On antec دیگ به در کهند میشنشین به در این به ا NE BA 3C 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 1802-3c.1. to permit a rear yard setback of 36.5'instead of the required 50'. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Six occupants in dwelling - need additional living space. 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 Legal Owner(s):

Contract Purchaser: Michael J. Siwinski (Type or Print Name) (Type or Print Name) Celeste A. Siwinski (Type or Print Name) City and State Attorney for Petitioner 377-2222 421 Dunkirk Road 377-2026 Baltimore, Maryland - 21212

Attorney's Telephone No.: NORDERED By The Zoning Commissioner of Baltimore County, this _____14th_____ day County on the 25th day of November , 19.85 , at 10:00 o'clock

Zoning Commissioner of Baltimore County.

0

: BEFORE THE ZONING COMMISSIONER

: OF BALTIMORE COUNTY

Name, address and phone number of legal owner, con-

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

ARNOLD JABLON ZONING COMMISSIONER

86-212-A

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

December 27, 1985

Mr. and Mrs. Michael J. Siwinski 421 Dunkirk Road Baltimore, Maryland 21212

> RE: PETITION FOR VARIANCE S/S Dunkirk Rd., 243' W from c/l of York Rd. (421 Dunkirk Rd.) 9th Election District Michael J. Siwinski, et ux, Petitioners Case No. 86-212-A

Dear Mr. and Mrs. Siwinski:

Please be advised that an appeal has been filed by the Rodgers Forge Community Association, Inc., from the decision rendered by the Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

> dinold ARNOLD JABLON Zoning Commissioner

cc: People's Counsel

86-212-A CERTIFICATE OF PUBLICATION

LOCATION: South safe of During's Road, 243 Mars of the consistent from 244 Mars of the consistent of the Road, 243 Mars of the Consistent Road, 1421 During Road, 1441 Mars of the Road TOWSON, MD., _____November 6_____, 1985_ THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed The Zoning Commissioner of Bull-more County, by authority of the Zoning Act and Populations of Bull-more County, and hold a public bean-ning. and published in Towson, Baltimore County, Md., appearing on Patton for Mariance from Section 1902-3c.1. to present a sear just authoric of 35.5 instead of the required SC. __ November 6 ____, 19_85.

Being the property of Michael & Si-would, of his its shown on the plat flad with the Zorang Office.

for the overet that this Politics in granted, a hadding parrol; may be mared unter the thirty (20) day appeal panel; The Zonny Coronasions and homes, whether any request for a stay of the desarroe of and parrol during the parrol do: 1000 cames shown. Such request must be received a writing by the date of the houring, and abone or made at the houring.

By Oppus on

BY ORDER OF APROLD ARROW ZONING COMMISSIONER OF BALTIMORE COLINTY

PETITION FOR VARIANCE
9th Election District

LOCATION: South side of Dunkiri Road, 243' West of the centerine of York Road, (241 Dunkirk Road) DATE AND TIME: MORday November 25, 1965 at 10:00 a.m. PUBLIC HEARING: Room 106 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimare
County, will hold a public hearing:
Petition for Variance from Section
1802-3c.1. to permit a mar yard setback of 36.5' massed of the required
50'.

Being the property of Michael J. Siwanski, at ux as shown on the plat-filed with the Zoning Office. In the event that this Petition in granted, a building permit ma, be-ressed within the there (30) december.

rected within the therty (30) day appeal period. The Zoning Commissioners will, however, entertain any request for a casy of the incurace of said permit during this period for good cause thorm. Such request must be received in writing by the state of the hearing set above or made at the hearing.

By Order Of ARINOLD JABLON, Zoning Commissioner of Sentimore County

No. 7.

PROPERTY DESCRIPTION

of York Road; thence South 12 degrees 02 minutes West 110 feet to the North side

35,75 feet; thence North 12 degrees 02 minutes East 110 feet to the South side of

Dunkirk Road; thence on the Southwest side of Dunkirk Road 35.75 feet to the place

of a 15 foot alley; thence Northwesterly on the Northeast side of the alley

ALSO KNOWN AS 421 Dunkirk Road in the 9th Election District.

BEGINNING on the South side of Dunkirk Road 243 feet West of the centerline

TOWSON TIMES,

18 Venetarli

34.00

86-212-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., ____ November. 7 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towsen, Baltimore County, Md., appearing on November 7 ,19 85

THE JEFFERSONIAN,

18 Veretail:
Publisher
Cost of Advertising 22.00

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

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

November 21, 1985

Mr. & Mrs. Michael J. Siwinski 421 Dunkirk Road

Baltimore, Maryland 21212

Re: Petition for Variance S/S Dunkirk Rd., 243' W from the c/1 York Rd., (421 Dunkirk Road) 9th Election District Michael J. Siwinski, et ux - Petitioners

Case No. 86-212-A

Dear Mr. & Mrs. Siwinski:

This is to advise you that $$\pm 61.00 is due for advertising and posting of the above property. This fee must be paid before an

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 <u>not</u> remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit ng, Towson, Maryland BALTIMORE COUNTY, MARYLAND No. 012405 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

DATE 11-25-55 COUNT R-01-615-00 AMOUNT \$ 61.00 RECEIVED MICHAEl Surenche Citiver tising & Pastiffe 86- 213 B 032 * * * * * \$ 120: 6 = 258F

VALIDATION OR SIGNATURE OF CASHIER

Monday, November 25, 1985 at 10:00 a.m. Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

South side of Dunkirk Road, 243° West of the centerline

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 1B02-3c.l. to permit a rear yard setback of 36.5' instead of the required 50'.

of York Road, (421 Dunkirk Road)

PETITION FOR VARIANCE

9th Election District

LOCATION:

DATE AND TIME:

PUBLIC HEARING:

Being the property of <u>Michael J. Siwinski, et ux</u> the plat filed with the Zoning Office. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE

S/S Dunkirk Rd., 243' W of the Centerline of York Rd. (421 Dunkirk Rd.), 9th Dist.

MICHAEL J. SIWINSKI.

et ux, Petitioners

: Case No. 86-212-A :::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or other Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 29th day of October, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Michael J. Siwinski, 421 Dunkirk Rd., Baltimore, MD 21212, Petitioners.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/worldxnotk result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested wilk/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /shouldx not be granted. day of ______, 19-85___, that the herein Petition for Zoning Variance to permit a rear yard setback of 36% feet instead of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following: 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition. AJ/srl cc: Mr. & Mrs. Michael J. Siwinski Mr. Joseph Bozievich People's Counsel State of the state 3 M*CROFILMED BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211 NORMAN E. GERBER DIRECTOR NOVEMBER 6, 1985 Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 Re: Zoning Advisory Meeting of SEPTEMBER 17,1985
Iten + 960
Property Owner: MICHAEL J. SIWINSKI, 21UX
Location: S/S DUNKIRK RD., 243 WOFL 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 (X)There are no site planning factors requiring comment.
 (A County Review Group Meeting is required.
 (A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services. Torward by the Bureau of Public Services.

(This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.

(A record plat will be required and must be recorded prior 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. 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)Landscaping: Must comply with Baltimore County Landscape Manual.
)The property is located in a deficient service area as defined by 3111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service 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:

Chief, Current Planning and Development

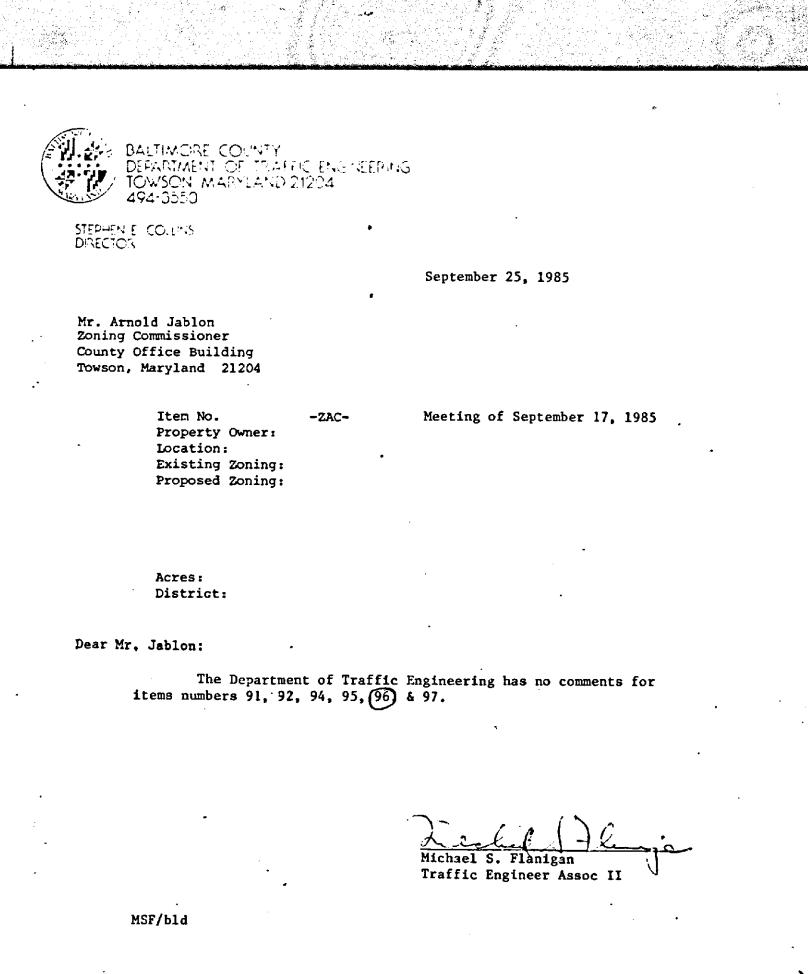
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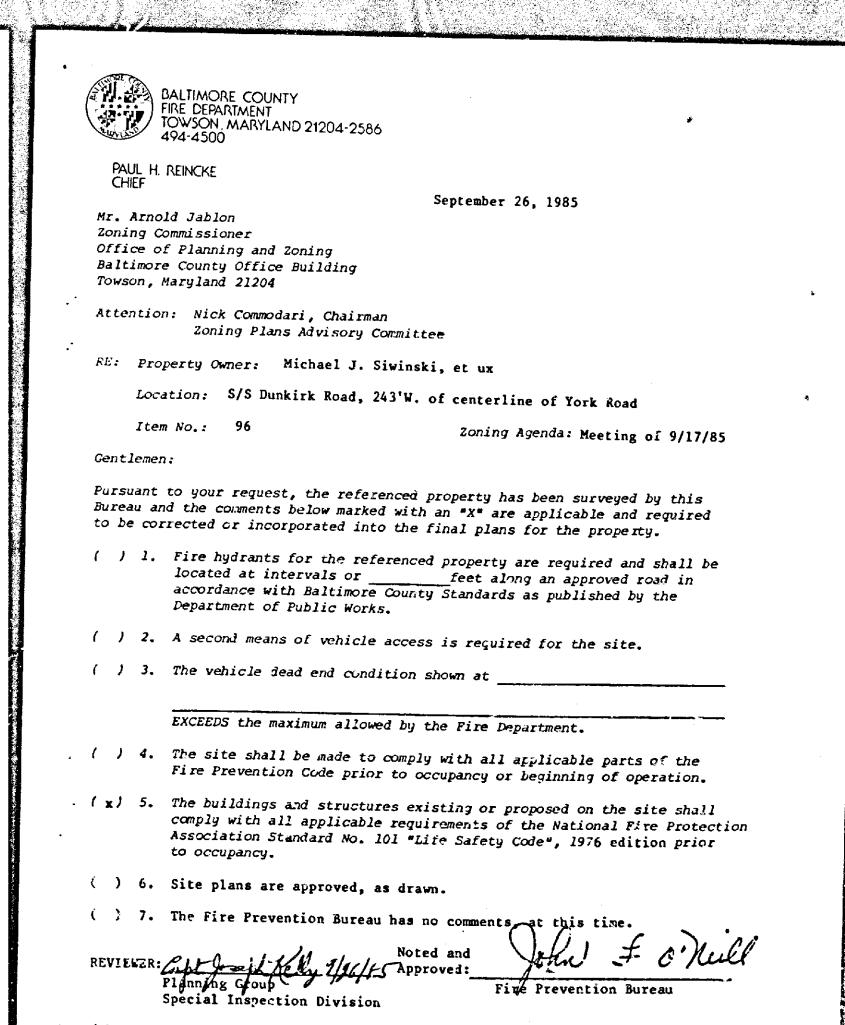
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BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE Arnold Jablon TO Zoning Commissioner November 12, 1985 Norman E. Gerber, Director FROM Office of Planning and Zoning SUBJECT Zoning Petitions No. 86-212-A, 86-213-A, 86-218-A, 86-219-A, 86-220-A, 86-221-A, 86-223-A, and 86-224-A There are no comprehensive planning factors requiring comment on these petitions.

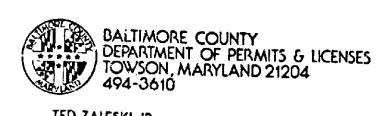
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BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE October 23, 1985 COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Mr. and Mrs. Michael J. Siwinski 421 Dunkirk Road Baltimore, Maryland 21212 RE: Item No. 96 - Case No. 86-212-A Petitioners - Michael J.Siwinski, et ux Variance Petition MEMBERS Bureau of Engineering Dear Mr. and Mrs.Siwinski: The Zoning Plans Advisory Committee has reviewed the plans sub-Department of mitted with the above-referenced petition. The following comments State Roads Commission are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or Bureau of Fire Prevention 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 Health Department the Zoning Commissioner with recommendations as to the suitability of Project Planning the requested zoning. Building Department Enclosed are all comments submitted from the members of the Board of Education Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, Industrial Development 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. Zoning Plans Advisory Committee JED:nr Enclosures





CD



November 5, 1985

TED ZALESKI, JR.

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

Comments on Item # 96 Zoning Advisory Committee Meeting are as follows:

Michael J. Siwinski, et ux S/S Dunkirk Road, 243' W of c/1 of York Road

APPLICABLE ITEMS ARE CIRCLED:

All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, he Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

(B) A building and other miscellaneous permits shall be required before the start of any construction. C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

D. 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 Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line. The east wall shall be a 2 hour fire wall - See Section 1407.

F. The structure does not appear to comply with Table 505 for permissable 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 401 and 505 and have your Architect/Engineer contact this departmen

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

H. 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 Use ________ to Use _______, or _______. See Section 312 of the Building Code.

I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

K. These 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 extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County, Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Case No. 6-212-A Item No. December 23, 1985

S/S Dunkirk Rd., 243' W from c/1 of York Rd. (421 Dunkirk Rd.) 9th Election District Michael J. Siwinski, et ux, Petitioners

Copy of Description of Property

Copy of Certificate of Posting (1 Sign)

Copy of Certificates of Publication Copy of Zoning Advisory Committee Comments

Copy of Comments from the Director of Planning Planning Board Comments and Accompanying Map

Copy of Order to Enter Appearance

Copy of Order - Zoning/Deputy Zoning Commissioner

Copy of Plat of Property (Petitioner's Exhibit 1)

2001 Scale Location Plan

____12. 1000' Scale Location Plan

____13. Memorandum in Support of Petition

____l4. Letter(s) from Protestant(s) ____15. Letter(s) from Petitioner(s)

16. Protestants' Exhibits 1 to 3

X 17. Petitioners' Exhibits 1 to 5p X 18. Letter of Appeal

Mr. & Mrs. Michael J. Siwinski 421 Dunkirk Road Baltimore, Maryland 21212

Rodgers Forge Community Assoc., Inc. Protestants c/o Scott D. Goetsch 122 Brandon Road

Baltimore, Maryland 21212 Phyllis C. Friedman, Esquire Norman E. Gerber James Hoswell

Arnold Jablon

James E. Dyer

Jean M. H. Jung

People's Counsel Request Notification Request Notification Request Notification Request Notification Request Notification

Petitioners

County Board of Appeals of Baltimore County

Room 200 Court House Towson, Maryland 21204 (301) 494-3180 July 16, 1986

Rodgers Forge Community Assoc., Inc. c/o Scott D. Goetsch 122 Brandon Rd.

(AMBANA COMPANY OF THE STATE O

Baltimore, Md. 21212 Dear Mr. Goetsch:

Re: Case No. 86-212-A Michael J. Siwinski, et ux

Enclosed herewith is a copy of the Opinion and Order and Dissent passed today by the County Board of Appeals in the above entitled matter.

> Very truly yours, June Holmen, Secretary

cc: Mr. and Mrs. Michael Siwinski Phyllis C. Friedman Norman E. Gerber James Hoswell Arnold Jablon Jean Jung James E. Dyer

IN THE MATTER OF MICHAEL J. SIWINSKI, ET UX FOR A VARIANCE ON PROPERTY LOCATED ON THE SOUTH SIDE OF

DUNKIRK RD., 243' WEST FROM THE

CENTER LINE OF YORK RD.

(421 YORK ROAD)

9th DISTRICT

BEFORE COUNTY BOARD OF APPEALS

BALTIMORE COUNTY No. 86-212-A

OPINION

The above captioned matter comes before this Board on an appeal from a decision of the Zoning Commissioner granting a variance from the rear yard setback requirements. On November 26, 1985, the Zoning Commissioner granted the variance and an appeal from that decision was filed.

The Petitioner testified that he intended to enlarge and enclose his back porch and, additionally to construct a deck which would not be enclosed. The Petitioner contends that he requires the additional space so as to extend his kitchen. In support of his claim of hardship, Petitioner cites the growth of his family.

Although none of his immediate neighbors lodged a protest, the Rodgers Forge Community Association, Inc., did lodge a protest. The gist of the protest had to do with the reduction in line of sight and air which shall result from the proposed construction. The Protestants contend that the variance if granted, shall adversely impact the community.

In evidence are photos of structures of a similar nature located within the community. Whether said structures have been legally erected is not before this Board.

This Board is not convinced that the proposed variance shall adversely impact the community. We do believe, however, that the growth of the Petitioner's family does present a practical difficulty and that the failure to grant the requested variance would present a hardship for the Petitioner.

Michael J. Siwinski, et ux Case No. 86-212-A

Consequently, this Board shall affirm the decision of the Zoning Commissioner and shall grant the requested variance.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 16th day of July, 1986, by the County Board of Appeals, ORDERED that the variance from Section 1B02-3c.1. to permit a rear yard setback of 36.5 feet instead of the required 50 feet petitioned for, be and the same is GRANTED.

Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Any appeal from this decision must be in accordance with

muum

IN THE MATTER OF THE APPLICATION OF MICHAEL J. SIWINSKI, ET UX, COUNTY BOARD OF APPEALS FOR A VARIANCE ON PROPERTY LOCATED ON THE SOUTH SIDE OF DUNKIRK RD., 243 FT. WEST FROM THE CENTER LINE OF BALTIMORE COUNTY YORK RD. - 9th DISTRICT No. 86-212-A

DISSENT

I dissent from the Opinion and reasoning contained therein as set forth by my fellow members of the Board.

The Board received no direct testimony from neighbors immediately adjacent to this property, either in favor of or opposed to this variance. Therefore, I take no inference one way or the other regarding this lack of evidence. The community association's protests are logical and sound in my

Additionally, although similar structures as proposed here exist in this community, the Board received no evidence as to whether variances were obtained in those cases, the circumstances under which they were constructed, etc. I therefore must give little weight to their existence.

In considering the petitioned variance in this case, the Petitioner must establish that his variance is justified under the standards enunciated in Anderson v Board of Appeals, of Town of Chesapeake Beach, 22 MD 28 (1974). Those standards are well established and will not be repeated here.

In my view, the growth of one's family does not meet the practical difficulty/undue hardship standard. I dare say, nearly everyone could use additional living space. In my view, this justification for the variance goes only to a matter of convenience and not substantial need, which has been held by the Courts to be insufficient to justify the granting of the variance. See Carney v City of Baltimore, 201 MD 130 (1952).

Michael J. Siwinski, et ux Case No. 86-212-A

For the aforegoing reasons, I would deny the petitioned variance.

December 23, 1985

Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Sir or Madam:

HAND DELIVERED

RE: 421 Dunkirk Road

Case No. 86-212-A

With regard to the above-referenced, the Rodgers Forge Community Association, Inc. would like to appeal the decision of the Zoning Commissioner to the County Board of Appeals. I enclose a check for \$80.00 to cover the cost of filing. I also enclose a copy of the Petition and Order previously is-sued by the Zoning Commissioner on November 26, 1985

Please forward all future correspondence and notices regarding this matter to:

Rodgers Forge Community Association, Inc. c/o Scott D. Goetsch 122 Brandon Road Baltimore, Maryland 21212

If you have any further questions regarding this matter, please contact me at 539-5040 or 821-1856.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATEL 12-23-85 ACCOUNT RO1-615-000 PROM: Martsch

rom appearal of rance 86-212-A 6 8660******\$Q96:a \$2485 VALIDATION OR SIGNATURE OF CF ATIER

FEB 2 6 1887

Seal AFFIDAVIT ____The Rodgers Forge Community ____ASSOCIATION AFFIDAVIT The Rodgers Forge Community ASSOCIATION STATE OF MARYLAND BALTIMORE COUNTY, SS: STATE OF MARYLAND BALTIMORE COUNTY, SS: RESOLVED: That at the 1st annual businesseeting of the RESOLVED: That the position of the Rodgers Forge Community 10 WIT: Rodgers Forge Community Association held on October 9 Association as adopted by the (Board-of-Directors) (Zoning Committee) TO WIT: 1985, it was decided by the Association that responsibility for review I hereby swear upon penalty of perjury that I am currently on the zoning matter known as:

Case #86-212A, Michael J. Siwinski, et ux. I hereby swear upon penalty of perjury that I am currently a duly elected member of the (Board of Directors) (Zoning Committee) and attorney and action on all zoning matters for the period October 9, 1985-October 15,1986 a duly elected member of the (Board of Directors) (Boning-Corrittee) for of the Rodgers Forge Community Association. be placed in the (Board of Directors) (Zoning Committee) consisting of of the Rodgers Forge Community Association. the following members: the request for a variance should be denied. Robert McGrain Jean Duvall Donald Gerding Patricia Zouck Robert McGrain Edmund Swoboda Jack Lange Kathy Landis Gearge Eaton Jay Bozievich AS WITNESS OUR HANDS AND SEAL THIS 9th DAY OF Level AS WITNESS OUR HANDS AND SEAL THIS My Commission Expires July 1, 198 Main Teter The Rodgers Forge CommunitASSOCIATION ATTEST: The Rodgers Forge Community COCLATION My Commission Expires July 1, 1986 My Commission Expires July 1, 198 President Robert McGrain Secretary Kathy Landis MICROFILMED Next Meeting: July 10, 1985 The Board of Governors Meeting 7:30 P.M. 231 Murdock Road: Apparently the original owner has gotten her house back Rodgers Forge Community, Inc. Great Commission Church: This organization is holding meetings in the Rodgers Place: Room 107, Rodgers Forge The Board of Governors Meeting Rodgers Forge Community, Inc. June 12, 1985 from her grandson. The attorney handling the matter is James Mayer. We will Forge Elementary School on Sunday. Ellen Bell, a resident of Dumbarton Road, Next Meeting: June 12, 1985 contact him regarding a time-table for cleaning up the property. Elementary School wrote to the Board regarding their activities; and included the article from Time: 7:30 P.M. May 8, 1985 Place: Room 107, Rodgers the TSU Newspaper, which is attached. They may be a cult group and they are 34 Murdock Road: Our attorney is waiting for a Texas decision on a similar Forge Elementary looking for a permanent place to meet near Towson State. The monthly meeting of the Rodgers Forge Board of Governor's, Inc. was called issue to see what bearing it may have on our position. Our response to any to order by the President, Mary Jane Lavin. questions on this matter should remain "no comment." Typewriter: The purchase of a new typewriter for the Board was discussed.

Members Present: Zouck, Batten, Gugerty, Chenoweth, Kidd, McGrain, Bozievich, Swoboda, Lavin, Hutton, Duvall, Eaton

Excused: Landis, Gerding, Glaeser, Lange

Absent: Dunn, Eayne, Colohan, Dougherty, Stewart, Stout, Weigand

Minutes: Approved

Treasurer's Report: None

NEW BUSINESS

Picnic: The picnic was well attended and well organized. The electrical problem should be explained to Al Mark. Letters will be sent to the contributors thanking them for their donations. A copy of the July Newsletter, mentioning their participation, will be enclosed. A Motion was made and passed to donate \$25 to the Rodgers Forge United Methodist Church for the use of the tables and chairs. A Motion was made and passed to investigate having a new pit made by a Vo-Tech School. We will measure and sketch the current pit for their use and pay for the materials. Originally, the pit had a grate below the rods that the charcoal was placed on. Patrick Connolly, at 129 Regester Avenue, has information about how the present pit was made.

Health & Safety: Honey Holston will chair this committee. Lighting - letters have been written to Barbara Bachur and Harry Pistel (Department of Public Works) regarding our concerns over poor street lighting and current plans to upgrade the lighting. (See attached.)

Parking Lot - Murdock & York Roads: (Baltimore County Revenue Authority) This lot is to be closed by Baltimore County in several weeks. It is operating at a loss. Maryland National Bank has leased the lot to the County for \$7.00 for seven years. The bank wants to dispose of the property and offered it to the County for \$80,000, and the County turned it down. The land is zoned commercial. Jay Bozievich and Don Gerding will contact O'Rourke and Gallagher about our concerns with this property and the County's original purpose for opening the

COMMITTEE REPORTS

External Affairs: 419 Murdock Road - Rob Zouck represented the Board at a hearing on May 22nd for a variance on this property. Jay Bozievich and Ed Glacser testified for the Board as did several of the residents on Murdock Road. The resident wants to put a clubroom and bath on the rear of his house. We presented a strong case in opposition, but no decision has been rendered

MICROFILMED

Dumbarton Auto Service (York & Stevenson): Petitioner's attorney will send us a copy of all plans at the time of filing if we will drop our appeal. We need the consent of all the aggrieved parties to drop the appeal. The appeal will probably be dropped.

216 Brandon Road: A doctor owns the house and allows his son to use it and rent rooms. Jay Bozievich will try to get the name of the owner. This is a possible Rooming and Boarding House violation. We should run an article in the August Newsletter informing people how they can gather documentation and act on their own in these situations.

400 Old Trail: Drug dealing and prostitution are a problem here. Leroy Haile is the rental agent. He has contacted the Board about the situation. This is a police matter and Mr. Haile will be informed that he should deal with the Police Department in this instance.

427 Hopkins: There is a boat blocking a neighbor's garage. This will be checked for a zoning violation.

116 Hopkins Road: The house is in deplorable condition. Can we write a letter to the owner and run it past Mike Tanczyn to see if we are without culpability? 318 Stanmore: Complaint of drugs being sold. Call will be made to Officer

Covenants: Ed Glaeser has submitted copies of the covenants and our questions to Attorney, Kathleen Flynn. A file will be set up to document our actions and positions on covenant questions.

Skills Bank: We will have a print out soon. We should get names of potential block captains and get them active.

Newsletter: Bob McGrain's Picnic Supplement was a great success. We sold many ads and promoted attendance.

Hospitality: Welcoming letters should be delivered to new residents, along with a directory. The neighborhood could be divided into areas of responsibility for this.

NEW BUSINESS

Health & Safety: Farm Store - Jay Bozievich reported that juveniles going to and from the store are creating a disturbance. Rats are still a problem in the area and trash is overflowing in the dumpsters on Monday mornings. Jay will write a "Latter to the Editor" in the Newsletter and Honey Holston will write to the manager of the store about this problem.

Having no further business, the members adjourned the meeting.

MICROFILMED

Respectfully submitted,

The monthly meeting of the Rodgers Forge Board of Governor's, Inc. was called to order by the Vice-President, Cele Hutton.

Members Present: Hutton, Bayne, Bozievich, Gugerty, McGrain, Lange, Stout, Batten, Dougherty, Glaeser, Zouck, Landis, Kidd, Swoboda

Excused: Duvall, Gerding, Lavin, Holston, Stewart, Eaton

Absent: Chenoweth, Dunn, Weigand, Bell

Presentation: Deputy Zoning Commissioner, Jeannie Jung, was present to speak on areas of Baltimore County Zoning that are frequently of concern to communities such as ours. She also answered questions Board Members had regarding Zoning Regulations and Zoning Enforcement. She addressed the areas of Rooming and Boarding House, Special Exceptions and Variances.

1) Rooming and Boarding House - complaints can be made by letter, in person or by telephone to the Community Affairs Office. Due to lack of personnel, the time for response is now five weeks. Documentation that is helpful in this area includes license tag numbers of tenants, information regarding daily patterns of living, conversations with the tenants. Time periods may vary for compliance when correction notices are sent to the landlord. It is advisable to call the Zoning Enforcement Officer 3-4 days prior to the compliance date to inform him of any possibility that the landlord is still in violation.

2) Special Exceptions - in granting special exceptions the Commission will consider how the change will effect such factors as traffic, air and light. the spirit and intent of the law, public transportation, water, sewage, utilities and the general public health, safety and welfare.

3) Variances - Petitioner has to supply legal petition forms and a site plan drawn to scale. This does not have to be done by a professional for a residential property. Petitioner must show that he has a practical difficulty in conforming with a setback and that compliance places an unreasonable hardship on him. His proposal must not cause substantial injury to the public health, safety and general welfare of the neighborhood. Opposition to a variance being granted would state a list of reasons, in order of priority, why the change would be detrimental in the above mentioned areas. Incompatibility with the neighborhood, setting up a precedent, and intent of existing covenants are defenses. Covenants themselves are not ruled on. Violation of a Covenant is a private suit.

Minutes: The minutes were approved with the following corrections:

1) Delete smoking vote 2) National Federation for Decency - a motion was made and passed that we could not support the effort as it is a political issue.

3) Picnic supplement in June paper, not May. 4) \$100 denation was made to Cub Pack \$439, not troop.

MICROFILMED

Treasurer's Report: Approved as read. About \$3,325 collected in dues so far.

COMMITTEE REPORTS

Covenants & Building Restrictions: Covenants group will meet again to formulate questions for attorney, Kathleen Flynn, on May 16th at 7:30. Covenant #965 could possibly be reactivated by a door to door effort. We will see what we have to do to start enforcing those covenants that are still in effect.

Zoning and External Affairs: Ed Glaeser - we have numerous Rooming and Boarding House violations. We will try to work with Zoning Office for better enforcement. We should consider writing to absentee landlords and rental agents about our concerns in this area. 147 Stanmore Road has resulted in a confirmed violation.

231 Murdock Road: This property has been reported to Building Inspection as abandoned. The Health Department has been notified about the grass. Mortgage holder is considering foreclosure.

34 Purdock: Every effort, both legal and political, is being made to solve the

Stevenson & York: The Zoning Commission decision has been appealed, though we may not take the matter to Circuit Court.

pay Care: The County Council passed Bill #47-85 making day care facilities for up to six children legal in residential areas. A resolution was made and passed that we object to the Bill in its current form because it introduces businesses into residential neighborhoods without any input by residents at a Zoning Hearing. It also indicates a disregard of constituents' concerns by their elected representative.

419 Murdock Road: Hearing on variance, May 22nd, 10:00 A.M. A motion was made and passed to allow us to appear and oppose.

Rental Housing: Put new article in Newsletter correcting information on rental violations. Include the telephone numbers of Baltimore Neighborhoods and Building Inspection for tenants with housing problems that landlords are not correcting.

Newsletter: Bob McGrain - please send profiles in to Sheila Peter. A list of Board Members by Committee will appear in the June issue. Picnic supplement - June issue.

Hospitality: Chris has too many volunteers for the amount of work in this area. Perhaps some of these people would help on other committees.

Clean-Up: Al Bayne - the Clean-up went well. The flyer was very good. (See attached)

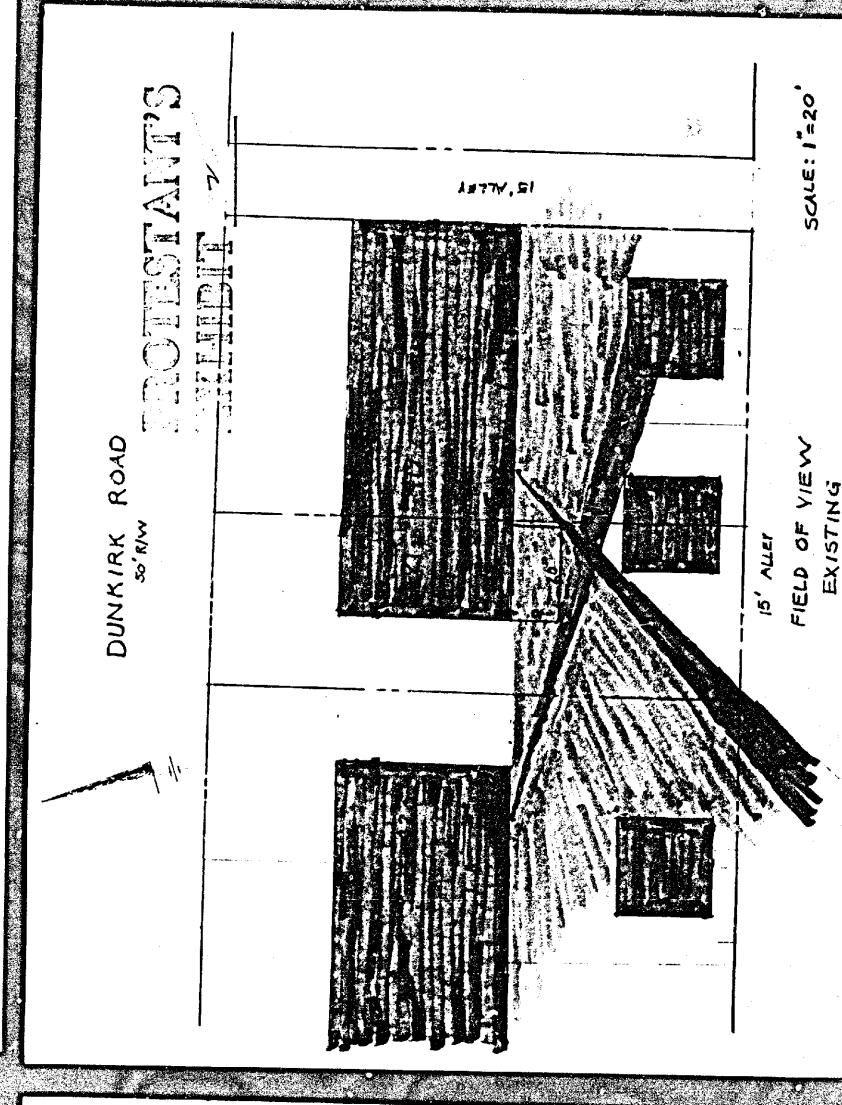
Picnic: Flyer to come during the week of June 1st. Picnic Meeting at Cele's May 29th, 7:30 P.M.

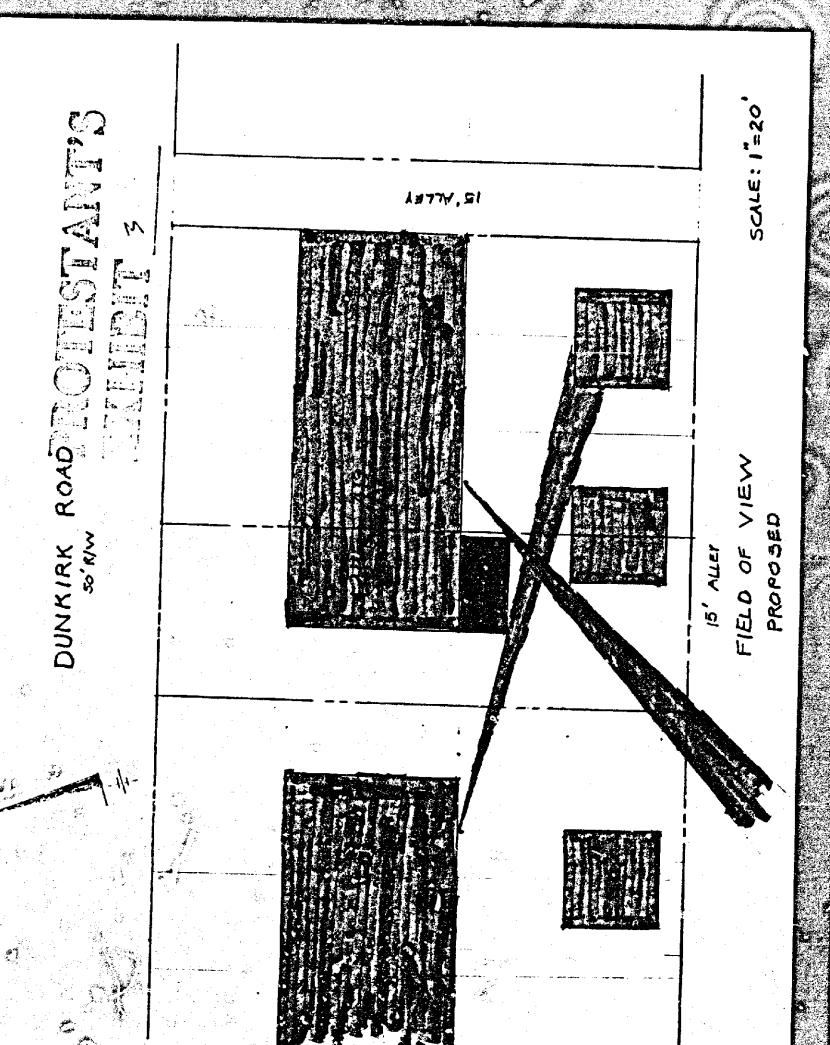
Having no further business, the members adjourned the meeting.

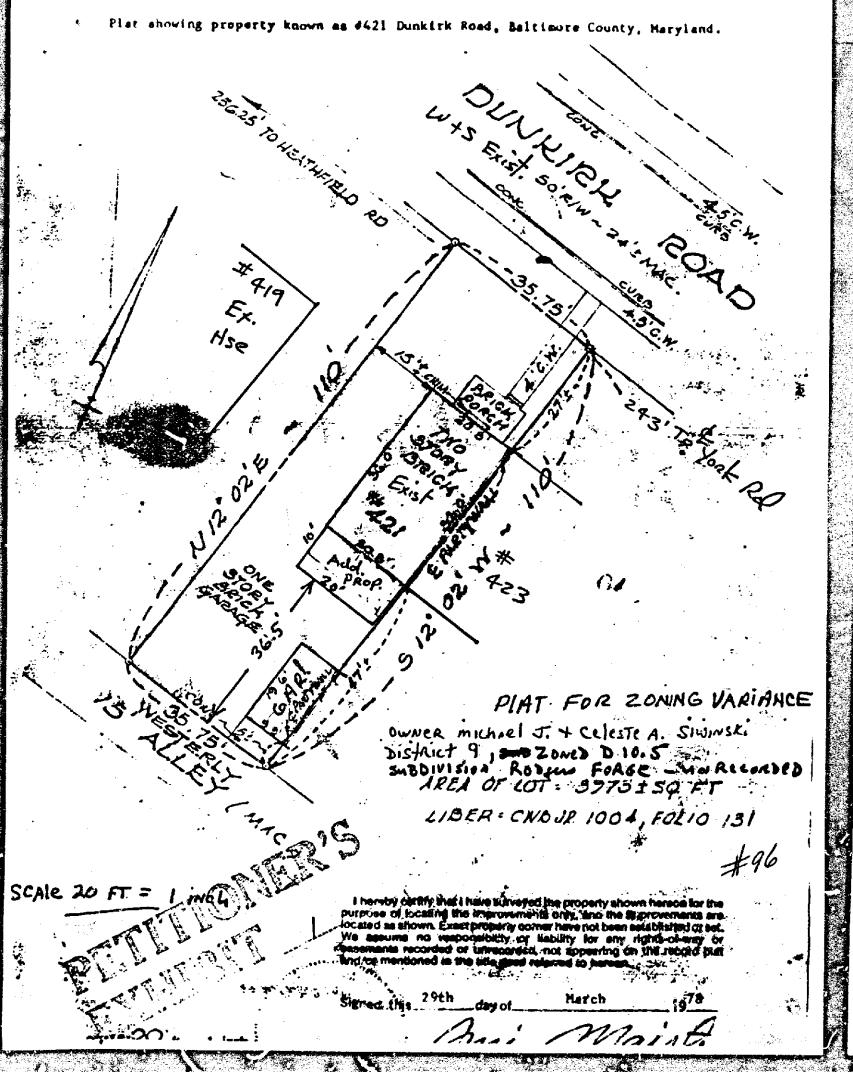
Respectfully submitted Ratura Ruck

Patricia Zouck Secretary ZC EXIMBITS

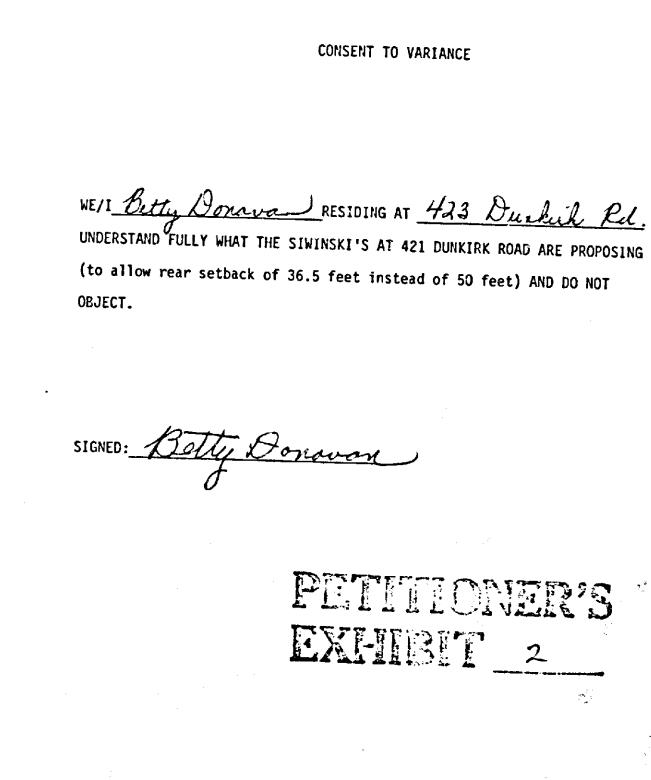
The Rodgers Forge Community, Inc. AN ORGANIZATION OF THE RESIDENTS OF RODGERS FORGE BALTIMORE, MD. 21212 Office of the Zoning Commissioner County Office Building Towson, Maryland 21204 Re: Case No. P6-212-A, Item No. 96 Michael J. Siwinski, et-ux, Fetitioners Gentlemen: Mr. Joseph Boxievich and Mr. C. Edward Claeser, Jr. have the authority to speak for the Rodgers Forge Community Association as Protestants in the above captioned case. This authority was granted at the Association's business meeting on October 9, 1985. The Zoning Committee voted to appear as Protestants in thiscase on November 6, 1985. Its action was approved by the Board of Governors at its November 13, 1985 business meeting. Adam An Organization of Rodgers Forge Community Association, Inc.















County Board of Appeals of Baltimore County Reom 200 Cent Meuse (Hearing Room #218) Towson, Anryland 21234 (301) 494-3120

March 7, 1986

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL \$59-79

CASE NO. 86-212-A

MICHAEL J. SIWINSKI, ET UX S/s Dunkirk Rd., 243' W from c/l of York Rd. (421 Dunkirk Rd.)

9th District

Var.-Rear yard setback of 36.5' in lieu of required 50'.

11/26/85 - Z.C.'s Order-Granted

ASSIGNED FOR: CC: Mr. & Mrs. Michael J.

WEDNESDAY, JUNE 11, 1986, at 10 a.m.

Siwinski Petitioners

Rodgers Forge Comm.
Assoc. Inc.

Protestants

Phyllis C. Friedman People's Counsel

Norman E. Gerber James Hoswell

Arnold Jablon

Jean Jung

Sett Mach-Noetzch-Esg Counsel for Prat.