

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/would not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of May, 1985, that the Petition for Zoning Variance(s) to permit side yard setbacks of 7 feet instead of the required 10 feet and 25 feet be and the same is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. 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.
2. Baltimore County, Maryland has reviewed this application involving property located in the Maryland Chesapeake Bay Critical Area and has determined that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat.
3. The Department of Health is satisfied that the marsh land and tidal flood area will not be seriously impacted and that the proposed development will satisfy their regulations.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. Guy McClellan

Mr. Robert Buraczynski

People's Counsel

ORDER RECEIVED FOR FILING

DATE May 1985

BY *[Signature]*
ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: April 3, 1985
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 85-283-A

If this property is in the Coastal Flood Hazard Area, it will be necessary to raise the first floor to an acceptable elevation in order to conform to the standards set forth by the Department of Permits and Licenses. Under no circumstances should any filling of the site be permitted.

[Signature]
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JCH:slm

Cy: Robert W. Marriott, Jr.
Deputy Director of Planning

Eugene A. Bober, Chief
Current Planning & Devel. Div., OPZ

Andrea Ven Arsdale
Coastal Zone Planner, OPZ

James G. Hoswell, Planner
Office of the Director, OPZ

Colin K. Thacker
Department of Health

People's Counsel

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
474-3010

March 4, 1985

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

Dear Mr. Jablon:

Comments on Item #229 Zoning Advisory Committee Meeting are as follows:

Property Owner: Guy McClellan
Location: SW Corner, Chesapeake Road and Patapsco Road
Baiting Zoning: D.M. 5-5
Proposed Zoning: Variance to permit a side yard setback of 7' in lieu of the required 10', and a side street setback of 7' in lieu of the required 25'.

Address: 10,000 square feet
District: 15th.

The items checked below are applicable:

☒ All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

☒ A building & other miscellaneous permit 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. Non-reproduced seals and signatures are required on Plans and Technical Data.

☒ 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" for commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot lines. A fire wall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 402, also Section 503.2.

☒ Requested variance appears to conflict with the Baltimore County Building Code, Section 5.

☒ 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, thru the services of a Registered in Maryland Architect or Engineer certify to can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

☒ Comments - This proposed structure could be in an area subject to tidal inundation. See the attached Code requirements from Council Bill 1-82, Section 519.0.

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

Very truly yours,

[Signature]
Charles E. Burnham, Chief
Permits Bureau

SPECIAL NOTE FOR CONSTRUCTION IN TIDAL OR RIVERINE AREAS

BILL 1-82 BALTIMORE COUNTY BUILDING CODE 1981

EFFECTIVE MARCH 25, 1982

SECTION 519 A section added to read as follows:

SECTION 519.0 CONSTRUCTION IN AREAS SUBJECT HAZARD TO FLOODING

519.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides/waters, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100 year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

2. Crawl space under buildings constructed in the Tidal Plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require onsite waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

519.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.

1. No structures or additions shall be constructed within the 100 year flood plain of any watercourse. The 100 year flood plain shall be based upon the Federal Flood Insurance study or the Department of Public Works, whichever is the more restrictive; this determination shall include planned future development of the watershed area.

2. Reconstruction of residential dwelling units shall be governed by Sections 106.0 or 123.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 519.1 of this section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 519.1 when damage exceeds 50 percent of physical value.

Form 02-82

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Arnold Jablon
TO: Zoning Commissioner Date: April 8, 1985

Paul J. Solomon, Head
FROM: Environmental Planning Section, OPZ

SUBJECT: Zoning Petition 85-283-A, Item 229, McClellan

The research I have completed regarding the lot involved in this Zoning Petition indicates that a segment of the lot may be subject to tidal flooding. Also, tidal marsh may exist on the rear of the lot or adjacent thereto.

The Baltimore County Department of Health will inspect the lot to make a final determination on these matters by April 24, 1985. The Office of Planning and Zoning will provide final Critical Area comments to you following this site inspection.

PJS:vh

[Signature]
Paul J. Solomon, Head
Environmental Planning Sec.

Cy: Robert W. Marriott, Jr.
Deputy Director of Planning

Eugene A. Bober, Chief
Current Planning & Development Div., OPZ

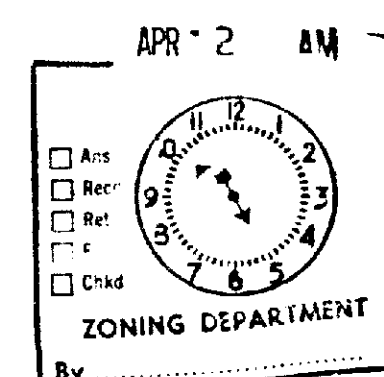
James G. Hoswell, Planner
Office of the Director

Colin Thacker
Department of Health

Stephanie Taylor
Department of Health

People's Counsel

Andrea Van Arsdale
Coastal Zone Planner



Phone: 687-6922

FRANK S. LEE

Registered Land Surveyor

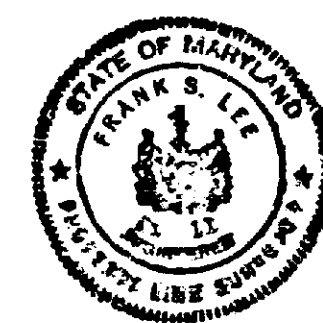
1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

January 28, 1985

Southwest corner of Chesapeake and Patapsco Roads (unimproved)
15th District Baltimore County, Maryland

Beginning for the same at the southwest corner of Chesapeake Road and Patapsco Road and being known and designated as Lot 245 as shown on Plat of Part of Section "B", Oliver Beach, said plat being recorded among the land records of Baltimore County in Plat Book 13 folio 123.

Containing 10,000 square feet of land.



PETITION FOR VARIANCES

15th Election District

LOCATION: Southwest corner of Chesapeake and Patapsco Roads (unimproved)

DATE AND TIME: Monday, April 8, 1985 at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West 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 7 ft. in lieu of the required 10 ft. and a side yard setback of 7 ft. in lieu of the required 25 ft.

Being the property of Guy McClellan as shown on the plat filed with the Zoning Office.

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

April 10, 1985

Mr. Guy McClellan
1412 Wilson Point Road
Baltimore, Maryland 21220

RE: Case No. 85-283-A

Dear Mr. McClellan:

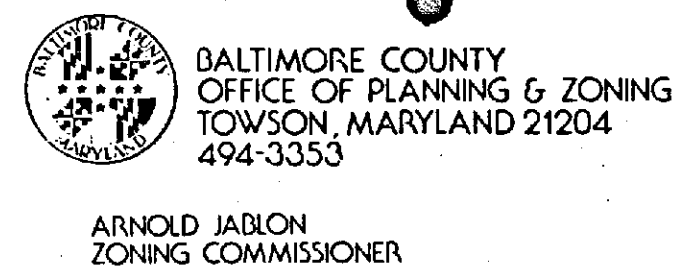
This is to advise you that the Health Department wants to do a site inspection of your property prior to any issuance of an Order. Hopefully, I will be able to render a decision by April 24, 1985.

Sincerely,

[Signature]
ARNOLD JABLON
Zoning Commissioner

AJ/srl

cc: Mr. Robert Buraczynski



April 4, 1985

Mr. Guy McClellan
1412 Wilson Point Road
Baltimore, Maryland 21220

RE: Petition for Variances
SW/cor. Chesapeake and Patapsco Rds. (unimproved)
Case No. 85-283-A

Dear Mr. McClellan:

This is to advise you that \$55.84 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. 005379

DATE: 4-5-85 ACCOUNT: R-01-615-000

AMOUNT: \$ 43.84

RECEIVED FROM: Robert Buraczynski

FOR: adms. & posting 85-283-A
(Guy McClellan) ***438418 803241

VALIDATION OR SIGNATURE OF CASHIER

Arnold Jablon
Zoning Commissioner

Mr. Guy McClellan
1412 Wilson Point Road
Baltimore, Maryland 21220

NOTICE OF HEARING

RE: Petition for Variances
SW/cor. Chesapeake and Patapsco Rds. (unimproved)
Guy McClellan - Petitioner
Case No. 85-283-A

TIME: 10:00 a.m.

DATE: Monday, April 8, 1985

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

cc: Robert Buraczynski
2133 Cockspur Road
Baltimore, Maryland 21220

Zoning Commissioner
of Baltimore County

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

No. 004924

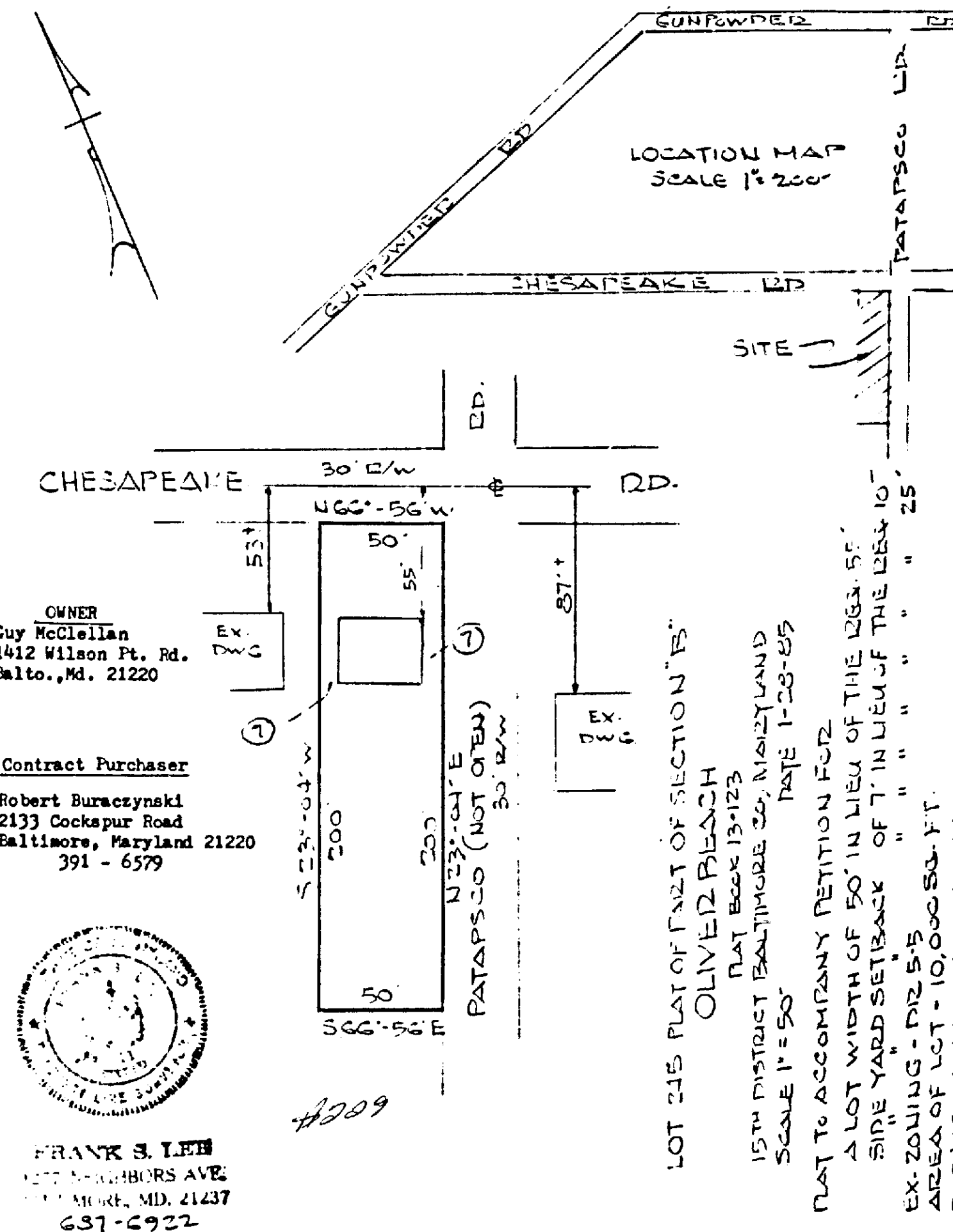
DATE: 4/5/85 ACCOUNT: R-01-615-000

AMOUNT: \$ 55.00

RECEIVED FROM: Robert Buraczynski

FOR: 101-303-21 VARIANCE

VALIDATION OR SIGNATURE OF CASHIER



CERTIFICATE OF PUBLICATION

TOWSON, MD., March 21, 1985

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 March 21, 1985.

THE JEFFERSONIAN,

18 Kentish

Publisher

Cost of Advertising

18.00

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 3/12/85

Posted for: Variances

Petitioner: Guy McClellan

Location of property: SW/cor. Chesapeake & Patapsco Rds.

Location of Sign: Facing Chesapeake Rd., between 9th & 10th Sts., 2nd Property of Petitioner

Remarks: 15th District Zoning Office

Posted by: [Signature] Date of return: 3/19/85

Number of Signs: 1

Petition for Variances
15th Election District
LOCATION: Southwest corner of Chesapeake and Patapsco Rds. (unimproved).
DATE & TIME: Monday, April 8, 1985 at 10:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West 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 on the Petition for Variances to permit a side yard setback of 7 ft. in lieu of the required 10 ft. and a side yard setback of 7 ft. in lieu of the required 10 ft. Being the property of Guy McClellan, as shown on the plat filed with the Zoning Office.
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, maintain 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 21, 1985

This is to Certify, that the annexed

Petition

Reg. L71622

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of two successive

weeks before the 21st day of

March, 1985

J. D. [Signature]

Publisher.