

87-272-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 100.1 of the Baltimore County Zoning Regulations to permit an accessory structure to be located 1.16 feet from the side property line in lieu of the required 2.50 feet.

As the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County for the following reasons: (Indicate hardship or practical difficulty) we went by the pool company, or instructions when we first got into a pool. The permission was given to us to move our disintegrator to the corner of the fence and to get the fence and sidewalk moved. Our disintegrator is for sale and it will be impossible for us to do this ourselves since the fence and sidewalk will have to be removed so as to bring in heavy equipment to dig with the cost will be 1996.00 a lot of money that do not have. Also I run a day care center in my home and two more reasons we put it where it is is that the neighbor who complained does give everyone around here a fit so I tried to keep the pool away from her side. Also and very important is the fact that our pool is now one foot in the ground on one side if moved it will then be over two (2) feet lower on one side posing a danger to the children I watch as they can then climb in so I would then be afraid to let them on property 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: DANIEL J. JANCZEWSKI
Legal Owner(s): DANIEL J. JANCZEWSKI
BORIS E. JANCZEWSKI
Address: 7482 Rabon Ave, Baltimore, Md 21222
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: DANIEL J. JANCZEWSKI, 7482 Rabon Ave, Baltimore, Md 21222

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of December, 1986, 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 30th day of December, 1986, at 10:15 o'clock a.m.

Phyllis Cole Friedman
Zoning Commissioner of Baltimore County
(over)

IN RE: PETITION FOR ZONING VARIANCE N/S of Rabon Avenue, 141' W of the C/L of Loalan Avenue (7482 Rabon Avenue) 12th Election District Daniel J. Janczewski, et ux Petitioners

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 87-272-A

The Petitioners herein request a zoning variance to permit an accessory structure (swimming pool) to be located 1.16 feet from the side property line in lieu of the required 2.50 feet.

Testimony by the Petitioners indicates that, subsequent to their acquisition of the property several years ago, they themselves installed an above-ground swimming pool because most companies would not bring their equipment down the alley behind the property. The pool is utilized by family members and day care youngsters. When it is partially drained for winter, the water is carried by hose to the alley. If it were necessary to relocate the pool to meet Baltimore County Zoning Regulations (BCZR), the sidewalk would have to be reconstructed. The adjacent neighbor who would be most affected by the variance if it were granted, spoke in favor of granting same. Photographs submitted portrayed an attractive, well-maintained swimming pool and yard. 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 Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 21st day of January 1987, that the herein request to permit a swimming pool to be located 1.16 feet from the side property line, in accordance with the plan submitted, be and is hereby GRANTED, from and after the date of this Order.

Jean M. H. Jung
Deputy 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

January 7, 1987

Mr. & Mrs. Daniel J. Janczewski 7482 Rabon Avenue Baltimore, Maryland 21222

RE: Petition for Zoning Variance N/S of Rabon Avenue, 141' W of the C/L of Loalan Avenue 12th Election District Case No. 87-272-A

Dear Mr. & Mrs. Janczewski:

Enclosed please find a copy of the decision rendered in the above-referenced case. Your Petition for Zoning Variance has been granted in accordance with the attached Order.

If you have any questions on the subject, please do not hesitate to contact this office.

Very truly yours,
Jean M. H. Jung
Deputy Zoning Commissioner

JMH:jbs

Enclosures

cc: People's Counsel

COPIES RECEIVED FOR FILING
Date 1/7/87
By [Signature]

COPIES RECEIVED FOR FILING
Date 1/7/87
By [Signature]

RE: PETITION FOR VARIANCE N/S of Rabon Ave., 141' W of C/L of Loalan Ave. (7482 Rabon Ave.), 12th District DANIEL J. JANCZEWSKI, et ux, Petitioners

PETITION FOR ZONING VARIANCE 12th Election District Case No. 87-272-A

LOCATION: North Side of Rabon Avenue, 141 feet West of the Centerline of Loalan Avenue (7482 Rabon Avenue)
DATE AND TIME: Tuesday, December 30, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. 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 Zoning Variance to permit an accessory structure to be located 1.16 feet from the side property in lieu of the required 2 1/2 feet

DESCRIPTION OF PROPERTY

BEGINNING on the north side of Rabon Avenue (60' wide) at a distance of 141 feet west of the centerline of Loalan Avenue and being Lot No. 7, Block G, as shown on the plat of Section Two - Gray Manor Homes, Inc., which is recorded in the LREC in plat book GLB No. 18, Folio 107.
Known as 7482 Rabon Avenue in the 12th Election District.

Being the property of Daniel J. Janczewski, 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

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
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 4th day of December, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Daniel J. Janczewski, 7482 Rabon Ave., Baltimore, MD 21222, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 12th Date of Posting: 12/11/86
Posted for: Notices
Petitioner: Daniel J. Janczewski, et ux
Location of property: N/S Rabon Ave., 141' W of C/L of Loalan Ave. 7482 Rabon Ave.
Location of Signs: N/S Rabon Ave., 141' W of C/L of Loalan Ave. 7482 Rabon Ave.
Remarks:
Posted by: [Signature] Date of return: 12/11/86
Number of Signs: 1

STEPHEN E. COLLINS
DIRECTOR

December 1, 1986

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

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 157, 159, 160, 161, 163, and 164.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:tt

NORMAN E. GERBER
DIRECTOR

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

DECEMBER 8, 1986

Re: Zoning Advisory Meeting of NOVEMBER 4, 1986
Item # 161
Property Owner: JACK R. WILLIAMS
Location: SW/S HOLABIRD AVE. 468.56'
NW OF BAYARD AVE.

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 _____.
- 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 _____.
- The property is located in a traffic area controlled by a "D" 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: _____

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 29, 1986

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

050

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Jack R. Williams
7251 Holabird Avenue
Baltimore, Maryland 21222

RE: Item No. 161 - Case No. 87-286-SPH
Petitioner: Jack R. Williams
Petition for Special Hearing

Dear Mr. Williams:

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:kbb

Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: December 9, 1986

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

SUBJECT: Zoning Petition No. 87-286-SPHA and 87-286-SPH

In view of the subject of these petitions, this office offers no comment.

Norman E. Gerber
Norman E. Gerber AICP
Director

NEG:JGH:slb

CPS-008

TED ZALESKI, JR.
DIRECTOR

November 10, 1986

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

Dear Mr. Jablon:

Comments on Item # 161 - Zoning Advisory Committee Meeting are as follows:

Property Owner: Jack P. Williams
Location: S/W side Holabird Avenue, 468.56 ft. N.W. of Bayard Avenue
Districts: 12th.

APPLICABLE CODES AND ORDINANCES:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, the Maryland Code for the Handicapped and Aged (A.M.C.G. #11-1 - 1980) and other applicable Codes and Standards.

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

3. 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.

4. 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.

5. Fire: The Code except 2-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. 2-4 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 1001, Section 1002, Section 1006.2 and Table 1002. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

6. 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 401 and 505 and have your Architect/Engineer contact this department.

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

8. When filing for a required Change of Use/Temporary Permit, an alternative 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. Required Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Altered Use. See Section 312 of the Building Code.

9. The proposed project appears to be located in a Flood Plain. Floodplain. Please see the attached copy of Section 214.0 of the Building Code as adopted by Bill #11-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

10. Comments: Assuming the structure is not over two stories, each tenant shall have access to an approved exit (exit corridor or exit stair) leading directly to the exterior without passing thru another occupied or unoccupied area. A minimum one hour fire rated tenant separation is required between each tenant and/or other parts of the structure. See Table 809.3 and Table 401. Should the building exceed _____ stories, _____

11. These abbreviated comments reflect only 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, two applicants may obtain additional information by visiting Room 122 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204. _____ each tenant shall have _____ two approved exits. _____

Section 809.2.
Smoke detectors are required for all units. Section 1716.3.4.

PALL H. REINCKE
CHIEF

November 18, 1986

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

RE: Property Owner: Jack R. Williams
Location: S/W side Holabird Ave., 468.56 ft. NW of Bayard Ave.
Item No.: 161 Zoning Agenda: Meeting of Nov. 4, 1986

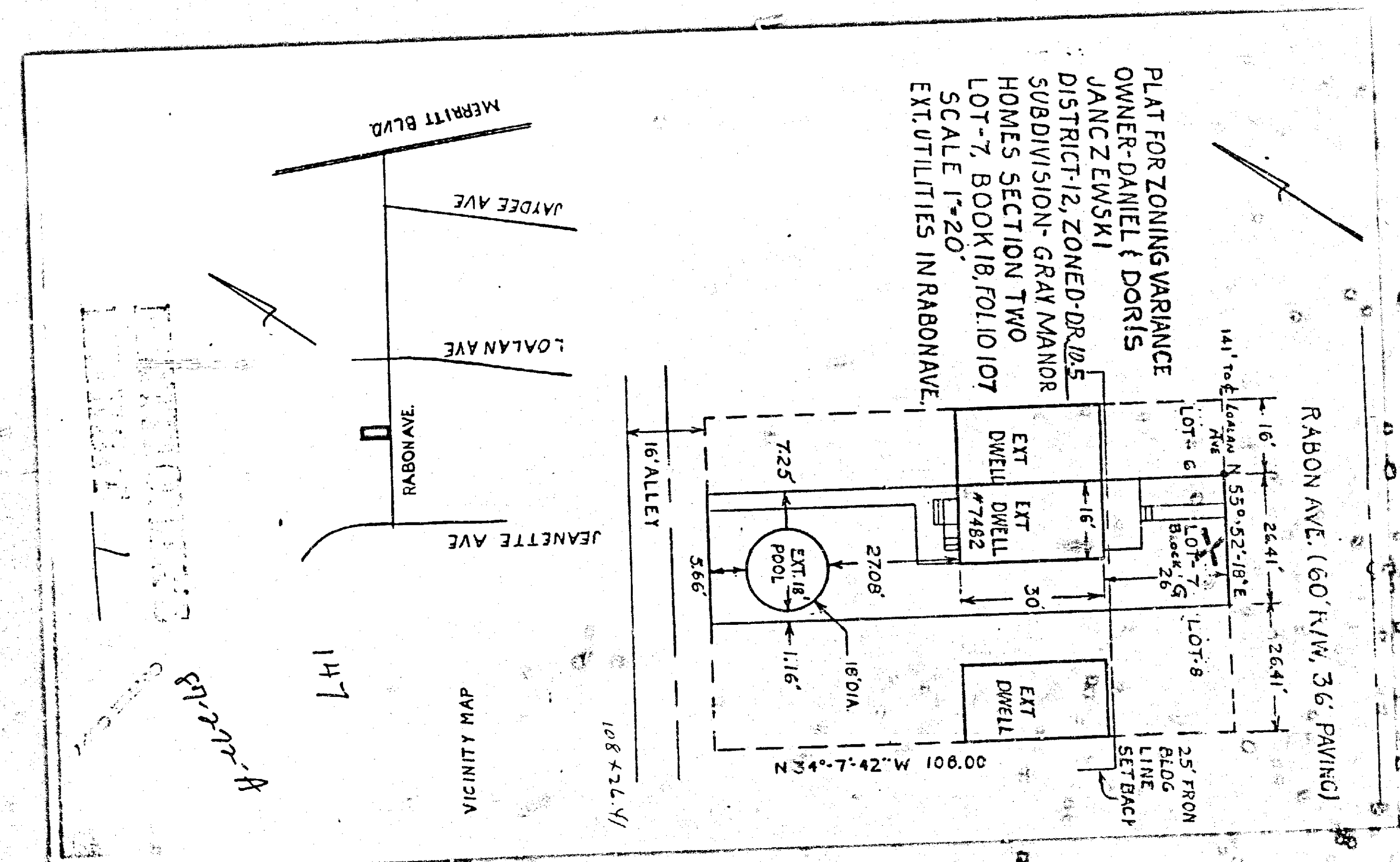
Gentlemen:

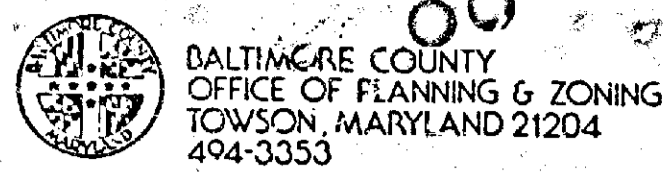
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- 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.
- 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: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb





ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 19, 1986

Mr. Daniel J. Janczewski
Mrs. Doris E. Janczewski
7482 Rabon Avenue
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
N/S of Rabon Ave., 141' W of the c/l of Loalan Ave.
(7482 Rabon Ave.)
12th Election District
Daniel J. Janczewski, et ux - Petitioners
Case No. 87-272-A

Dear Mr. and Mrs. Janczewski:

This is to advise you that \$71.75 is due for advertising and posting of the above petition. 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 place the sign at the time it is placed by yourself.

Baltimore County, Maryland, and remit to Baltimore County, Maryland, and remit to Baltimore County, Maryland.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 025763

DATE: 12/19/86 ACCOUNT: 01-615-000

AMOUNT: \$ 71.75

RECEIVED FROM: D. Janczewski, 7482 Rabon Ave., Baltimore, Md. 21222

FOR: ADVERTISING & POSTING COSTS RE CASE #87-272-A

VALIDATION OR SIGNATURE OF CASHIER

Mr. Daniel J. Janczewski
Mrs. Doris E. Janczewski
7482 Rabon Avenue
Baltimore, Maryland 21222

November 28, 1986

NOTICE OF HEARING
RE: PETITION FOR ZONING VARIANCE

N/S of Rabon Ave., 141' W of the c/l of Loalan Ave. (7482 Rabon Ave.)
12th Election District
Daniel J. Janczewski, et ux - Petitioners
Case No. 87-272-A

TIME: 10:15 a.m.

DATE: Tuesday, December 30, 1986

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

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 026045

DATE: 10/9/86 ACCOUNT: 01-615

AMOUNT: \$ 35.00

RECEIVED FROM: Daniel J. Janczewski

FOR: FILING FEE FOR VARIANCE ITEM 147

VALIDATION OR SIGNATURE OF CASHIER

In regard to a swimming pool located at 7482 Rabon Ave we feel the pool is no problem of any kind and are in favor of Mr & Mrs Janczewski being granted their variance.

*Mary Evers
7463 Durwood Rd.*

*Elizabeth Popperly
7467 Durwood Rd.*

*Richard Warfield
7451 Durwood Road*

*Adrienne Schultz
7469 Durwood Rd.*

*Robert A Dool
7507 Durwood Rd.*



MA

*Steve Peterka
7480 Rabon Ave
Balto 22 7th*

*Ann Calender
7076 Rabon Ave
21222*

*Lita Sharr
7474 Rabon Ave
21222*

*W. H. Adams
7486 Rabon Ave
21222*

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 11, 1986

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

December 11, 1986

THE JEFFERSONIAN,

Susan Steudt Orvelt
Publisher

Cost of Advertising

24.75

LOCATION: North Side of Rabon Avenue, 141 feet West of the Centerline of Loalan Avenue (7482 Rabon Ave.)

DATE AND TIME: Tuesday, December 30, 1986, at 10:15 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 on the above-captioned petition for zoning variance to permit an accessory structure to be located 116 feet from the side property in lieu of the required 20 feet.

Being the property of Daniel J. Janczewski, et ux, as shown on plat filed with the Zoning Office, to the extent 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 the 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

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 December 12, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Zoning Hrgs. - Case # 87-272-A - P.O. #84126 - Reg. #L98152 - 80 Lines # 83200 was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 12th day of December 1986; that is to say, the same was inserted in the issues of Dec. 11, 1986

Kimbel Publication, Inc.

per Publisher.

By *E. Della*

DHR/SSA 365-A (REV. 9/78)

Baltimore County DEPARTMENT OF SOCIAL SERVICES

10-1 19 86

TO: Mrs. Doris Janczewski

FOI Home

RE: Complaints

Reg # 03-106363-430

As you know, you have been registered as a dog owner for almost three years. When you moved to Pauletta Road, no complaints were received about you. Since you moved to Rabon Ave, two complaints were received regarding your dog care home. Home visits were made on 6/5/86 and 7/26/86 but it was found that both complaints were not justified.

*Shirley
Mrs. Carol Bayle*

87-286-SPH

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 26th day of November, 1986.

Petitioner: Jack S. Williams
Petitioner's Attorney

[Signature]
Zoning Commissioner

Received by: James E. Dyer

Chairman, Zoning Appeals
Advisory Committee

