

86-193-A #65 **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 1 BO 1.2.C.2a. to permit a window to track boundary setback of 10' instead of the required 35' and 1 BO 1.2.C.2b to permit a window to window setback of 20' instead of the required 40' and 1 BO 1.2.C.3 to permit a building to centerline of existing street of 41.5' instead of the required 50' and 1 BO 1.2.C.6 (VB 6.a) and VB 6.b to permit a window to right of way of 11.5' instead of the required 25' and to permit a window to property line of 10' instead of the required 15' respectively.

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

- 1.) Old lot of record;
- 2.) Undue hardship.

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	(Type or Print Name)
Signature	Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	
Robert E. Joy, Esquire	3300 North Point Road
(Type or Print Name)	Address
Signature	Baltimore, Maryland 21222
1301 Merritt Boulevard	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Dundalk, Maryland 21222	Name
City and State	Address
Attorney's Telephone No.: 282-3450	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of September, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12th day of November, 1985, at 10:00 o'clock.

Zoning Commissioner of Baltimore County.

(over)

Phone: 687-6922

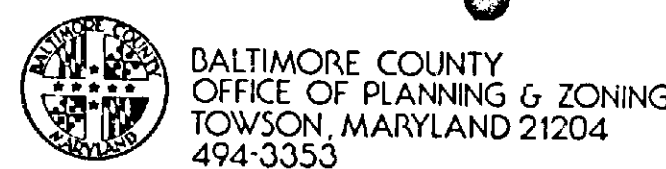
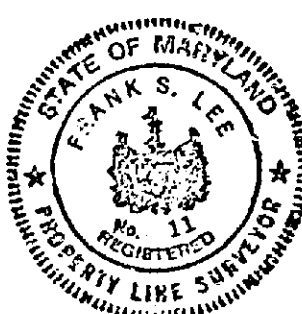
FRANK S. LEE

Registered Land Surveyor
1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237
May 1, 1985

No. 3300 North Point Road
Northeast corner of North Point Road and Wallace Road
15th District Baltimore County, Maryland

Beginning for the same at the corner formed by the intersection of the north side of North Point Road with the east side of Wallace Road, thence running and binding on the east side of Wallace Road North 6 degrees 18 minutes 20 seconds East 208.62 feet, thence running for two lines of division as follows: South 83 degrees 41 minutes 40 seconds East 104.41 feet and South 6 degrees 18 minutes 20 seconds West 208.62 feet to the north side of North Point Road, and thence running and binding on the north side of North Point Road North 83 degrees 41 minutes 40 seconds West 104.41 feet to the place of beginning.

Containing 0.50 acres of land more or less.



ARNOLD JABLON
ZONING COMMISSIONER

November 14, 1985

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Robert E. Joy, Esquire
1301 Merritt Boulevard
Dundalk, Maryland 21222

RE: PETITION FOR VARIANCE
NE/corner Wallace and North
Pt. Road (3300 North Pt. Rd.)
15th Election District
Blaine F. Brodka, Petitioner
Case No. 86-193-A

Dear Mr. Joy:

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

PETITION FOR VARIANCE

15th Election District

LOCATION: Northeast corner of Wallace and North Point Road
(3300 North Point Road)

DATE AND TIME: Tuesday, November 12, 1985 at 10:00 a.m.

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

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from Section 1 BO 1.2.C.2a. to permit a window to track boundary setback of 10' instead of the required 35' and 1 BO 1.2.C.2b to permit a window to window setback of 20' instead of the required 40' and 1 BO 1.2.C.3 to permit a building to centerline of existing street of 41.5' instead of the required 50' and 1 BO 1.2.C.6 (VB 6.a and VB 6.b) to permit a window to right of way of 11.5' instead of the required 25' and to permit a window to property line of 10' instead of the required 15' respectively.

Being the property of Blaine F. Brodka 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

IN RE: PETITION FOR VARIANCE
NE/corner Wallace and North
Pt. Road (3300 North Pt. Road)
15th Election District
Blaine F. Brodka,
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-193-A

The Petitioner herein requests variances to permit a window to track boundary setback of 10 feet in lieu of the required 35 feet, a window to window setback of 20 feet in lieu of the required 40 feet, a building to centerline of existing street of 41½ feet in lieu of the required 50 feet, a window to right of way of 11½ feet in lieu of the required 25 feet, and a window to property line of 10 feet in lieu of the required 15 feet.

Testimony by the Petitioner indicated that housing is needed for his 71 year old mother. Sharing the existing family home on the site did not prove to be a satisfactory solution because she became ill from fumes emanating from a family hobby, plasticraft. The D.R. 10.5-zoned site would provide sufficient area for the construction of six or seven townhouses, but development costs do not make that alternative feasible. Therefore, the Petitioner proposes to remove the back porch from the existing house, to subdivide the property into three lots, and to establish two building envelopes. He further proposes to sell one lot and to build a home for his mother on the center lot, all as indicated on the plan submitted by Frank S. Lee, revised November 9, 1985. There were no protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioner, and the granting of the variances requested would not adversely affect the health, safety, and general welfare of the community, and, therefore,

RE: PETITION FOR VARIANCES
NE/corner Wallace & North
Point Rd. (3300 North
Point Rd.), 15th District
BLAINE F. BRODKA, Petitioner
Case No. 86-193-A

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

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 15th day of October, 1985, a copy of the foregoing Entry of Appearance was mailed to Robert E. Joy, Esquire, 1301 Merritt Blvd., Dundalk, MD 21222, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

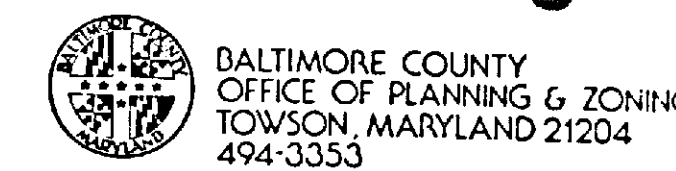
the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, 14th day of November, 1985, that the herein Petition for Variance to permit a window to track boundary setback of 10 feet in lieu of the required 35 feet, a window to window setback of 20 feet in lieu of the required 40 feet, a building to centerline of existing street of 41½ feet in lieu of the required 50 feet, a window to right of way of 11½ feet in lieu of the required 25 feet, and a window to property line of 10 feet in lieu of the required 15 feet, in accordance with the plan submitted and filed herein, is hereby GRANTED, from and after the date of this Order.

JEAN M. H. JUNG
Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

UNDER RECEIVED FOR FILING
DATE November 14, 1985
BY Phyllis A. Friedman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 6, 1985

Robert E. Joy, Esquire
1301 Merritt Blvd.
Dundalk, Maryland 21222

Re: Petition for Variance
NE/cor. Wallace & North Point Rd.
(3300 North Point Rd.)
Blain F. Brodka, Petitioner
Case No. 86-193-A

Dear Mr. Joy:

This is to advise you that \$72.45 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE-REVENUE DIVISION MISCELLANEOUS CASH RECEIPT		No. 012362
DATE 11-12-85	ACCOUNT 2-01-615-000	
AMOUNT \$72.45		
RECEIVED FROM Robert E. Joy		
FOR Posting 86-193-A		
VALIDATION OR SIGNATURE OF CASHIER		

AUG 5 1985

October 10, 1985

Robert E. Joy, Esquire
1301 Merritt Boulevard
Dundalk, Maryland 21222

NOTICE OF HEARING

RE: Petition for Variance
NE/cor. Wallace & North Point Rd.
(3300 North Point Rd.)
Blaine F. Brodka - Petitioner
Case #86-193-A

TIME: 10:00 a.m.

DATE: Tuesday, November 12, 1985

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

BALTIMORE COUNTY, MARYLAND No. 008679

OFFICE OF FINANCE-REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE: 8-19-85 ACCOUNT: 2-01-615-174

AMOUNT: \$ 33.00

RECEIVED FROM: [Signature]

FOR: Filing fee for Item 65 Brodka

9 B 115*****30204 01208

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 21, 1985

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

Robert E. Joy, Esquire
1301 Merritt Boulevard
Dundalk, Maryland 21222

RE: Item No. 65 - Case No. 86-193-A
Petitioner - Blaine F. Brodka
Variance Petition

Dear Mr. Joy:

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.

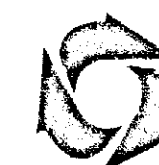
Very truly yours,

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

JED:mr

Enclosures

cc: Mr. Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237



Maryland Department of Transportation
State Highway Administration

William K. Helmann
Secretary
Hal Kassoff
Administrator

September 6, 1985

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

Attn: Mr. James Dyer

Re: ZAC Meeting of 8-27-85
ITEM: #65
Property Owner: Blaine Brodka
Location: N/S North Point Rd.
Route 20, E/S of Wallace Road
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to
permit a track boundary setback
of 10' instead of the required
35' and to permit a window to
window setback of 20' instead
of the required 40' and to
permit a building to centerline
of existing street of 41.5
instead of the required 50'
and to permit a window to right
of way of 11.5' instead of the
required 25' and to permit a
window to property line of 10'
instead of the required 15'
Acres: .50 acres
District: 15th Election
District

Dear Mr. Jablon:

On review of the submittal of 4-25-85, the State Highway Administration finds the plan generally acceptable.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

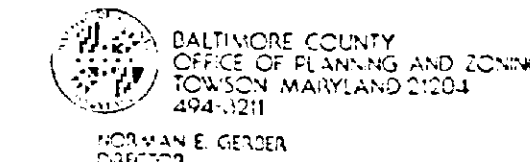
By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

My telephone number is (301) 659-1350

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 7171 707 North Calvert St., Baltimore, Maryland 21203-0717



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

OCTOBER 31, 1985

Re: Zoning Advisory Meeting of August 27, 1985
Item # 65
Property Owner: Blaine Brodka
Location: N/S North Point Road, E/S of
Wallace Rd.

Dear Mr. Jablon:

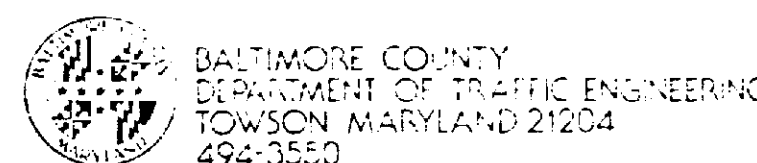
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on [blank].
- ☒ Landscaping must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments: [blank]

cc: James Howell

Eugene A. Boser
Chief, Current Planning and Development

86-193-A



STEPHEN E. COLLINS
DIRECTOR

September 24, 1985

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

Item No. -ZAC- Meeting of August 27, 1985
Property Owner: [blank]
Location: [blank]
Existing Zoning: [blank]
Proposed Zoning: [blank]

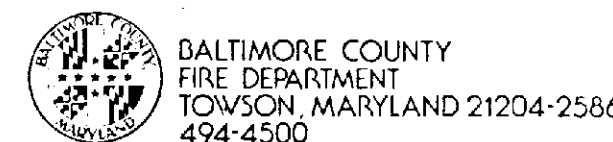
Acres: [blank]
District: [blank]

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbers 60, 61, 62 (65) & 68.

Michael S. Flanigan

MSE/bld



PAUL H. REINCKE
CHIEF

August 30, 1985

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: Blaine Brodka

Location: N/S North Point Road, E/S of Wallace Road

Item No.: 65 Zoning Agenda: Meeting of August 27, 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.

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

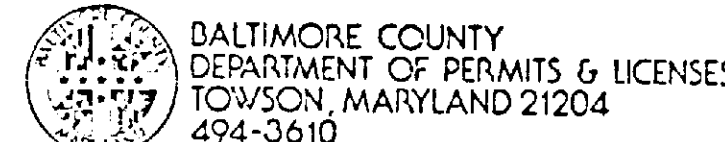
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Fire Safety Code", 1976 edition prior to occupancy.

- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Noted and
Planning Group Approved: [Signature]
Special Inspection Division

/mb



TED ZALESKI JR.
DIRECTOR

September 18, 1985

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

Dear Mr. Jablon:

Comments on Item # 65 Zoning Advisory Committee Meeting are as follows:

Property Owner: Blaine Brodka
Location: N/S North Point Road, E/S of Wallace Road
District: 15th.

APPLICABLE ITEMS ARE COMMENTED

- () All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 417-85, the Maryland Code for the Handicapped and Aged (A.D.A. 1117-1-1991) and other applicable Codes 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 not required on plan 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 with a permit application. Reproduced seals are not acceptable.

- () All the Group except Row Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls other than 6" to an interior lot line. Row the Group require a one hour wall if closer than 10' to an interior lot line. Any wall built on an interior lot line shall require a fire of party wall. See Table 501, Section 501.1, Section 501.2 and Table 501.2. 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 cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 505 and 506 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 in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The Change of Use Groups are from the _____ to the _____ or to Mixed Use. See Section 312 of the Building Code.

- () The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill 417-85. The plans shall show the correct elevation above sea level for the lot and the finished floor level.

- () Comments: Sleeping rooms require at least one window in each room, complying with Section 809.4.

- () Three abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full review of any permit. If desired, the applicant may obtain additional information by visiting Room 212 of the County Office Building at 111 West Chesapeake Avenue, Towson, Maryland 21204.

1/22/85

301 C. E. Berman, Chief
Planning and Zoning

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

TO: Zoning Commissioner

Date: November 4, 1985

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

SUBJECT: Zoning Petitions No. 86-191-A, 86-192-A, 86-193-A, 86-196-A, 86-201-A,
86-203-A, 86-204-A, 86-207-A, 86-208-A, 86-209-A,
86-211-A and 86-217-A

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

Norman E. Gerber, Director
Director

NEG:JCH:alm

AUG 5 1986

86-193-A

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

18 Venetianli

Cost of Advertising

30.25

86-193-F

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

THIS IS TO CERTIFY, that the annexed advertisement of The Zoning Office of Baltimore County was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for ~~two consecutive weeks~~ one week before the 25th day of October 1985 ; that is to say, the same was inserted in the issues of

October 24, 1985.

Kimbel Publication, Inc.

per Publisher.
Manager
By Pamela Bursch

86-193-A

District: 15th Date of Posting: 10/25/85
 Posted for: Variance
 Petitioner: NE Leon F. Brodsky
 Locality of property: NE Leon Wallace & N. Pl. Rd.
3300 N. Point Rd
 Location of Sign: Facing N. Pl. Rd., approx. 1/2 mi. road way to corner, 30' E.
Wallace Rd., on property of C. H. Henry
 Remarks: _____
 Posted by: M. H. Hickey Date of return: 10/25/85
 Number of Signs: 4

Case No. 86-193-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
30th day of September, 1983.

ARNOLD YABLON
Zoning Commissioner

Petitioner Blaine F. Brodka Received by: _____
 Petitioner's _____
 Attorney Robert E. Joy, Esquire Chairman, Zoning Plans
 Advisory Committee

Chairman, Zoning Plans
Advisory Committee

[illegible]

NORTH PT. POINT EX. FAV. RD. 5722
 EX. GLEB.

WALLFORD SECTION OF
 CHARLESMONT
 23-130

NORTH PT. SITE BVD
 NORTH PT. BVD
 WALKWAY
 PL.

LOCATION MAP
 NO SCALE

OWNER
 BLAINE F. BROOKS
 2300 NORTH POINT DR.
 BALTO., MARYLAND 2122

PLANNING & ZONING
 DISTRICT OF BALTIMORE
 PLANNING & ZONING
 DEPARTMENT
 1217 CHARLES AVENUE
 BALTIMORE, MD. 21202
 637-6922

MAP
 J.M.
 SECTION
 5722
 DISTRICT 15
 DATE 12/2/66
 TYPE
 REASON A
 BY
 PERM
 BY

EX. ZONING - DR 10-B
 INCORPORATED ZONING - SAME
 AREA OF LOT - 0.50 AC.
 PUBLIC WATER & SEWERAGE AVAILABLE

PLAT TO ACCOMPANY PETITION FOR A VARIANCE # 66
 TO ALLOW A REAR YARD SETBACK OF 12 FEET
 IN LIEU OF THE REQUIRED 50 FEET.

15TH DISTRICT BALTIMORE COUNTY, MARYLAND
 SCALE 1" = 30'
 DATE 4-25-85

DEED REF. ENCL. 5931-41

[illegible][illegible]

AUG 6 1986