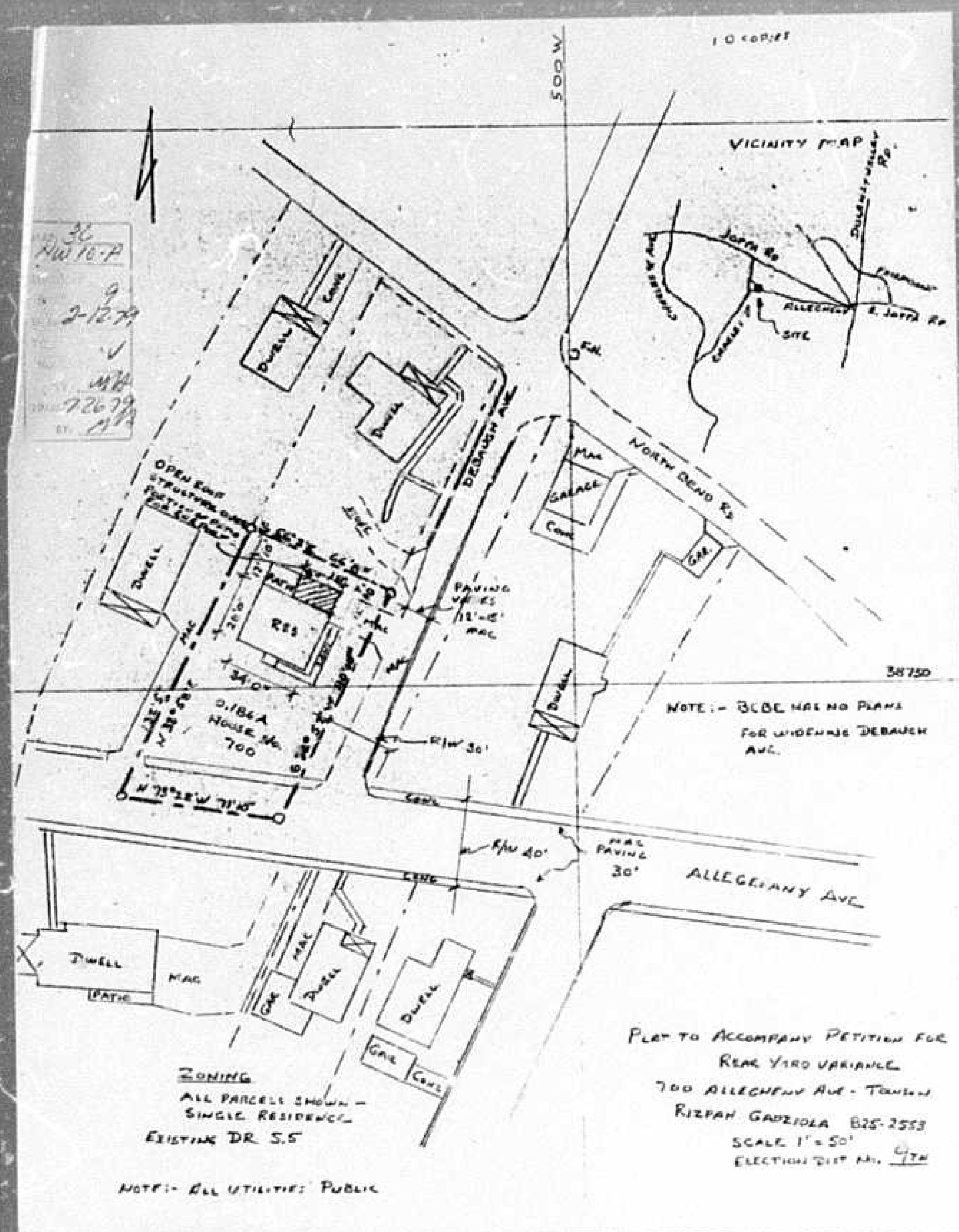
THOMAS H. UOTER
MRS. LORRAINE F. CHIRCUS
ROGER B. HAYDEN
ROBERT Y. DUBEL, SUPERINTENDENT

ALLAN LORRECK
MRS. MILTON SMITH, JR.
RICHARD W. TRACEY, D.V.M.

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>WNP</i>										
Previous case:										

Revised Plans:
Change in outline or description: Yes ☐ No ☐
Map # _____



PETITION FOR VARIANCE TO DISTRICT
TOWSON, MD. May 31, 1979
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time before the 18th day of June, 1979, the first publication appearing on the 31st day of May, 1979.
THE JEFFERSONIAN
L. Frank Strickland, Manager
Cost of Advertisement, \$ _____

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 31, 1979

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time before the 18th day of June, 1979, the first publication appearing on the 31st day of May, 1979.

THE JEFFERSONIAN
L. Frank Strickland, Manager

Cost of Advertisement, \$ _____

PETITION FOR VARIANCE TO DISTRICT
TOWSON, MD. May 31, 1979
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time before the 18th day of June, 1979, the first publication appearing on the 31st day of May, 1979.

OFFICE OF THE TIMES
TOWSON, MD. 21204 May 31 19 79

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Rizpah Gadziola was inserted in the following:

- ☐ Catonsville Times
- ☐ Arbutus Times
- ☐ Essex Times
- ☐ Community Times
- ☒ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 1st day of June 1979, that is to say, the same was inserted in the issues of May 31, 1979

STROMBERG PUBLICATIONS, INC.

BY *Esther Berger*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 6 day of Feb 1979.

Filing Fee \$ 25.00 Received ☒ Check ☐ Cash ☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner *Rizpah Gadziola* Submitted by _____

Petitioner's Attorney _____ Reviewed by *WNP*

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

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District *9th* Date of Posting *June 1, 1979*

Posted for: *PETITION FOR VARIANCE*

Petitioner: *RIZPAH GADZIOLA*

Location of property: *NW CORNER ALLEGHENY AVE & DEBAUGH AVE.*

Location of Signs: *FRONT 700 ALLEGHENY AVE.*

Remarks: _____

Posted by *J. L. B. Baland* Signature Date of return: *JUNE 8, 1979*

1-SIGN

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

No. 78726

DATE *June 14, 1979* ACCOUNT *01-662*

AMOUNT *\$41.40*

RECEIVED *Rizpah Gadziola*

FOR: *Cost of Advertising and Posting Case No. 79-25-A*

18 JUN 15 4 14 PM '79

VALIDATION OR SIGNATURE OF CARRIER

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

No. 78676

DATE *May 25, 1979* ACCOUNT *01-662*

AMOUNT *\$25.00*

RECEIVED *Rizpah Gadziola*

FOR: *Filing Fee for Case No. 79-245-A*

25 MAY 25 2 50 PM '79

VALIDATION OR SIGNATURE OF CARRIER