

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_B02_3B_(YI.C.2._III_C.2)_(S-2.A.1)_ to permit a front yard setback of 19.3 feet in

lieu of the original established front building

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. FOR THE SAFETY OF MY DAUGHTER, BECAUSE OF LIVING ON A BUSY THOROUGHFAR 2. TO IMPROVE THE PROPERTY BY REPLACING RUSTED RAILINGS & POSTS. MAP SE SE 3. FOR ENERGY EFFICIENCY SAVINGS.

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/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): TIMOTHY MICHAEL ZACIERKA (Type or Print Name) imothy Michael Zacinka DOROTHEA ELIZABETH ZACIERKA Address City and State

Attorney for Petitioner 5719 CYNTHIA TERRACE 866-5899 (Type or Print Name) BALTIMORE, MD 21206 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Attorney's Telephone No.: Phone No. ORDERED By The Zoning Commissioner of Baltimore County, this __13th_____ day on the ___14th_____ day of ___April_____, 19_86, at _10:00 clock

86-406-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 day of North 1986 Zoning Commissioner Petitioner Timothy M. Zacierka, et ux Received by June 2. Dugar

Chairman, Zoning Plans

Advisory Committee

February 21, 1986

Petitioner'

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586

494-4500

PAUL H. REINCKE

Mr. Arnold Jablon

Zoning Commissioner

Towson, Maryland 21204

Office of Planning and Zoning

Baltimore County Office Building

Attorney

PALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO...Arnold Jablon Zoning Commissioner

FROM Norman E. Gerber, Director
Office of Planning and Zoning SUBJECT_Zoning Petition Nos. 86-404-A, 86-405-A, 86-406-A, 86-410-A

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

> > NORMAN E. GERBER, AICH, Director

Office of Planning and Zoning

NEG/JGH/dmi



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE March 21, 1986 Mr. and Mrs. Timothy M. Zacierka 5719 Cynthia Terrace Baltimore, Maryland 21206 RE: Item No. 285 - Case No. 86-406-A Petitioners - Timothy M. Zacierka, et ux Chairman Variance Petition Dear Mr. and Mrs. Zacierka: MEMBERS Bureau of The Zoning Plans Advisory Committee has reviewed the plans sub-Engineering mitted 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 Com-

mittee 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.

Zoning Plans Advisory Committee

JED:nr Enclosures

Department of

Traffic Engineering

State Roads Commission

Fire Prevention .

Health Department

Project Planning

Building Department

Board of Education

Industrial

Zoning Administration

cc: Stan Ryder, Jr. & Associates Box 258 Owings Mills, Maryland 21117

Mr. Arnold Jablon MARCH 24, 1986 Zaning Commissioner County Office Building Towson, Maryland 21204 Zoning Advisory Meeting of FEBRUARY 18,1986 Iten + 285
Property Owner: TIMOTHY M. ZACIERKA , QTUX
Location: W/S BELCLARE RD. 148.60 W. The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

There are no site planning factors requiring conment.

()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.)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. 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 Development of this site may constitute a potential conflict with the Baltimore County Haster Plan. ()The amended Development Plan was approved by the Planning Board)Landscaping: Must comply with daitimore 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 The property is located in a trainic area controlled by a "D" level intersection as defined by Sill 179-79, and as conditions change traffic capacity may become more limited. The Jasic Services Areas are re-evaluated annually by the County Council.)Additional concents:

Eugene A. Bober

cc: James Hoswell

Chief, Current Planning and Development

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee RE: Property (Marie Timothy M. Zacierka Location: N/S Belclare Road, 148.68' W of Dunran Road Item No.: Zoning Agenda: Meeting of 2-18-86 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 "Life Safety Code", 1976 edition prior to occupancy. () 6. Site plans are approved, as drawn. () 7. The Fire Prevention Bureau has no compents, at this time. REVIEWER: Cast Joseph Kelly 2-25-86 Approved: Fire Prevention Bureau Special Inspection Division



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

February 26, 1986

TED ZALESKI, JR.

Comments on Item # 285 Zoning Advisory Committee Meeting are as follows: Timothy M. Zacierka, et ux N/S Belclare Road, 148.68 feet W of Dunran Road

A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.R.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 Haryland Architect or Engineer is/is not required on plans and technical data.

D. Commercials 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. Beyroduced seals are not acceptable.

E. All Use Groupe except R-4 Single Family Detached Deellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to am interior lot line. R-4 Use Groupe 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 1102. No openings are permitted in an exterior wall within 3'-0 of an interior lot line. The wall abutting the property line in each case shall be a 2 hour rated fire wall.

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/ares and construction type is provided. See Table hol and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) ______, or the Baltimore

H. When filing for a required Change of Use/Occupency 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. Haryland Architectural or Engineer scale are usually required. The change of Use Groupe are from Use to Use to Hixed Uses.

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 elevations above sea level for the lot and the finish floor levels including basesent.

Comments: See memorandum "l" paragraph "C". Should you require further information call this office at 494-3987.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Figuring 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 from 122 of the County Office Suilding at 111 b. Chesapeake Avenue, Towson, Maryland M. 20m.

result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance requested will/will not adversely affect the health, safety, and general welfare of the community, the variance should /shouldx not be granted.

day of _____April _____, 19_86__, that the Petition for Zoning Variance to permit a front yard setback of 19.3 feet in lieu of the original established front building line 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. Timothy Michael Zacierka People's Counsel

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RE: PETITION FOR VARIANCE BEFORE THE ZONING COMMISSIONER N/S Belclare Rd., 148.68' W of Dunran Rd. (6838 Belclare Rd.): OF BALTIMORE COUNTY 12th District

TIMOTHY M. ZACIERKA, et ux, Case No. 86-406-A Petitioner(s)

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.

People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 (301) 494 - 2188

I hEREBY CERTIFY that on this 26th day of March, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Timothy M. Zacierka, 5719 Cynthia Terrace, Baltimore, MD 21206, Petitioners.

BALTIMORE COUNTY BUILDING CODE

1984 BOCA, SECTION 110.6

CODE MEMORANDUM #1

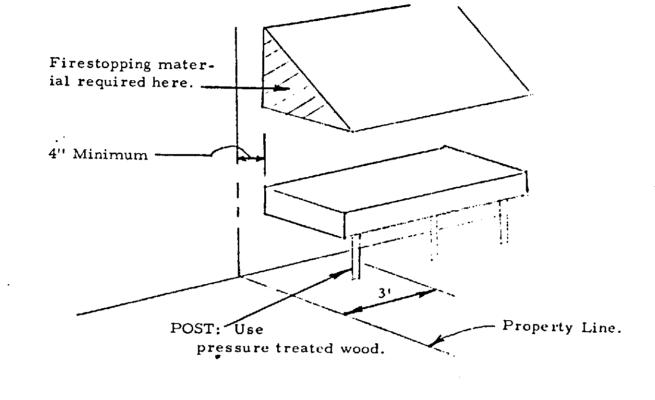
Effective 4-22-85

A. Rear Porches

SUBJECT:

Rear open porches may be constructed of combustible materials up to 3 feet from a property line without any additional fire protection requirements.

Rear open porches may be constructed of combustible materials up to 4" from a property line if facing surfaces shown (see diagram) are protected by a layer of drywall, fire retardant treated plywood, or other approved firestopping material and any exposed supporting members within 3 feet are non-combustible, or pressure treated wood.



Zoning Description

Beginning at a point on the North side of Belclare Road (30' wide) at a distance of 148.68 feet west of the centerline of Dunran Road and being lot 338 as shown on the plat of Dundalk Highlands, which is recorded in the Land Records of Baltimore County in Liber 9, Folio 42. Known as 6838 Belclare Road in the 12th Election District

PETITION FOR ZOMING VARIANCE

12th Election District

North Side of Belclare Road, 148.68 feet West of Dunran Road (6838 Belclare Road)

DATE AND TIME: Monday, April 14, 1986, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,

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

Petition for Zoning Variance to permit a front yard setback of 19.3 feet in lieu of the original established front building line

Being the property of Timothy M. Zacierka, et ux , as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

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

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

County files - September - Sept.

OVER

April 9, 1986

Mr. Timothy M. Zacierka Mrs. Dorothea E. Zacierka 5719 Cynthia Terrace Baltimore, Maryland 21206

> RE: PETITION FOR ZONING VARIANCE N/S Belclare Rd., 148.68' W of Dunran Rd. (6838 Belclare Rd.) 12th Election District Timothy M. Zacierka, et ux - Petitioners Case No. 86-406-A

Dear Mr. and Mrs. Zacierka:

This is to advise you that ______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 office until the day of the hearing itself. Maryland, and remit

| this office until the day | y of the r | learing itsel | L • ભ™રૂ |
|--|------------|---------------|--|
| BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT | No. | 018583 | County, Maryland, and ng, Towson, Maryland |
| DATE 4/14/56 ACCOUNT | R-61-615- | ono | _ |
| SIGN & POST RETURNED 4/14/86 AMOUNT \$ | 68,15 | | |
| RECEIVED Timothy H. Zacierka | | : | _ |
| Advertistne & Contino re C | Tase 385-4 | 1)/,= (| |
| 8 R:31*****:315:4 | | | - ; |

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE 12th Election Dict LOCATION: North Side Root, 185 Commen Road (9838 Beichen DATE AND TIME Measy, April 14, 1986, at 10:00 s.m.
PUBLIC HEARING: Room 106, County Office Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland The Zoning Commissioner of Balti-more County, by authority of the Zon-ing Act and Regulations of Baumore County, will hold a public hearing: Petition for Zoning Variance to per-mit a from yard setback of 19.3 feet in ises of the original established from building line.

Being the property of Tsmothy M.

Zacaerka, et ux, as shown an plat plan filed with the Zoning Office.

In the event that this "etition(s) 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

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 27 , 19 86

THE JEFFERSONIAN,

Cost of Advertising 24.75

86-406-17

PETITION FOR ZONING VARIANCE 12th Election District LOCATION: North Side of Belclare Road, 148.68 feet West of Dunran Road (6838 Belclare Road) DATE AND TIME: Monday, April 14, 1986, at 10:03 a.m. PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesa-peake 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 Zoning Variance to permit a front yard setback of 19.3 feet in lieu of the original established front building line. Being the property of Timothy M. Zacierka, et ux, as shown on plat plan filed with the Zoning Office. In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal pened. 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 BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY CERTIFICATE OF PUBLICATION

OFFICE OF Dundalk Eagle

38 N. Dundalk Ave.

March 27, 1986 Dundalk, Md. 21222

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Pet. for Zoning Var. - P.O. #75309 - Req. #L87658 - 71 lines @ \$28.40. was inserted in The Dundalk Eagle a weekly news-

paper published in Baltimore County, Maryland, once a week

1986; that is to say, the same was inserted in the issues of March 27, 1986

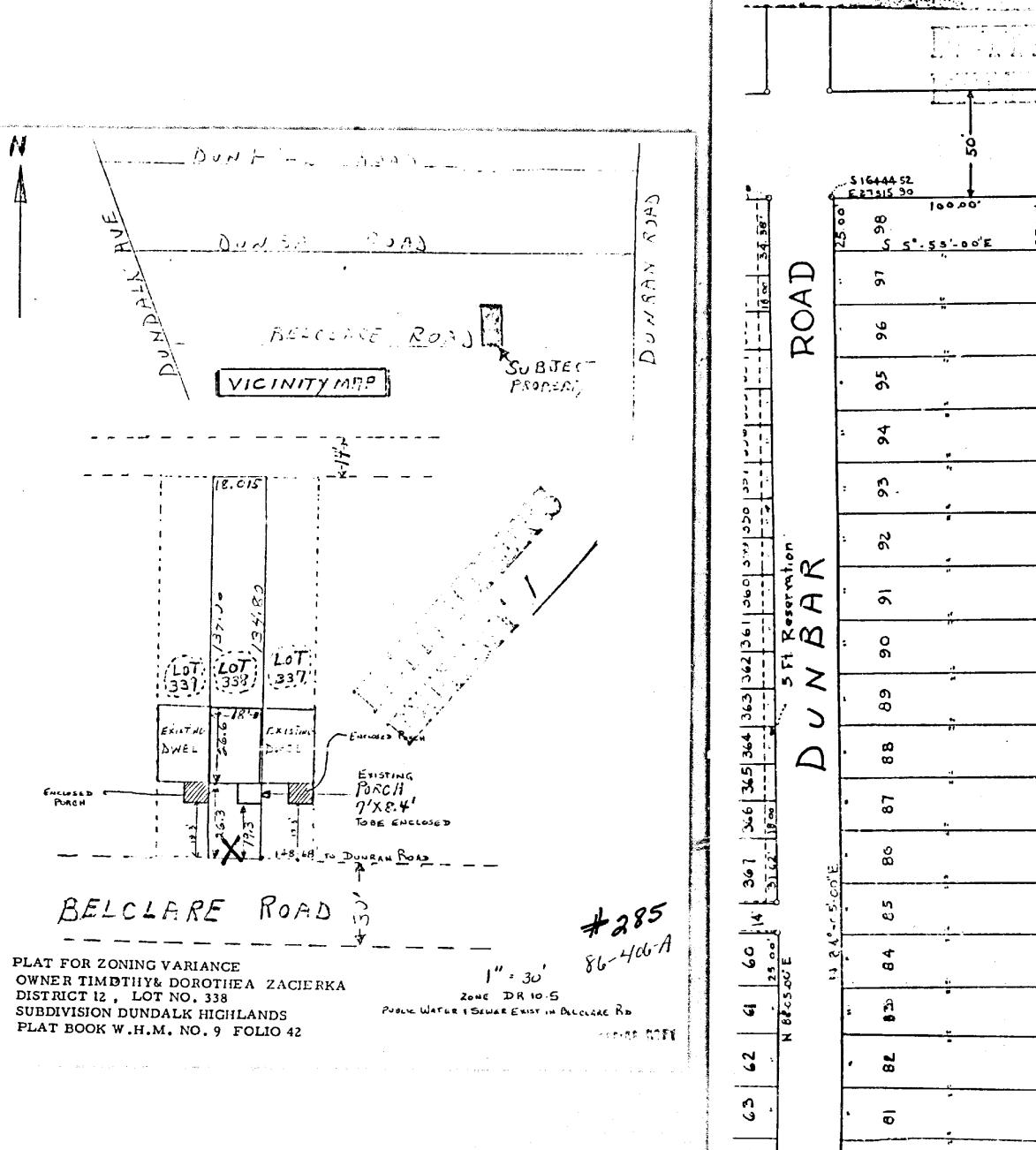
Kimbel Publication, Inc.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 84-H06-A

| District 13 th Posted for: Variance | Date of Posting 3/25/86 |
|---|--|
| Posted for: Variance | ************************************** |
| Petitioner: Timothy M. Lacierko, ot | υV |
| Location of property: N/S Bolclare Rd. 148. | 11' W/Quarra Ri |
| Location of Signa Foury Bolclore Rd. conve | . 8' Fr. Youd way en properties |
| Remarks: | |
| Posted by Signature Number of Signature | Date of return: 3/28/86 |

CODE MEMORANDUM #1 (Cont'd.) Mr. Timothy M. Zacierka March 14, 1986 Mrs. Dorothea E. Zacierka 5719 Cynthia Terrace Baltimore, Maryland 21206 B. Front Porches NOTICE OF HEARING Front awnings and porches may be continuous across property lines and of combustible construction if: RE: PETITION FOR ZONING VARIANCE N/S Belclare Rd., 148.68' W of Dunran Rd. 1. They are properly fire stopped with non-combustible materials (6838 Belclare Rd.) at each interior property line. 12th Election District Timothy M. Zacierka, et ux - Petitioners Case No. 86-406-A 2. They have no combustible or untreated supporting members within 36" of the interior property line. 3. They are limited to one story in height. Monday, April 14, 1986 4. The adjoining owners agree in writing. PLACE: Room 106, County Office Building, 111 West Chesapeake 5. The porch is open front and sides. Avenue, Towson, Maryland Drywall and sheet metal are examples of non-combustible materials which are acceptable for fire stopping. C. All Porches If any porch is to be closed, it shall be considered a habitable part of the dwelling's interior and shall be subjected to all of the applicable requirements that pertain to one and two family dwellings in the Baltimore County Building Code. This does not in any way waive any requirements, such as setbacks of other County or State Departments, which may also be applicable. Zoning Compassioner of Baltimore County BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION No. 018357 MISCELLANEOUS CASH RECEIPT DATE 2/4/8/2 JRR:es FROM: TO WILLIAM ZAGIER YA FOR FRING FEE FOR VANJANCE ITEM NO 285



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