

PETITION FOR ZONING VARIANCE 85-36-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 1002.3 C.1. To PERMIT A SIDE YARD SETBACK OF 4' INSTEAD OF THE REQUIRED 10'.

1. ENCLOSE EXISTING CARPORT
2. FAMILY ROOM FOR THE CHILDREN

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: _____ Legal Owner(s): Joseph J. Kaczynski
(Type or Print Name) (Type or Print Name)
Signature: Joseph J. Kaczynski
Address: _____
City and State: _____
Attorney for Petitioner: _____
(Type or Print Name) Address: _____ Phone No.: _____
Signature: Belva M. 2222
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
City and State: _____
Attorney's Telephone No.: _____
Address: 2500th W. Woodwell Rd. 251 5088
Phone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 8th day of June, 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 1st day of August, 1984, at 10:45 o'clock A.M.

Belva M.
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: July 18, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition Nos. 85-25-A, 85-30-A, 85-33-A,
SUBJECT: 85-34-A, 85-35-A and 85-36-A

There are no comprehensive planning factors requiring comment on these petitions.

NEG/JGH/sf

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 18, 1984

Mr. Joseph J. Kaczynski
2500th W. Woodwell Road
Baltimore, Maryland 21222

RE: Item No. 345 - Case No. 85-36-A
Petitioner - Joseph J. Kaczynski
Variance Petition

Dear Mr. Kaczynski:

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.

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
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

85-36-A

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 8th day of June, 1984

Arnold Jablon
Arnold Jablon
Zoning Commissioner
Received by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Petitioner Joseph J. Kaczynski
Petitioner's Attorney _____

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

KY-E-N.W.
PS-75.E. 23
TX-E.E.2-P
TX-103

July 13, 1984

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

Re: Item 345 (1983-1984)
Property Owner: Joseph J. Kaczynski
Location: E/S West Woodwell Road 100'
S. from c/y S. Woodwell Road
Acres: 75 x 100
District: 12th

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 utilities improvements exist and are not directly involved.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 345(1983-1984).

Very truly yours,
Gilbert S. Benson
GILBERT S. BENSON, P.E., Asst. Chief
Bureau of Public Services

GSB:EAM:FWR:mr

81

BALTIMORE COUNTY
DEPARTMENT OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
41-1-3211
NORMAN E. GERBER
DIRECTOR

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

Re: Zoning Advisory Meeting of 7/3/84
Item # 345
Property Owner: JOSEPH J. KACZYNSKI
Location: E/S West Woodwell Rd. 100' S. OF
S. Woodwell 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.
- ☒ 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 811 178-75. 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 "T" level intersection as defined by 811 178-75, 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. Sober
Eugene A. Sober
Chief, Current Planning and Development

cc: James Howell

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
41-1-3210
TED ZALESKI, JR.
DIRECTOR

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

Comments on Item 345 Zoning Advisory Committee Meeting

Item # 345

Property Owner: Joseph Kaczynski
Location: ES West Woodwell Road
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a side yard setback of 4' in lieu of 10'
Acres: 75 x 100
District: 12th

The items checked below are applicable:

- ☒ All structure shall conform to the Baltimore County Building Code 1061/ Council Bill 1-82 which was amended by Council Bill 1-83 and 1-84.
- ☒ A building and/or 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.
- ☒ An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, line 3, of the Building Code.
- ☒ 3'0" or closer to an exterior lot line requires a one hour rating.
- ☒ Requested variance conflicts with the Baltimore County Building Code, Section 1061.
- ☒ 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.
- ☒ 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 can comply with the height/area requirements of Table 505 and the required construction classification of Table 601.

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 #122 (Plan Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plan Review

CED:rrj

FOUR 01-82

JAN 29 1985

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 be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of August, 1984, that the Petition for Variance(s) to permit a side yard setback of four feet instead of the required ten feet, in accordance with the site plan marked Petitioner's Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

AD/srl

cc: Mr. Joseph J. Kaczynski

People's Counsel

ORDER RECEIVED FOR FILING

DATE August 2, 1984

BY *[Signature]*

Administrative Assistant

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S of Woodwell Rd., 100' : OF BALTIMORE COUNTY
S of the Centerline of :
South Woodwell Rd. :
(2500 1/2 W. Woodwell Rd.) :
12th District :
JOSEPH J. KACZYNSKI, : Case No. 85-36-A
Petitioner :
: : : : :
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.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 19th day of July, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. Joseph J. Kaczynski, 2500 1/2 W. Woodwell Rd., Baltimore, MD 21222, Petitioner.

[Signature]
Peter Max Zimmerman

CERTIFICATE OF PUBLICATION

OFFICE OF Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 July 12, 1984

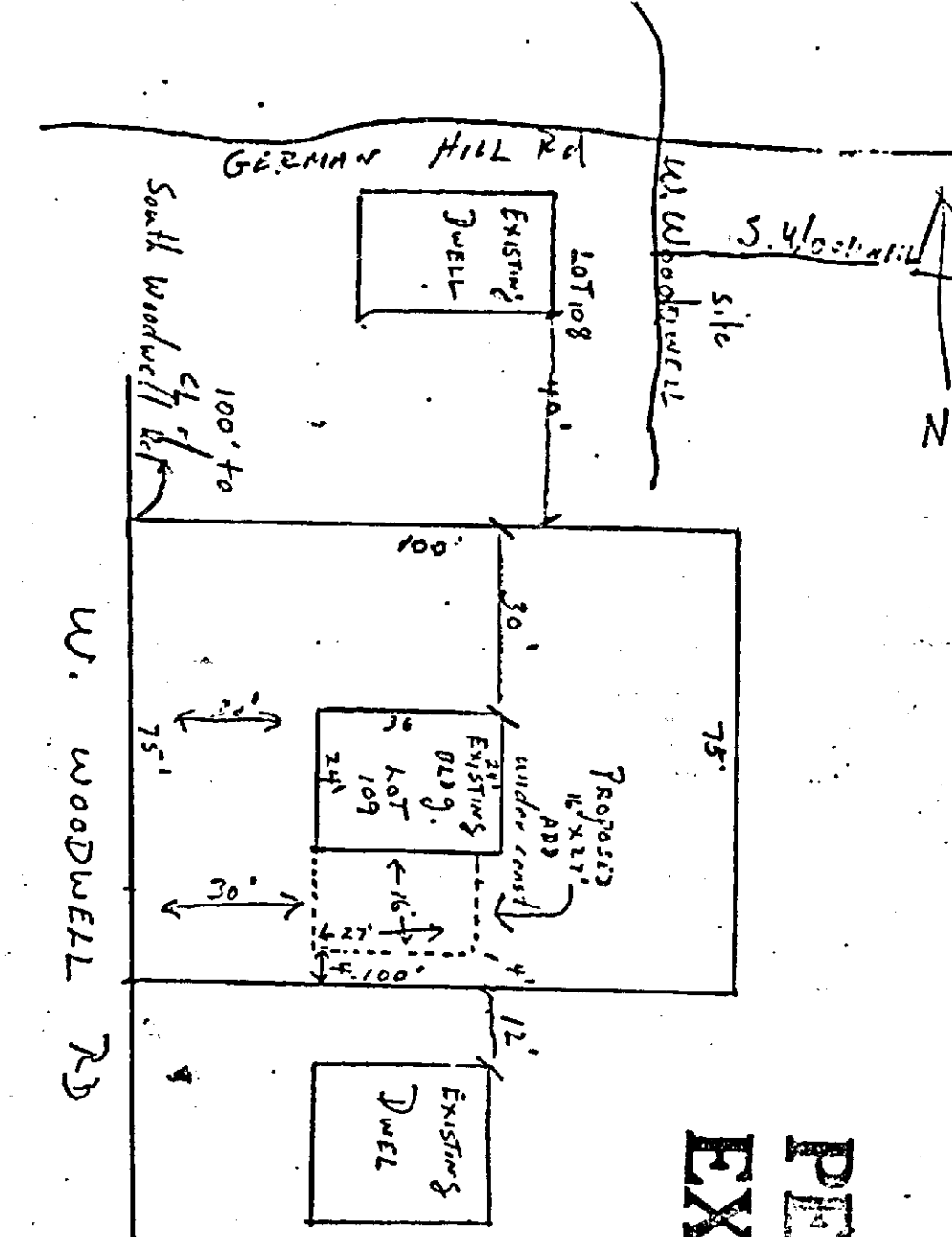
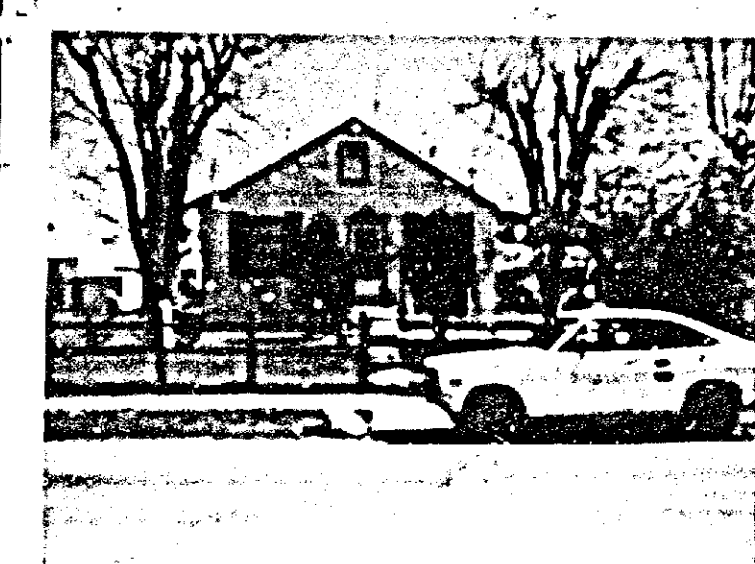
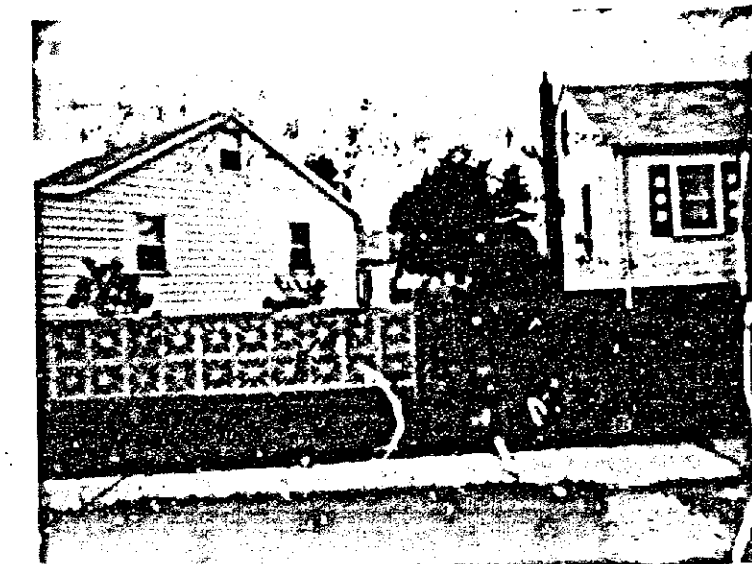
THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #57112 - Reg. #163203, was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one APPROXIMATE weeks, before the 13th day of July 1984; that is to say, the same was inserted in the issues of July 12, 1984

Kimbel Publication, Inc.
per Publisher.

By *[Signature]*
85-36-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 12 Date of Posting: 7/14/84
Posted for: *[Signature]*
Petitioner: *[Signature]*
Location of property: E/S West Woodwell Rd. 100' S of the c/l of South Woodwell Rd.
Location of Signs: front of property at 2500 1/2 West Woodwell Rd.
Remarks: *[Signature]*
Posted by: *[Signature]* Date of return: 7/20/84
Number of Signs: *[Signature]*

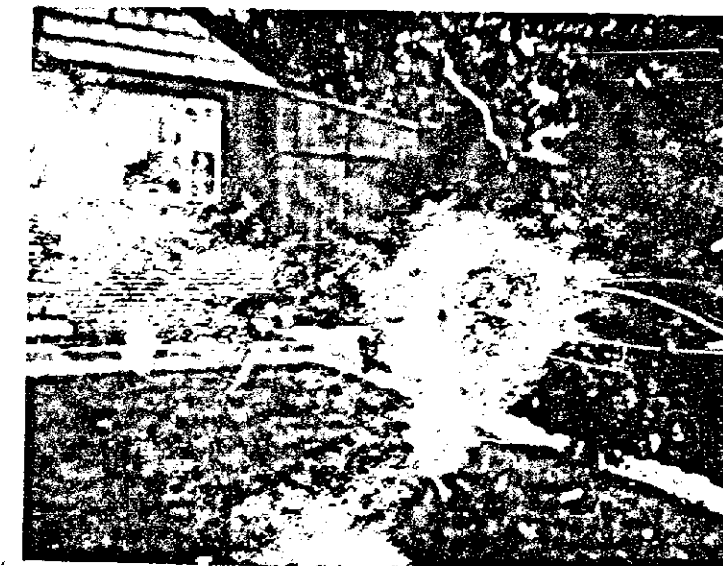


PETITIONER'S
EXHIBIT 1

11 copies

DESCRIPTION

Beginning at a point on the east side of West Woodwell Road 100 feet south of the centerline of South Woodwell Road and being known and designated as Lot No. 109, as shown on revised plat No. 3 of Gray Manor, which plat is recorded among the land records of Baltimore County, in Plat Book CHK No. 13, Folio 16. The improvements thereon being known as 2500 1/2 West Woodwell Road.



Mr. Joseph J. Kaczynski
2500 1/2 W. Woodwell Road
Baltimore, Maryland 21222

NOTICE OF HEARING
Re: Petition for Variance
E/S of West Woodwell Road, 100 ft. South of
the centerline of South Woodwell Road
(2500 1/2 West Woodwell Road)
Joseph J. Kaczynski - Petitioner
Case No. 85-36-A

TIME: 10:45 A.M.
DATE: Wednesday, August 1, 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. 130291
DATE: 8-8-84 ACCOUNT: R-11-615-227
AMOUNT: 35.00
RECEIVED FROM: *[Signature]* 345
FOR: (Cash)
C 029*****350010 6082A
VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE 12th Election District

ZONING: Petition for Variance
LOCATION: East side of West Woodwell Road, 100 ft. South of the centerline of South Woodwell Road (2500 1/2 West Woodwell Road)
DATE & TIME: Wednesday, August 1, 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 4 ft. instead of the required 10 ft.

Being the property of Joseph J. Kaczynski, 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

CERTIFICATE OF PUBLICATION

TOWSON, MD, July 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., appearing on July 12, 1984.

THE JEFFERSONIAN.

[Signature]

\$20.00

PETITION FOR VARIANCE
12th Election District
ZONING: Petition for Variance
LOCATION: East side of West Woodwell Road, 100 ft. South of the centerline of South Woodwell Road (2500 1/2 West Woodwell Road)
DATE & TIME: Wednesday, August 1, 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 4 ft. instead of the required 10 ft.
Being the property of Joseph J. Kaczynski, 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.

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

ARNOLD JABLON
ZONING COMMISSIONER

July 25, 1984

Mr. Joseph J. Kaczynski
2500 1/2 West Woodwell Road
Baltimore, Maryland 21222

Re: E/S West Woodwell Rd. 100' S of the c/l of South Woodwell Rd. (2500 1/2 West Woodwell Road)
Petition for Variance
Joseph J. Kaczynski - Petitioner
Case No. 85-36-A

Dear Mr. Kaczynski:

This is to advise you that \$50.20 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,

[Signature]
ARNOLD JABLON
Zoning Commissioner

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

No. 131962

DATE: 8/1/84 ACCOUNT: R-01-615-000

AMOUNT: \$50.20

RECEIVED FROM: Joseph Kaczynski
FOR: advertising and posting Case #85-36-A

C 026*****502010 6014F

VALIDATION OR SIGNATURE OF CASHIER