

PETITION FOR ZONING VARIANCE 84-255-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 Variance from Section 1801.2.C.6 (V.B.6.B.) 301.1 to permit

a side yard of 7 feet 5 inches instead of the required
11 feet 3 inches.

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

To provide safe and reasonable access for sliding glass doors and to correct a problem with water seeping into the house. The wood of the previous deck was rotting and splitting and causing the water problem.

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.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:
Legal Owner(s):
John J. Seisman III
(Type or Print Name)
Signature
Dinah A. Seisman
(Type or Print Name)
Signature
5304 Balistan Rd. 574-8036
Address Phone No.
Baltimore MD 21204
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of February, 1984, 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 106, County Office Building in Towson, Baltimore County, on the 3rd day of April, 1984, at 10:45 o'clock A.M.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 23, 1984

Mr. & Mrs. J. Seisman, III
5304 Balistan Road
Baltimore, Maryland 21237

RE: Case No. 84-255-A (Item No. 195)
Petitioner - John J. Seisman, III, et ux
Variance Petition

Dear Mr. & Mrs. Seisman:

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.

In order to legalize the side yard setback of the existing open porch on the side of the dwelling, this variance is required.

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,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:mch

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 21, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #195 (1983-1984)
Property Owner: John J. Seisman, III, et ux
S/S Balistan Rd. 109' E. from centerline
Litany Lane
Acres: 49 X 115 District: 14th

Dear Mr. Jablon:

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.

General:

Baltimore County highway and utility improvements are not directly involved and exist per Public Works Agreement 147302, executed in conjunction with the development of "Kings Court", of which this property is a part.

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 195 (1983-1984).

Very truly yours,

ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:SE

M-SW Key Sheet
22 NE 28 Pos. Sheet
NE 6 G Topo
82 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: March 14, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
John J. Seisman, III, et ux
SUBJECT: 84-255-A

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

Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/st

MR. & Mrs. John J. Seisman, III
5304 Balistan Road
Baltimore, Maryland 21237

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 February, 1984.

ARNOLD JABLON
Zoning Commissioner

Petitioner John J. Seisman, et ux Received by: Nicholas B. Commodari
Petitioner's Attorney Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
474-3556

STEPHEN E. COLLINS
DIRECTOR

March 9, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 195, 196, 197, and 201. ZAC- February 7, 1984.
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 195, 196, 197, and 201.

Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/nem

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3271
NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 2-7-84
Item # 195
Property Owner: John J. Seisman III, et ux
Location: S/S BALISTAN RD. 109' E. of
LITANY LANE

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on
- ☒ Landscaping should be provided on this site and shown on the plan.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments:

Eugene A. Bober
Chief, Current Planning and Development

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 result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested 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 4th day of April, 1984, that the herein Petition for Variance(s) to permit a side yard setback of 7 feet 5 inches in lieu of the required 11 feet 3 inches for the open covered porch, in accordance with the site plan filed herein, marked Petitioner's 1, is GRANTED, from and after the date of this Order.

Jean M.H. Jung
Deputy Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Date: March 9, 1984

FROM: Ian J. Forrest

SUBJECT: Zoning Variance Items
February 7, 1984

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

- Item # 195 - John J. Seisman, III, et ux
- Item # 196 - Richard R. Smith, et ux
- Item # 197 - Denver G. Bash
- Item # 199 - Joseph E. Besche
- Item # 200 - James J. Rowe, et ux

Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/lth



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7310

PAUL H. RENCKE
CHIEF

February 13, 1984

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: John J. Seisman, III, et ux

Location: Balistan Road 109' E. from c/l Litany Lane

Item No.: 195 Zoning Agenda: Meeting of 2/7/84

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 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: *Paul H. Rencke* 2/14/84
Planning & Zoning Division
Approved: *George M. Wagoner*
Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

February 7, 1984

Dear Mr. Jablon:

Comments on Item # 195 Zoning Advisory Committee Meeting are as follows:

Property Owner: John J. Seisman, III, et ux
Location: S/S Balistan Road 109' E. from c/l Litany Lane
Existing Zoning: R-1
Proposed Zoning: Variance to permit a side yard setback of 7'5" in lieu of the required 11'3" for an open deck.

Acres: .69 x .115
District: 14th.

The items checked below are applicable:

- (X) A. All structures shall conform to the Baltimore County Building Code 1961/Council Bill L-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- (X) B. A building/ & other permit shall be required before beginning construction.
- () C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- () D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- () E. An exterior wall erected within 6'0" for Commercial uses or 1'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. If firewall is required if construction is on the lot line, see Table 601, Item 3, Section 1107 and Table 1102, also Section 501.2.
- () F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s.
- () G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- () H. Before this office can comment on the above structure, please have the owner, thru 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 can comply with the height/area requirements of Table 505 and the required construction classification of Table 601.
- () I. Comments - Use a 60# Live Load design in construction of deck.

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 322 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:es

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: February 2, 1984

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: February 7, 1984

RE: Item No: 195, 196, 197, 198, 199, 200, 201, & 202.

Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/lh

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Balistan Rd., 109' : OF BALTIMORE COUNTY
E of the Centerline of Litany :
Lane (5304 Balistan Road), :
14th District :
JOHN J. SEISMAN, III, et ux, : Case No. 84-255-A
Petitioners

ENTRY OF APPEARANCE

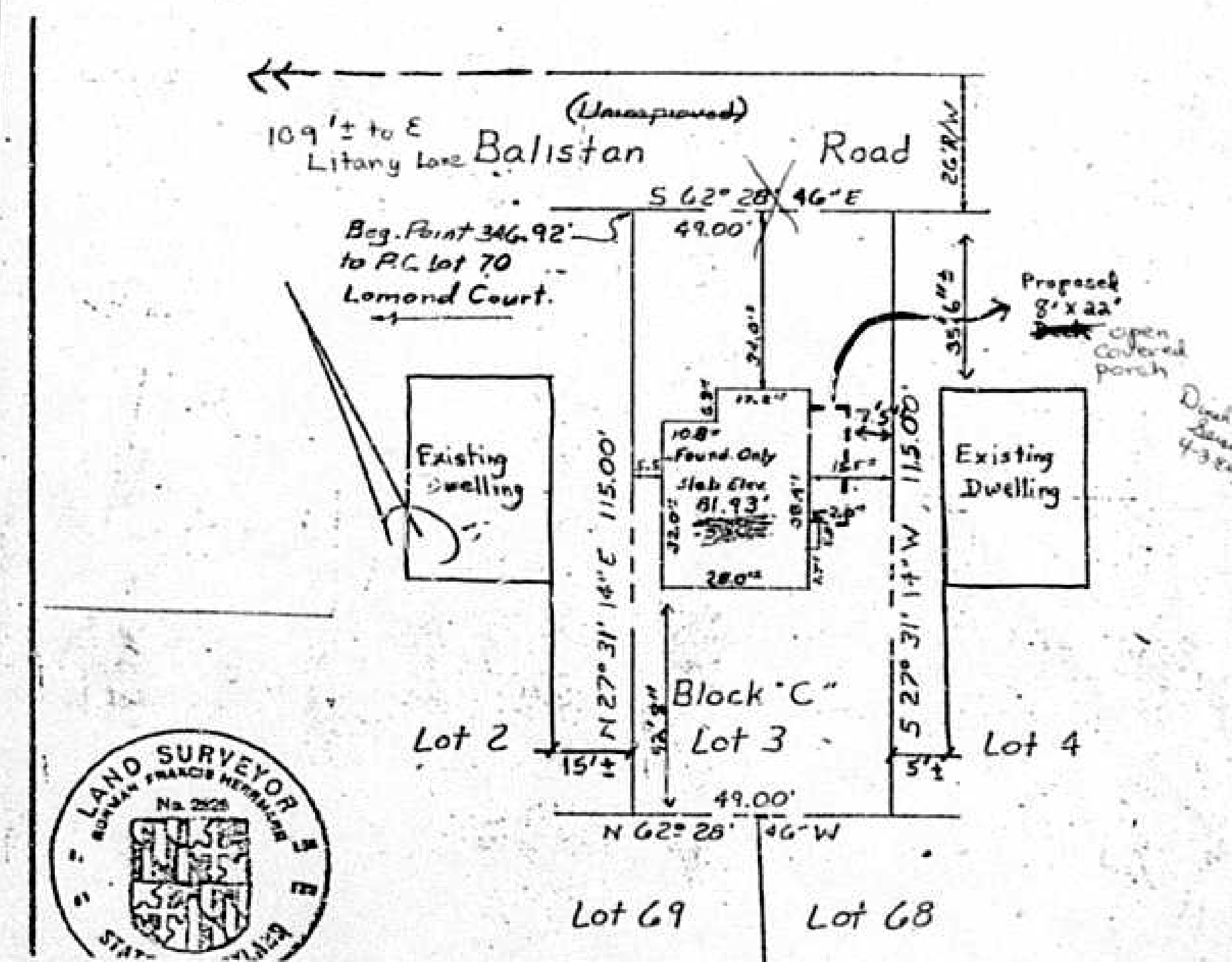
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 21st day of March, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. John J. Seisman, III, 5304 Balistan Road, Baltimore, MD 21237, Petitioners.

Phyllis Cole Friedman
Phyllis Cole Friedman



PETITIONER'S EXHIBIT 1

PLAN FOR ZONING VARIANCE
OWNER - John J. Seisman III and Dinah Seisman
DISTRICT - 14, ZONED D.R.5.5
SUBDIVISION: Kings Court
Lot 3, Section C, Book No. 40, Folio 147
EXISTING UTILITIES IN: Balistan Rd.
SCALE: 1"=30'



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

ARNOLD JABLON
ZONING COMMISSIONER

April 4, 1984

Mr. and Mrs. John J. Seisman, III
5304 Balistan Road
Baltimore, Maryland 21237

RE: Petition for Variance
S/S of Balistan Rd., 109' E of
the center line of Litany Lane
(5304 Balistan Rd.) - 14th
Election District
John J. Seisman, et ux - Petitioners
No. 84-255-A (Item No. 195)

Dear Mr. and Mrs. Seisman:

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

Very truly yours,

Jean M.H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: People's Counsel

March 7, 1984

Mr. & Mrs. John J. Seisman, III
5304 Ballistan Road
Baltimore, Maryland 21237

NOTICE OF HEARING

Re: Petition for Variance
S/S of Ballistan Rd., 109' E of the c/l of
Litany Lane (5304 Ballistan Road)
John J. Seisman, III, et ux - Petitioners
Case No. 84-255-A

TIME: 10:45 A.M.

DATE: Tuesday, April 3, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

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

No. 124079

DATE: 3-2-84 ACCOUNT: R-4-615-100

AMOUNT: 35.00

RECEIVED FROM: *[Signature]*

FOR: *[Signature]*

072*****255010 0250A

VALIDATION OR SIGNATURE OF CASHIER



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

ARNOLD JABLON
ZONING COMMISSIONER

March 26, 1984

Mr. & Mrs. John J. Seisman, III
5304 Ballistan Road
Baltimore, Maryland 21237

Re: Petition for Variance
S/S Ballistan Rd., 109' E of the c/l of
Litany Lane (5304 Ballistan Road)
Case No. 84-255A

Dear Mr. & Mrs. Seisman:

This is to advise you that \$42.11 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

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

Sincerely,

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

No. 128262

DATE: 4-3-84 ACCOUNT: R-4-615-000

AMOUNT: \$42.11

RECEIVED FROM: Mrs. John Seisman

FOR: advertising & posting Case 84-255-A

025*****42110 0036A

VALIDATION OR SIGNATURE OF CASHIER

Petition For Variance

14TH ELECTION DISTRICT
ZONING: Petition for Variance

LOCATION: South side of Ballistan Road, 109 ft. East of the centerline of Litany Lane (5304 Ballistan Road)

DATE & TIME: Tuesday, April 3, 1984 at 10:45 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 7 ft. 5 inches instead of the required 11 ft. 3 inches.

Being the property of John J. Seisman III, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of
Arnold Jablon
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md., March 15, 1984

This is to Certify That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 15th day of April, 1984

John D. Wilk, Publisher.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 14

Date of Posting: 3/12/84

Posted for: Petition for Variance

Petitioner: John J. Seisman, III, et ux

Location of property: 5304 Ballistan Rd., 109' E of c/l of Litany Lane

Location & Signs: part of property (#5304 Ballistan Rd.)

Remarks:

Posted by: Arnold Jablon

Date of return: 3/22/84

Number of Signs: 1

Zoning Description

Being on the South side of Ballistan Road, 26 feet wide, at the distance of 109 feet East of the centerline of Litany Lane. Being Lot 3, Section C, in the subdivision of Kings Court. Book No. 40 Folio 147. Also known as 5304 Ballistan Road in the 14th Election District.



CERTIFICATE OF PUBLICATION

TOWSON, MD. March 15, 1984

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 the 15th day of March, 1984, before the 15th day of April, 1984, the 15th day of March, 1984.

THE JEFFERSONIAN
[Signature]
Manager.

Cost of Advertisement, \$ 12.00

PETITION FOR VARIANCE

14th Election District

ZONING: Petition for Variance

LOCATION: South side of Ballistan Road, 109 ft. East of the centerline of Litany Lane (5304 Ballistan Road)

DATE & TIME: Tuesday, April 3, 1984 at 10:45 A.M.

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

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Petition for Variance to permit a side yard setback of 7 ft. 5 inches instead of the required 11 ft. 3 inches

Being the property of John J. Seisman, III, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY