

83-171-A 83-171-A

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 plat attached hereto and made a part hereof, hereby petition for a side yard Variance from Section 1.8.02, 1.8.1 (211.1 and 301.1) to permit a setback of 10 feet instead of the required six (6) feet.

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

Due to the irregular shape of the lot, there is not enough room to construct an attached carport six feet from the property line.

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.

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.

83-171-A 108

Contract Purchaser:
None (not applicable)
(Type or Print Name)

Signature

83-171-A 108

Legal Owner(s):
Louis N. Kulaga
(Type or Print Name)

Signature

Martha R. Kulaga
(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Address

City and State

Attorney's Telephone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day

of December 1982, 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 108, County Office Building in Towson, Baltimore County, on the 8th day of February, 1983, at 9:30 o'clock

A.M.

Very truly yours,
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Dawnvale Rd., 293.83' : OF BALTIMORE COUNTY
E of Dawn Dr., 11th District
LOUIS N. KULAGA, et ux, : Case No. 83-171-A
Petitioners

83-171-A 108

Mr. Commissioners

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.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 18th day of January, 1983, a copy of the foregoing

Order was mailed to Mr. and Mrs. Louis N. Kulaga, 9409 Dawnvale Road, Baltimore,

Maryland 21236, Petitioners.

John W. Hession, III

PETITION AND SITE PLAN

EVALUATION COMMENTS

83-171-A 108

January 31, 1983

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

050

Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Department of Public Works

Public Works Department

Public Works Department

Public Works Department

Public Works Department

Public Works Department

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Mr. & Mrs. Louis N. Kulaga
9409 Dawnvale Road
Baltimore, Maryland 21236

RE: Item No. 108 - Case No. 83-171-A
Petitioner - Louis N. Kulaga, et ux
Variance Petition

Dear Mr. & Mrs. Kulaga:

The Zoning 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.

Particular attention should be afforded to the comments of the Department of Permits and Licenses. If additional information or explanation is required you may contact Mr. Charles Burnham at 494-3987.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information or your petition. If similar comments from the remaining members are received, 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,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures

83-171-A 108

83-171-A 108

William E. Hammond, Zoning Commissioner
TO: Office of Planning and Zoning Date: December 21, 1982

FROM: Jan J. Foxworth

SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item # 87 - Raymond J. Marocco, et al
- Item # 89 - Sebec Federal Credit Union
- Item #108 - Louis N. & Martha R. Kulaga
- Item #109 - William E. & Audrey J. Buchanan, Jr.
- Item #110 - Roy Neal
- Item #111 - Baltimore and Ohio Railroad Co.
- Item #114 - Eugene & Mary Passagno
- Item #115 - Bernard & Rose Stefanski
- Item #119 - Michael R. & Andrea W. Hartman
- Item #122 - Dino G. & Mary D. Blagakis

Jan J. Foxworth
Jan J. Foxworth, Director
BUREAU OF ENVIRONMENTAL SERVICES

JLF/rca

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

January 18, 1983

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

Re: Item #108 (1982-1983)
Property Owner: Louis N. & Martha R. Kulaga
S/S Dawnvale Rd. 293.83' E. of Dawn Dr.
Acres: 61.43/127.67 X 157.46/208.69
District: 11th

Dear Mr. Hammond:

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.

83-171-A 108

Baltimore County highway and utility improvements are not directly involved and exist per Public Works Agreement 117204, executed in conjunction with the development of Dawnvale, of which this property is a part.

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.

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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 108 (1982-1983).

Very truly yours,

Robert M. Norton, P.E.
ROBERT M. NORTON, P.E., Chief
Bureau of Public Services

RAH:EAM:PMR:iss

Q-SM Key Sheet
41 NE 28 Pos. Sheet
WE 11 G Topo
72 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-5211
NORMAN F. GERBER
DIRECTOR

January 18, 1983

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

Dear Mr. Hammond:

Comments on Item #108, Zoning Advisory Committee Meeting, December 7, 1982, are as follows:

Property Owner: Louis N. & Martha R. Kulaga
Location: S/S Dawnvale Road 293.83' E. of Dawn Drive
Acres: 61.43/127.67 X 157.46/208.69
District: 11th

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 meets the requirements of the Division of Current Planning and Development.

Sincerely yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning & Development

JLW:rh

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 5, 1983

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

-ZAC Meeting of December 7, 1982
Item Nos. 107, 108, 109, 110, 111, and 112.

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for Item numbers 107, 108, 109, 110, 111, and 112.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. 1.

MSF/ccm

2/8
83-171

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(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 ~~not~~ be granted.

Therefore, IT IS ORDERED by the ^{Deputy} Zoning Commissioner of Baltimore County, this 10th day of February, 1983, that the herein Petition for Variance(s) to permit a side yard setback of zero feet in lieu of the required six feet, for the expressed purpose of constructing an attached, open carport, in accordance with the site plan filed herein, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Locating and directing any rain downspouts away from adjoining property.
2. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

John M. H. Jones
Deputy Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7010

PAUL H. RENCKE
CHIEF

December 20, 1982

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

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Louis N. and Martha R. Kulaga

Location: S/S Dawnvale Road 293.83' E. of Dawn Drive

Item No.: 108

Zoning Agenda: Meeting of December 7, 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 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 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 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.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *George M. McLaughlin*
Planning Group
Special Inspection Division

Noted and
Approved: *George M. McLaughlin*
Fire Prevention Bureau

JK/mb/cm



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3500

TED LALSHAY JR.
DIRECTOR

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

Dear Mr. Hammond:

Comments on Item #108 Zoning Advisory Committee Meeting

Property Owner: Louis N. & Martha R. Kulaga
Location: S/S Dawnvale Road 293.83' E. of Dawn Drive
Baltimore County Office Building
Towson, Maryland 21204
Proposed Zoning: Variance to permit a side yard setback of 0' in lieu of the required 6'.
61.43/127.67 X 157.46/208.69
11th

The items checked below are applicable:

- (X) All structures shall conform to the Baltimore County Building Code 1982/ Council 1981 1-22 amendments and other applicable codes.
- (X) A building and other miscellaneous permits shall be required before beginning construction.
- () Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required.
- () Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- (X) An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot line. A firewall is required if construction is on the lot line. See Table 101, Item 2, Section 1007 and Table 102.
- () Suggested variance conflicts with the Baltimore County Building Code, Section 10.
- () A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the drawings will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- () Before this office can comment on the above structure, please have the owner, then the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed, comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
- () Comments:

SPECIAL NOTE:

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired, additional information may be obtained by visiting Room 0122 (Plan Room) at 111 West Chesapeake Ave., 21204.

Very truly yours,

Charles E. Dumbach
Charles E. Dumbach, Chief
Plan Review

CEB:rrrj
FORM 01-82

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Duber, Superintendent

Towson, Maryland - 21204

Date: December 6, 1982

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

Z.A.C. Meeting of: December 7, 1982

RE: Item No: 107, 108, 109, 110, 111, 112
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,

Nick Petrovich
Mr. Nick Petrovich, Assistant
Department of Planning

WNP/bp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 83-171-A
Louis N. Kulaga, et ux

Date: January 18, 1983

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

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:slc

cc: Arlene January
Shirley Mess

PETITION FOR VARIANCE

11th Election District

ZONING: Petition for Variance
LOCATION: South side of Dawnvale Road, 293.83' E. of Dawn Drive
DATE & TIME: Tuesday, February 8, 1983 at 9:30 A.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 Variance to permit a side yard setback of 0 ft. instead of the required 6 ft.

The Zoning Regulation to be excepted as follows:
Section 1B02.3B, (211.3 and 301.1) - side yard setback required for an upper projection in a D, R, 5.5 (R, 6) zone

All that parcel of land in the Eleventh District of Baltimore County

Being the property of Louis N. Kulaga, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, February 8, 1983 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Surveyor's Description

Beginning at a point on the South side of Dawnvale Road approximately 293.83 feet East of Dawn Drive and known as lot 7, block B, of Dawnvale "A" and recorded among the land records of Baltimore County in Plat Book 35, Folio 72.

Also known as 7444 Dawnvale Road.



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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

January 31, 1983

Mr. & Mrs. Louis N. Kulaga
9409 Dawnvale Road
Baltimore, Maryland 21236

Re: Petition for Variance
S/S Dawnvale Rd., 293.83' E of Dawn Dr.
Louis N. Kulaga, et ux - Petitioners
Case No. 83-171-A

Dear Mr. & Mrs. Kulaga:

This is to advise you that \$47.77 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
WILLIAM E. HAMMOND
Zoning Commissioner

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

No. 115001

DATE: 2/8/83 AMOUNT: \$47.77

RECEIVED FROM: Martin N. Kulaga
FOR: Advertising & Posting Case No. 83-171-A

6 01700000477710 8002A

VALIDATION OR SIGNATURE OF CASHIER

January 12, 1983

Mr. & Mrs. Louis N. Kulaga
9409 Dawnvale Road
Baltimore, Maryland 21236

NOTICE OF HEARING

Re: Petition for Variance
S/S of Dawnvale Rd., 293.83' E of Dawn Dr.
Louis N. Kulaga, et ux - Petitioners
Case #83-171-A

TIME: 9:30 A.M.

DATE: Tuesday, February 8, 1983

PLACE: Room 106, County Office Building, 111 West

Chesapeake Avenue, Towson, Maryland

No. 111913

ING COMMISSIONER OF
TIMORE CCUNTY

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

DATE: 1/13/83 ACCOUNT: 8-01615-00
AMOUNT: \$35.00

RECEIVED FROM: J. Kulaga
FOR: Pay for 100

0 0660000350010 5248A

VALIDATION OR SIGNATURE OF CASHIER

Mr. & Mrs. Louis N. Kulaga
9409 Dawnvale Road
Baltimore, Md. 21236

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 7th day of December, 1982.

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Louis N. Kulaga, et ux

Petitioner's Attorney

Reviewed by: Nicholas S. Commodari
Chairman, Zoning Plans
Advisory Committee



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

WILLIAM E. HAMMOND
ZONING COMMISSIONER

February 10, 1983

Mr. & Mrs. Louis N. Kulaga
9409 Dawnvale Road
Baltimore, Maryland 21236

Re: Petition for Variance
S/S of Dawnvale Rd., 293.83' E
of Dawn Dr. - 11th Election
District
Louis N. Kulaga, et ux - Petitioners
NO. 83-171-A (Item No. 10F)

Dear Mr. & Mrs. Kulaga:

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

Very truly yours,

JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

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

The Times

Middle River, Md., Jan 21 1983

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed
and published in Baltimore County, once in each
of successive
weeks before the 2nd day of
1983.
Publisher.

CERTIFICATE OF PUBLICATION

TOWSON, MD., JANUARY 20, 1983.

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., one time,
one time, before the 6th day of February, 1983, the 1st publication
appearing on the 20th day of January, 1983.

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		300 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>MM</i>										
Previous case: _____										
Revised Plans: Change in outline or description _____ Yes Map # _____ No										

PLAT FOR VARIANCE

LOUIS N. KULAGA
MARTHA R. KULAGA
9409 DAWNVALE RD.
SCALE 1"=30'
ELECTION DISTRICT 11
PUBLIC UTILITIES EXIST
ZONED DR S.S.

ITM #0V

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11 Date of Posting: 1/21/83
Posted for: Petition for Variance
Petitioner: Louis N. Kulaga, et ux
Location of property: S/S of Dawnvale Rd., 293.83'
E. of Dawn Dr.
Location of Sign: Front of Property (9409 Dawnvale Rd.)
Remarks:
Posted by: [Signature] Date of return: 1/29/83
Number of Signs: 1