PETITION FOR ZONING VALANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and play attached hereto and made a part hereof, hereby petition for a

on Lots numbered 1,2, and 3 on the accompanying plat to allow side yard setbacks of 6', 12' and 8' in lieu of the required 15'; from Section 1802.3.C.I on Lots numbered 1 and 3 to allow rear yard setbacks of 21' and 8' in lieu of the required 10': from Section 402. -on-Lots numbered 2 and 3 to allowsum of side yard setbacks of 24' and 26' in lieu of of the Zoning Regulations of Baltimore County, to the Loning Law of Paltimore County; for the following reasons: (indicate hardship or practical difficulty)

To permit optimal utilization of property as it now exists without destroying longstanding existing structures or gutting their interiors to come into compliance with zoning regulations.

* lot widths of 70' and 80' in lieu of the required 90'.

Property is to be posted and advertised as prescribed by Zouing 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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser (Type or Print Name) (Type or Print Name) James Brudzinska THE PARTY OF THE P City and State Brudzinski Funeral Home Attorney for Petitioner: 1407 Eastern Avenue 686-4888 ROBERT J. Romadka Essex, Maryland 21221 City and State mern Boulevard tract purchaser or representative to be contacted Vanish as named above Selephone No.: . 586-5274 ---- -- same as above -----

ORIERED By The Zoning Commissioner of Baltimore County, this fune 19.82, that the subject matter of this petition be advertised, as sequired 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 _____ 27th ___ day of __ July P. M.

PETITION FOR SPECIAL HEARING 01-33 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The uncorsigned, legal owner(s) 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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve duse permit for off-street parking in a residential zone and to amend site plans for case no. 73-248ASPH and case no. 75-121-XA and general site plan amendment to allow the existing parking layout and building size as shown on the accompanying plat to remain and to allow the ... existing garage to remain and the easternmost driveway on Eastern Avenue to remain open

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon fil-ing of this Petition, and further agree to and are to be bound by the zoning regulations and restric-tions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

ontract Purchaser:	Legal Owner(s):
(Type or Print Name)	Type or Prin Name) James Brudzinski
Signature	Signature
Address	Cripe or Print Name) Bacherd Brudzinski
City and State	Signature No
ttorney for Petitioner:	Brudzinski Funeral Home 1407 Eastern Avenue 686-4888 Address Phone Ho.
MARK John B. Gontrum	Essex, Maryland . 21221 City and State
astern Boulevard	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted
Chaind State	Name
's Telephone No.:686-5274	Address Phone No.
DERED By The Zoning Commissioner of	Baltimore County, this9th day
June , 19 82 , that the coursed by the Zoning Law of Baltimore County, that property be posted, and Commissioner of Baltimore County in Room 10	subject matter of this potition be advertised, as in two newspapers of general circulation throughed that the public hearing be had before the Zoning of County Office Building in Towson, Baltimore July, 1982, at 1:30_ o'clock
P. M.	. (1)

Coning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue

(over)

Your Petition has been received and accepted for filing this

cholas S. Commodari Chairman, Zoning Plans Advisory Committee

93-23-5PM James Brudzinski 2 SIGNS

Towson, Maryland 21204

Z.C.O.-No. 1

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9 day of June, 1983, that a use permit for business parking in a residential zone for Lot 4 and for that portion of the funeral home site east of Pelczar Avenue and amendments to the site plans filed in Case Nos. 73-248-ASPH and 75-121-XA to allow the existing garage, parking layout, and building size to remain and the easternmost driveway on Eastern Avenue to remain open, in accordance with Petitioner's Exhibit I, are approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following

- 1. Parking on Lot 4 shall comply with Sections 40: .2.c. and 409.4 of the Baltimore County Zoning Regulations. No parking shall be permitted after 9:30 p.m.
- 2. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening required for approval by the Current Planning and Development Division.

Baltimore County

PETITION FOR VARIANCES SE comers of Eastern Ave. and Pelczar & Essex Aves., 15th Dist.

BEFORE THE ZONING COMMISSIONER

RE: PETITION FOR SPECIAL HEARING:

OF BALTIMORE COUNTY

Case No. 83-23-SPHA JAMES BRUDZINSKI, Petitioner :

ORDER TO ENTER APPEARANCE

1111111

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

Leter Max Temmerwe-Peter Max Zimmerman Deputy People's Counsel

John Willsan III John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2138

I HEREBY CERTIFY that on this 2nd day of July, 1982, a copy of the foregoing Order was mailed to Robert J. Romadka, Esquire, and John B. Gontrum, Esquire, 809 Eastern Boulevard, Essex, Maryland 21221, Attorneys for Petitioner.

BALTIMORE COUNTY, MARYLAND

- 2 - .

INTER-OFFICE CORRESPONDENCE

William E. Hammond To_Zoning Commissioner Norman E. Gerber, Director Office of Planning and Zoning Zoning Petition No. 82-23-SpHA Petitioner: James Brudzinski

0 0 8

Date____July_20__1982_____

This office is not opposed to the continuance of the existing operations here; however, the question as to whether it should continue as non-conforming is still to be answered. It would appear that the parking request may not be in conformance with the residential transition area requirements.

Director of Planning and Zoning

NEG: JGH: dme

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 21, 1982

COUNTY OFFICE SLDG.
111 W. Chesaphake Ave.
Towson, Maryland 21204 Robert J. Romadka, Esquire Nicholas B. Cr sodari

John B. Gontrum, Esquire 809 Eastern Boulevard Baltimore, Maryland 2122

RE: Item No. 225 - Case No. 83-23-SPHA Petitioner - James Brudzinski, et al Special Hearing and Variance Petitions

Gentlemens

Bureau of Engineering Department of State Roads Commiss Bureau of Fire Prevention

Chaleman

MEMBERS

Health Department Project Planning Building Department Board of Education Ioning Administratio

Industrial

The Coming Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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 hearing originated as a result of your clients' ; reposal to use the property across from the their existing funeral home for additional parking. Because this property is improved with dwellings, variances for setbacks and lot widths are required, while a special hearing to amend the site plans in the previous zoning hearings (Case No. 73-248-ASPH and No. 75-121-XA) which permitted the existing funeral home is also included.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> Very truly yours, Techolas & Cannodare fee NICHOLAS B. COMMODARI, Chairman

Zoning Plans Advisory Committee

Enclosures cor Frank Lee 1277 Neighbors Avenue Baltimore, Md. 21237

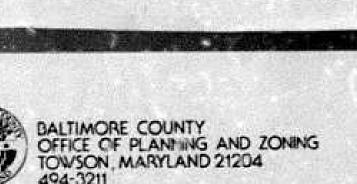
NBC: bac

BALTIMORE COUNTY

Pursuant to the advertisement, posting of property, and public hearing on the potition and appearing that strict compliance with the Baltimore County Zoning Regulations would/manife mat result in practical difficulty and unreasonable hardship upon the Potitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /shouldxnot be grunted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 2 yard setback of 6 feet in lieu of the required 15 feet and a rear yard setback of 21 feet in lieu of the required 30 feet for Lot I; a side yard setback of 12 feet in lieu of the required 15 feet, a sum of the side yard setbacks of 24 feet in lieu of the required 40 feet, and a lot width of 70 feet in lieu of the required 90 feet for Lot 2; and a side yard setback of 8 feet in lieu of the required 15 feet, a rear yard setback of 8 feet in lieu of the required 30 feet, a sum of the side yard setbacks of 26 feet in lieu of the required 40 feet, and a lot width of 80 feet in lieu of the required 90 feet for Lot 3, in accordance with Petitioner's Exhibit I, is hereby GRANTED, from and after the date of this Order, subject, however, to the terms, provisions, and conditions contained in the accompanying Special

Hearing Order.



July 20, 1982

Mr. William E. Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning **Baltimore County Office Building** Towson, Maryland 21204

Dear Mr. Hammond:

NORMAN E. GERBER DIRECTOR

Comments on Item \$225, Zorling Advisory Committee Meeting, May 11, 1982, are as follows:

Property Owner: James Brudzinski, et al Location: SE/corner Eastern Avenue and Pelezar Avenue SE/corner Eastern Avenue and Essex Avenue Acres: 37,500 sq. ft. - 25,500 sq. ft.

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 petition meats the requirements of the Division of Current Planning and Development.

Very truly yours,

John windley John L. Wimbley Plenner III Current Planning & Development

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:

- 1. The petitioner herein seeks approval of a use permit for off-street (business) parking in a residential zone and to amend the site plans filed in Case Nos. 73-248-ASPH and 75-121-XA to allow the existing garage, parking layout, and building size shown on the site plans to remain and the easternmost driveway on Eastern Avenue to remain open, as well as general site plan amendments, in accordance with the site plan prepared by Frank S. Lee, revised March 6, 1982, and marked Petitioner's Exhibit 1.
- A review of the previous zoning files disclosed that on December 19, 1973, the County Board of Appeals granted a variance to permit a side yard setback of zero feet in lieu of the required 12 feet along the zoning division line located along the north side of the property and setbacks of 4 feet and 6 feet in lieu of the required 8 feet for parking spaces in a residential zone necessitated by the funeral home on the southeast corner of Eastern and Pelczar Avenues, as shown on the site plan approved April 25, 1973 (Case No. 73-248-ASPH), and that on December 9, 1974, the Deputy Zoning Commissioner granted a special exception for a funeral home and a variance to permit 23 feet between structures in lieu of the required 40 feet (Case No. 75-121-XA). The site plan filed in the latter case was approved on September 17, 1978 and shows an increase in the frontage of the site from 70 feet to 170 feet and includes Lets 51, 52, and 53 of the Amended Plat of Edgewood Park, recorded among the Land Records of Baltimore County in Plat Book 13, folio 67.
- 3. James E. Brudzinski testified that the present parking layout east of Pelczar Avenue and the use of the garage and easternmost driveway have existed in the manner proposed by these amendments without objection or protest since the granting of the special exception and that Lot 4, west of Pelczar Avenue, is proposed to handle the overflow parking from the funeral home. Further, the apartment buildings on Lots 1, 2, and 3 have existed prior to 1940 and the proposed variances are to legalize the existing setbacks and lot widths.
- 4. No one appeared at the hearing in opposition to the requests.
- 5. The proposed use permit and amendments would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations and will not adversely affect the health, safety, and general welfare of the community.

and, thus, the public hearing is required.

With reference to the proposed parking layout on that portion of the site lying east of Pelczar Avenue, the designated parking in a residential zone was approved when the site plan was approved for the use of the property as a funeral home. To rescind such a use would create an unrealistic hardship by requiring the funeral nome parking to be only in the B.L. (Business, Local) Zone, which is obviously insufficient.

As to the proposed parking lot west of Pelczar Avenue in an area zoned D.R. (Density, Resi-

dential) 5.5, a question is raised as to the applicability of the guides and standards of the Resi-Jentia Transition Area (RTA). In keeping with Section 1831.1.8.1.A.2.(c) of the zoning regulations, Eng areas permitted under Subsection 409.4 constitute a residential transition use, subject no erestrictions set forth in Section IB01.1.B.1.b., as established by Bill No. 124-81. Since this portion of the site predates Bill No. 109-82, the buffer requirement for the new use, i.e., parking ot, is not applie able since there is no abutting residential lot line from which to measure consoling the street right of way abuts the proposed parking lot. In addition, the proposed parking meets or will be conditioned to meet the requirements of Section 409.4.

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204

STEPHEN E. COLLINS DIRECTOR

June 9, 1982

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 2:204

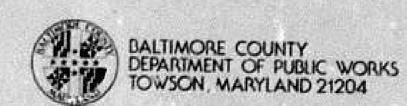
RE: ZAC Meeting of May 11, 1982

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for items 225/through 234

> C. Richard Moore Assistant Traffic Engineer

CRM/GMJ/rlj



HARRY J. PISTEL P. E. DIRECTOR

June 1, 1982

Mr. William E. Hammond Zoring Commissioner County Office Building Towson, Maryland 21204

> Re: Item #225 (1981-1982) Property Owner: James Brudzinski, et al S/E corner Eastern Avenue and Pelczar Avenue S/E corner Eastern Avenue and Essex Avenue Acres: 37,500 sq. ft. District: 15th 25,500 aq. ft.

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Movisory Committee in connection with the subject item. General:

The comments which were supplied in conjunction with the Zoning Advisory Committee review of the properties, located at the southeasterly corner of Pelczar Avenue and Eastern Boulevard, which comprise a portion of this present overall site (Items 120 (1972-1973) and 45 (1974-1975)) are referred to for your consideration.

In addition, Essex 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, also with fillet areas for sight distance at the Eastern Boulevard intersection.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 225 (1981-1982).

Very truly yours,

RAM: EAM: FWR: 88

cc: Jack Wimbley

I-SE & SW Key Sheets 6 & 7 NE 30 & 31 Pos. Sheets NE 2 H Topo 97 Tax Map

INTER-OFFICE CORRESPONDENCE

BALTIMORE COUNTY, MARYLAND

TO Office of Planning and Zoning	Date June 16, 1982
ROM Ian J. Forrest	
UBJECT Zoning Variance Items	
The Bultimore County Department of coning variance items, and has no specific o	Health has reviewed the following omments regarding same:
Item #203 - Dr. Larry & Gail Bed	ker
- H H H H H H H H H H	

Item #211 - Donald D. & Joyce A. Smith

Item #214 - Ridgely Condominium Assoc.. Inc. Item(#225) - James Brudzinski, et al

Item #230 - Louis & Gertrude Kiefer - Randallstown Associates

- Millard A. & Leslie R. Bierman, Jr. Item #234 - 21st Century Properties

Item #239 - Norman Isaac & Victoria DeChantal Sines, Jr.

tem #241 - Thomas J. Jerbi

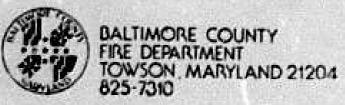
Item #243 - Chesapeake Limited Partnership - Joseph & Elizabeth Rector

Item #247 - Michael J. Rife Item #248 - Ray H. & Susan Watts, Jr.

Item #254 - William P. Gebhardt, et al Itel #255 - Dorothy A. Tallageen, et al Item #256 - Burning wood Realty, Inc.

BUREAU OF ENVIRONMENTAL SERVICES

IJF/fth



PAUL H REINCKE

Jine 14, 1982

Mr. William Hammond Coming Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Wick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: James Brudzinski, et al

Location: SE/Cor. Eastern Avenue and Pelczar Avenue

SE/Cor. Eastern Avenue and Essex Avenue Zoning Agenda: Meeting of May 11, 1982

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 or _____feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A Lecond means of vehicle access is required for the site.
- () 3. The vehicle dead end 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 operation.
- (X) 5. The buildings and structures existing or pro; sed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER LAT Quell-Kelly 616-57 Approved: Homer (1) Planning Group Special Inspection Division

Fire Prevention Bureau

JK/mb/cm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. William Hammond	Date May 26, 1982
c/o Nick Commodar	**************************************
VROM C wies E. Burnham	15B

SUBJECT Zoning Advisory Committee ... Meeting of May 11, 1982

Item #224

Standard comment.

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: May 13, 1982

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: May 11, 1982

RE: Item No: 224, 225, 226
Property Owner: Location: Present Zoning: Proposed Zoning:

> District: No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours, Wm. Nick Petrovich, Assistant Department of Planning



WILLIAM E HAMMOND ZONING COMMISSIONER

July 20, 1983

Robert J. Romadka, Esquire John B. Gontrum, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

> Re: Petitions for Special Hearing and Variances SE/corners of Eastern and Pelczar Avenues and Eastern and Essex Avenues James Brudzinski, et al - Petitioners Case No. 83-23-SPHA

Dear Sirs:

Please be advised that an appeal has been filed by John W. Hessian, III, Esquire, People's Counsel for Baltimore County, from the decision rendered by the Zoning Commissioner of Baltimore County, in the above-referenced matter.

You will be notified of the date and time of the appeal hearing when it is -scheduled by the County Board of Appeals.

Very truly yours,

William E. Hammond Zoning Commissioner

WEH:aj

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER PETITION FOR VARIANCES

SE corners of Eastern Ave. and

OF BALTIMORE COUNTY Pelczar & Essex Aves., 15th Dist.

JAMES BRUDZINSKI, Petitioner : Case No. 83-23-SPHA

ORDER FOR APPEAL

1111111

Mr. Commissioner:

Robert J. Romadka, Esquire John B. Gontrum, Esquire

TIME: 1:30 P. M.

TOWSON, MARYLAND

509 Eastern Boulevard

Essex, Maryland 21221

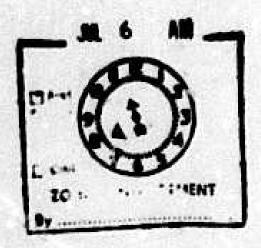
Please note an appeal from your decision in the above-entitled matter, under date of June 9, 1983, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

Peter Max Zimmerman Deputy People's Counsel

People's Counsel for Baltimore Count, Rm. 223, Court House Towson, Maryland 21204

Order for Appeal was mailed to Robert J. Romadka, Esquire, and John B. Gontrum, Esquire, Germania Federal Building, 809 Eastern Boulevard, Baltimore, MD 2:221, Attorneys for Petitioner.

Foto Malluman



June 29, 1982

Re: Petition for Special Hearing and Variances

SE/corners of Eastern Ave. and Pelczar and Essex Avenues

MOTICE OF HEARING

Case #83-23-SPHA

Tuesday, July 27, 1982

J. mes Brudzinski - Petitioner

PLACE: ROOM 106 COUNTY OFFICE HUILDING, 111 W. CHESAPEAKE AVENUE,

IN THE MATTER OF THE APPLICATION OF JAMES BRUDZINSKI FOR PETITION FOR SPECIAL HEARING and PETITION FCR VARIANCES On property located on the southeast corners of Eastern Ave and Pelazar and Essex Aves.

15th District

BEFORE COUNTY BOARD OF APPEALS BALTIMORE COUNTY

No. 83-23-SPHA

ORDER OF DISMISSAL

Petition of James Brudzinski for a special hearing for a use permit for off-street parking in a residential zone and amendments to site plans, and variances from Section 402. (102.2) and Section 1802.3.C.1 of the Baltimore County Zoning Regulations on property located on the southeast comers of Eastern Ave. and Pelczar and Essex Aves. in the 15th Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Motion for Dismissal of Appeal filed July 21, 1983 (a copy of which is attached hereto and made a part hereof) from People's Counsel for Baltimore County in the above entitled matter.

WHEREAS, the said People's Counsel for Baltimore County requests that the appeal filed on their behalf be dismissed and withdrawn as of July 21, 1983.

IT IS HEREBY ORDERED this 26th day of July, 1983, that said appeal be and the same is DISMISSED.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Leroy y. Spurger

RE: PETITION FOR SPECIAL HEARING : BEFORE THE COUNTY BOARD OF APPEALS PETITION FOR VARIANCES SE Corners of Eastern Ave. and Pelczar & Essex Aves., 15th Dist.

JAMES BRUDZINSKI, Petitioner : Case No. 83-23-5PHA

MOTION FOR DISMISSAL

......

To the Honorable, Members of Said Board:

Please dismiss the above-entitled appeal. The reason for the dismissal is that the subject petition is governed by Section 1801, 181c11, of the Baltimore County Zoning Regulations, involving residential transition area restrictions (Bill No. 109, 1982). Accordingly, since the subject petition was filed prior to June 30, 1982, it was not subject to the new restrictions then enacted and incorporated in Section 1801.1b. The petition otherwise appears to be in compliance with the residential transition area restrictions,

People's Counsel for Baltimore County

OF BALTIMORE COUNTY

Peter Max Zimmerman Teputy People's Counsel Rm. 223, Court House Towson, Maryland 21204

I HEREPY CERTIFY that on this 21 day of July, 1983, a copy of the

foregoing Motion for Dismissal was mailed to Robert J. Romadka, Esquire, and John B. Gontrum, Esquire, Germania Federal Building, 809 Eastern Boulevard, Baltimore, MD 21221, Attorneys for Petitioner.

494-3180

County Board of Appro-Room 219, Court House July 26, 1983

J. W. Hessian, Fsq. People's Counsel Court House Towson, Md. 21204

Re: Case No. 83-23-SP.1A James Brudzinski Dear Mr. Hessian:

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

cc: Robert J. Romadka, Esq. J. B. Gontrum, Esq. James and Richard Brudzinshi N. Gurber J. Hoswell W. Hamman

J. Dyer

BY ORDER OF

PETITION FOR SPECIAL HEARING AND VARIANCES

15th Election District

ZONING:

Petition for Special Hearing and Variances

LOCATION:

Southeast cornersof Eastern Avenue and Pelczar and Essex Avenues

DATE & TIME:

Tuesday, July 27, 1982 at 1:30 P. M.

PUBLIC HEATING:

Room 105, County Office Building, 111 W. Chesaneake

Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and

Regulations of Baltimore County will hold a public hearing: Petition for Special Hearing under Section 500. 7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a use permit for off-street

parking in a residential zone and to amend site plans for Case #73-248-ASPH and Case #75-121-XA and general site plan amendment to allow the existing parking layout and ding size as shown on the accompanying plat to remain and to allow the existing garage to remain and the easternmost driveway on Eastern Avenue to remain open; and Variances on Lots numbered 1, 2 and 3 on the accompanying plat to allow side yard setbacks of 6', 12' and 8' in lieu of the required 15'; on Lots numbered 1 and 3 to allow rear yard setbacks of 21' and 8' in lieu of the required 30'; on Lots numbered 2 and 3 to allow sum of side yard setbacks of 24' and 26' in lieu of the required 40'; on Lots numbered 2 and 3 to allow lot widths of 70' and 80' in lieu of the required 90'

The Zoning Regulations to be accepted as follows: Section 402 (102.2) - minimum lot widths and setbacks required for conversion of one-family dwellings and yard space or minimum area required for a building or use

Section 1BO2. 3. C. 1 - minimum rear yard setbacks in a D. R. 5.5 zone All that parcel of land in the Fifteenth District of Baltimore County

Being the property of James Brudzinski, as shown on plat plan filed with the Zoning

Hearing Date: Tuesday, July 27, 1982 at 1:30 P.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

FRANK S. LEE

March 5, 1982

Funeral Home No. 1407 Eastern Avenue 15th District Baltimore County, Maryland

inding on the south side of Eastern Avenue North 86 degrees 54 minutes 11 seconds 55 sinutes 49 seconds East 150 feet and South 86 degrees 54 minutes 11 seconds West 170 feet to the east side of Pelczar Avenue, and thence running ad binding on the east side of Felczar Avenue North 3 degrees 05 minutes 49 seconds West 150 feet to the place of beginning.



Registeres Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

DESCRIPTION FOR SPECIAL HEARING

Beginning for the same at the corner formed by the intersection of the south side of Eastern Avdnue with the east side of Pelczar Avenue, thence running and 170 feet, thence running for two lines of division as follows : South 3 degrees

Containing 25,500 aquare feet of land more or less.



Phone: 687-6922

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

March 5, 1982

Whole tract 15th District Baltimore County, Maryland DESCRIPTION FOR VARIANCE AND SPECIAL HEARING

Beginning for the same at the corner formed by the intersection of the south side of Eastern Avenue with the east side of Essex Avenue, thence running and binding on the east side of gamex Avenue South 3 degrees 05 minutes 49 seconds East 250 feet, thence running for a line of division North 86 degrees 54 minutes 11 seconds East 150 feet to the west side of Pelczar Avenue, thence running and binding on the west side of Pelc zar Avenue North 3 degrees 05 minutes 49 seconds West 250 feet to the south side of Fastern Avenue, and thence running and binding on the south side of Eadtern Avenue South 86 degrees 54 minutes 11 seconds West 150 feet to he place of beginning.

Containing 37,500 square feet of land more or less.

SPECIAL HEARING FOR OFF-STREET PARKING - includes the above described property saving and excepting Lot Nos. 1.2, and 3.

VARIANCES FOR SETBACKS AND LOT WIDTHS- includes the above-described property saving and



PETITION FOR SPECIAL HEARING AND VARIANCES

15th Election District

ZONING:

Petition for Special Hearing and Variances

LOCATION:

Southeast cornersof Eastern Avenue and Pelczar and Essex

DATE & TIME: Tuesday, July 27, 1982 at 1:30 P. M.

PUBLIC HEARING:

Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing:

> Petition for Special Hearing under Section 500. 7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a use permit for off-street parking in a residential zone and to amend site plans for Case #73-248-ASPH and Case #75-121-XA and general site plan amendment to allow the existing parking layout and building size as shown on the accompanying plat to remain and to allow the existing garage to remain and the easternmost driveway on Eastern Avenue to remain open; and Variances on Lots numbered 1, 2 and 3 on the accompanying plat to allow side yard setbacks of 6', 12' and 8' in lieu of the required 15'; on Lots numbered I and 3 to allow rear yard setbacks of 21' and 8' in lieu of the required 30'; on Lots numbered 2 and 3 to allow sum of side yard setbacks of 24' and 26' in lieu of the required 40'; on Lots numbered 2 and 3 to allow lot widths of 70' and 80' in lieu of the required 90'

The Zoning Regulations to be accepted as follows:

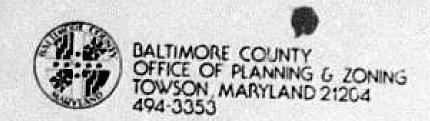
Section 402 (102.2) - minimum lot widths and setbacks required for conversion of one-family dwellings and yard space or minimum area required for a building or use

Section IBO2. 3. C. 1 - minimum rear yard setbacks in a D.R. 5.5 zone All that parcel of land in the Fifteenth District of Baltimore County

Being the property of James Brudzinski, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, July 27, 1982 at 1:30 P.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,

BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY



WILLIAM E HAMMOND ZONING COMMISSIONER

June 9, 1983

Robert J. Romadka, Esquire and John B. Gontrum, Esquire Germania Federal Building 809 Eastern Boulevard 3altimore, Maryland 21221

> RE: Petitions for Special Hearing and Variances SE/corners of Eastern and Pelczar Avenues and Eastern and Essex Avenues - 15th **Election District** James Brudzinski - Petitioner NO. 83-23-SPHA (Item No. 225)

Gentlemen:

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

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building

111 W. Chesapeake Avenue

owson, Maryland 21204

*This is not to be interpreted as acceptance of the Pericion for assignment of a

Submitted by J. Grataun

Reviewed by

Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire People's Corriel



DALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E HAMMOND ZONING COMMISSIONER

July 19, 1982

Robert J. Romadka, Esquire John B. Gontrum, Esquire 809 Eastern Boulevard Essex, Maryland 21221

> Re: Petition for Special Fearing & Variances SE/corners of Eastern Ave. and Pelczar and Essex Avenues James Brudzinski - Petitioner Case #83-23-SPHA Item #225

Dear Sirs:

This is to advise you that \$121.05 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND Zoning Commissioner

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

No. 108931

DATE 6/4/82

AMOUNT \$121.05 James Brudsinski Adverticing & Posting Case #83-23-SPHA

8 08500001210510 2058A

VALIDATION OF SIGNATURE OF CATHIER

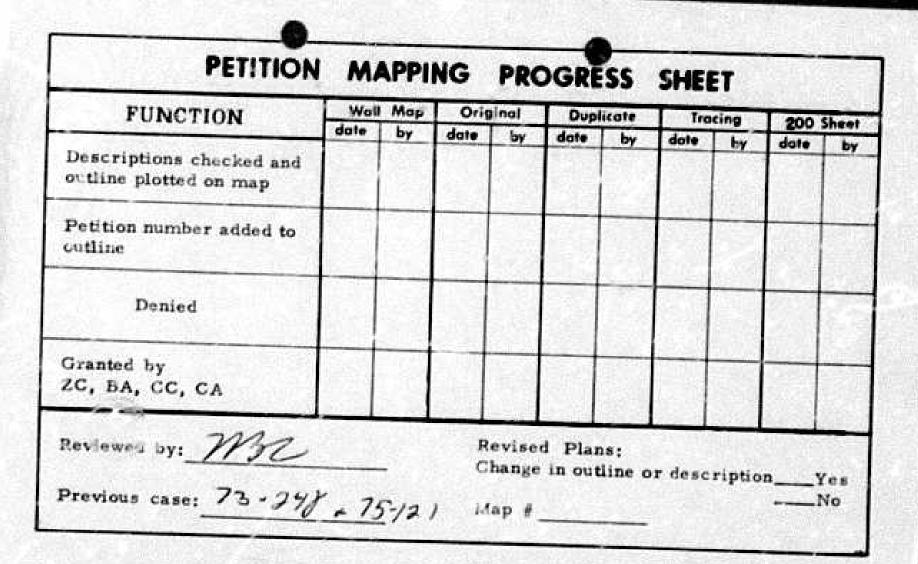
083-23-51HA

CERTIFICATE OF POSTIN ZONING DEPARTMENT OF BALTIMORE COUNTY Tower, Maryland

District 12 Date of Festing 7/30/83
Posted for: Secand of Appleals
Petitioner: James Breich gernahi
Location of property: 56/6 fantern are, and file
E GARRE CARE
Location of Signa: facility setternection to factorn not
What por hold on both with the Colonar
Remarks:
Posted by Man 2 (1971) Date of return: 8/5/83
Number of Signet

CERTIFICATE OF POSTIMO DINNIG DEPARTMENT OF BALTIMORE COUNTY Tourse, Maryland

, 5
Date of Posting 7/11/92 Poster for Preserving & granger etitioner: James Brudzynskie ocation of property: 5E Garden dec. 1 Pelicages t GREGO GERNES
osted for: I will for Tylecent Heaving & glaning
etitioner Jalle Landynskie
ocation of property: 25 / C. Earstern and I telegrant
walk apenues
ocation of Signe all right fracting intersection
Celezor & Eastern aver.
osters by filand Collman Date of return: 7/16/82
mber of Signe: 2



BALTIMORE COUNTY, OFFICE INANCE REVI MISCELLANEOUS CASH	ENUE DIVISION . 113403
DATE 7/6/83	ACCOUNT R-01-625-000
	AMOUNT \$805 \$160,00
RECEIVED People's C	ounsel
(James Brudz	e No. 83-25-SPHA ineki)

BALTIMORE COUNTY, MARYLAND Me. 106782 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

Your Petition has been received this 27

#225

Filing Fee \$ 5

PETITION FOR SPECIAL BEARING AND VARIANCES 18th Blootles District

EONING: Petition for Special Hear-ing and Variances LOCATION: Southeast corners of Eastern Avenue and P-least and Essen Avenues DATE & TIME: Tuesday, July 27, 1862 at 1:30 P.M.

County Office Building, 1. W. Chempenke Avenue, Towner, Maryland

Petition for Special Rearing inder Section 500.7 of the Baltimore
County Zoning Regulations to determine whether or not the Kening
Commissioner should approve a use
permit for off-street parking in a
residential use and to amend site
plans for Case 273-588-ASPH and
Case 275-12 XA and general site
plans amendment to allow the existing parking layout and building
size as shown on the accompanying
plat to remain and to allow the
existing garage to sensin and the
existing the remain open; and Variances on Lots numbered 1, 2 and 3
on the accompanying plat to allow
side yard setbacks of 6, 17 and 8
in lieu of the required 10; on Lots numbered 2 and 3 to allow sum of side
yard setbacks of 31 and 8 in lieu
of the required 30; on Lots numbered 2 and 3 to allow sum of side
yard setbacks of 31 and 30 in lieu
of the required 40; on Lots num-

bered 2 and 3 to allow sum of side yard setbacks of 20' and 20' in lieu of the required 40'; as Lots numbered 2 and 3 to allow lot widths of 70' and 60' in lieu of the required 50'.

The Zoning Regulations to be excepted as follows:
Section 602 (102.2) — minimum lot widths and setbacks required for conversion of one-family dwellings and yard space or minimum area required for a building or use Section 1902.2.C.1 — minimum rear yard = the..ks in a D.R. &5 sone.

All .hat parcel of land in the 215 centh District of Baltimore County Funeral Homs

No. 1407 Eastern Avenue
15th District Baltimore County,
Maryland
PESCRIPTION FOR SPECIAL
HEARING

PERCRIPTION FOR SPECIAL
HEARING
Beginning for the same at the corner formed by the intersection of the south side of Eastern Avenue with the east side of Pelcair Avenue. The county and binding on the south side of Eastern Avenue. North in degrees 54 minutes 11 seconds East 170 feet thence running for two lines of division as follows: South 3 degrees 66 minutes 69 seconds East 180 feet and South 56 centres 54 minutes 11 seconds West 170 feet to the cust side of Pelcair trenue, and thence running and binding on the cast side of Pelcair renue North 2 degrees 65 minutes 69 seconds West 150 feet to the place of beginning.
Contai ing M.500 quare feet of land more or less.

DE CRIPTION FOR VARIANCE AND SPECIAL HEARING
Bestinning for the same at the corner formed by the intersection of the acuth side of Eastern Avenue with the cast side of Eastern Avenue with the cast side of Eastern Avenue with the cast side of Eastern Avenue and the corner formed by the intersection of division North 56 degrees 54 minutes 11 seconds East 150 feet to the west side of Pelcair Avenue, thence running and binding on the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue, thence running and binding or the west side of Pelcair Avenue state side of Pelcair Stat ern Avenue South 66 degrees 54 minutes 11 seconds West 150 feet to the place of heginning.
Containing 27,500 square feet of land more of

land more or less. SPECIAL HEARING FOR OFF STREET PAR'ING -- in rudes the above described property saving and excepting Lot Nos. I. 2, and 2. and excepting Lot Nos. I. 2, and 2, YARIANCES FOR SETRACKS AND LOT WIDTHS—includes the above described property saving and excepting Lot Ios. 4. Peing the property of James Brudeinski, as shown on plot plan filed with the Eoning Department, Hearing Date: Tuesday, July 27, 1982 at 1:30 P.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeske Avenue, Towson, Maryland By Order Of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Bultimore County

Petition for Special Hearing

and Variances

16th Election District ZONING: Petition for Special Hearing and Vari-

LOCATION: So themat corners of Eastern Avenue and Pelcaur and Essex DATE & TIME. Tues

day, July 21, 1982 at 1:30

PUBLIC HEARING Room 106, County Office lers. Boilding, 111 W. Chess. Sc

paake Avenue. Towson, Md. The Zo, ing Commis-sioner of Baltimore County, by authority of the Zoning Aci and Regulations of Baltimore County will hold a public hearing. Petition for Special Hearing under Section 500.7 of the Bultimore County Zoning Regulations to determine whether or not the Zonin Com aissioner and/or Deputy Zoning Commissioner should approve a use permit for off-street parking in a residential zone as a to amend tite plans for Case 673-248-ASPH and Case #75-121-XA and general site plan amendment to allow the existing parking layout and huil is size as shown on the accor panying plat is remain and to allow the existing garage to remain and the eastermost driveway on Eastern Avenue to remain open; and Variances on Lots numbered 1, ing plat to allow side yard ! setbacks of 6', 12' and 5' in lies of the required 15'; on

Lots numbered 1 and 5 to ellow rear ward enthacks of

CERTIFICATE OF PUBLICATION

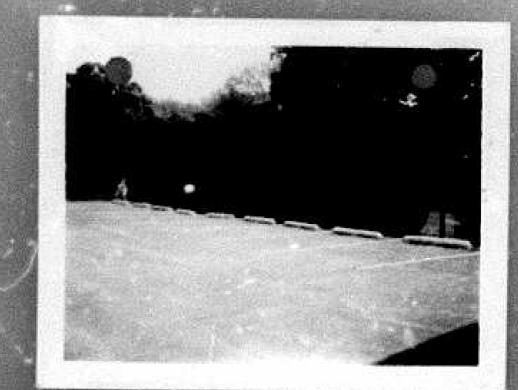
TOWSON, MD., July 8 1982

83-23-SPHA

THIS IS TO CERTIFY, that the annexed advertisement was pu' ished in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ARCOURT NAME. of __one_time__ shownshow where before the __27th day of ____July _____ 1982 ___ the ### publication appearing on the 8th day of July 1982

> THE JEFFERSONIAN, L. Leanh Structh

Cost of Advertisement, \$.47.25





31' and 8' in lieu of the required 30'; on Lots num-bered 2 and 3 to allow sum of side yard setbucks of 34 and 26 in lieu of the required 40'; on Lots num-bered 2 and 3 to allow lot widths of 70' and 80' in lieu of the required 90"

The Zoning Regulations to be accepted as follows: Section 602 (192.2) - minimum lot widths and setbacks required for conversion of one-family dwellings and yard space or minimum area required for a building or use, Secrear yard setbacks in a D.R. 5.5 zone

All that purcel of land in the Pifteenth District of Beltimore County: Funeral Home, No. 1407 Eastern Avenue. 15th District Beltimore County, Md. DESCRIPTION FOR

SPECIAL HEARING Beginning for the same at the corner formed by the intersection of the south nide of Eastern Avenue with the sast side of Pelezar Avenue, thence running and binding on the south side of Eastern Avenue North 86 degrees 54 minutes Il seconds East 170 feet, thence running for two lines of division as follows South 3 degrees 65 minutes 49 a-conds East 150 feet and South 86 degrees 54 in nutes 11 seconds West 170 feet to the east side of Pelczar Avenoe, and thence running and hinding on the sust side of Polezar avenue North 3 degrees 05 minutes 49 seconds West 150 feet to the place of beginning.

Containing 25,500 square feet of land more or Description For Vari-

ance And Special Heering:

Beginning for the same at the corner formed by the interestion of the south side Eastern Avenue Average thence running and thing on the ant side of Essex Avenue South 3 d green 35 minutes 49 seconds East 250 feet. thence running for a line of division North 86 degrees 54 minutes II seconds East 150 feet to the west side of Pelezar Avenue, thence running and binding an the west slue of Pelczer Avenue North 3 depress 05 minutes 49 seconds West 150 fe at to the south side of Eastern Avenue, and thence running and hinding on the south side of Eastern Avenue South #6 degrees 54 minutes 11 seconds West 150 feet to the place of Deginning. Containing 3., 500 square feet of land soure or

Special Hearing for Offbtreet Parking - includes the above described property saving and excepting

Los Nee. 3, 2 and A Variances For Settucky and Lot Widthy - includes the above-described propsety saving and excepting Lot No. 4.

Being the property of James Brudainski, re shown on plat plar filed with the Zening Department

Hearing Date: Tuesday. July 27, 1987 at 1 30 p.m. Public Hearing: a.om 106, County Office duilding, 11! V Chesapeak. Avenue, Towson, Md.

By Order Of William E. Hammend Zoning Commissioner of Baltimere County

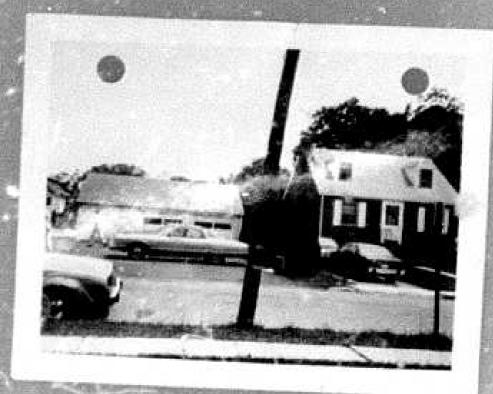
NOTICES













Qe Times

iver, Md.,

This is to Certify, That the annexed

ted in Oje Times, a newspaper printed hed in Baltimore County, once in each

re the

successive

Publisher.

