

138 PETITION FOR ZONING VARIANCE 84-294-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 a part hereof, hereby petition for a Variance from Section 1A04-3, 8-3 to permit a side yard setback of 24' instead of the required 50' and to allow accessory structure in front yard in lieu of the required rear yard

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

The location of the existing partial foundation and access road on the property dictated that the house be placed in the proposed position.

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) Antoni Horodowicz

Signature: [Signature]

Address: 3012 Fifth Ave. Baltimore, Md. 21234

City and State: Baltimore, Md. 21204

Attorney for Petitioner: (Type or Print Name) [Signature]

Address: 3012 Fifth Ave. Baltimore, Md. 21234

City and State: Baltimore, Md. 21204

Attorney's Telephone No. 665-5743

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of April, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of May, 1984, at 10:15 o'clock P.M.

(over)

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

April 27, 1984

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

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.

Highways:

Jerusalem Road, an existing public road, is proposed to be further improved in the future on a 70-foot right-of-way.

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 is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

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.

A stream tributary to Little Gunpowder Falls traverses this property.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain for a 100-year design storm. However, a minimum width of 50 feet is required.

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
5/5 Jerusalem Rd., approx. : OF BALTIMORE COUNTY
1,350' E of Chapman Rd., :
11th District :
ANTONI HORODOWICZ, et ux, : Case No. 84-294-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

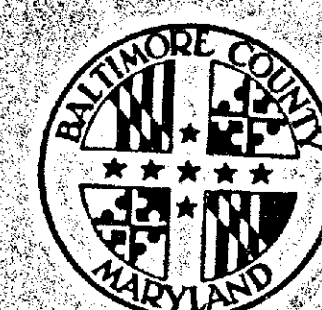
I HEREBY CERTIFY that on this 10th day of April, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Antoni Horodowicz, 3012 Fifth Avenue, Baltimore, MD 21234, Petitioners.

Phyllis Cole Friedman
Phyllis Cole Friedman

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 17, 1984

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

Mr. & Mrs. Antoni Horodowicz
3012 Fifth Avenue
Baltimore, Maryland 21234

RE: Case No. 84-294-A (Item No. 235)
Petitioner - Antoni Horodowicz, et ux
Variance Petition

Dear Mr. & Mrs. Horodowicz:

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 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 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. CONNORARI
Chairman
Zoning Plans Advisory Committee

NEC:bsc

Enclosures

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-2001
NORMAN E. GENDER
DIRECTOR

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

Re: Zoning Advisory Meeting of 3/24/84
Item # 132
Property Owner: ANTONI HORODOWICZ, et ux
Location: 5/5 JERUSALEM RD., 1350' E. OF CHAPMAN RD.

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.
- ☒ Planning 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 [unclear].
- ☒ 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 [unclear].
- ☒ 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:

THE PETITIONER OWNS ADDITIONAL ADJACENT LAND.

THIS LOT WAS CREATED BY A SUBDIVISION PLAT

MAY BE NEEDED

Eugene A. Rober
Eugene A. Rober
Chief, Current Planning and Development

cc: James Roswell

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550
STEPHEN E. COLLINS
DIRECTOR

April 16, 1984

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

Item No. 230,233,234,236,237, and 238 - ZAC-Meeting of March 20, 1984
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 230,233,234,236,237, and 238.

Michael S. Flanigan
Traffic Engineering Assoc. II

HSF/ccm

Therefore, IT IS ORDERED by the ^{Deputy} Zoning Commissioner of Baltimore County, Md. 13-24
day of June, 1984, that the herein Petition for Variance(s) to permit a side
yard setback of 24 feet instead of the required 50 feet and an accessory structure
in the front yard in lieu of the required rear yard, in accordance with the
site and construction plans filed herein and marked Petitioners' Exhibits
2 and 3 respectively, is GRANTED, from and after the date of this Order, subject,
however, to the following:

1. No service garage work shall be permitted on the property.
2. No unlicensed/undriveable vehicles may be stored outside the buildings.
3. The dwelling must be completed within three years from the date of this Order.
4. Approval of the aforementioned site plan by the Office of Planning and Zoning.
5. No permits will be issued until the expiration of the appeal periods.

Jean M H Jung
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE June 13, 1984 (Clerk)
BY Mary Campbell
Assistant Clerk

SS 20 1082 (1)

March 22, 1954
Date


Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

/mb

1

11-11-68

Sincerely,
Teresa M. Albright
Teresa M. Albright

cc: Charlotte Pine
Antoni Horodowicz

84-190-22
89-Cas 222

JAMES A. PINE
ATTORNEY AT LAW
809 BALTIMORE AVENUE
TOWSON, MARYLAND 21204
PHONE (301) 833-8200
May 23, 1984

Ms. Jean M. H. Jung
Deputy Zoning Commissioner
Baltimore County Office of
Planning and Zoning
Towson, Maryland 21204

RE: Item 238
84-294-A ANTONI HORODOWICZ, et ux

Dear Ms. Jung:

I have had the opportunity to review the permits submitted by Mr. Topper in behalf of Antoni Horodowicz and Bozena Horodowicz in the above captioned matter.

My concern is that the permits in each case were issued for structures to be used as barns. At no time has the applicant used these structures for a barn. They have kept no animals. They have stored no barn supplies or tractors or hay or grain of any nature. The uses as testified to by Mr. Albright have really been to store cars and car parts.

The shape of the property is significant. It is a narrow, long strip. The Petitioner testified that he owns 17 acres adjacent to this 3.21 acres. He could very easily build his home where the current three-bay garage is located and only impact on himself and the adjoining property that he owns.

It is not logical for the "garage" to be at the front of the lot and the home (now barn) in the rear just 25' from the Albright property line.

Variances are to be granted in hardship cases and not for the purpose of causing a hardship to neighboring property owners.

Very truly yours,
Charlotte W. Pine
Charlotte W. Pine

CWP:ec
cc: Gerald E. Topper, Esq.

84-1234
Cas 222

GERALD E. TOPPER
ATTORNEY AT LAW
545 PARK AVENUE
TOWSON, MARYLAND 21204
(301) 296-4295
May 29th, 1984

Ms. Jean M. H. Jung
Deputy Zoning Commissioner
Balto. Co. Office of Planning & Zoning
Towson, Maryland, 21204

Re: Item 238
84-2 -A ANTONI HORODOWICZ, et ux
ZONING DEPARTMENT

Dear M's. Jung:

With reference to Attorney Pine's letter to you May 23rd, pertinent to the above item, it would appear that a reply should be forthcoming.

Mrs. Pine states that her concern is that the "permits in each case were issued for structures to be used as barns". Fortunately for the neighbors, Mr. Horodowicz keeps no animals. Mr. Horodowicz advises contrary to Mrs. Pine's statement, he stores three tractors in the building, lawnmowers, farm equipment, and other material. Mr. Horodowicz further states that he actually does store his personal car in the building.

Since the foundation walls are already in existence, the Petitioner seeks to save the costs of abandoning the existing foundation and putting new foundation elsewhere. This would actually place a financial hardship on Petitioner.

Mrs. Pine says, "It is not logical for the 'garage' to be at the front of the lot and the home (now barn) in the rear just 25' from the Albright property line." I believe that the Petitioner has a right, acting within the law, to place his house wherever he so wishes.

Mr. Albright has placed a metal building, which the Petitioner states Mr. Albright informed him was to be used for a pig pen. Under the circumstances, it is hard to interpret what is meant by, "the only impact on himself and the adjoining property that he owns".

The variance for which Petitioner has applied is an attempt to avoid a hardship of abandoning existing foundation walls and excavating and putting up foundation walls elsewhere. What hardship is caused Mr. Albright is hard to see.

- 1 -

PAGE TWO
M'S JEAN M.H. JUNG
May 29th, 1984

Mr. Horodowicz states that regardless what he does try to do, Mr. Albright comes up with an objection.

Yours very truly,
Gerald E. Topper

GET/ta
CC: Mrs. Charlotte W. Pine, Esq.
Mr. and Mrs. Antoni Horodowicz

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: April 11, 1984

Norman E. Gerber, Director
FROM: Office of Planning and Zoning

Antoni Horodowicz, et ux
SUBJECT: 84-294-A

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

NEG/JGH/sf

Norman E. Gerber, Director
Office of Planning and Zoning

The following is a description of the property located at the address of 12144 Jerusalem Rd., belonging to Mr. & Mrs. Antoni Horodowicz.

Beginning at a point in the south side of Jerusalem Road approximately 1350' east of Chapman Rd. and thence running north 11°44'00" west-253.64'; thence north 14°18'00" west-276.41'; thence north 09°37'00" west-458.18'; thence south 64°07'00" east-264.00'; thence south 02°36'00" east-5.54'; thence south 09°55'31" east-736.61'; thence south 68°15'23" west-100.00'; thence south 02°36'00" east-21.45'; thence south 51°24'00" west-98.59' to the place of beginning.

PETITION FOR VARIANCES
11th Election District

ZONING: Petition for Variances

LOCATION: South side of Jerusalem Road, approximately 1,350 ft. East of Chapman Road

DATE & TIME: Wednesday, May 2, 1984 at 10:15 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 Variances to permit a side yard setback of 24 ft. instead of the required 50 ft. and to allow accessory structure in front yard in lieu of the required rear yard

Being the property of Antoni Horodowicz, 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

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

ARNOLD JABLON
ZONING COMMISSIONER

Mr. & Mrs. Antoni Horodowicz
3012 Fifth Avenue
Baltimore, Maryland 21234

Re: Petition for Variances
S/S Jerusalem Rd., approx. 1,350' E
of Chapman Road
Case No. 84-294-A

Dear Mr. & Mrs. Horodowicz:

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,

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

No. 130299

DATE: 4-27-84 ACCOUNT: 01-615-000
AMOUNT: 442.11

RECEIVED FROM: M. Horodowicz
FOR: 84-294-A

(Cash) 102*****623118 4305A

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 21, 1984

Mr. & Mrs. Antoni Horodowicz
3012 Fifth Avenue
Baltimore, Maryland 21234

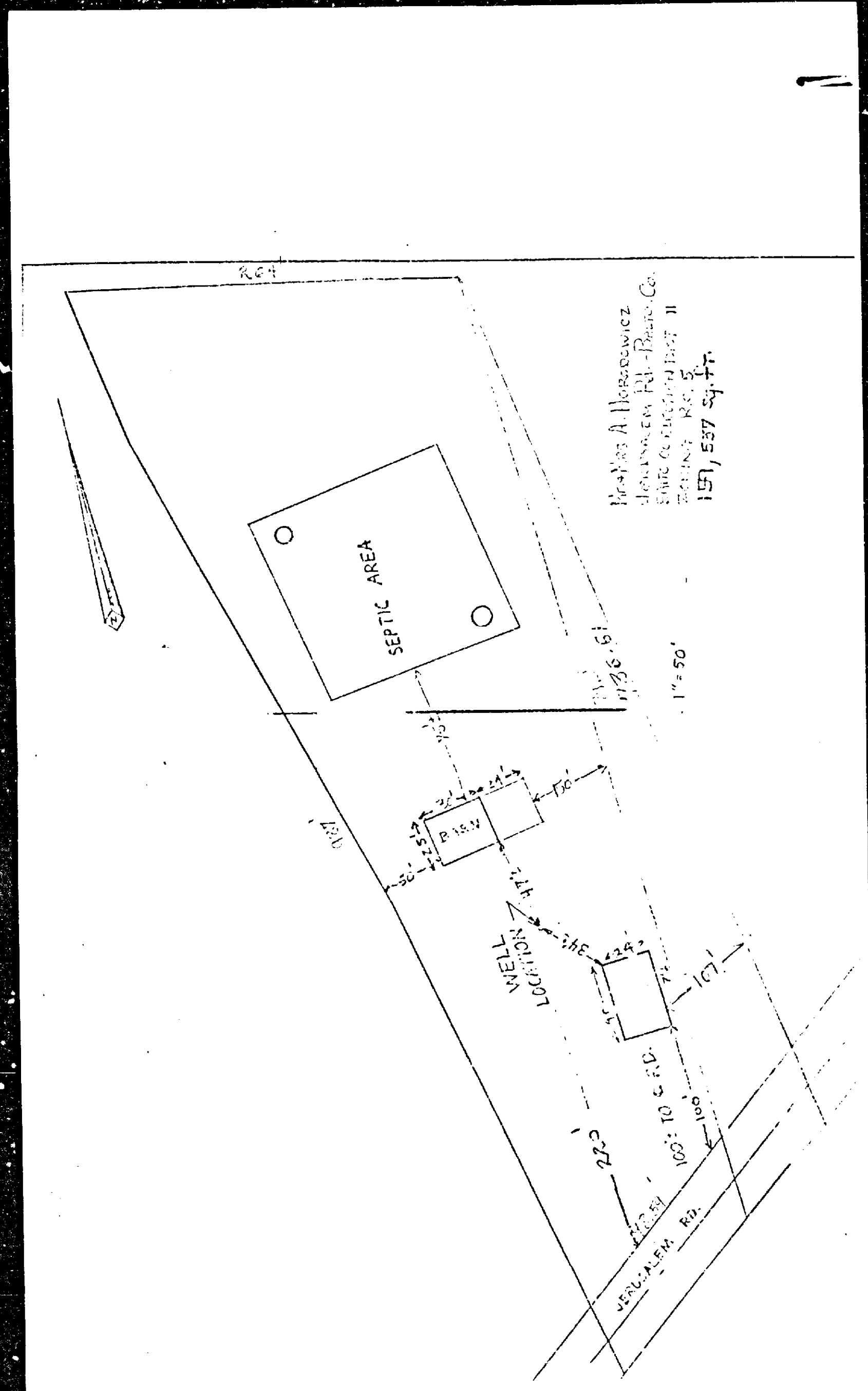
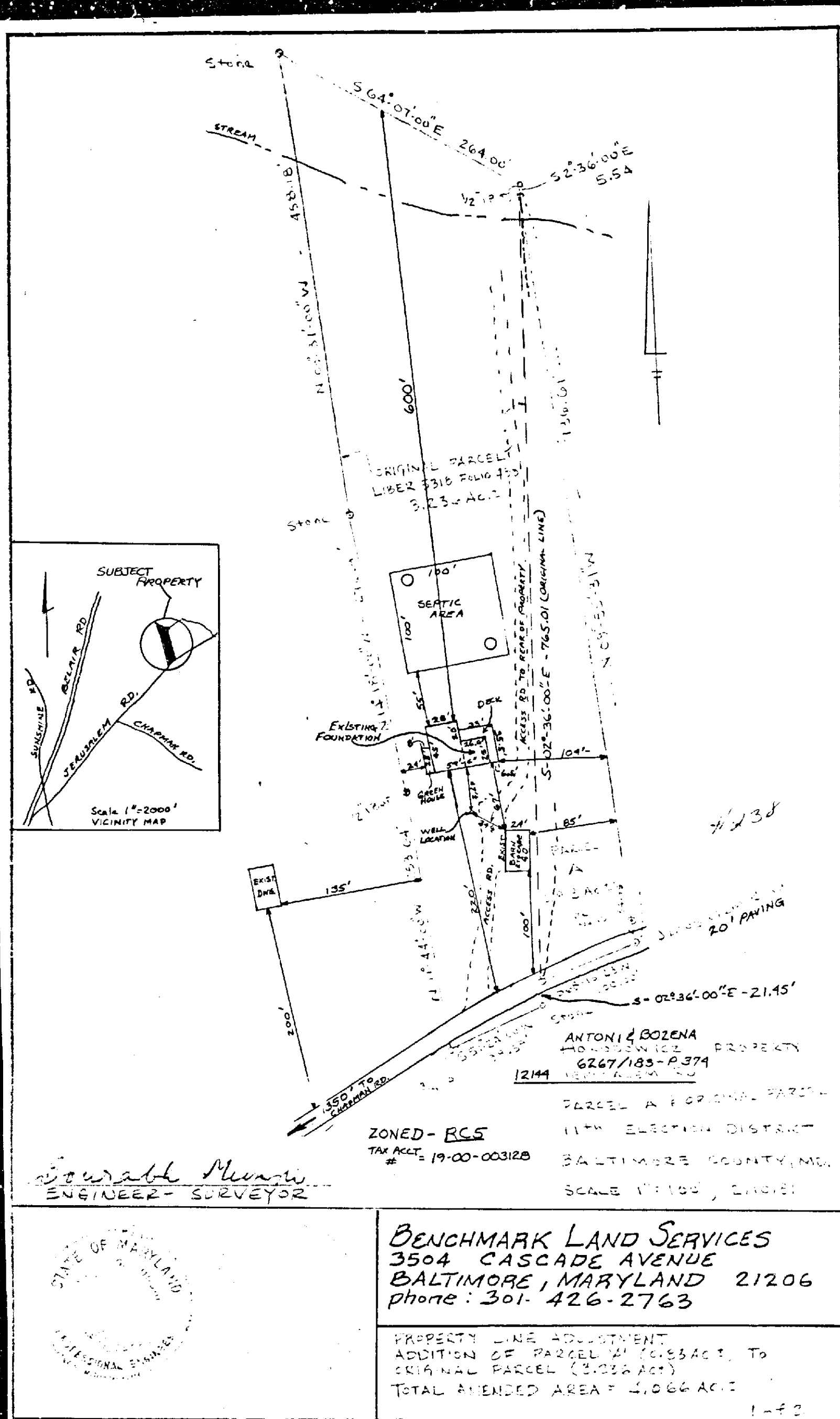
RE: Item No. 238
Petitioner - Antoni Horodowicz, et ux
Variance Petition

Dear Mr. & Mrs. Horodowicz:

I have reviewed the above referenced petition and have some questions concerning the site plan and/or petition forms. In order to avoid any extended delays in processing this petition, you should contact me immediately, at 494-3391, to discuss my concerns.

Very truly yours,
Nicholas B. Connodari
NICHOLAS B. CONNODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc
cc: Benchmark Land Services
3504 Cascade Avenue
Baltimore, Maryland 21206



CERTIFICATE OF PUBLICATION

TOWSON, MD. April 12, 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., 21204-21204 of 11th ELECTION DISTRICT before the 12th day of May, 1984, the 1984 publication appearing on the 12th day of April, 1984.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$ 18.00

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 20th day of March, 1984.

ARNOLD JABLON
Zoning Commissioner

Petitioner Antoni Horodowicz, et ux Received by Nicholas B. Commodari
Petitioner's Attorney Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

Petition For Variances
11TH ELECTION DISTRICT

The Times
Middle River, Md., April 12, 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 12 successive weeks before the 12th day of May, 1984.

BY ORDER OF
Zoning Commissioner
Of Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11th Date of Posting 4/12/84

Posted for Antoni Horodowicz, et ux

Petitioner Antoni Horodowicz, et ux

Location of property 5/5 Jerusalem Rd., approx. 1,350' E of Chapman Road

Location of Signs Antoni Horodowicz, et ux

Remarks Antoni Horodowicz, et ux

Posted by Antoni Horodowicz, et ux Date of return 4/12/84

Number of Signs 1

April 3, 1984

Mr. & Mrs. Antoni Horodowicz
3012 Fifth Avenue
Baltimore, Maryland 21234

NOTICE OF HEARING
Re: Petition for Variances
5/5 Jerusalem Rd., approx. 1,350' E of Chapman Road
Antoni Horodowicz, et ux - Petitioners
Case No. 84-294-A

TIME: 10:15 A.M.
DATE: Wednesday, May 2, 1984
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BENCHMARK LAND SERVICES
3504 CASCADE AVENUE
BALTIMORE, MARYLAND 21206
Phone: 301.426.2763

PROPERTY LINE ADJUSTMENT
ADDITION OF PARCEL TO 100-53-AC-1
TOTAL ADJ. AREA 4.066 AC.

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

ARNOLD JABLON
ZONING COMMISSIONER

June 13, 1984

Gerald E. Topper, Esquire
545 Park Avenue
Towson, Maryland 21204

RE: Petition for Variances
5/5 Jerusalem Road,
1360' E of Chapman Road -
11th Election District
Antoni Horodowicz, et ux -
Petitioners
No. 84-294-A (Item No. 238)

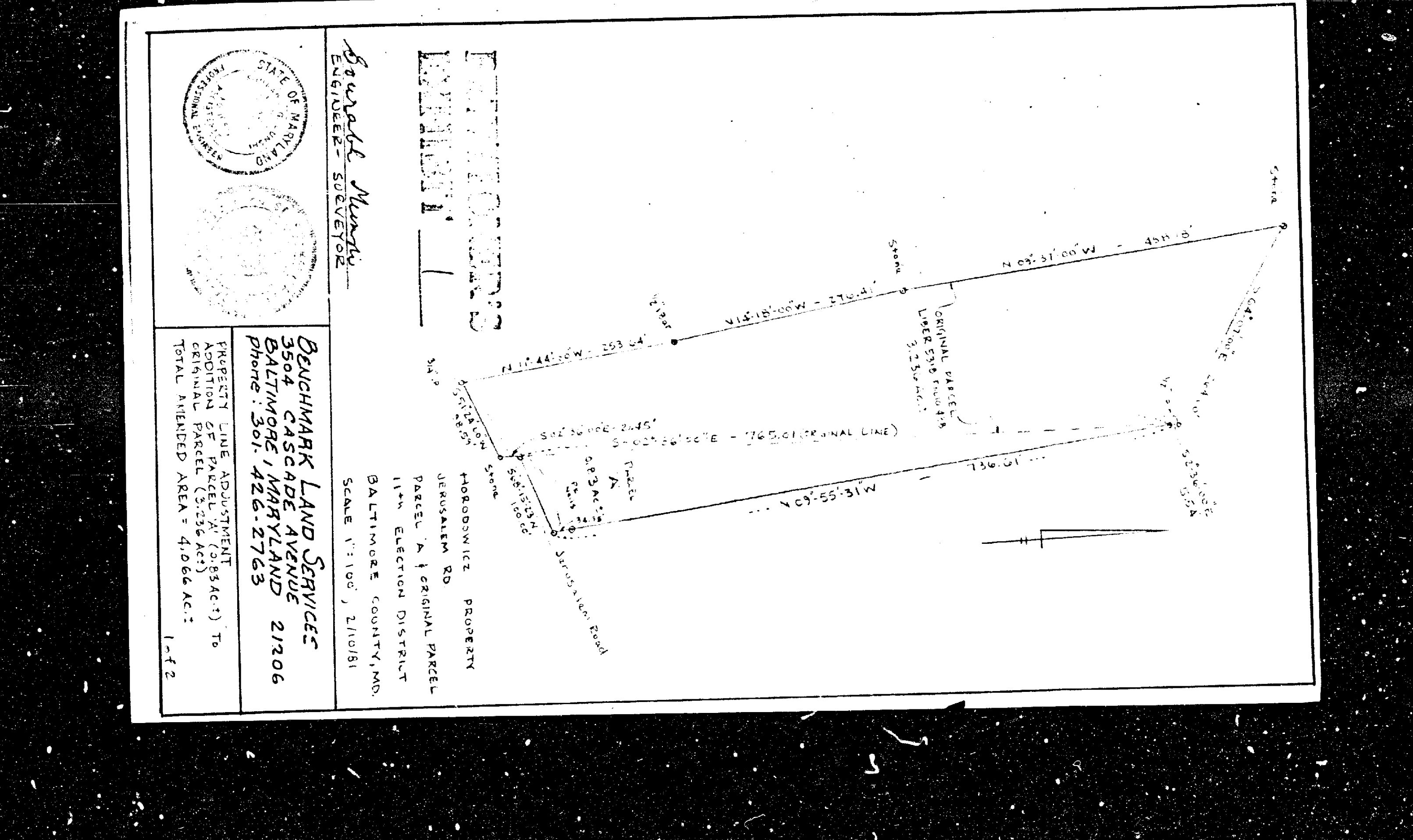
Dear Mr. Topper:

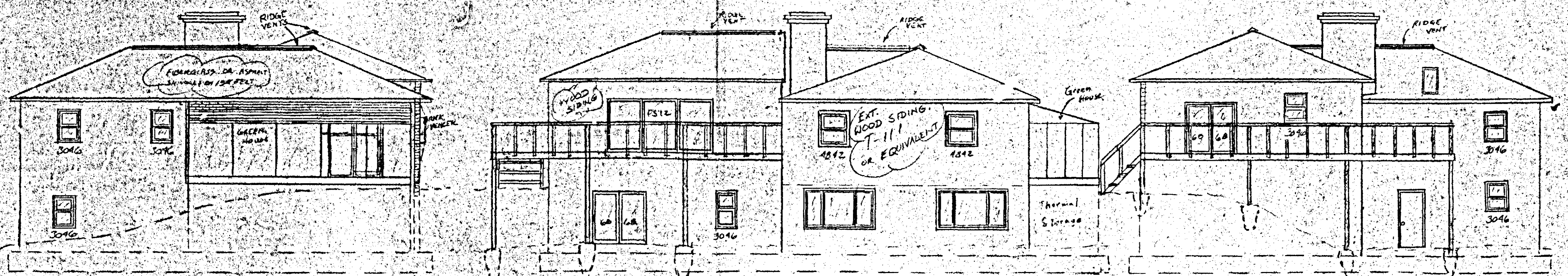
I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
Jean H. H. Jung
JEAN H. H. JUNG
Deputy Zoning Commissioner

JMH:ech
Attachments

cc: Charlotte Pine, Esquire
Ms. Ann Shepperd
Mr. and Mrs. William Albright
People's Counsel

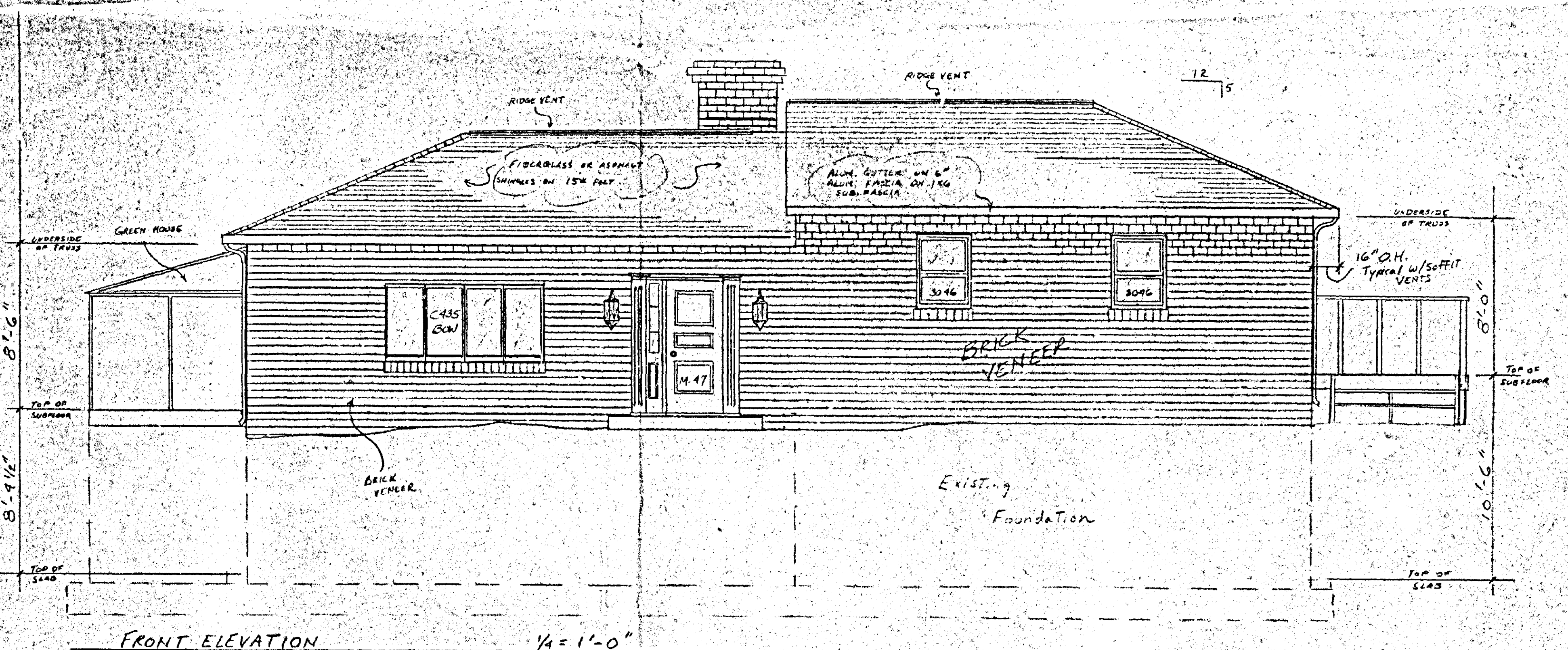




LEFT SIDE ELEVATION $\frac{1}{8} = 1'-0"$

REAR ELEVATION $\frac{1}{8} = 1'-0"$

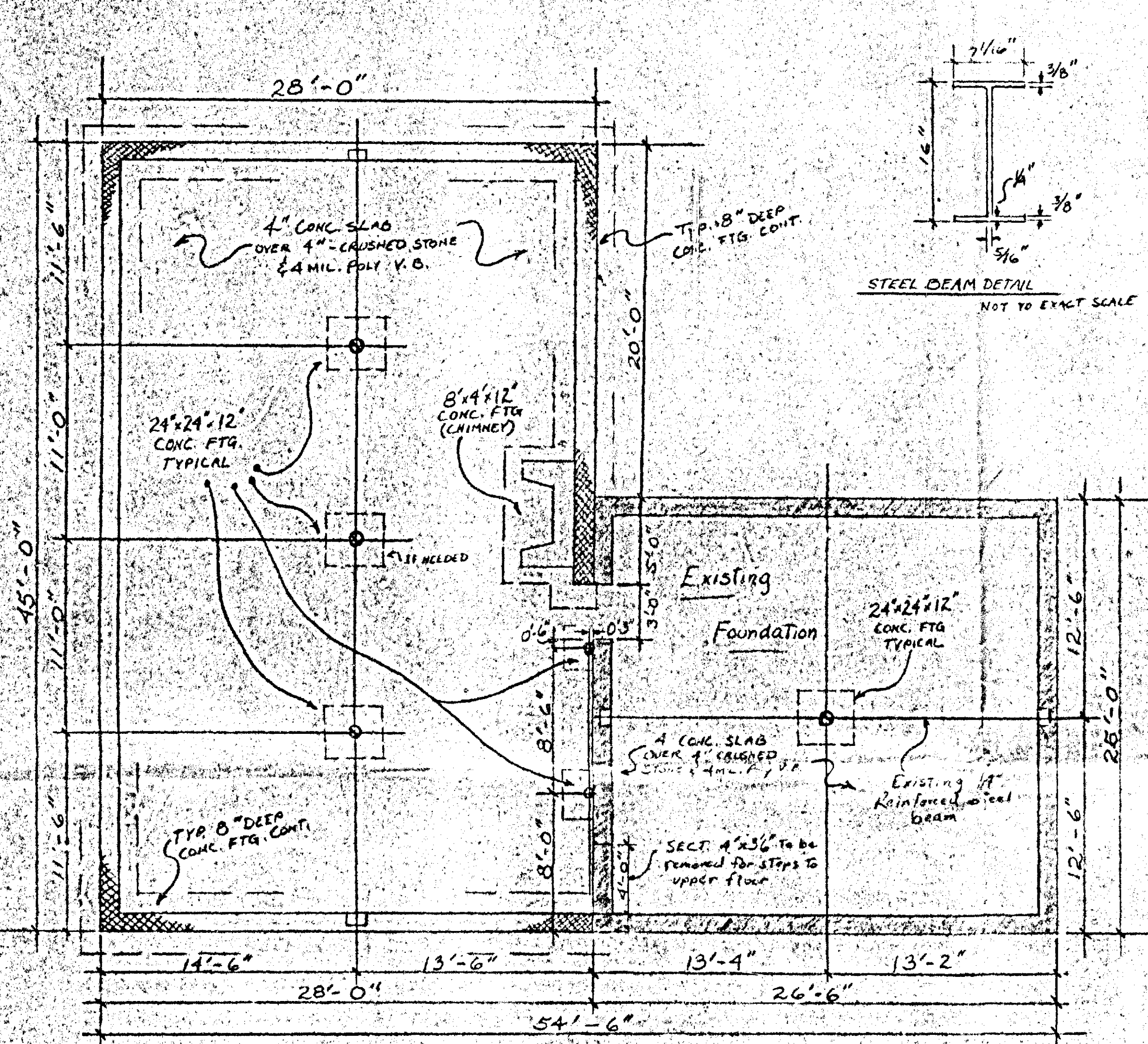
RIGHT SIDE ELEVATION $\frac{1}{8} = 1'-0"$



FRONT ELEVATION

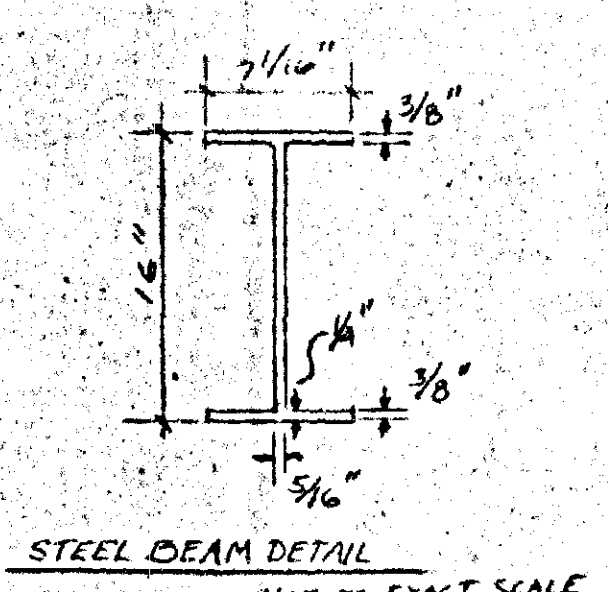
$\frac{1}{4} = 1'-0"$

RESIDENCE OF ANTONI HORODOWICZ
BOZENA HORODOWICZ
12144 JERUSALEM RD.

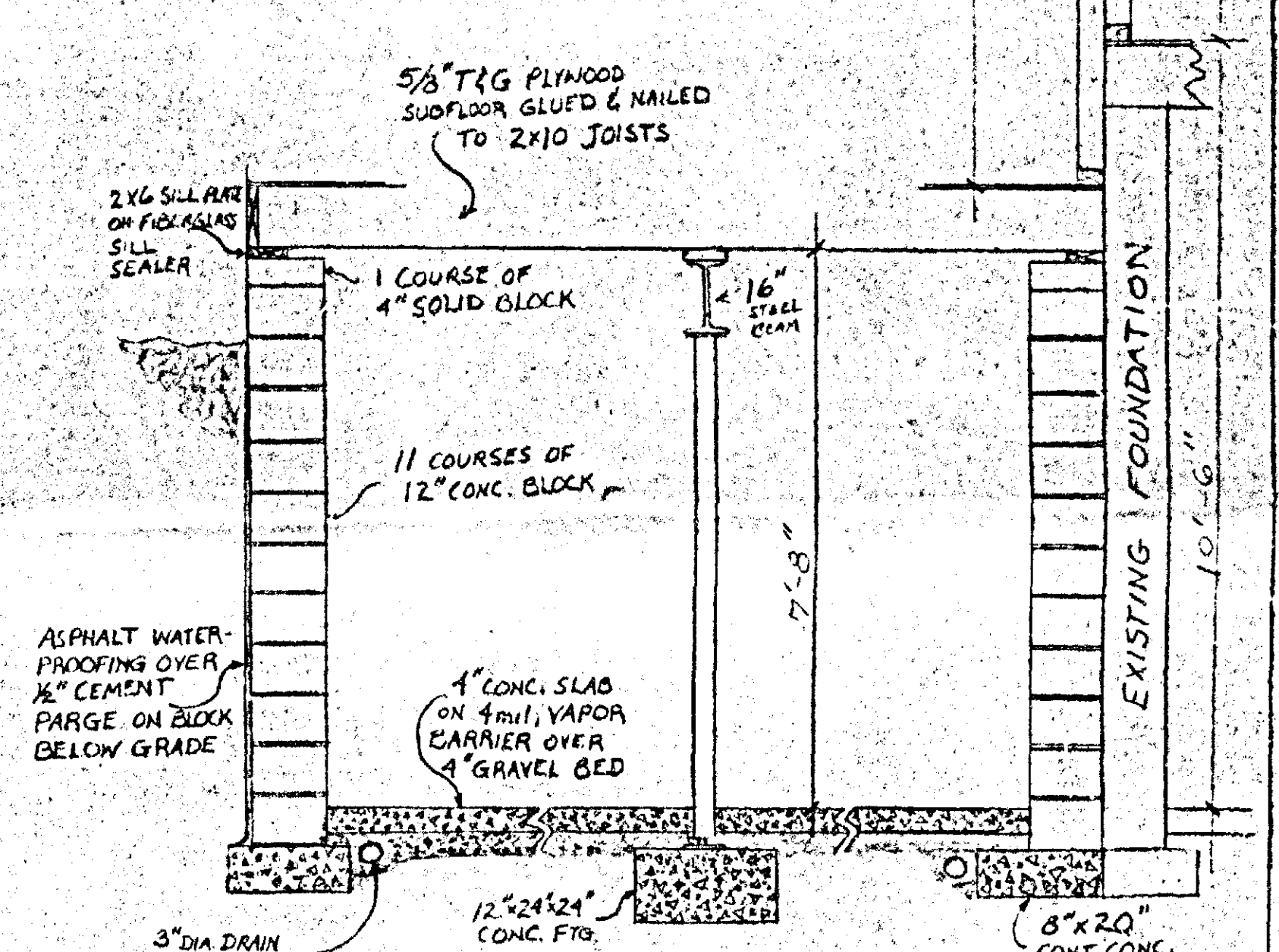


FOUNDATION PLAN

Scale: $\frac{3}{16} = 1'-0"$



ROOF TO BE FORMED OF
PRE-ENGINEERED WOOD
TRUSSES w/ CERTIFICATION STAMP
HIP ROOF SECTIONS TO BE
FIELD CONSTRUCTED.

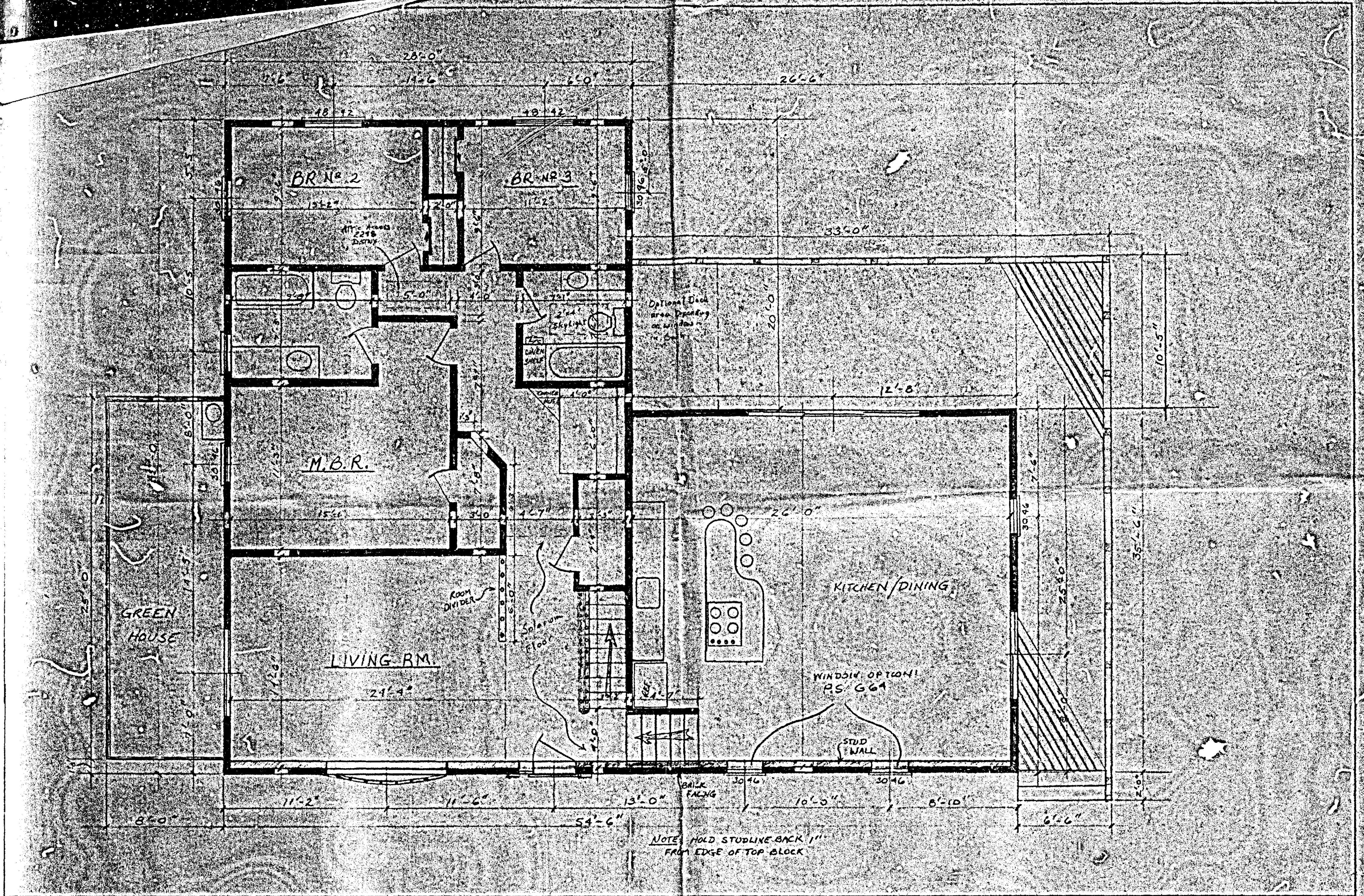


FOUNDATION X-SECTION

Scale: $\frac{1}{2} = 1'-0"$

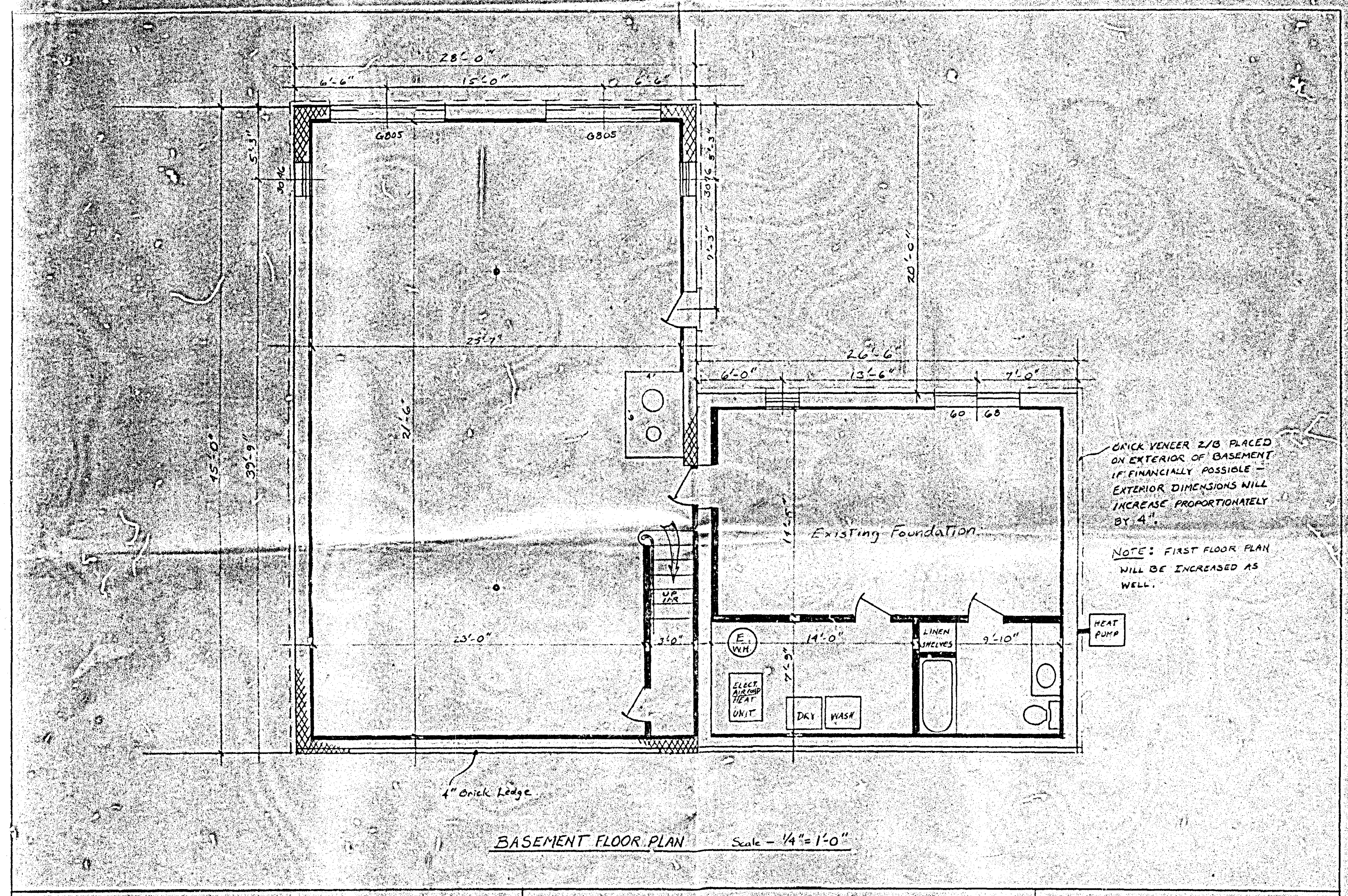
Part sub 3

RESIDENCE OF ANTONI HORODOWICZ
BOZENA HORODOWICZ
12144 JERUSALEM RD.



NOTE: 1) 2"x10" DOUBLES - ALL WINDOWS & DOOR HEADERS
 2) CONST. FIB OF HEM-FIR #2 FOR ALL JOISTS & RAFTERS
 ALL OTHERS KILN DRIED CONST. GR.
 3) WALL CONST. 2"x4"-16" O.C. & 1/2" PLYWOOD SHEATHING
 4) INSULATION: R-30 - ROOF
 R-11 - WALLS
 R-7 - BSMT.

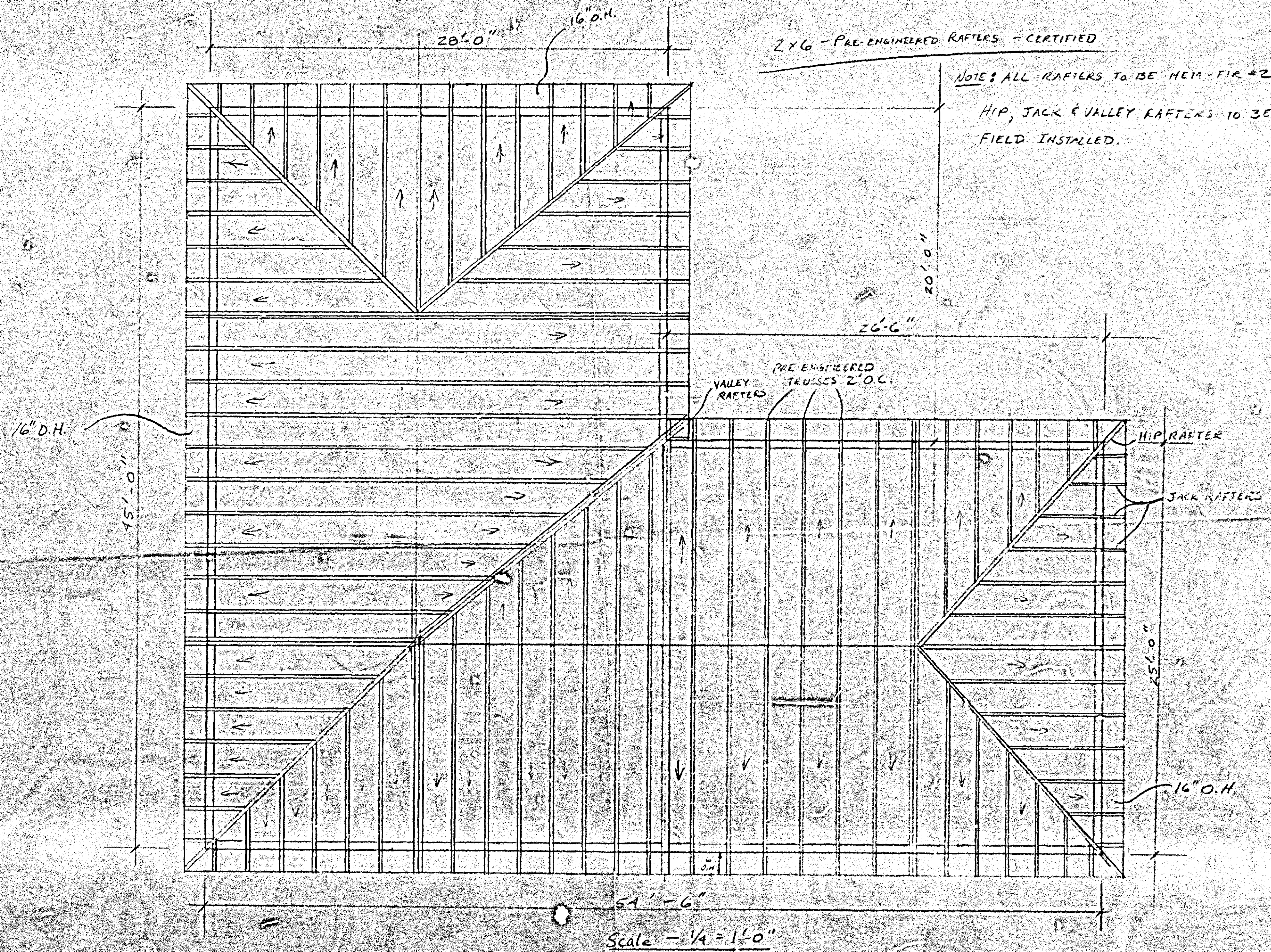
RESIDENCE OF ANTONI HORODONICZ & BOLENA HORODONICZ
 @ 1214 JERUSALEM RD.



BASEMENT FLOOR PLAN Scale - 1/4" = 1'-0"

NOTE: 1) 2"x10" DOUBLES - ALL WINDOWS & DOOR HEADERS
 2) CONST. FIB OF HEM-FIR #2 FOR ALL JOISTS & RAFTERS
 ALL OTHERS KILN DRIED CONST. GR.
 3) WALL CONST. 2"x4"-16" O.C. & 1/2" PLYWOOD SHEATHING
 4) INSULATION: R-30 - ROOF
 R-11 - WALLS
 R-7 - BSMT.

RESIDENCE OF ANTONI HORODONICZ & BOLENA HORODONICZ
 @ 1214 JERUSALEM RD.



RESIDENCE OF: ANTONI HORODONICZ
BOZENA HORODONICZ
612144 JERUSALEM RD.