PETITIC I FOR ZONING VACANCE 85-283-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 1802.3.C.1. to permit a side yard setback of 7 feet in lieu of the required 10 feet and a side street setback of 7 feet in lieu of the RE: PETITION FOR VARIANCES BEFORE THE ZONING COMMISSIONER of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) SW Corner Chesapeake & Patapsco Rda. (unimproved) OF BALITIMORE COUNTY 15th District Because the lot is too narrow and it is a corner lot, variances are required in order to build a home. -GUY E. McCLELLAN, Petitioner ::::::: 85-283-A ENTRY OF APPEARANCE BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE Property is to be posted and advertised as prescribed by Zoning Regulations. Please enter the appearance of the People's Counsel in the 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 Ealtimore County adopted pursuant to the Zoning Law For Baltimore County. March 29, 1985 above-captioned matter. Notices should be sent of any hearing dates or BALTIMORE COUNTY OFFICE OF PLANNING & ZONING Mr. Guy E. McCleilan other proceedings in this matter and of the passage of any preliminary County Office Building 1412 Wilson Point Road I/We do solemnly declare and affirmum. 111 W. Chesapeake Avenue Towson, Maryland 21204 under the penalties of perjury, that I we sy, are the legal owner(s) of the property which is the subject of this Petition. Baltimore, Maryland 21220 or final Order. Your petition has been received and accepted for filing this sth day of Merch . 1985. Nicholas B. Commodari Contract Purchases Legal Owner(s): Phyllis Cole Fredman RE: Item No. 229 - Case No. 85-283-A Petitioner - Guy E. McClellan Robert Buraczyński Phyllis Cole Friedman Variance Petition Prople's Counsel for Baltimore County I my E Ma Clellan MEMBERS Dear Mr. McClellan: Bureau of Engineering The Zoning Plans Advisory Committee has reviewed the plans sub-Department of 2133 Cockspur Road mitted with the above referenced petition. The following comments Traffic Engineering Zoning Commissione are not intended to indicate the appropriateness of the zoning action Peter Max Zimmerman State Roads Commiss requested, but to assure that all parties are made aware of plans or Baltimore, Maryland 21220 Petitioner Deputy People's Counsel problems with regard to the development plans that may have a bearing Bureau of City and State Signature Rm. 223, Court House Fire Prevention Petitioner' on this case. The Director of Planning may file a written report with Towson, MD 21204 494-2188 Attorney Chairman, Zoning Plans the Zoning Commissioner with recommendations as to the suitability of Health Department Attorney for Petitioner: > Advisory Committee the requested zoning. Project Planning 1412 Wilson Point Road 687-2918 Building Department Enclosed are all comments submitted from the memoers of the (Type or Print Name) Board of Education Committee at this time that offer or request information on your Baltimore, Maryland 21220 I HEREBY CERTIFY that on this 21st day of March, 1985, a copy petition. If similar comments from the remaining members are received, Zoning Administration City and State I will forward them to you. Otherwise, any comment that is not of the foregoing Entry of Appearance was mailed to Mr. Guy E. McClellan, Industrial informative will be placed in the hearing file. This petition was Name, address and phone number of legal owner, conaccepted for filing on the date of the enclosed filing certificate and a 1412 Wilson Point Rd., Baltimore, MD 21220, Petitioner; and Mr. Robert tract purchaser or representative to be contacted hearing scheduled accordingly. Buraczynski, 2133 Cockspur Rd., Baltimore, MD 21220, Contract Purchaser City and State Very truly yours, Attorney's Telephone No.: Richalas B. Cannadari boc NICHOLAS B. COMMODARI RDERED By The Zoning Commissioner of Baltimore County, this ______ day Chairman of _________, 19_85, 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 Completioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore Zoning Plans Advisory Committee NBC:nr Enclosures cc: Mr. Robert Buraczynski CEIVED 2133 Cockspur Road Baltimore, Maryland 21220 Mr. Frank S. Lee 1277 Neighbors Avenue RE Baltimore, Maryland 21237 BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500 学M. 200 BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204 HARRY J. PISTEL, P. E. DIRECTOR March 4, 1985 STEPHEN E. COLLINS DIRECTOR PAUL H. REINCKE CHIEF NORMAN E. GERBER DIRECTOR February 25, 1985 February 27, 1985 Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204 Mr. Arnold Jablon Mr. Arnold Jablon Zoning Commissioner Zoning Commissioner Mr. Arnold Jablon County Office Building Zoning Commissioner County Office Building County Affice Building Towson, Maryland 21204 Towson, Maryland 21204 Towson, Maryland 21204 Attention: Nick Commodari, Chairman Re: Item #229 (1984-1985) Re: Zoning Advisory Meeting of FEBRUARY 19, 1985
Item # 229
Property Owner: GUY Mc CLELLEN Zoning Plans Advisory Committee Property Owner: Guy McClellen Item No. 208,227,228(229) 230,233,234,235,236, and 237 ZAC- Meeting of 2-10-85 S/W cor. Chesapeake Rd. and Patapsco Rd. Location: SW/COR. CHESAPROKE RO. AND RE: Property Owner: Guy McClellen Acres: 10,000 sq. ft. Location: District: 15th PATAPSCO RD. Existing Zoning: Location: SW/Cor. Chesapeake Road and Patapsco Road The Division of Current Planning and Development httpreviewed the subject petition and offers the following comments. The items checked below are Proposed Zoning: Zoning Agenda: Meeting of 2/19/85 Item No.: 229 Dear Mr. Jablon: (X)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 forward by the Bureau of Public Services. 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 Pursuant to your request, the referenced property has been surveyed by this Acres: Bureau and the comments below marked with an "X" are applicable and required)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.
)A record plat will be required and must be recorded prior District: to be corrected or incorporated into the final plans for the property. General Comments: to issuance of a building permit. Chesapeake Road shall ultimately be improved on a 50-foot right-of-way. () 1. Fire hydrants for the referenced property are required and shall be)The access is not satisfactory. located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Dear Mr. Jablon:)The circulation on this site is not satisfactory. As no public facilities are involved, this office has no comment. The parking arrangement is not satisfactory.

Parking calculations must be shown on the plan.)This property contains soils which are defined as wetlands, and Department of Public Works. development on these soils is prohibited.
)Construction in or alteration of the floodplain is prohibited The Department of Engineering has no comments for item numbers 208, 227, 228, 229, 230, 233, 234, 235, 236, and 237. () 2. A second means of vehicle access is required for the site. 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 () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department. JAM:EAM:ROP:ss)Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve cc: File () 4. The site shall be made to comply with all applicable parts of the Capacity Use Certificate has been issued. The deficient service Fire Prevention Code prior to occupancy or beginning of operation. Traffic Engineering Assoc. II)The property is located in a traffic area controlled by a "D" level (χ) 5. The buildings and structures existing or proposed on the site shall intersection as defined by Bill 178-79, and as conditions change MSF/ccm traffic capacity may become more limited. The Basic Services Areas comply with all applicable requirements of the National Fire Protection are re-evaluated annually by the County Council. (X) Additional comments:
Then site 15 located on the Champente Buy
Critical Area Additional Comments will be Association Standard No. 10% "Life Safety Code", 1976 Edition prior to occupancy. provided by the Comprehensive Phinne () 6. Site plans are approved, as drawn. () 7. The Fire Prevention Bureau has no comments, at this time. Chief, Current Planning and Development

J. ...

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/mould/mould/would/mould/would/would/mould/would/ 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 /shouldx not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of ______, 19 85 , 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.
- 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.

AJ/srl

Application Assessment

cc: Mr. Guy McClellan

Mr. Robert Buraczynski People's Counsel

Name of the last o

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.

Office of Planning and Zoning

NEG:JGH:slm

cy: Robert W. Marriott, Jr. Deputy Director of Planning Eugene A. Bober, Chief Current Planning & Devel. Div., OPZ Andrea Van 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

required 25.

TED ZALESKI, JR. 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: Location: SW/Cor. Chesapeake Road and Patapaco Road Existing Zoning: D.R. 5.5 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

10,000 square feet District: The items checked below are applicable:

All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other appli-

miscellaneous ·

B A building/& other / permit shall be required before beginning construction. Residential: Three sets of construction drawings are required to file a permit app. ation. Architect/Engineer seal is/is not required. Mon-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. In 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 resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

P. Requested variance appears to conflict with the Baltimore County Building Code,

G. A charge 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

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 401.

[] Comments - This proposed structure could be in an area subject to tidal inundation. See the attached Code requirements from Council Bill 4-82,

NOTE: These coments reflect only on the information provided by the drawings cub-nitted to the office of Planning and Zoning and are not intended to be con-strued 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.,

Charles E. Burnham, Chief

SPECIAL NOTE FOR CONSTRUCTION IN TIDAL OR RIVERINE AREAS

BILL 4-82 BALTIMORE COUNTY BUILDING CODE 1981

EFFECTIVE MARCH 25, 1982

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 tidewaters, 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 floation, 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

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.

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.

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

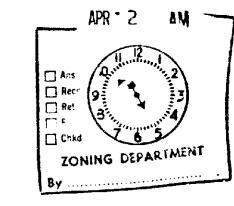
Colin Thacker Department of Health

Stephanie Taylor Department of Health

PJS:vh

People's Counsel

Andrea Van Arsdale Coastal Zone Planner



Form 02-82

April 10, 1985

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

cc: Mr. Robert Buraczynski

RE: Case No. 85-283-A

Dear Mr. McClellan:

AJ/srl

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.

Zoning Cormissioner

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 <u>Guy McClellan</u> 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

Phone: 687-6922

5.543 A

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

January 28, 1985

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

Beginning for the same at the southwest corner of Chesapeake Road and Patapaco 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.



March 8, 1985 BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 CERTIFICATE OF PUBLICATION Mr. Guy McClellan 1412 Wilson Point Road Baltimore, Maryland 21220 ARNOLD JABLON ZONING COMMISSIONER NOTICE OF HEARING LOCATION MAP RE: Petition for Variances
SW/corner Chesapeake and Patapaco Rd. (unimproved)
Guy McClellan - Petitioner
Case No. 85-283-A 30ALE 1: 200 published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on CHESALE DD March 21 , 19 85 TIME: 10:00 a.m. Mr. Guy McClellan 1412 Wilson Point Road Baltimore, Maryland 21220 DATE: Monday, April 8, 1985 THE JEFFERSONIAN. PLACE: Room 106, County Office Building, 111 West Chesapeake RE: Petition for Variances SW/cor. Chesapeake and Patapsco Rds. (unimproved) Case No. 85-283-A Avenue, Towson, Maryland 30° E/W CHESAPEAME ce: Robert Buraczynski 2133 Cock nr Road Baltimore, Maryland 21220 466 - 56 W Dear Mr. McClellant This is to advise you that _\$43.84 is due for advertising and posting of the above property. the hearing.

By Order OF

ARNOLD JABLON

Zoning Commissioner

of Battimore County

Mar. 2. Cost of Advertising OWNER
Guy McClellan
1412 Wilson Pt. Rd.
Balto., Md. 21220 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. 18.00 Please make the check payable to Baltimore County, Maryland, and Ex. remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing. Contract Purchaser of Baltimore County Robert Buraczynski 2133 Cockspur Road Baltimore, Maryland 21220 391 - 6579 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT BALTIMORE COUNTY, MARYLAND No. 004924 LD JABLON g Commissioner OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE 4-8-85 ACCOUNT R-01-615-000 R-01-615-000 CERTIFICATE OF POSTING AMOUNT. \$ 35.00 ZONING DEPARTMENT OF BALTIMORE COUNTY 85-283-A 566-56 E FROM Robert Buraczynski HECEIVED PIVER BUSSEAUNSKE Date of Posting 3/23/85 4209 (May Mc Conference + 4384: 2 30365 Posted for: Variances FRANK S. LEB Petitioner: Buy McClallan 1277 SealaBORS AVE 8 1875 Anghanas 1000 33321 VARIANIE · ** * MORE, MD, 21237 Location of property: 5W/cor. Chosapeate & Patapsco Rds. 637-6922 VALIDATION OR SIGNATURE OF CASHIER Location of Signer Facing Chosoporte Pd, appros, 9' Fr. youdway, 50 0 2 4 6 8 10 12 14 18 18 20 22 24 26 28 26 24 22 20 18 16 14 12 10 0 6 6 4 2 PARABON KOE SE 3742 BERMANY Date of return: 3/29/85 Number of Signs: Petition for Variances 19th Election District
LOCATION: Southwest corner of
Chesapeake and Patapace Road **Qe Times** (unimproved).

DATE & TIME: Monday, April \$,
1986 at 19:00 a.m.

PUBLIC HEARING: Room 104,
County Office Building, 111 West
Chesponks Avenue, Towson, This is to Certify, That the annexed Maryland.

The Zouing Commissioner of Baltimere 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 McClailan, as shown on the plat filed with the Zoning Office. Service Commence of the Commen Reg 671622 was inserted in the Times, a newspaper printed and published in Baltimore County, once in each 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, entartain any request for a stay of the issuance of said permit during this period for good course. mit 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.

NOV 8 1985