

tioner's Exhibit 1, is GRANTED, from and after the date of this Order, subject to the following restrictions:

1. The addition shall be no larger than 62' x 27'; no portion shall be closer than 5 feet to the rear property line and 5 feet to the southeast property line dividing the subject property from that owned by the State of Maryland.
2. There shall be no openings in the rear wall of the addition. Windows on the ends (southeast and northwest) and skylights shall be fixed. Ventilation shall meet all requirements of the Department of Health and shall discharge to the southeast. Doors shall remain closed except for entry and exit.
3. Hours of operation shall not extend beyond 7:30 a.m. and 6:00 p.m.
4. All requirements of the Baltimore County Landscape Manual shall be met. Live evergreen screening to reach a height of 10 feet within 4 years shall be planted between the addition and the rear property line. Landscaping shall be added to the front of the building.
5. No used cars shall be sold from the site.
6. The property owners shall not block Smith Drive from the Rosebank Trailer Park to North Point Boulevard.
7. No access from the site to the state-owned land to the southeast shall be allowed unless there is an approved site plan for the state land on file with Baltimore County and unless the lot has been completely developed in accordance with that plan.
8. A drawing of the interior of the existing building and the addition showing bulky and permanently attached equipment, as well as parking spaces, shall be submitted to and approved by the Office of Zoning prior to the issuance of building permits. Access to the building and addition shall be granted to county inspectors to insure that indeed such parking spaces are available.
9. All parking spaces shall be striped. Parking in areas not indicated as parking spaces on the approved plan shall constitute a zoning violation in that it will be non compliance with an approved site plan.
10. Compliance with the requirements of the Department of Permits and Health, including, but not limited to, spraying and disposal of substances.

- 3 -

11. All work shall be done inside.

John M. Jones
Deputy Zoning Commissioner
for Baltimore County

JMH:rbg

ORDER RECEIVED FOR FILING

DATE *September 24, 1985*

BY *Barbara A. Elliott*

ADMINISTRATIVE ASSISTANT

- 4 -

PETITION FOR VARIANCE
15th Election District

LOCATION: Northeast side of North Point Boulevard, 476 ft.
Southeast of Rosebank Avenue (3862 North Pt. Boulevard)

DATE AND TIME: Tuesday, September 3, 1985 at 10:30 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 from Section 238.1 (303.2) to permit a front yard setback of 38 feet instead of the required average of 67.5 feet; 238.2 to permit side yard setbacks of 18 inches and 18 feet instead of the required 30 feet and a rear yard setback of 5 feet instead of the required 30 feet.

Being the property of Joseph J. Pirog, Jr., et ux 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

PROPERTY DESCRIPTION

BEGINNING at a point on the Northeast side of North Point Boulevard 476 feet Southeast of Rosebank Avenue; thence running Northeasterly 125 feet; thence Southeasterly by a curve with a radius of 4019.72, a distance of 108.65 feet; thence Southwesterly 125 feet; and thence Northwesterly 100 feet to the beginning point.

ALSO KNOWN AS 3862 North Point Road.

ORDER RECEIVED FOR FILING

DATE *September 24, 1985*

BY *Barbara A. Elliott*

ADMINISTRATIVE ASSISTANT

DESCRIPTION OF PIROG PROPERTY

BEGINNING on the northeast side of New North Point Road 150 feet wide, said point of beginning being 526.72 feet southeasterly along the northeast side of the said road from the center line of Rosebank Avenue as it appears on the Plat of Charles J. Everist; and running thence southeasterly along the northeast side of the said road by a curve to the right of a radius of 3894.72 feet for a distance of 50.7 feet; thence northerly 50 degrees 19 minutes east 125 feet; thence by a line parallel with New North Point Road with a radius of 4019.72 feet northwesterly 57.05 feet; and thence by a radial line of the said curve southwesterly 125 feet to the place of beginning.

BEGINNING at a point on the northeast side of the New North Point Road as laid out by the State Road Commissioners 150 feet wide, said place of beginning being 426.72 feet southeasterly along the northeast side of said road from the center line of Rosebank Avenue on the Plat of Charles J. Everist; and running thence from said place of beginning southeasterly along the northeast side of said state road by a curve to the right with a radius of 3894.72 feet for a distance of 50 feet; thence on a radial line of said curve northwesterly 125 feet; thence by a line parallel to the New North Point Road by a curve to the left with a radius of 4019.72, northwesterly 51.6 feet to the dividing line between Lots 9 and 10 on the Plat of Charles J. Everist; thence by a straight line southwesterly on a radial line to the curve along the northeast side of the New North Point Road 125 feet to the place of beginning.

BEGINNING at a point on the northeast side of New North Point Road as laid out by the State Road Commissioners 150 feet wide, said place of beginning being 426.72 feet southeasterly along the northeast side of said road from the center line of Rosebank Avenue on the Plat of Charles J. Everist and running thence from said place of beginning along the north east side of said State Road by a curve to the right with a radius of 3894.72 for a distance of 50 feet; thence on a radial line of said curve northwesterly 125 feet to land now owned by the said Francis J. Pirog and Walter J. Pirog and wife, thence northwesterly binding on said line 51.6 feet to the dividing line between Lots Nos. 8 and 9 as shown on the said Plat of Charles J. Everist and thence by a radial line of said curve southwesterly 125 feet to the place of beginning.

DESCRIPTION OF PIROG PROPERTY

BEGINNING on the northeast side of New North Point Road 150 feet wide, said point of beginning being 426.72 feet southeasterly along the northeast side of the said road from the center line of Rosebank Avenue as it appears on the Plat of Charles J. Everist for a distance of 150.7 feet; thence on a radial line of said curve northeasterly 125 feet; thence by a line parallel to the New North Point Road 160.25 feet; and thence by a radial line parallel to the center of Rosebank Avenue having a radius of 3894.72 feet southwesterly 125 feet to the place of beginning.

4362

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
NE/S of North Point Blvd.
476' SE of Rosebank Ave.
(3862 North Point Blvd.) : OF BALTIMORE COUNTY
15th District :
JOSEPH J. PIROG, JR., : Case No. 86-92-A
et ux, 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 8th day of August, 1985, a copy of the foregoing Entry of Appearance was mailed to Ronald J. Kearns, Esquire, 1760 Eastern Blvd., Baltimore, MD 21221, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

August 29, 1985

Ronald J. Kearns, Esquire
1760 Eastern Boulevard
Baltimore, Maryland 21221

Re: Petition For Variance
NE/S North Point Blvd., 476' SE/
Rosebank Ave. (3862 North Point Blvd.)
15th Election District
Joseph J. Pirog, Jr., et ux, Petitioners
Case No. 86-92-A

Dear Mr. Kearns:

This is to advise you that \$66.10 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

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

BALTIMORE COUNTY, MARYLAND		No. 012307	
OFFICE OF FINANCE - REVENUE DIVISION		rely,	
MISCELLANEOUS CASH RECEIPT		<i>Arnold Jablon</i>	
DATE 9-23-85	AC COUNT R-01-615-009	LD JABLON	
AMOUNT \$ 66.10		g Commissioner	
RECEIVED FROM Joseph J. Pirog, et ux			
FOR Advertising and Posting 86-92-A			
B 0014*****031010 2448F			
VALIDATION OR SIGNATURE OF CASHIER			

APR 10 1986

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 8/13/85
Posted for: Variances
Petitioner: Joseph J. Pirog, Jr., et ux
Location of property: NE/S North Pt. Blvd., 476' SE of Rosebank Ave.
3862 N. Pt. Blvd.
Location of Sign: Rosebank Ave. at N. Pt. Blvd.
Remarks: See attached
Posted by: Arnold Jablon Date of return: 8/14/85
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 15, 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 August 15, 1985.

THE JEFFERSONIAN,

Cost of Advertising
27.50

PETITION FOR VARIANCE
15th Election District
LOCATION: Northeast side of North Pt. Blvd., 476' SE of Rosebank Ave. (3862 N. Pt. Blvd.)
DATE AND TIME: Tuesday, September 3, 1985 at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from Section 238.1 (23.2) to permit a front yard setback of 30 feet instead of the required average of 42.5 feet, 3862 N. Pt. Blvd. and a rear yard setback of 5 feet instead of the required 18 feet and a rear yard setback of 5 feet instead of the required 18 feet, 3862 N. Pt. Blvd. on the property of Joseph J. Pirog, Jr., et ux as shown on the plat filed with the Zoning Office. In the event that the Petitioner is granted, a building permit may be issued within thirty (30) days of the hearing. The Zoning Commission will consider 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 clerk of the hearing set above or made at the hearing.
By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Aug. 15.

Ronald J. Kearns, Esquire
1760 Eastern Boulevard
Baltimore, Maryland 21221

August 2, 1985

NOTICE OF HEARING

RE: Petition for Variance
NE/S North Pt. Blvd., 476' SE/
Rosebank Ave. (3862 North Pt. Blvd.)
15th Election District
Joseph J. Pirog, Jr., et ux, Petitioners
Case No. 86-92-A

TIME: 10:30 a.m.
DATE: Tuesday, September 3, 1985
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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

No. 007241

DATE: 8-15-85 ACCOUNT: 2-01-615-07M
AMOUNT: \$ 100.00
RECEIVED FROM: Joseph J. Pirog, Jr.
FOR: 238.1 (23.2) Variance
D. BCT*****1000615 1212F
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: August 30, 1985
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-92-A

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

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
August 19, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Ronald J. Kearns, Esquire
1760 Eastern Boulevard
Baltimore, Maryland 21221

RE: Item No. 362 - Case No. 86-92-A
Petitioners - Joseph J. Pirog, Jr., et ux
Variance Petition

Dear Mr. Kearns:

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,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: G. D. McClelland & Assoc.
25 Waterview Road
Baltimore, Maryland 21222

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 August 23, 1985

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Petition for Variance P.O. #67841 - Reg. #L78307.

was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one consecutive weeks before the 23rd day of August 1985; that is to say, the same was inserted in the issues of August 22, 1985

Kimbel Publication, Inc.
per Publisher.

PETITION FOR VARIANCE
15th Election District
LOCATION: Northeast side of North Pt. Blvd., 476' SE of Rosebank Ave. (3862 N. Pt. Blvd.)
DATE AND TIME: Tuesday, September 3, 1985 at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from Section 238.1 (23.2) to permit a front yard setback of 30 feet instead of the required average of 42.5 feet, 3862 N. Pt. Blvd. and a rear yard setback of 5 feet instead of the required 18 feet and a rear yard setback of 5 feet instead of the required 18 feet, 3862 N. Pt. Blvd. on the property of Joseph J. Pirog, Jr., et ux as shown on the plat filed with the Zoning Office. In the event that the Petitioner is granted, a building permit may be issued within thirty (30) days of the hearing. The Zoning Commission will consider 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 clerk of the hearing set above or made at the hearing.
BY ORDER OF:
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
Aug. 15.

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY I. PISTEL, P.E.
DIRECTOR

July 5, 1985

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.

General Comments:

All improvements, intersections, entrances, drainage requirements and construction affecting a State road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

As no public facilities are involved, this office has no comment.

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.

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.

Very truly yours,
James A. Markle, P.E., Chief
Bureau of Public Services

JAM:PMO:blp
cc: File

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERBER
DIRECTOR

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

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.
- ☒ 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 22-30 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 8/1/85.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by 8111-178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is 15.
- ☒ The property is located in a traffic area controlled by a "no" level intersection as defined by 8111-178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments:

THIS SITE IS LOCATED IN THE CHESAPEAKE RIVER BASIN. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIV.

Eugene A. Eber
Chief, Current Planning and Development

cc: James Hoswell

RONALD J. KEARNS

1760 EASTERN BOULEVARD
BALTIMORE, MARYLAND 21221
TELEPHONE 636-5656

November 18, 1985

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

Re: PETITION FOR VARIANCE
NE/S North Pt. Blvd., 476' SE of
Rosebank Avenue, (3862 North Pt. Blvd.)
15th election district
Joseph J. Pirog, et ux, Petitioners
Case No. 86-92-A

Dear Mrs. Jung:

There still exists some confusion in connection with the amended order which you passed in the referenced file.

Item 6 specifies that "access along the northwest side of the building shall be utilized only for the two parking spaces indicated on the Petitioner's Exhibit 1 and as an unobstructed driveway". What is the purpose of this qualification? If your intent is to ensure a right-of-way for the property to the rear of my client's you are exceeding your authority as a Zoning Commissioner.

Already the Pabovich's are creating a problem by insisting they have a right to use this driveway which they do not. Unless this can be promptly clarified before the appeal period expires we will have no recourse but to appeal from your order. Perhaps a reconsideration of the amended order would be appropriate.

Very truly yours,

Ronald J. Kearns
Attorney-at-Law

RJK:vqp

I chose not to respond
to this letter
Jean M.H. Jung
11/15/85

STEPHEN E. COLLINS
DIRECTOR

June 26, 1985

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

Item No. 362 -ZAC- Meeting of May 28, 1985
Property Owner: Joseph J. Pirog, Jr., et ux
Location: N. side North Point Blvd., 426' S. of Rosebank Avenue
Existing Zoning: B.R.-T.N.
Proposed Zoning: Variance to permit a front yard setback of 38' instead of the required average of 67.5', and to permit side yard setbacks of 18' and 20' instead of the required 30' and a rear yard setback of 10' instead of the required 30'.

Acres: 19,434 square feet
District: 15th

Dear Mr. Jablon:

We have reviewed this site plan and have the following

1. Part of the site is being used to sell used cars.
2. There is a road, serving a trailer park at the rear of the site, that should be explained at to the rights of access.
3. The site should be restricted to one curb cut on North Point Boulevard.
4. The State's right-of-way is being used to store cars.

Michael S. Flahigan
Traffic Engineering Assoc. II

MSF/ccm

#339

DIST: 7 RATING:

WORK CONTROL	DATE

Baltimore County Department of Health
BUREAU OF ENVIRONMENTAL HEALTH
COMPLAINT RECORD

DISPOSITION
Open 8/12/85
Closed 8/12/85

COMPLAINANT: Paul Pavlovich TELEPHONE: 288-0474

ADDRESS: 8101 Smith Drive
PERSON COMPLAINED OF: Walter J. Auto Painting
ADDRESS: 3826 N. Point Blvd

DIRECTIONS TO PROPERTY:
NATURE OF COMPLAINT: grinding fiberglass outside

RECEIVED BY: AS DATE: 8/12/85 ASSIGNED TO: PM DATE:

REPORT OF INSPECTION: No complaint investigation performed on 8/12/85. See complaint investigation of 8/12/85.

DATE: 8/14/85 SANITARIAN: MW Kendall

#327

DIST: 7 RATING:

WORK CONTROL	DATE

Baltimore County Department of Health
BUREAU OF ENVIRONMENTAL HEALTH
COMPLAINT RECORD

DISPOSITION

COMPLAINANT: Mrs. Paul Pavlovich TELEPHONE: 288-0474

ADDRESS: 8101 Smith Drive 21222
PERSON COMPLAINED OF: Walter J. Auto Painting

DIRECTIONS TO PROPERTY:
NATURE OF COMPLAINT: paint odors - have been going on for 11-12 yrs.

RECEIVED BY: AS DATE: 8/6/85 ASSIGNED TO: DATE:

REPORT OF INSPECTION: See attached inspection report.

DATE: 8/9/85 SANITARIAN: MW Kendall

OFFICE OF ENVIRONMENTAL PROTECTION
BALTIMORE COUNTY DEPARTMENT OF HEALTH

FIELD SURVEILLANCE REPORT

COUNTY: Baltimore PRELIMINARY NAME: Walter J. Auto Painting

ADDRESS: 3826 North Point Blvd

DATE: 8/12/85

RECEIVED BY: AS DATE: 8/12/85 ASSIGNED TO: DATE:

REPORT OF INSPECTION: See attached inspection report.

DATE: 8/9/85 SANITARIAN: MW Kendall

This is signed affidavit showing the following reasons why I am protesting the Petition for Zoning Variance for Walter J. Auto Painting - 3826 North Point Blvd. Baltimore, Md. 21222.

1. The building to the right of the shop, this was put up about 6 years ago, has never had a permit or been zoned.

2. Previous houses have always had air still being used to bake enamel after cars have been painted.

3. The complete overloading in front of the building is pulling away from the top of the building, and eventually the house will fall back.

4. Old time steel gas tanks and parking and eating away underground in front of shop, unless proper handling

parking is marked.

5. Joseph Pirog said he had already started his new building 8-30-85 by putting up a 4x8 plywood fence by putting up a 4x8 plywood fence leaning on my fence at 8111 Smith Drive. He stated he was telling him what he was and cannot do. This is a danger to our house because if we get strong winds, this fence could destroy our house. It should be taken down.

6. Joseph Pirog does complete paint jobs on at least 3 to 4 cars a day, and yet he told pollution control he knew it was that much painting. He does dispose of all waste he and material in the ground or in the dumpster, which is against the law, and this has been going on for many years. Pictures enclosed

show proof of this statement.

7. The shop is also a terrible nuisance, as they do body work after lunch, and we cannot relax in our own home because of all the noise and the turbulence.

8. The shop does grinding, sand-blasting and body work outdoors, right alongside our home, and the fine fumes and sandblasting dust comes in our windows, on our furniture and walls, and in our food. This condition is very detrimental to our health, as I have had open heart surgery 2 years ago, for coronary bypass and my wife is under doctors care for high blood pressure. Because of all this aggression from the shop's

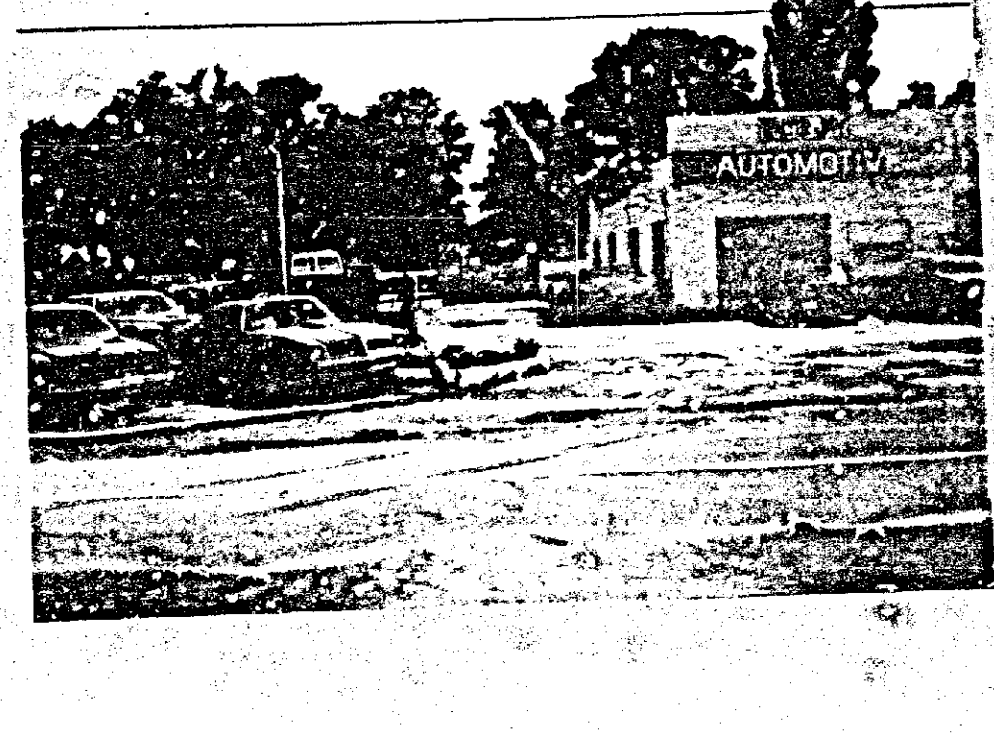
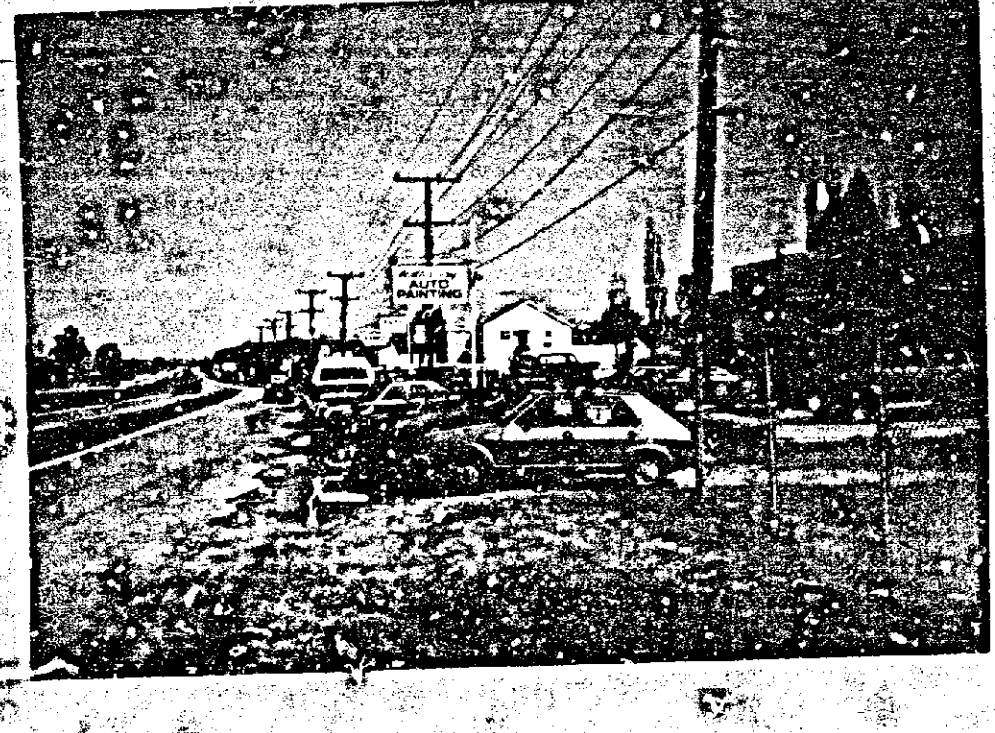
disregard for our rights, we have to live completely closed in, and when we complain about it, we are told to close our windows, and keep our mouths shut.

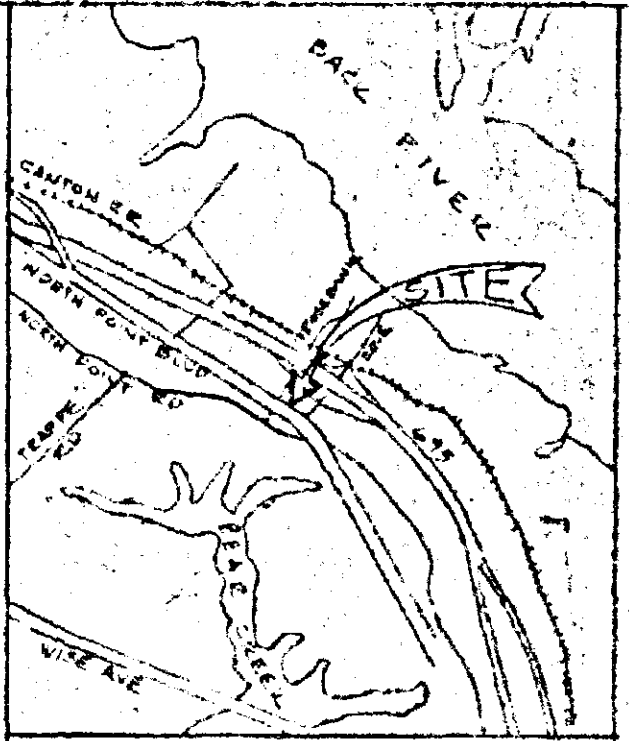
9. Let me tell you for the record, I am in the Coronary Care Unit at Franklin Square Hospital, due to a heart attack I had Sunday August 29 this year, caused by stress and aggression from Joseph Pirog, of Walter J. Auto Painting, who has also threatened to make me move because he wants power and nothing is going to stand in his way. I wanted to be there in person, but because I am in the hospital, I am sending this

affidavit.

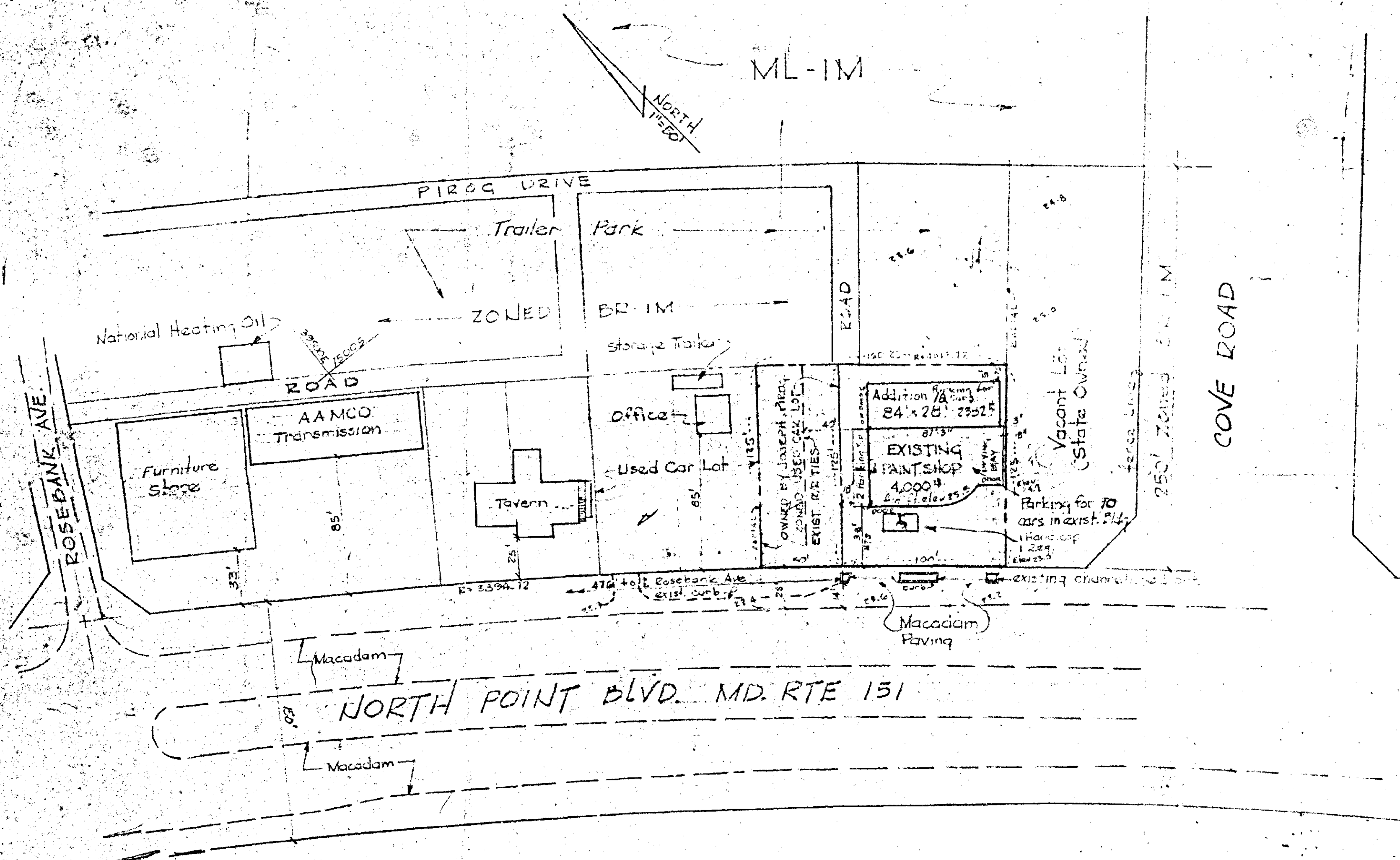
For these violations and many many more, I feel he should not be granted this petition for conditional building, and if our system is fair and just for all, you can come to only one conclusion, DENIAL FOR THIS PETITION.

Paul Pavlovich
8101 Smith Drive
Baltimore, Maryland
21222





VICINITY MAP

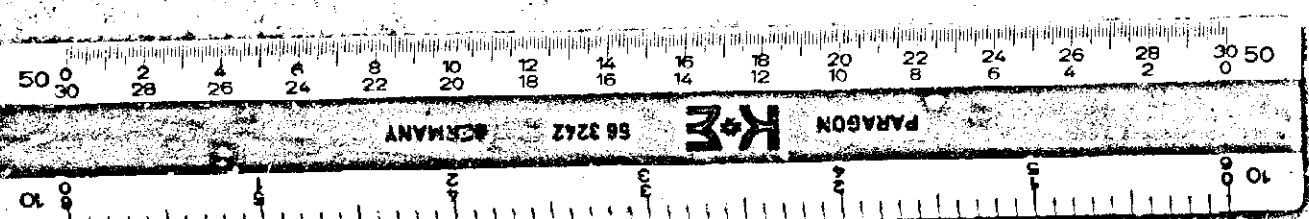


PETITIONER'S EXHIBIT

NOTES

1. Area of parcel 13,434 sq. ft.
2. The proposed addition will be used for sanding, taping and other preparation work. This area is presently being used for this purpose in the open.
3. The entire parcel is presently paved with macadam and concrete.
4. The existing canopy in the rear of the building (approx. 20' x 40') shall be removed.
5. Parking: 4000 + 2352 = 6352 sq. ft.
 Reg'd parking: 1 space per 300 sq. ft.
 Total parking: 22 spaces incl. 1 (one) handicap.
 Size: 7' x 23'; handicap 12' x 23'.
6. Total disturbed area 2352 sq. ft. proposed addition to use existing concrete slab for floor (elev. 25' 0").
7. All utilities are existing in North Point Blvd.

8. Parking lot in existing building = 10 spaces
 Addition = 12 spaces
 Outside parking = 3 spaces
 Total parking provided = 25 spaces
9. Average Front Setback:
 To Used Car Lot = 85'
 To Vacant Lot = 135'
 $\frac{85 + 135}{2} = 67.5'$



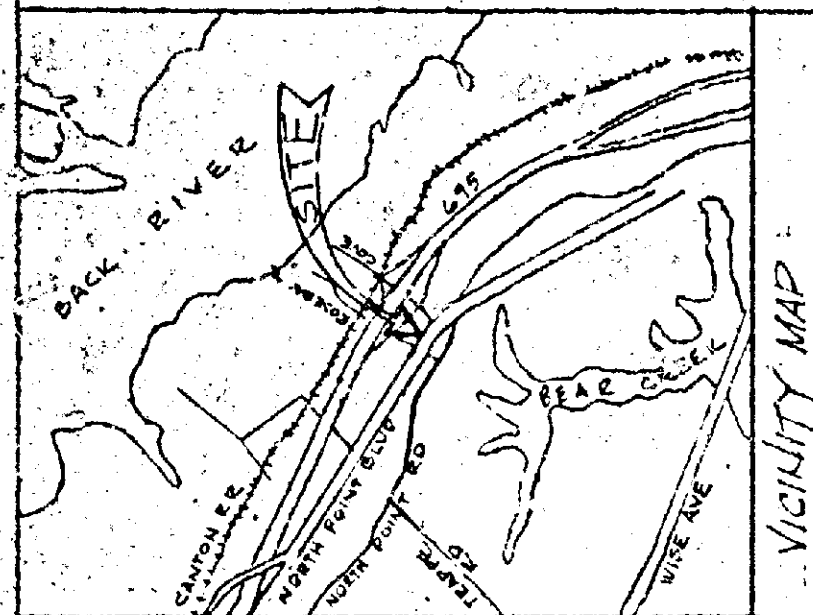
OWNERS: Joseph J. & Deborah Pirog
 Libor 6477 Pages 500 & 501
 15th Election District, Balto., Co.

REV. 8/1/85 g.m./m
 Rev. 1/16/85 g.m.
 Rev. 5/22/85 g.m.

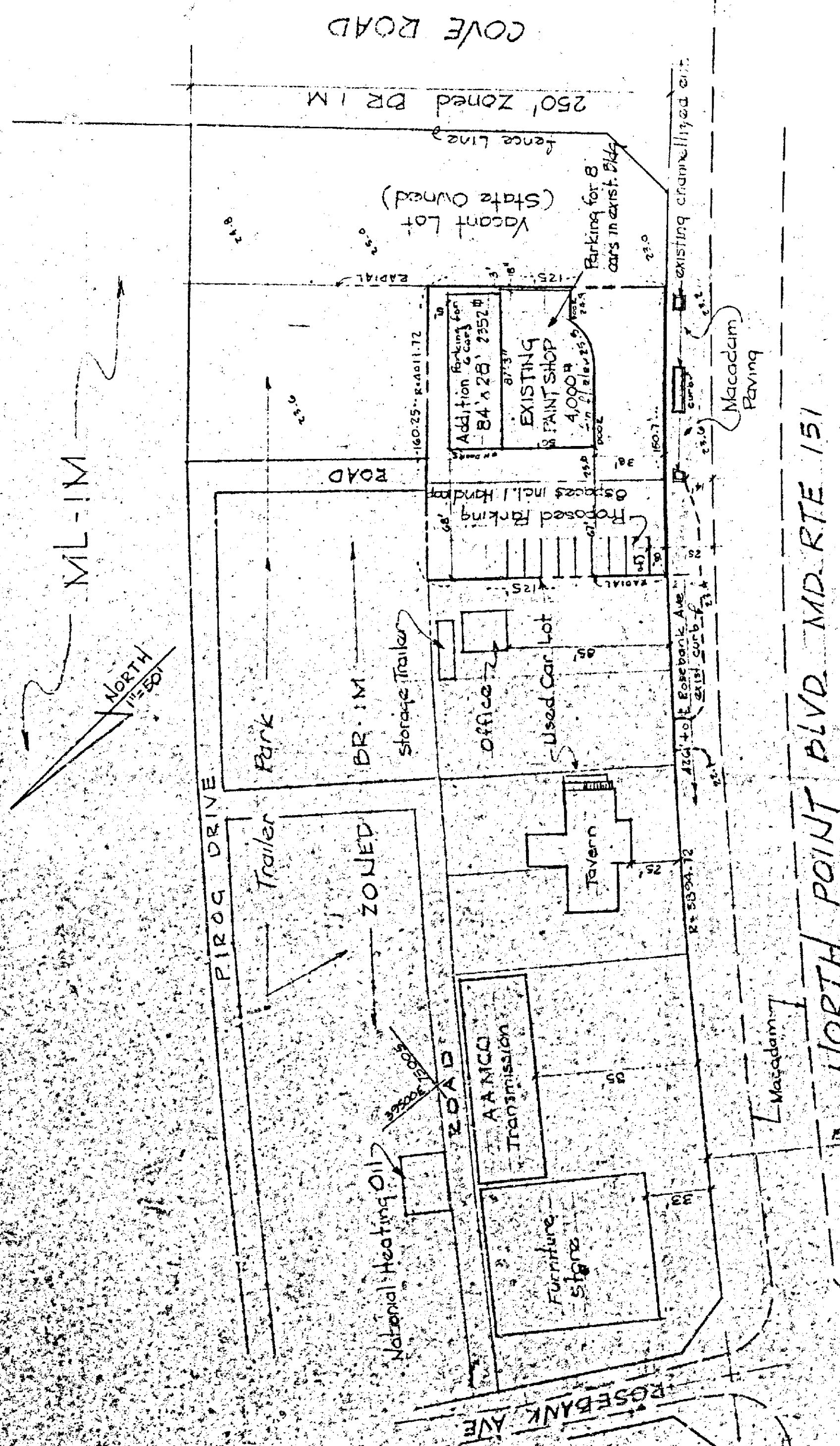
SITE PLAN	
for VARIANCE PETITION	
Proposed Addition to	
WALTER JAY'S AUTO PAINT	
3862 NORTH POINT BLVD	
BALTO. MD. 21222/Elect Dist 15	
Scale: 1" = 50'	Date: 5/10/85
BY: G. D. McLELLAN & ASSOC.	4/1-9136

86-92-A





VICINITY MAP



NORTH POINT BLVD. MD. RTE 151

NOTES

1. Area of parcel 19,434 sq. ft.
2. The proposed addition will be used for sanding, tapping and other preparation work. This area is presently being used for this purpose in the open.
3. The entire parcel is presently paved with macadam and concrete.
4. The existing canopy in the rear of the build. (approx. 20' x 40') shall be removed.
5. Parking: 4000 + 2352 = 6352 sq. ft. Required parking: 1 space per 300 sq. ft. Total parking: 22 spaces incl. 1 (one) handicap. Size: 9' x 20'; handicap 12' x 20'
6. Total disturbed area 2352 sq. ft.
7. Proposed addition to use existing conc. slab for floor (elev. 25' 0")
8. All utilities are existing in North Point Blvd.

8. Parking bay in existing building = 8 spaces
- Outside parking = 6 spaces
- Total parking provided = 22 spaces

SUB 3 RECD
REVISED PLANS

Rev. 5/22/85 gdm
SITE PLAN
for VARIANCE PETITION
Proposed Addition to
WALTER JAY'S AUTO PAINT
3862 NORTH POINT BLVD
BALTO. MD. 21222/Elect Dist 15
Scale: 1" = 50' date: 5/10/85
P.L. 151

OWNERS: Joseph J. & Deborah H. Pirog
Libor 6477 Pages 500 & 501
15th Election District, Balto., Co.

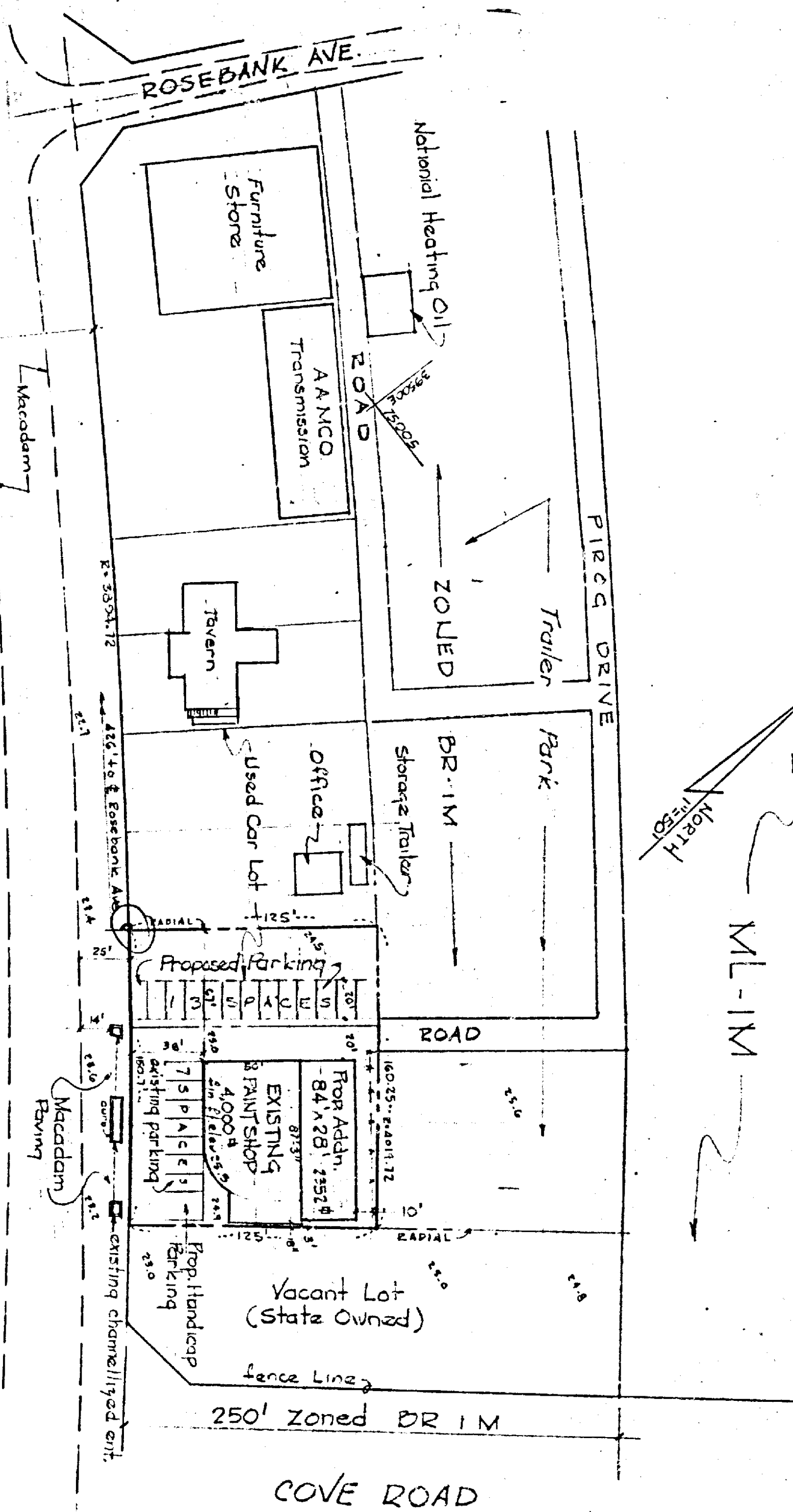
OWNERS: Joseph J. & Deborah H. Pirog
Libor 6477 Pages 500 & 501
15th Election District, Balto., Co.

Rev. 5/22/85 gdm
SITE PLAN
for VARIANCE PETITION
Proposed Addition to
WALTER JAY'S AUTO PAINT
3862 NORTH POINT BLVD
BALTO. MD. 21222/Elect Dist 15
Scale: 1" = 50' date: 5/10/85
P.L. 151

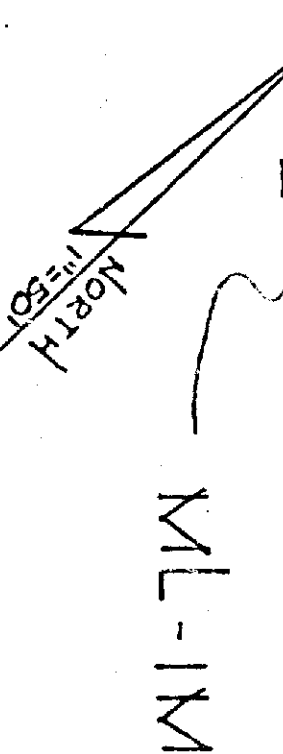
962

NOTES

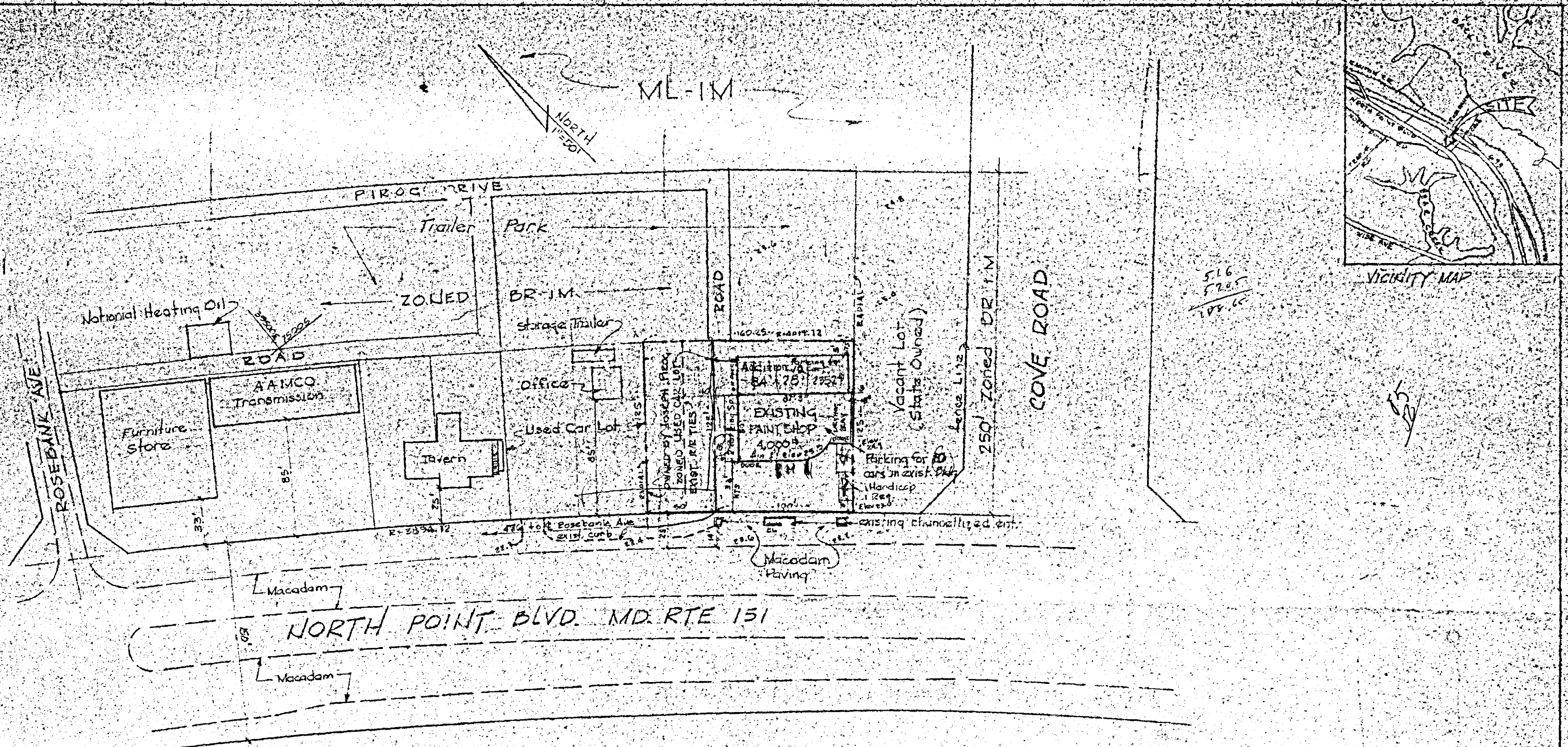
1. Area of parcel 19,434 sq. ft.
2. The proposed addition will be used for sanding, tapping and other preparation work. This area is presently being used for this purpose in the open.
3. The entire parcel is presently paved with macadam and concrete.
4. The existing canopy in the rear of the build. (approx. 20' x 40') shall be removed.
5. Parking: 4000 + 2352 = 6352 sq. ft. Required parking: 1 space per 300 sq. ft. Total parking: 22 spaces incl. 1 (one) handicap. Size: 9' x 20'; handicap 12' x 20'
6. Total disturbed area 2352 sq. ft.
7. Proposed addition to use existing conc. slab for floor (elev. 25' 0")
8. All utilities are existing



COVE ROAD



VICINITY MAP



NOTES

1. Area of parcel 19,434 sq. ft. ±
2. The proposed addition will be used for sanding, taping and other preparation work. This area is presently being used for this purpose + the open.
3. The entire parcel is presently paved with macadam and concrete.
4. The existing canopy in the rear of the build. (approx. 20' x 40') shall be removed.
5. Parking: 4000 + 2352 = 6352 sq. ft.
Reg'd parking: 1 space per 300 sq. ft.
Total parking: 22 spaces incl. 1 (one) handicap.
Size: 9' x 23'; handicap 12' x 23'
6. Total disturbed area 2352 sq. ft.
proposed addition to use existing conc. slab for floor (elev. 25' 0")
7. All utilities are existing in North Point Blvd.

8. Parking bay in existing building = 10 spaces
" " Addition = 12 spaces
Outside parking = 4 spaces
Total parking provided = 26 spaces

Front Setback

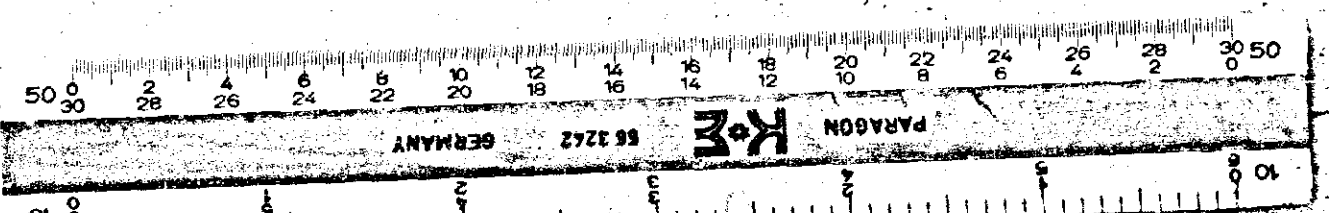
used car lot 85'
vacant lot 50'

$$135' \div 2 = 67.5' \text{ Average}$$

Rev. 7/16/85 qdm
Rev. 5/22/85 qdm

SITE PLAN
for VARIANCE PETITION
Proposed Addition to
WALTER JAY'S AUTO PAINT
3862 NORTH POINT BLVD
BALTO MD 21222/Elect Dis: 15
scale: 1" = 50' date: 5/10/85
P. G. M. McLELLAND & ASSOC. 477-9136

OWNERS: Joseph J. & Deborah C. Pirog
Libar 6477 Pages 500 & 501
15th Election District, Balto., Co.



tioner's Exhibit 1, is GRANTED, from and after the date of this Order, subject to the following restrictions:

1. The addition shall be no larger than 62' x 27'; no portion shall be closer than 5 feet to the rear property line and 5 feet to the southeast property line dividing the subject property from that owned by the State of Maryland.
2. There shall be no openings in the rear wall of the addition. Windows on the ends (southeast and northwest) and skylights shall be fixed. Ventilation shall meet all requirements of the Department of Health and shall discharge to the southeast. Doors shall remain closed except for entry and exit.
3. Hours of operation shall not extend beyond 7:30 a.m. and 6:00 p.m.
4. All requirements of the Baltimore County Landscape Manual shall be met. Live evergreen screening to reach a height of 10 feet within 4 years shall be planted between the addition and the rear property line. Landscaping shall be added to the front of the building.
5. No used cars shall be sold from the site.
6. The property owners shall not block Smith Drive from the Rosebank Trailer Park to North Point Boulevard.
7. No access from the site to the state-owned land to the southeast shall be allowed unless there is an approved site plan for the state land on file with Baltimore County and unless the lot has been completely developed in accordance with that plan.
8. A drawing of the interior of the existing building and the addition showing bulky and permanently attached equipment, as well as parking spaces, shall be submitted to and approved by the Office of Zoning prior to the issuance of building permits. Access to the building and addition shall be granted to county inspectors to insure that indeed such parking spaces are available.
9. All parking spaces shall be striped. Parking in areas not indicated as parking spaces on the approved plan shall constitute a zoning violation in that it will be non compliance with an approved site plan.
10. Compliance with the requirements of the Department of Permits and Health, including, but not limited to, spraying and disposal of substances.

- 3 -

11. All work shall be done inside.

John M. Jones
Deputy Zoning Commissioner
for Baltimore County

JMH:rbg

ORDER RECEIVED FOR FILING

DATE *September 24, 1985*

BY *Barbara A. Elliott*

ADMINISTRATIVE ASSISTANT

- 4 -

PETITION FOR VARIANCE
15th Election District

LOCATION: Northeast side of North Point Boulevard, 476 ft.
Southeast of Rosebank Avenue (3862 North Pt. Boulevard)

DATE AND TIME: Tuesday, September 3, 1985 at 10:30 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 from Section 238.1 (303.2) to permit a front yard setback of 38 feet instead of the required average of 67.5 feet; 238.2 to permit side yard setbacks of 18 inches and 18 feet instead of the required 30 feet and a rear yard setback of 5 feet instead of the required 30 feet.

Being the property of Joseph J. Pirog, Jr., et ux 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

PROPERTY DESCRIPTION

BEGINNING at a point on the Northeast side of North Point Boulevard 476 feet Southeast of Rosebank Avenue; thence running Northeasterly 125 feet; thence Southeasterly by a curve with a radius of 4019.72, a distance of 108.65 feet; thence Southwesterly 125 feet; and thence Northwesterly 100 feet to the beginning point.

ALSO KNOWN AS 3862 North Point Road.

DESCRIPTION OF PIROG PROPERTY

BEGINNING on the northeast side of New North Point Road 150 feet wide, said point of beginning being 526.72 feet southeasterly along the northeast side of the said road from the center line of Rosebank Avenue as it appears on the Plat of Charles J. Everist; and running thence southeasterly along the northeast side of the said road by a curve to the right of a radius of 3894.72 feet for a distance of 50.7 feet; thence northerly 50 degrees 19 minutes east 125 feet; thence by a line parallel with New North Point Road with a radius of 4019.72 feet northwesterly 57.05 feet; and thence by a radial line of the said curve southwesterly 125 feet to the place of beginning.

BEGINNING at a point on the northeast side of the New North Point Road as laid out by the State Road Commissioners 150 feet wide, said place of beginning being 426.72 feet southeasterly along the northeast side of said road from the center line of Rosebank Avenue on the Plat of Charles J. Everist; and running thence from said place of beginning southeasterly along the northeast side of said state road by a curve to the right with a radius of 3894.72 feet for a distance of 50 feet; thence on a radial line of said curve northwesterly 125 feet; thence by a line parallel to the New North Point Road by a curve to the left with a radius of 4019.72, northwesterly 51.6 feet to the dividing line between Lots 9 and 10 on the Plat of Charles J. Everist; thence by a straight line southwesterly on a radial line to the curve along the northeast side of the New North Point Road 125 feet to the place of beginning.

BEGINNING at a point on the northeast side of New North Point Road as laid out by the State Road Commissioners 150 feet wide, said place of beginning being 426.72 feet southeasterly along the northeast side of said road from the center line of Rosebank Avenue on the Plat of Charles J. Everist and running thence from said place of beginning along the north east side of said State Road by a curve to the right with a radius of 3894.72 for a distance of 50 feet; thence on a radial line of said curve northwesterly 125 feet to land now owned by the said Francis J. Pirog and Walter J. Pirog and wife, thence northwesterly binding on said line 51.6 feet to the dividing line between Lots Nos. 8 and 9 as shown on the said Plat of Charles J. Everist and thence by a radial line of said curve southwesterly 125 feet to the place of beginning.

DESCRIPTION OF PIROG PROPERTY

BEGINNING on the northeast side of New North Point Road 150 feet wide, said point of beginning being 426.72 feet southeasterly along the northeast side of the said road from the center line of Rosebank Avenue as it appears on the Plat of Charles J. Everist for a distance of 150.7 feet; thence on a radial line of said curve northeasterly 125 feet; thence by a line parallel to the New North Point Road 160.25 feet; and thence by a radial line parallel to the center of Rosebank Avenue having a radius of 3894.72 feet southwesterly 125 feet to the place of beginning.

4362

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
NE/S of North Point Blvd.
476' SE of Rosebank Ave.
(3862 North Point Blvd.) : OF BALTIMORE COUNTY
15th District :
JOSEPH J. PIROG, JR., : Case No. 86-92-A
et ux, 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 8th day of August, 1985, a copy of the foregoing Entry of Appearance was mailed to Ronald J. Kearns, Esquire, 1760 Eastern Blvd., Baltimore, MD 21221, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

August 29, 1985

Ronald J. Kearns, Esquire
1760 Eastern Boulevard
Baltimore, Maryland 21221

Re: Petition For Variance
NE/S North Point Blvd., 476' SE/
Rosebank Ave. (3862 North Point Blvd.)
15th Election District
Joseph J. Pirog, Jr., et ux, Petitioners
Case No. 86-92-A

Dear Mr. Kearns:

This is to advise you that \$66.10 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

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

BALTIMORE COUNTY, MARYLAND		No. 012307	
OFFICE OF FINANCE - REVENUE DIVISION		rely,	
MISCELLANEOUS CASH RECEIPT		<i>Arnold Jablon</i>	
DATE 9-23-85	AC COUNT R-01-615-009	LD JABLON	
AMOUNT \$ 66.10		g Commissioner	
RECEIVED FROM Joseph J. Pirog, et ux			
FOR Advertising and Posting 86-92-A			
B 0014*****031010 2448F			
VALIDATION OR SIGNATURE OF CASHIER			

APR 10 1986

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 8/13/85
Posted for: Variances
Petitioner: Joseph J. Pirog, Jr., et ux
Location of property: NE/S North Pt. Blvd., 476' SE of Rosebank Ave.
3862 N. Pt. Blvd.
Location of Sign: Rosebank Ave. at N. Pt. Blvd.
Remarks: See Petition
Posted by: Arnold Jablon Date of return: 8/14/85
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 15, 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 August 15, 1985.

THE JEFFERSONIAN,

Cost of Advertising
27.50

PETITION FOR VARIANCE
15th Election District
LOCATION: Northeast side of North Pt. Blvd., 476' SE of Rosebank Ave. (3862 N. Pt. Blvd.)
DATE AND TIME: Tuesday, September 3, 1985 at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from Section 238.1 (23.2) to permit a front yard setback of 30 feet instead of the required average of 42.5 feet, 3862 N. Pt. Blvd. and a rear yard setback of 18 feet instead of the required 30 feet and a rear yard setback of 5 feet instead of the required 30 feet, being the property of Joseph J. Pirog, Jr., et ux as shown on the plat filed with the Zoning Office.
In the event that the Petitioner is granted, a building permit may be issued within thirty (30) days of the date of the issuance of said permit. Such request must be received in writing by the clerk of the hearing set above or made at the hearing.
By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Aug. 15.

Ronald J. Kearns, Esquire
1760 Eastern Boulevard
Baltimore, Maryland 21221

August 2, 1985

NOTICE OF HEARING

RE: Petition for Variance
NE/S North Pt. Blvd., 476' SE/
Rosebank Ave. (3862 North Pt. Blvd.)
15th Election District
Joseph J. Pirog, Jr., et ux, Petitioners
Case No. 86-92-A

TIME: 10:30 a.m.
DATE: Tuesday, September 3, 1985
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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

No. 007241

DATE: 8-15-85 ACCOUNT: 2-01-615-07M
AMOUNT: \$ 100.00
RECEIVED FROM: Joseph J. Pirog, Jr.
FOR: 238.1 (23.2) Variance
D. BCT*****1000615 1212F
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: August 30, 1985
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-92-A

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

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
August 19, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Ronald J. Kearns, Esquire
1760 Eastern Boulevard
Baltimore, Maryland 21221

RE: Item No. 362 - Case No. 86-92-A
Petitioners - Joseph J. Pirog, Jr., et ux
Variance Petition

Dear Mr. Kearns:

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,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: G. D. McClelland & Assoc.
25 Waterview Road
Baltimore, Maryland 21222

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 August 23, 1985

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Petition For Variance P.O. #67841 - Reg. #L78307.

was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one consecutive weeks before the 23rd day of August 1985; that is to say, the same was inserted in the issues of August 22, 1985

Kimbel Publication, Inc.
per Publisher.

PETITION FOR VARIANCE
15th Election District
LOCATION: Northeast side of North Pt. Blvd., 476' SE of Rosebank Ave. (3862 N. Pt. Blvd.)
DATE AND TIME: Tuesday, September 3, 1985 at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from Section 238.1 (23.2) to permit a front yard setback of 30 feet instead of the required average of 42.5 feet, 3862 N. Pt. Blvd. and a rear yard setback of 18 feet instead of the required 30 feet and a rear yard setback of 5 feet instead of the required 30 feet, being the property of Joseph J. Pirog, Jr., et ux as shown on the plat filed with the Zoning Office.
In the event that the Petitioner is granted, a building permit may be issued within thirty (30) days of the date of the issuance of said permit. Such request must be received in writing by the clerk of the hearing set above or made at the hearing.
By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Aug. 15.

Case No. 86-92-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 31st day of July, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Joseph J. Pirog, Jr., et ux Received by: James E. Dyer, Chairman
Petitioner's Attorney Ronald J. Kearns, Esquire Zoning Plans Advisory Committee

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY I. PISTEL, P.E.
DIRECTOR

July 5, 1985

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

Re: Item #362 (1984-1985)
Property Owner: Joseph J. Pirog, Jr.
N side North Pt. Blvd, 426' S of
Rosebank Avenue
District 15th

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 Comments:

All improvements, intersections, entrances, drainage requirements and construction affecting a State road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

As no public facilities are involved, this office has no comment.

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.

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.

Very truly yours,
James A. Markle, P.E., Chief
Bureau of Public Services

JAM:PMO:blp
cc: File

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
424-3211
NORMAN E. GERBER
DIRECTOR

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

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.
- ☒ 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 22-30 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 8/1/85.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by 8111-178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is 15.
- ☒ The property is located in a traffic area controlled by a "no" level intersection as defined by 8111-178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments:

THIS SITE IS LOCATED IN THE CHESAPEAKE RIVER BASIN. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIV.

Eugene A. Eber
Chief, Current Planning and Development

cc: James Hoswell

RONALD J. KEARNS
Attorney at Law
1760 EASTERN BOULEVARD
BALTIMORE, MARYLAND 21221
TELEPHONE 636-5656

November 18, 1985

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

Re: PETITION FOR VARIANCE
NE/S North Pt. Blvd., 476' SE of
Rosebank Avenue, (3862 North Pt. Blvd.)
15th election district
Joseph J. Pirog, et ux, Petitioners
Case No. 86-92-A

Dear Mrs. Jung:

There still exists some confusion in connection with the amended order which you passed in the referenced file.

Item 6 specifies that "access along the northwest side of the building shall be utilized only for the two parking spaces indicated on the Petitioner's Exhibit 1 and as an unobstructed driveway". What is the purpose of this qualification? If your intent is to ensure a right-of-way for the property to the rear of my client's you are exceeding your authority as a Zoning Commissioner.

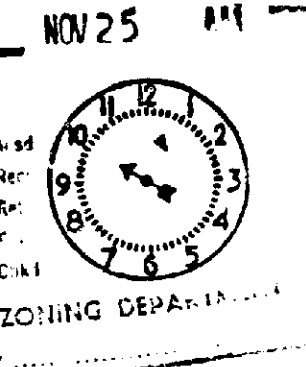
Already the Pabovich's are creating a problem by insisting they have a right to use this driveway which they do not. Unless this can be promptly clarified before the appeal period expires we will have no recourse but to appeal from your order. Perhaps a reconsideration of the amended order would be appropriate.

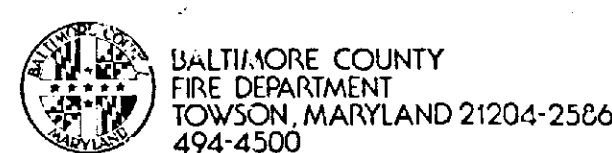
Very truly yours,

Ronald J. Kearns
Attorney-at-Law

RJK:vqp

I chose not to respond
to this letter
Jean M.H. Jung
11/15/85





PAUL H. RENCKE
CHIEF

Mr. Arnold Jablon
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: Joseph J. Pirog, et ux

Location: N side North Point Boulevard, 426' S of Rosebank Avenue

Item No.: 362 Zoning Agenda: Meeting of May 28, 1985

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.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 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.

REVIEWER: *Paul H. Rencke* Noted and Approved: *Errol M. Markowitz*
Planning Group Fire Prevention Bureau
Special Inspection Division

/ab

FOR SHA 63-13-3 (Rev. 7-1-81)
OFFICE OF REAL ESTATE
STATE HIGHWAY ADMINISTRATION
Room 601
Baltimore, Maryland 21203

PROPERTY: B 811-28-420
ITEM NO.: 58743
NAME OF PROPERTY: Francis Rummell

THIS LEASE AGREEMENT, made this _____ day of _____, 19____, by and between the State Highway Administration of the Department of Transportation, acting for and on behalf of the STATE OF MARYLAND, hereinafter called the "LANDLORD", and Joseph Pirog T/A Walter Jay's Auto Painting hereinafter called the "TENANT(S)".

WHEREAS, the LANDLORD is the owner of the hereinafter described property, of which a portion is not immediately required for the construction or operation of the Proposed Cove Road Ramp from Patapsco Freeway of which said property is a portion, and has been requested by the TENANT(S) to lease said property to said TENANT(S) (as is on a temporary basis) until such time as the LANDLORD, for any reason desires to take over said property, and

WHEREAS, the LANDLORD is willing to comply with the request, provided that the TENANT(S), as a condition to the occupancy of said premises, put in the enclosure () premises by the TENANT(S).

NOW, THEREFORE, this LEASE AGREEMENT WITNESSETH: That for and in consideration of the rent hereinafter reserved, and the acceptance by the TENANT(S) of each and every term and condition as herein set forth, the said State Highway Administration, the LANDLORD, herein does hereby rent unto the above mentioned TENANT(S), the premises located at (on) adjacent 3826 North Point Road

(in) (near) Cove Road

(Post Office Address) 21222

FOR THE TERM OF THE MONTH, beginning on the first day of August, 1985, at the sum of One Hundred Fifty dollars (\$150.00), payable in advance.

FURTHER, the TENANT(S) will pay the rent as provided, the cost of all electricity, gas, water and other service charges and expenses assessed against the property, will assume the cost of any and all maintenance, repairs and expenses necessary to keep the premises in a safe, habitable, and livable condition. In addition, TENANT(S) will pay any and all taxes, charges, and assessments which may be levied against this property by the city, municipality, sanitary district or commission or local government.

SECOND, the TENANT(S) will keep each and every portion of the premises in a safe and habitable condition, including the removal of snow and ice from sidewalks, walkways and steps, during the entire occupancy thereof, will keep the same in a clean and presentable condition and will not use any portion of the premises for storage, display, or advertising purposes. TENANT(S) will maintain the lawn, lawns, flower beds, shrubbery, and garden, keeping them watered and weeded, the lawn cut, and the shrubbery trimmed. The TENANT(S) will not perform (nor permit to be performed) on any portion of the premises, any illegal, immoral, or objectionable act or acts that might constitute a public nuisance, nor will they perform (nor permit to be performed) anything in or about the premises which would constitute a public nuisance, nor will they perform (nor permit to be performed) anything in or about the premises which would constitute a public nuisance, nor will they perform (nor permit to be performed) anything in or about the premises which would constitute a public nuisance, nor will they perform (nor permit to be performed) anything in or about the premises which would constitute a public nuisance.

THIRD, the TENANT(S) will not at any time assign this lease agreement or sublet the property herein described, or any portion thereof, without the prior consent (in writing) of the LANDLORD, nor will the TENANT(S) make any alterations or additions to the property without having first obtained written permission in advance from the LANDLORD. Any such alterations or additions that would be authorized by the LANDLORD shall be done at the sole cost and expense of the TENANT(S). It is further understood and agreed that, upon the termination of this lease agreement by either party for any reason whatsoever, the LANDLORD shall be under no obligation to reimburse the TENANT(S) for any such alterations or additions.

FOURTH, the TENANT(S) shall save the State of Maryland and the State Highway Administration, its members, officers, agents and employees, harmless from any and all claims or demands of any nature whatsoever from any person(s) occupying, serving or visiting the premises hereby leased, due to any damage or injury sustained by reason of the TENANT(S) failure to put and keep the premises in a safe and habitable condition. The TENANT(S) further covenants and agrees that, upon the termination of this lease agreement by either party for any reason whatsoever, the LANDLORD shall be under no obligation to reimburse the TENANT(S) for any such alterations or additions.

FIFTH, the TENANT(S) shall save the State of Maryland and the State Highway Administration, its members, officers, agents and employees, harmless from any and all claims or demands of any nature whatsoever from any person(s) occupying, serving or visiting the premises hereby leased, due to any damage or injury sustained by reason of the TENANT(S) failure to put and keep the premises in a safe and habitable condition. The TENANT(S) further covenants and agrees that, upon the termination of this lease agreement by either party for any reason whatsoever, the LANDLORD shall be under no obligation to reimburse the TENANT(S) for any such alterations or additions.



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

June 10, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 362 Zoning Advisory Committee Meeting are as follows:

Property Owner: Joseph J. Pirog, Jr., et ux
Location: N Side North Point Blvd, 426' S of Rosebank Avenue
District: 15th.

APPLICABLE CODES ARE CIRCLED

() All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Enclosed and Aged (A.B.C. 1, #17-1 - 1985) and other applicable Code and Standards.

() A building and other miscellaneous permits shall be required before the start of any construction.

() Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.

() Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file a permit application. Reproduced seals are not acceptable.

() All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. Use Groups require a one hour wall if closer than 6'-0" to an interior lot line. Any wall built up an interior lot line shall require a fire or party wall. See Table 101, Section 1107, Section 1106.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

() The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office must be completed until the necessary data pertaining to height/area and construction type is provided. See Table 101, and 505 and have your Architect/Engineer contact this department.

() The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

() When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered. The plans shall comply with the Code requirements. The change of Use Groups are from Use _____ to Use _____ or to Mixed Uses _____ See Section 312 of the Building Code.

() The proposed project appears to be located in a Flood Plain, Tidal/Inlet. Please see the attached variance by this office must be completed until the necessary data pertaining to height/area and construction type is provided. See Table 101, and 505 and have your Architect/Engineer contact this department.

SPECIAL NOTE: () Comments: See Section 601 and Section 607. Unless spraying is done in an approved booth the structure shall require a change of occupancy to high hazard use, be sprinklered and comply with N.F.P.A. 33 and 34. Location ventilation, storage, and fire protection shall comply with Section 607. See Table 101, Section 1107, Section 1106.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line. Any wall built up an interior lot line shall require a fire or party wall. See Table 101, Section 1107, Section 1106.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

Charles S. Rummell
Francis Rummell
Building Plans Review

L/22/85

58743

FORM SHA 63-13-3 (Rev. 7-1-81)

-2-

FIFTEENTH: The LANDLORD shall be the sole judge of what shall constitute a violation of the above special provisions, or the failure of the TENANT(S) to otherwise abide by any of the covenants herein contained, and may order a discontinuance of the premises, or the performance of any of the work by giving the TENANT(S) ten (10) days notice in writing. Failure of the TENANT(S) to comply with said notice shall constitute a violation of the right of the LANDLORD to terminate the lease. It is further agreed that if the rent has not been paid by the TENANT(S) on the due date, the LANDLORD shall have the right to immediately take possession of the premises (and for any reason whatsoever) without any further liability of any nature whatsoever to the TENANT(S) for so doing. Should the LANDLORD terminate this lease agreement by giving the said notice, the TENANT(S) shall be responsible for the cost of removal of the structure and the LANDLORD will in advance but during which the TENANT(S) no longer occupy the premises.

SIXTH: In the event it becomes necessary for the LANDLORD to institute suit for eviction and/or judgment for or on account of rental arrears or violations of the terms of this lease, the LANDLORD shall be entitled to attorney's fees and court costs incident thereto; which fees the TENANT(S) hereby covenants and agrees to pay.

SEVENTH: The lease agreement, with all its provisions and covenants, shall continue in force from month to month the same at any time by giving at least thirty (30) days notice thereof in writing, and take full and complete possession of the premises hereby leased, at the end of said thirty (30) day period, any state, Federal, Municipal or local Statute or Regulation to the contrary notwithstanding; with no further liability of any nature whatsoever to the TENANT(S) for so doing. Should the LANDLORD terminate this lease agreement by giving the said notice, the TENANT(S) shall be responsible for the cost of removal of the structure and the LANDLORD will in advance but during which the TENANT(S) no longer occupy the premises.

EIGHTEENTH: The TENANT(S) may terminate this Lease Agreement at any time by giving at least thirty (30) days notice in writing, and take full and complete possession of the premises hereby leased, at the end of said thirty (30) day period, any state, Federal, Municipal or local Statute or Regulation to the contrary notwithstanding; with no further liability of any nature whatsoever to the TENANT(S) for so doing. Should the LANDLORD terminate this lease agreement by giving the said notice, the TENANT(S) shall be responsible for the cost of removal of the structure and the LANDLORD will in advance but during which the TENANT(S) no longer occupy the premises.

NINETEENTH: The TENANT(S) shall maintain the premises in a safe and habitable condition, including the removal of snow and ice from sidewalks, walkways and steps, during the entire occupancy thereof, will keep the same in a clean and presentable condition and will not use any portion of the premises for storage, display, or advertising purposes. TENANT(S) will maintain the lawn, lawns, flower beds, shrubbery, and garden, keeping them watered and weeded, the lawn cut, and the shrubbery trimmed. The TENANT(S) will not perform (nor permit to be performed) on any portion of the premises, any illegal, immoral, or objectionable act or acts that might constitute a public nuisance, nor will they perform (nor permit to be performed) anything in or about the premises which would constitute a public nuisance, nor will they perform (nor permit to be performed) anything in or about the premises which would constitute a public nuisance, nor will they perform (nor permit to be performed) anything in or about the premises which would constitute a public nuisance.

SEVENTEENTH: The TENANT(S) shall save the State of Maryland and the State Highway Administration, its members, officers, agents and employees, harmless from any and all claims or demands of any nature whatsoever from any person(s) occupying, serving or visiting the premises hereby leased, due to any damage or injury sustained by reason of the TENANT(S) failure to put and keep the premises in a safe and habitable condition. The TENANT(S) further covenants and agrees that, upon the termination of this lease agreement by either party for any reason whatsoever, the LANDLORD shall be under no obligation to reimburse the TENANT(S) for any such alterations or additions.

FOURTEENTH: The TENANT(S) shall save the State of Maryland and the State Highway Administration, its members, officers, agents and employees, harmless from any and all claims or demands of any nature whatsoever from any person(s) occupying, serving or visiting the premises hereby leased, due to any damage or injury sustained by reason of the TENANT(S) failure to put and keep the premises in a safe and habitable condition. The TENANT(S) further covenants and agrees that, upon the termination of this lease agreement by either party for any reason whatsoever, the LANDLORD shall be under no obligation to reimburse the TENANT(S) for any such alterations or additions.

THIRTEENTH: The TENANT(S) shall save the State of Maryland and the State Highway Administration, its members, officers, agents and employees, harmless from any and all claims or demands of any nature whatsoever from any person(s) occupying, serving or visiting the premises hereby leased, due to any damage or injury sustained by reason of the TENANT(S) failure to put and keep the premises in a safe and habitable condition. The TENANT(S) further covenants and agrees that, upon the termination of this lease agreement by either party for any reason whatsoever, the LANDLORD shall be under no obligation to reimburse the TENANT(S) for any such alterations or additions.

TWENTY: The TENANT(S) shall save the State of Maryland and the State Highway Administration, its members, officers, agents and employees, harmless from any and all claims or demands of any nature whatsoever from any person(s) occupying, serving or visiting the premises hereby leased, due to any damage or injury sustained by reason of the TENANT(S) failure to put and keep the premises in a safe and habitable condition. The TENANT(S) further covenants and agrees that, upon the termination of this lease agreement by either party for any reason whatsoever, the LANDLORD shall be under no obligation to reimburse the TENANT(S) for any such alterations or additions.

IN ACCEPTING the herein described premises, the TENANT(S) understands that the following equipment (or the following repairs) must be provided at the TENANT(S) expense to make the premises habitable:

7,250 square feet as shown on attached plat.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON
TO: Zoning Commissioner
NORMAN E. GERBER, Director
FROM: Office of Planning and Zoning

Date: August 28, 1985

SUBJECT: Critical Area Comments - Zoning Petitions for Variances - 86-99-A (Item 413), T. F. Haetter, et ux and 86-92-A (Item 362) J. J. Pirog, Jr., et ux

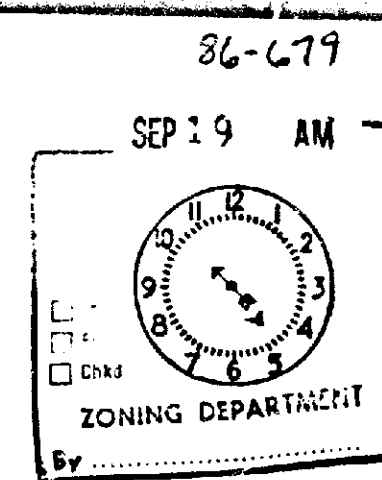
The staff of the Baltimore County Office of Planning and Zoning has reviewed these variance requests for Critical Area consistency. It has been determined that Case 86-92-A is consistent with Critical Area requirements. No special practices are recommended.

Case 86-99-A is also consistent with Critical Area requirements provided that two conifers or four minor deciduous trees are planted on the lot in order to provide environment benefits in regard to the goals and specific requirements of the Critical Area program.

NEG:PJS:vh

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

RONALD J. KEARNS
Attorney at Law
1780 EASTERN BOULEVARD
BALTIMORE, MARYLAND 21204
TELEPHONE 698-5655



September 16, 1985

Baltimore County Office of Planning and Zoning
Towson, Maryland 21204

Attention: Mrs. Jung

Re: 3862 North Point Blvd.
Case No. 86-92-A
Joseph Pirog, Jr., et ux, Petitioners

Dear Mrs. Jung:

You may recall at our hearing on the petition for a variance in connection with the referenced property you commented about the proximity of the trailer to the rear of Mr. Pirog's property in which Mrs. Pavlovich, the protestant, resides. Under the zoning regulations there should be at least 75 feet between the property line and a trailer. The Pavlovich trailer is sitting on the property line and, in one case, actually extends across it.

At the hearing you did not indicate whether an issue would be made of the location of this trailer. Can this point be raised as a separate issue? Can anything be done to precipitate the relocation of the trailer. It seems that the fact that it is sitting almost on the property line may be contributing to the complaints raised by Mrs. Pavlovich. Mr. Campbell, the adjacent property owner, did not complain at all about the petition for the variance. The only complaint was raised by a tenant who appears to be in an illegal location.

If your office will do so, please consider this letter (on behalf of my client) as a formal complaint regarding the location of the Pavlovich trailer.

Very truly yours,

Ronald J. Kearns
Ronald J. Kearns
Attorney-at-Law

RJK:vgp

#341

DIST: 7 RATING:

WORK CONTROL	DATE

Baltimore County Department of Health
BUREAU OF ENVIRONMENTAL HEALTH

COMPLAINT RECORD

DISPOSITION

COMPLAINANT: *Paul Pavlovich* TELEPHONE: *288-0474*

ADDRESS: *8101 Smith Drive*

PERSON COMPLAINED OF: *Walter J. Auto Painting*

ADDRESS: _____

DIRECTIONS TO PROPERTY: _____

NATURE OF COMPLAINT: *paint in dumpsters leaking on ground*

RECEIVED BY: *AS* DATE: *8/13/85* ASSIGNED TO: *PM* DATE: _____

REPORT OF INSPECTION: *No odors were detected in complainant's yard, however paint drippings and car lids and other assorted trash were scattered on the ground around the dumpster. I instructed Mr. Joseph Pirog to conduct better housekeeping and to construct a proper stack to exhaust fumes from the paint booth. Mr. Pirog was instructed to contact this office when plans are finalized for modification of the stack.*

PROTESTANT'S
EXHIBIT 2

DATE: *8/14/85* SANITARIAN: *M. W. Kendall*

HC 12 12-85

APR 10 1985

STEPHEN E. COLLINS
DIRECTOR

June 26, 1985

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

Item No. 362 -ZAC- Meeting of May 28, 1985
Property Owner: Joseph J. Pirog, Jr., et ux
Location: N. side North Point Blvd., 426' S. of Rosebank Avenue
Existing Zoning: B.R.-T.N.
Proposed Zoning: Variance to permit a front yard setback of 38' instead of the required average of 67.5', and to permit side yard setbacks of 18' and 20' instead of the required 30' and a rear yard setback of 10' instead of the required 30'.

Acres: 19,434 square feet
District: 15th

Dear Mr. Jablon:

We have reviewed this site plan and have the following

1. Part of the site is being used to sell used cars.
2. There is a road, serving a trailer park at the rear of the site, that should be explained at to the rights of access.
3. The site should be restricted to one curb cut on North Point Boulevard.
4. The State's right-of-way is being used to store cars.

Michael S. Flahigan
Traffic Engineering Assoc. II

MSF/ccm

#339

DIST: 7 RATING:

WORK CONTROL	DATE

Baltimore County Department of Health
BUREAU OF ENVIRONMENTAL HEALTH
COMPLAINT RECORD

DISPOSITION
Open 8/12/85
Closed 8/12/85

COMPLAINANT: Paul Pavlovich TELEPHONE: 288-0474

ADDRESS: 8101 Smith Drive
PERSON COMPLAINED OF: Walter J. Auto Painting
ADDRESS: 3826 N. Point Blvd

DIRECTIONS TO PROPERTY:
NATURE OF COMPLAINT: grinding fiberglass outside

RECEIVED BY: AS DATE: 8/12/85 ASSIGNED TO: PM DATE:

REPORT OF INSPECTION: No complaint investigation performed on 8/12/85. See complaint investigation of 8/12/85.

DATE: 8/14/85 SANITARIAN: MW Kendall

#327

DIST: 7 RATING:

WORK CONTROL	DATE

Baltimore County Department of Health
BUREAU OF ENVIRONMENTAL HEALTH
COMPLAINT RECORD

DISPOSITION

COMPLAINANT: Mrs. Paul Pavlovich TELEPHONE: 288-0474

ADDRESS: 8101 Smith Drive 21222
PERSON COMPLAINED OF: Walter J. Auto Painting

DIRECTIONS TO PROPERTY:
NATURE OF COMPLAINT: paint odors - have been going on for 11-12 yrs.

RECEIVED BY: AS DATE: 8/6/85 ASSIGNED TO: DATE:

REPORT OF INSPECTION: See attached inspection report.

DATE: 8/9/85 SANITARIAN: MW Kendall

OFFICE OF ENVIRONMENTAL PROTECTION
BALTIMORE COUNTY DEPARTMENT OF HEALTH
FIELD SURVEILLANCE REPORT

COUNTY: Baltimore PRELIMINARY NAME: Walter J. Auto Painting

ADDRESS: 3826 North Point Blvd

DATE: 8/12/85

TIME: 9:00

REPORTER: AS

DATE: 8/12/85

TIME: 9:00

DATE: 8/12/85

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TIME: 9:00

DATE: 8/12/85

TIME: 9:00

This is signed affidavit showing the following reasons why I am protesting the Petition for Zoning Variance for Walter J. Auto Painting - 3826 North Point Blvd. Baltimore, Md. 21222

1. The building to the right of the shop, this was put up about 6 years ago, has never had a permit or been zoned.

2. Previous houses have always had air still being used to bake enamel after cars have been painted.

3. The complete overloading in front of the building is pulling away from the top of the building, and eventually the house will fall back.

4. Old time steel gas tanks and parking and eating away underground in front of shop, unless proper handling

parking is marked.

5. Joseph Pirog said he had already started his new building 8-30-85 by putting up a 4x8 plywood fence leaning on my fence at 8111 Smith Drive. He stated he was told him what he was and cannot do. This is a danger to my house because if we get strong winds, this fence could destroy our house. It should be taken down.

6. Joseph Pirog does complete paint jobs on at least 3 to 4 cars a day, and yet he told pollution control he knew it was that much painting. He does dispose of all waste paint and material in the ground or in the dumpster, which is against the law, and this has been going on for many years. Pictures enclosed

show proof of this statement.

7. The shop is also a terrible nuisance, as they do body work after lunch, and we cannot relax in our own home because of all the noise and the turbulence.

8. The shop does grinding, sand-blasting and body work outdoors, right alongside our home, and the fine fumes and sand-blasting dust comes in our windows, on our furniture and walls, and in our food. This condition is very detrimental to our health, as I have had open heart surgery 2 years ago, for coronary bypass and my wife is under doctors care for high blood pressure. Because of all this aggression from the shop's

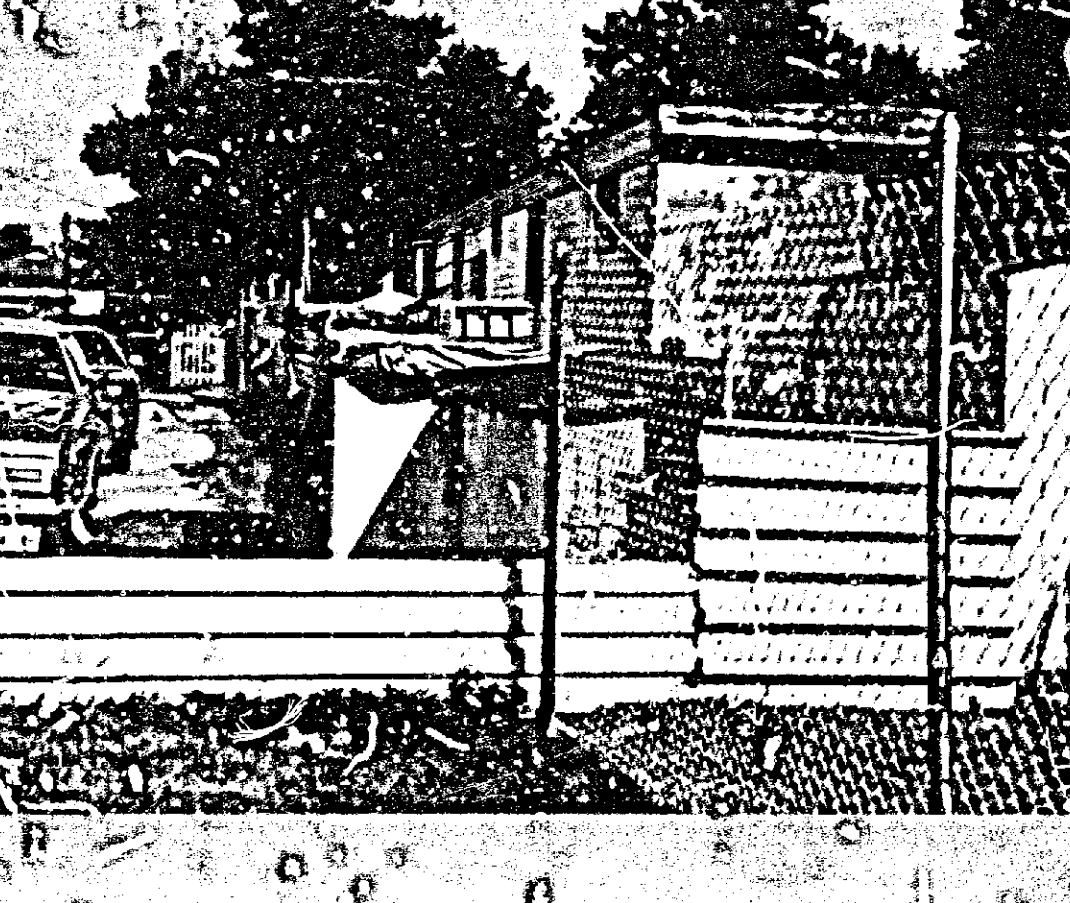
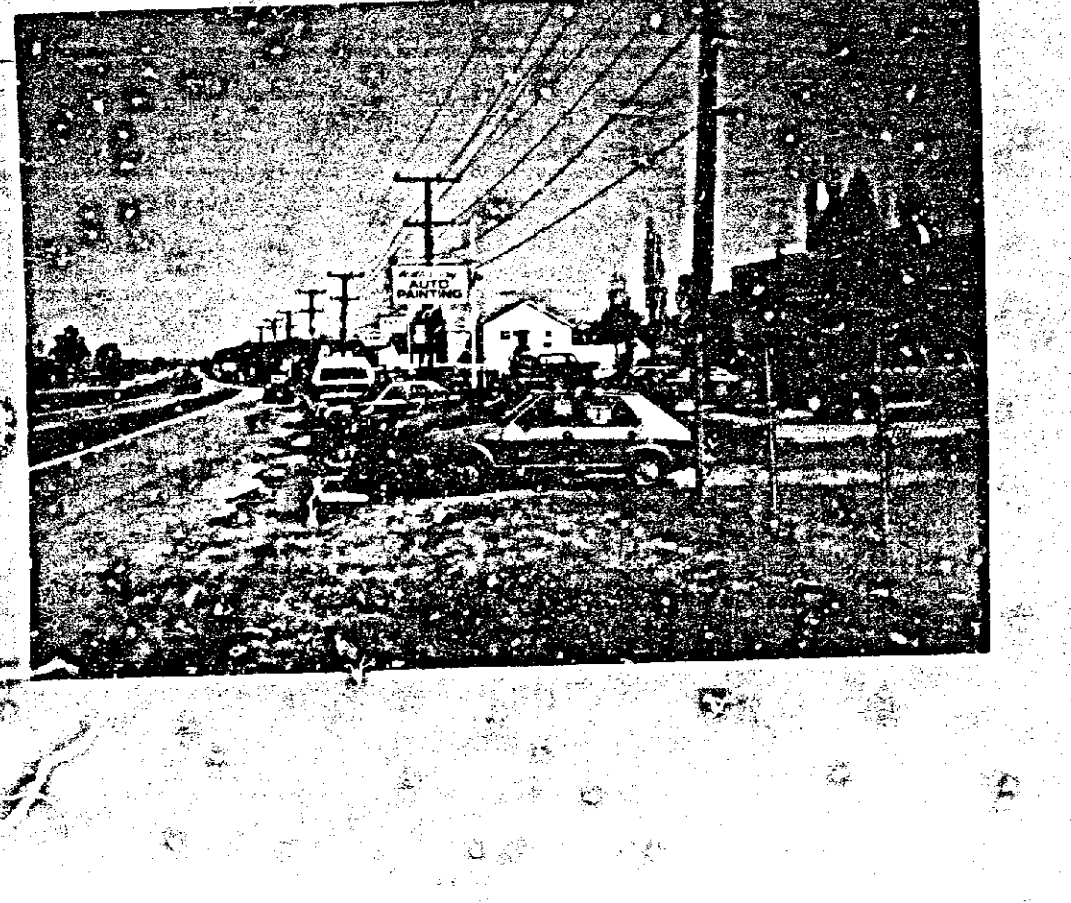
disregard for our rights, we have to live completely closed in, and when we complain about it, we are told to close our windows, and keep our mouths shut.

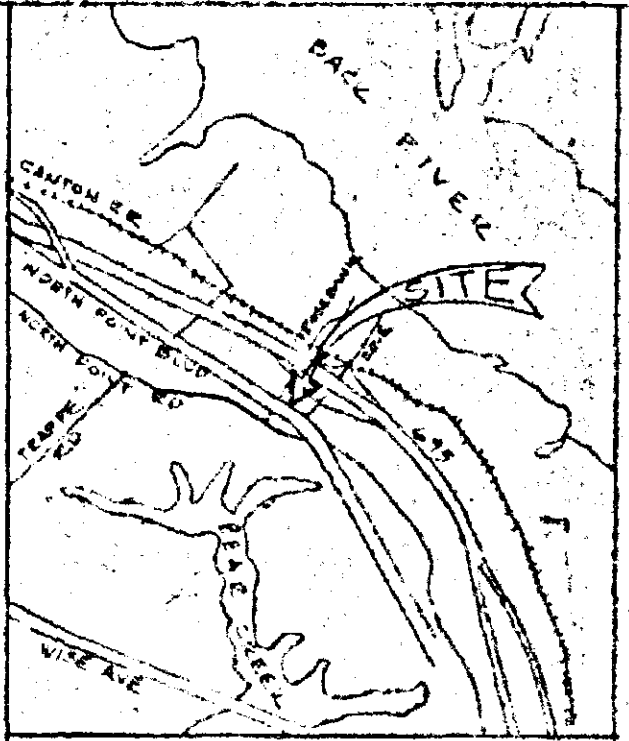
9. Let me say for the record, I am in the Coronary Care Unit at Franklin Square Hospital, due to a heart attack I had Sunday August 29 this year, caused by stress and aggression from Joseph Pirog, of Walter J. Auto Painting, who has also threatened to make me move because he wants power and nothing is going to stand in his way. I wanted to be there in person, but because I am in the hospital, I am sending this

affidavit.

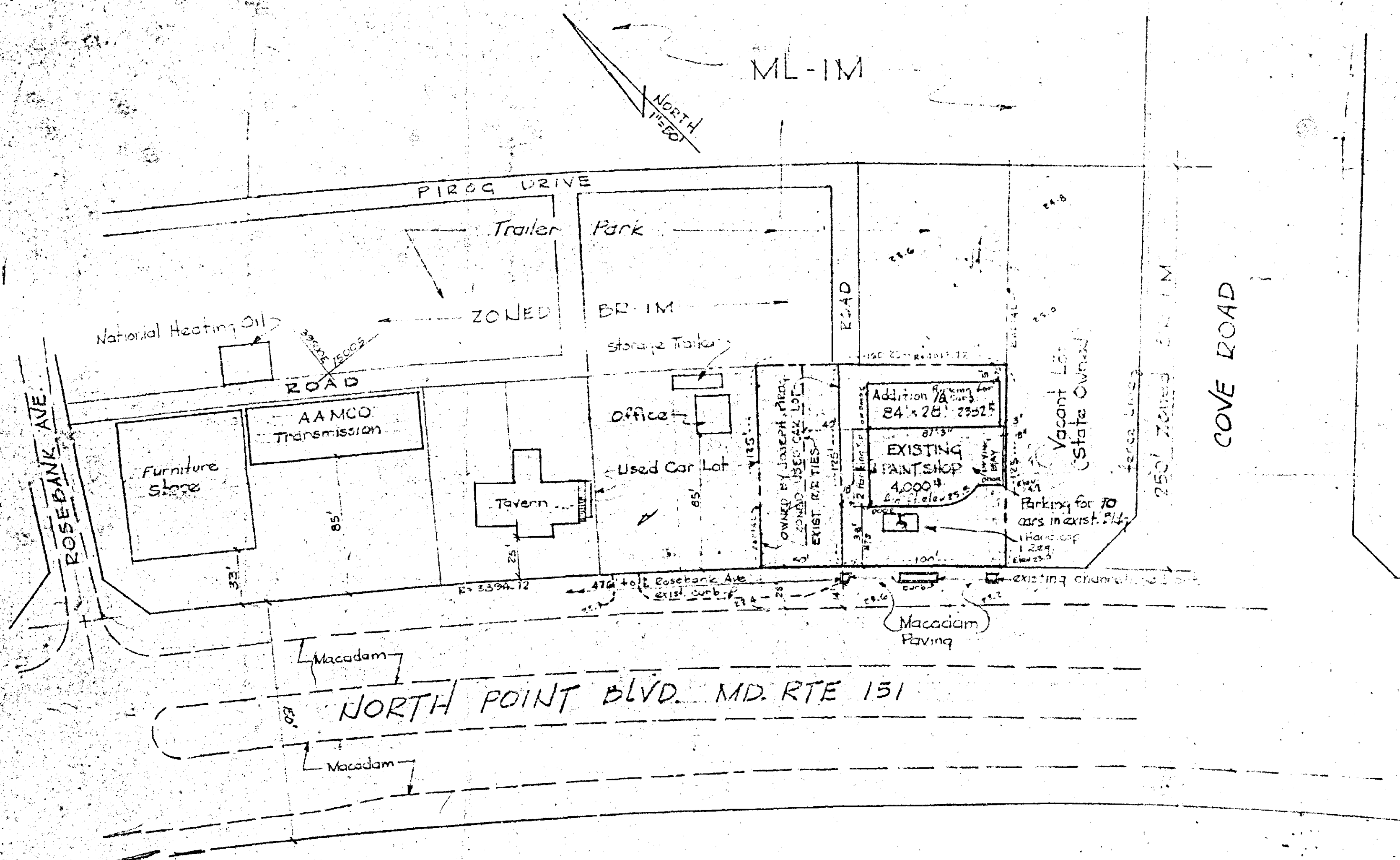
For these violations and many many more, I feel he should not be granted this petition for conditional building, and if our system is fair and just for all, you can come to only one conclusion, DENIAL FOR THIS PETITION.

Paul Pavlovich
8101 Smith Drive
Baltimore, Maryland
21222





VICINITY MAP

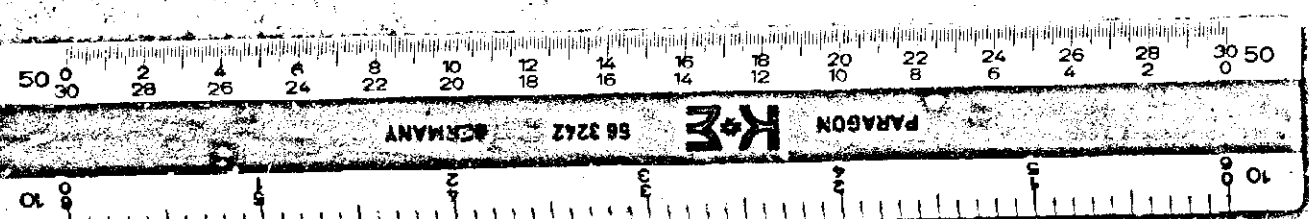


PETITIONER'S EXHIBIT

NOTES

1. Area of parcel 13,434 sq. ft.
2. The proposed addition will be used for sanding, taping and other preparation work. This area is presently being used for this purpose in the open.
3. The entire parcel is presently paved with macadam and concrete.
4. The existing canopy in the rear of the building (approx. 20' x 40') shall be removed.
5. Parking: 4000 + 2352 = 6352 sq. ft.
 Reg'd parking: 1 space per 300 sq. ft.
 Total parking: 22 spaces incl. 1 (one) handicap.
 Size: 7' x 23'; handicap 12' x 23'.
6. Total disturbed area 2352 sq. ft. proposed addition to use existing concrete slab for floor (elev. 25' 0").
7. All utilities are existing in North Point Blvd.

8. Parking lot in existing building = 10 spaces
 Addition = 12 spaces
 Outside parking = 3 spaces
 Total parking provided = 25 spaces
9. Average Front Setback:
 To Used Car Lot = 85'
 To Vacant Lot = 135'
 $\frac{85 + 135}{2} = 67.5'$



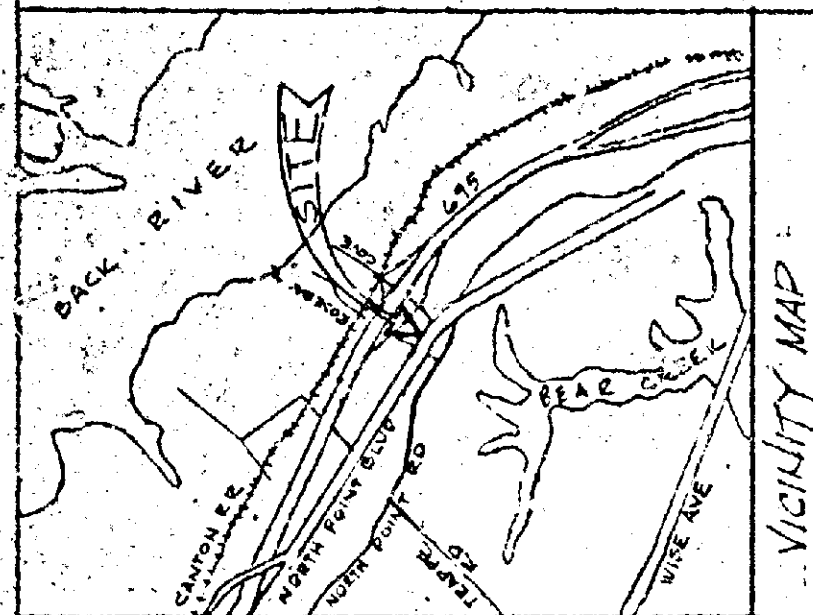
OWNERS: Joseph J. & Deborah Pirog
 Libor 6477 Pages 500 & 501
 15th Election District, Balto., Co.

Rev. 8/1/85 gdm/lan
 Rev. 1/16/85 gdm/lan
 Rev. 5/22/85 gdm/lan

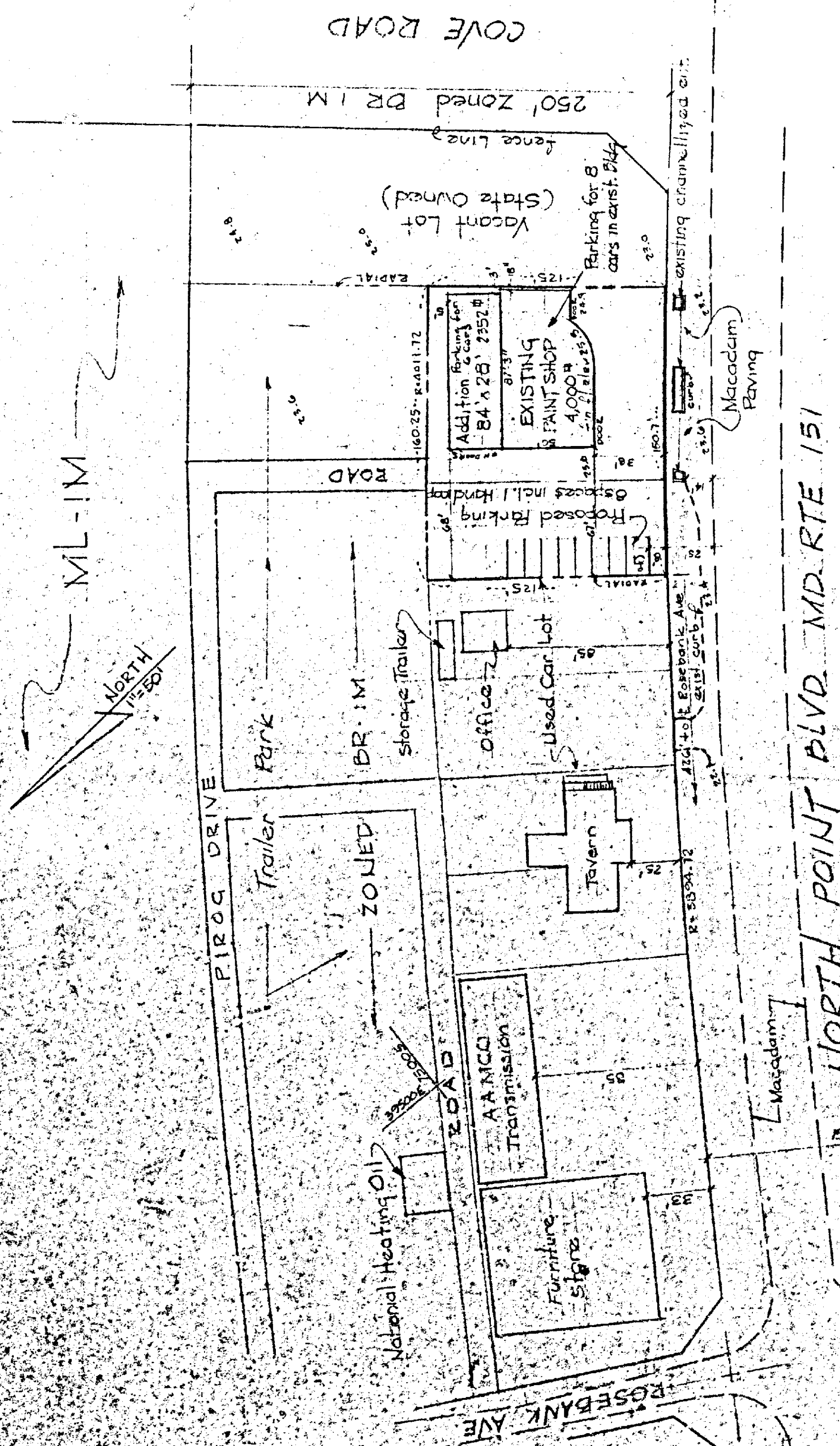
SITE PLAN
 for VARIANCE PETITION
 Proposed Addition to
 WALTER JAY'S AUTO PAINT
 3862 NORTH POINT BLVD
 BALTO., MD. 21222/Elect Dist. 15
 scale: 1" = 50' date: 5/10/85
 BY: G. D. McFILLAND & ASSOC. 4/1-9136

86-92-A





VICINITY MAP



NORTH POINT BLVD. MD. RTE 151

NOTES

1. Area of parcel 19,434 sq. ft.
2. The proposed addition will be used for sanding, tapping and other preparation work. This area is presently being used for this purpose in the open.
3. The entire parcel is presently paved with macadam and concrete.
4. The existing canopy in the rear of the build. (approx. 20' x 40') shall be removed.
5. Parking: 4000 + 2352 = 6352 sq. ft. Required parking: 1 space per 300 sq. ft. Total parking: 22 spaces incl. 1 (one) handicap. Size: 9' x 20'; handicap 12' x 20'
6. Total disturbed area 2352 sq. ft.
7. Proposed addition to use existing conc. slab for floor (elev. 25' 0")
8. All utilities are existing in North Point Blvd.

8. Parking bay in existing building = 8 spaces
- Outside parking = 6 spaces
- Total parking provided = 22 spaces

SUB 3 RECD
REVISED PLANS

Rev. 5/22/85 gdm
SITE PLAN
for VARIANCE PETITION
Proposed Addition to
WALTER JAY'S AUTO PAINT
3862 NORTH POINT BLVD
BALTO. MD. 21222/Elect Dist 15
Scale: 1" = 50' date: 5/10/85
P.L. 151

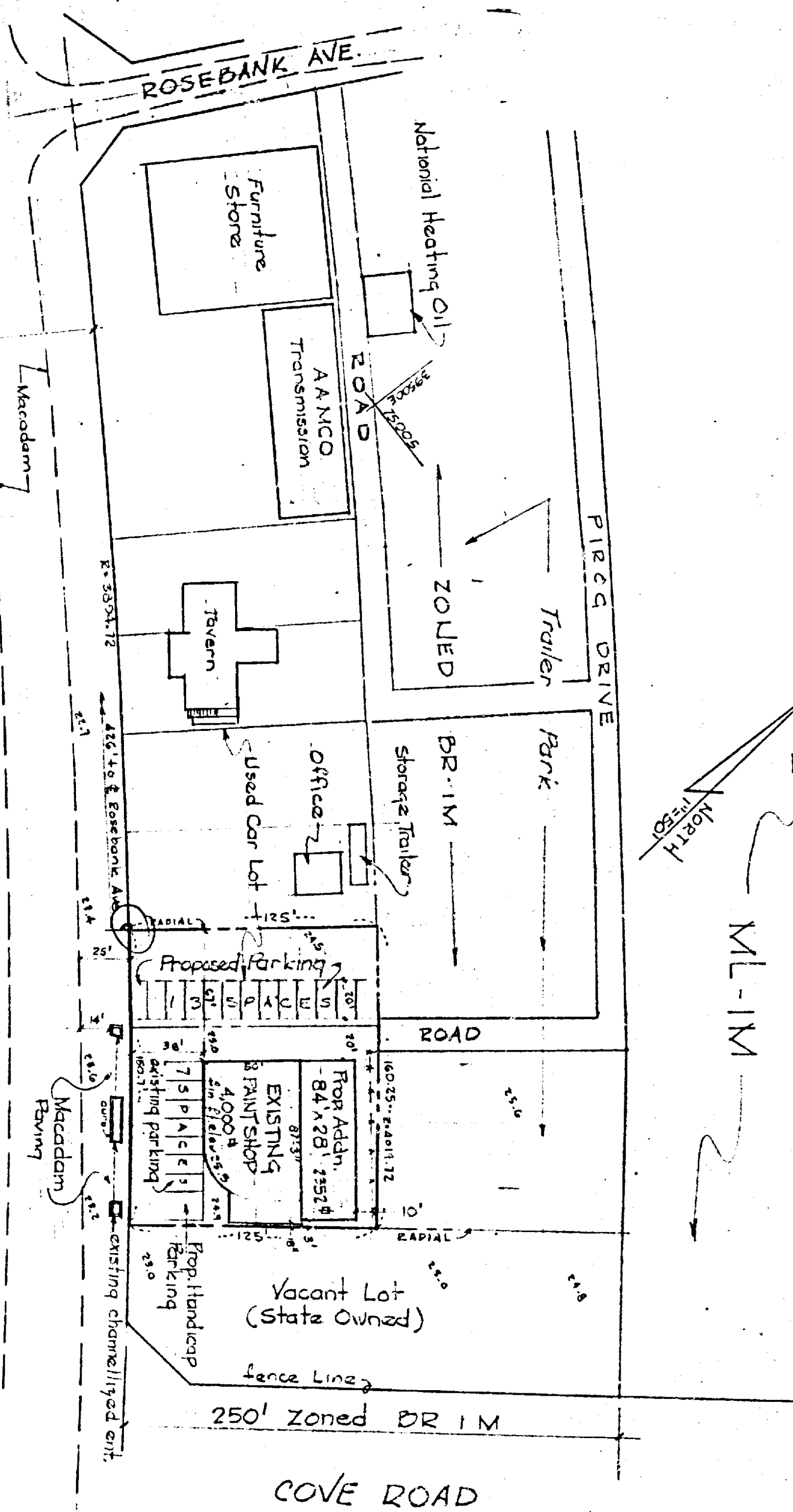
OWNERS: Joseph J. & Deborah H. Pirog
Libor 6477 Pages 500 & 501
15th Election District, Balto., Co.

- NOTES
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 6. Total disturbed area 2352 sq. ft.
 7. Proposed addition to use existing conc. slab for floor (elev. 25' 0")
 8. All utilities are existing

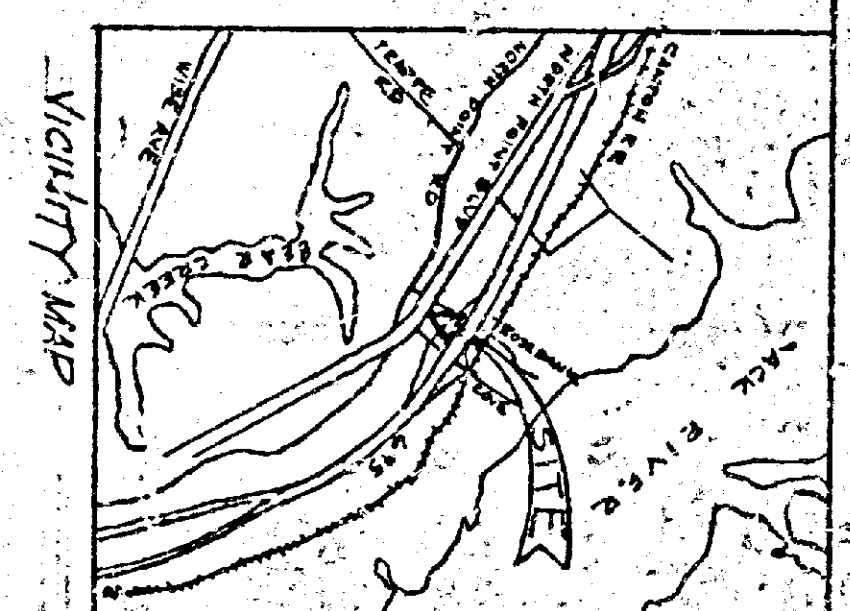
OWNERS: Joseph J. & Deborah H. Pirog
Libor 6477 Pages 500 & 501
15th Election District, Balto., Co.

Rev. 5/22/85 gdm
SITE PLAN
for VARIANCE PETITION
Proposed Addition to
WALTER JAY'S AUTO PAINT
3862 NORTH POINT BLVD
BALTO. MD. 21222/Elect Dist 15
Scale: 1" = 50' date: 5/10/85
P.L. 151

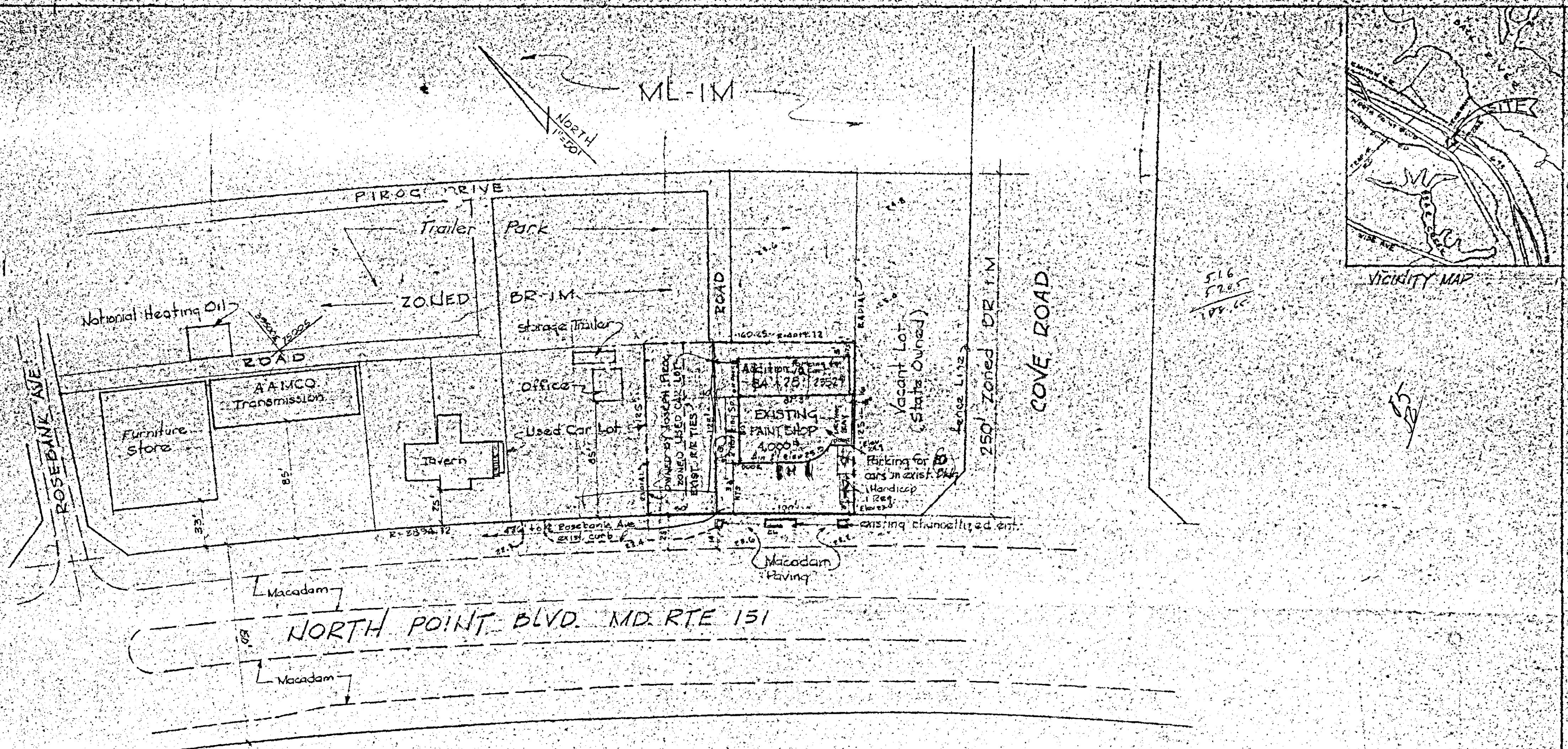
962



COVE ROAD



VICINITY MAP



NOTES

1. Area of parcel 19,434 sq. ft. ±
2. The proposed addition will be used for sanding, taping and other preparation work. This area is presently being used for this purpose + the open.
3. The entire parcel is presently paved with macadam and concrete.
4. The existing canopy in the rear of the build. (approx. 20' x 40') shall be removed.
5. Parking: 4000 + 2352 = 6352 sq. ft.
Reg'd parking: 1 space per 300 sq. ft.
Total parking: 22 spaces incl. 1 (one) handicap.
Size: 9' x 23'; handicap 12' x 23'
6. Total disturbed area 2352 sq. ft.
proposed addition to use existing conc. slab for floor (elev. 25' 0")
7. All utilities are existing in North Point Blvd.

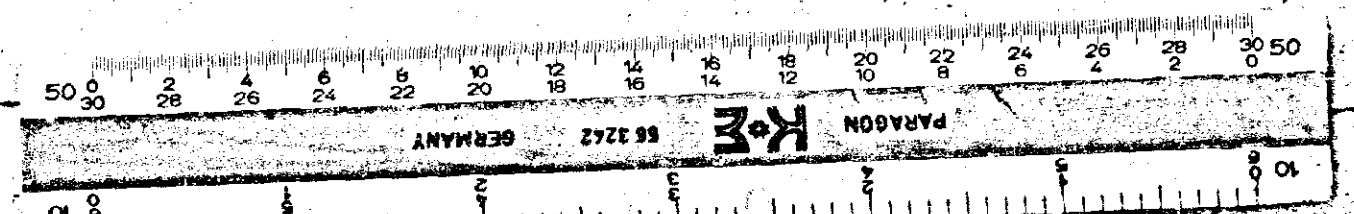
8. Parking bay in existing building = 10 spaces
" " Addition = 12 spaces
Outside parking = 3 spaces
Total parking provided = 25 spaces

Front Setback
used car lot 85'
meant lot 50'
 $135' \div 2 = 67.5' \text{ Average}$

Rev. 7/16/85 qdm
Rev. 5/22/85 qdm

SITE PLAN
for VARIANCE PETITION
Proposed Addition to
WALTER JAY'S AUTO PAINT
3862 NORTH POINT BLVD
BALTO MD 21222/Elect Dis: 15
scale: 1" = 50' date: 5/10/85
P. G. M. McLELLAND & ASSOC. 477-9136

OWNERS: Joseph J. & Deborah C. Pirog
Libar 6477 Pages 500 & 501
15th Election District, Balto., Co.



362 86-92-A **PETITION FOR ZONING VARIANCE** 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 253.1 (303.2) to permit a front yard setback of 38 feet instead of the required average of 67.5 feet; 238.2 to permit side yard setbacks of 18 inches and 18 feet instead of the required 30 feet and a rear yard setback of 5 feet instead of the required 30 feet of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

The layout of the property and the location of the existing building do not permit any expansion without the requested variance.

Property is to be posted and advertised as prescribed by Zoning Regulations.

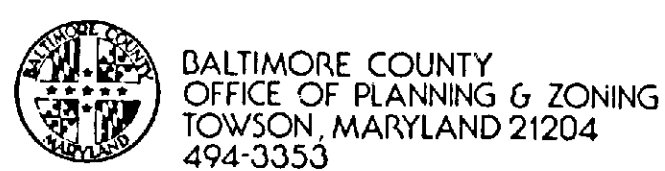
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of petition, and further agree to and are to be bound by the zoning regulations and restrictions Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/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 _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
Name _____
Address _____
Phone No. _____
Attorney's Telephone No.: 686-8585

ORDERED BY The Zoning Commissioner of Baltimore County, this 31st day of July 1985, 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 September, 1985, at 10:30 o'clock.

(over)



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 24, 1985

Ronald J. Kearns, Esquire
1760 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
NE/S North Point Boulevard,
476' SE of Rosebank Avenue
(3862 North Point Boulevard) -
15th Election District
Joseph J. Pirog, Jr., et ux,
Petitioners
Case No. 86-92-A

Dear Mr. Kearns:

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

Very truly yours,
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Ms. Mary Pablobich
8101 Smiths Drive
Baltimore, Md. 21222

Lewis L. Fleury, Esquire
305 W. Chesapeake Avenue
Towson, Md. 21204

Mr. George Light
Health Department

IN RE: PETITION FOR VARIANCE
NE/S North Point Boulevard,
476' SE of Rosebank Avenue,
(3862 North Point Boulevard) -
15th Election District
Joseph J. Pirog, Jr., et ux,
Petitioners
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-92-A

AMENDED ORDER

It is hereby ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 24th day of October, 1985, that the Order passed in this matter, dated September 24, 1985, is hereby AMENDED to replace Restriction Nos. 3 and 6 to read as follows:

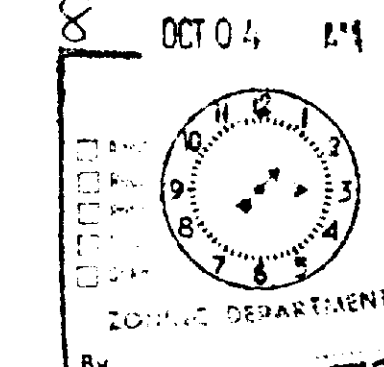
- Hours of operation shall not extend beyond 7:30 a.m. and midnight. Sound from the business shall not be audible beyond the property lines later than 10:00 p.m.
- Access along the northwest side of the building shall be utilized only for the two (2) parking spaces indicated on Petitioner's Exhibit 1 and as an unblocked driveway.

Very truly yours,
JEAN M. H. JUNG
Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

ORDER RECEIVED FOR FILING
DATE 10/24/85
BY [Signature]

RONALD J. KEARNS
Attorney at Law
1760 EASTERN BOULEVARD
BALTIMORE, MARYLAND 21221
TELEPHONE 866-8585



October 1, 1985

Baltimore County Office of
Planning and Zoning
Towson, Maryland 21204

ATTENTION: MRS. JUNG

Re: 3862 North Point Blvd.
Case No. 86-92-A
Joseph Pirog, Jr., et ux, Petitioner

Dear Mrs. Jung:

Thank you very much for granting the variance requested in the referenced case on behalf of my client, Joseph Pirog. We have reviewed your Order and I would like to comment on a couple of the restrictions you have attached.

First of all, it would appear that many of the restrictions are the direct result of the testimony of the Protestant, a tenant in a trailer which is itself parked almost on the property line in direct violation of zoning rules and regulations. I refer specifically to item 3, the hours of operation, which limits when Mr. Pirog can use his property. There are no such restrictions on the use of his present facilities. In addition, he will probably be the only shop in the area with this time restriction.

Item 6 is particularly disturbing. The use of Mr. Pirog's property for egress and ingress from and to the trailer park is a courtesy granted to the adjacent property owner. I do not believe the Zoning Department has any jurisdiction over such an agreement. The Rosebank Trailer Park has other access routes. This restriction should be eliminated.

I would appreciate a clarification of Number 7 regarding access to the state-owned land.

Baltimore County Office of
Planning and Zoning
October 1, 1985
Page 2

Items 8 and 9 involve the parking areas in and around the property. It should be clear from the testimony in the case that there is absolutely no need for the amount of parking spaces which the zoning law requires. At no time would there ever be more than four or five or six customers whose vehicles would be in the shop. The employees vehicles are parked elsewhere. These requirements, while not of great concern, do seem overly restrictive when the proper and reasonable use of the property is considered.

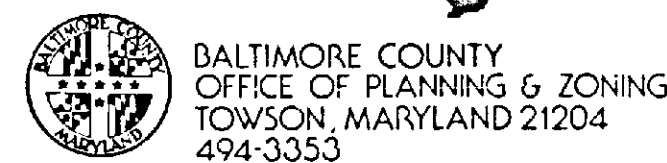
It would be greatly appreciated if you would review your Order in light of my comments. I do not feel that the Zoning Department has any jurisdiction over the restrictions set forth in Item 6. The other restrictions can hopefully be modified to permit reasonable use of the Pirog property.

I would like to call your office for an appointment to discuss this with you in person.

Sincerely yours,

Ronald J. Kearns
Attorney-at-Law

RJK:vpg



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 24, 1985

Ronald J. Kearns, Esquire
1760 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
NE/S North Point Boulevard,
476' SE of Rosebank Avenue,
(3862 North Point Boulevard) -
15th Election District
Joseph J. Pirog, Jr., et ux,
Petitioners
Case No. 86-92-A

Dear Mr. Kearns:

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

Very truly yours,
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Ms. Mary Pablobich
8101 Smiths Drive
Baltimore, Md. 21222

Lewis L. Fleury, Esquire
305 W. Chesapeake Avenue
Towson, Md. 21204

IN RE: PETITION FOR VARIANCE
NE/S North Point Boulevard,
476' SE of Rosebank Avenue,
(3862 North Point Boulevard) -
15th Election District
Joseph J. Pirog, Jr., et ux,
Petitioners
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-92-A

The Petitioners herein request variances to permit a front yard setback of 38 feet in lieu of the required average of 67.5 feet, side yard setbacks of 18 inches and 18 feet in lieu of the required 30 feet, and a rear yard setback of 5 feet in lieu of the required 30 feet.

Testimony by and on behalf of the Petitioners indicated that the site has been utilized for body, fender and paint work on motor vehicles since 1947. For the last three to four years, under the current ownership, the business has grown and a considerable amount of work has been done outside, behind the present building. The proposed 84' x 28' addition would come within 4 feet of the property line, as measured in a recent survey, and be used for sandblasting, taping and minor repairs. There will be no painting or public facilities in the addition. It will contain four stalls for automotive work with no openings along the rear wall. Of the required 25 parking spaces, 22 will be located inside. In the past, both the front of the site and, since August 1 the state-owned land (125' x 87') between the shop and Cove Road, have been utilized for parking without site plans approved by Baltimore County. The Petitioners own additional adjacent property fronting on North Point Boulevard and utilized for a used car lot; portions of that property also have been used for parking for the business of the subject site. The Petitioner will conduct no used car sales on the site and will comply with Baltimore County landscape requirements. The hours of operation will be from 7:30 a.m. to 6:00 p.m. The site provides part of the Smith Road access from Rosebank Trailer Park to North Point Boulevard.

ORDER RECEIVED FOR FILING
DATE 10/24/85
BY [Signature]

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DATE 10/24/85
BY [Signature]

Testimony by the Protestant, who lives in a mobile home immediately behind the rear property line, indicates that owners of the property have a long history of alleged violations: no permit for an addition to the original building, underground unused gas tanks, dangerous use of kerosene heaters, air pollution, noise, and dumping of paint and/or other hazardous materials. She has made numerous complaints to employees, the owner and governmental agencies. In her opinion, placing the proposed addition 5 feet from the property line would block light and air from her home. It is her strong belief that a shop that has operated in violation of applicable rules and regulations should not be rewarded with the granting of the requested variances.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having 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; all parties stipulating that the Deputy Zoning Commissioner could visit the site and the general neighborhood; and the granting of the requested variances not adversely affecting the health, safety, and general welfare of the community, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 24th day of September, 1985, that the herein Petition for Variance do permit a front yard setback of 38 feet in lieu of the required average of 67.5 feet, side yard setbacks of 18 inches and 18 feet in lieu of the required 30 feet, and a rear yard setback of 5 feet in lieu of the required 30 feet in accordance with the site plan revised August 7, 1985 and marked Petitioner's Exhibit 1.