

IN RE: PETITION ZONING VARIANCE
80/5 Chesapeake Avenue,
410 NE of Baylight Avenue
(8910 Chesapeake Avenue) -
15th Election District
Donald Budacz, et ux.
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-450-A

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this
24th day of April, 1987, that the Petition for Zoning Variance be and
the same is hereby DISMISSED without prejudice.

Zoning Commissioner of
Baltimore County

Attest:
cc: Mr. & Mrs. Donald Budacz
People's Counsel

339
87-450-A

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 188.5.1.3.C.1 To permit a side yard setback of 7 ft. in lieu of the required 10 ft.

of the required 10 ft.

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

The 30 by 30 foot house has been ordered and will not fit due to the alignment of the Baltimore County Utility Easement.

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

I, 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:
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Name
Address
City and State
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of April, 1987, that the subject matter of this petition be advertised as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of April, 1987, at 10:00 o'clock A.M.

APPROVED AND FORWARDED:
Zoning Commissioner of Baltimore County

PETITION FOR ZONING VARIANCE
15th Election District - 7th Councilmanic District
Case No. 87-450-A

LOCATION: Northwest Side of Chesapeake Avenue, 410 feet Northeast of Baylight Avenue (8910 Chesapeake Avenue)

DATE AND TIME: Monday, April 27, 1987, at 10:00 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 a side yard setback of 7 feet in lieu of the required 10 feet

Being the property of Donald Budacz, 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 FARROW
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Phone: 687-4022

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD 21237

February 14, 1987

No. 8910 Chesapeake Avenue
Lot 5; part of Miller Island Land Co., Plat Book 7 folio 26
15th District Baltimore County, Maryland

Beginning for the same on the north side of Chesapeake Avenue at the distance of 410 feet measured easterly along the north side of Chesapeake Avenue from the east side of Baylight Avenue, thence running and blinding on the north side of Chesapeake Avenue North 71 degrees 38 minutes East 50 feet, thence leaving Chesapeake Avenue and running for three lines of division as follows North 18 degrees 22 minutes West 144.32 feet, South 69 degrees 40 minutes West 50.03 feet and South 18 degrees 22 minutes East 142.60 feet to the place of beginning.

Containing 7173.00 square feet of land more or less.



RE: PETITION FOR VARIANCE
80/5 of Chesapeake Ave., 410'
NE of Baylight Ave. (8910
Chesapeake Ave.), 15th District
DONALD BUDACZ, et ux.
Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-450-A

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
People's Counsel for Baltimore County

Peter Max Zimmerman
Benny People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 3rd day of April, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Donald Budacz, 2925 Sparrow Point Blvd., Baltimore, MD 21219, Petitioners; and Mr. Frank S. Lee, 1277 Neighbors Ave., Baltimore, MD 21237, who requested notification.

Peter Max Zimmerman

339
87-450-A

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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:
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Name
Address
City and State
Phone No.

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APPROVED AND FORWARDED:
Zoning Commissioner of Baltimore County

12/23/87

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 April, 1987

Arnold Jablon
Arnold Jablon
Zoning Commissioner

Petitioner: Donald Budacz, et ux
Petitioner's Attorney: _____
Received by: _____
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Arnold Jablon
TO: Zoning Commissioner
Date: April 20, 1987
FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning
SUBJECT: Chesapeake Bay Critical Area Findings
Donald Budacz (87-450-A, Item 339)

RECEIVED
APR 23 1987

ZONING OFFICE

In accordance with Section 8-1813 of the Chesapeake Bay Critical Law and the July 8, 1985 Opinion from the County Attorney, it is hereby my "findings" that the proposed development will comply with the terms of Section 8-1813(a) for minimizing adverse impacts on water quality and protecting identified habitats, provided that the Special Exception is conditioned on compliance with the following requirements:

- Two (2) major deciduous tree, or four (4) conifers, or four (4) minor deciduous trees are planted and maintained on the lot. A combination of these three tree types is acceptable provided that 2,000 square feet of tree cover is provided. A large deciduous tree is estimated to cover 1,000 square feet and a minor deciduous or conifer 500 square feet. Any existing trees that are to remain can be credited toward meeting these requirements.
- Storm water runoff from impervious surfaces should be directed over previous areas such as lawn to encourage maximum infiltration.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:PJS:slb
cc: Uri Avin
Tim Degan
David Fields
Jim Hoswell
Tom Vidmar
People's Counsel

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: April 21, 1987
FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning
SUBJECT: Zoning Petition No. 87-450-A

Please consider the Chesapeake Bay Critical Area Findings (see memo, Gerber to Jablon dated 4/20/87) to be the position of this office.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slb

RECEIVED
APR 23 1987

ZONING OFFICE

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 23, 1987

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

000

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. Donald Budacz
2925 Sparrows Point Blvd.
Baltimore, Maryland 21219

RE: Item No. 339 - Case No. 87-450-A
Petitioner: Donald Budacz, et ux
Petition for Zoning Variance

Dear Mr. Budacz:

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

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



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

March 19, 1987

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 327, 329, 330, 332, 333, 334, 335, 337, 338, 339, 340, 344, 345, 346, 347, and 348.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2566
494-4300

PAUL H. REINCKE
CHIEF

March 5, 1987

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

RE: Property Owner: Donald Budacz, et ux

Location: NW/S Chesapeake Ave., 410' NE of Baylight Avenue
(8910 Chesapeake Avenue).

Item No.: 339

Zoning Agenda: Meeting of 3/3/87

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: _____
Planning Group
Special Inspection Division
Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

March 13, 1987

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

Dear Mr. Jablon:

Comments on Item # 339 Zoning Advisory Committee Meeting are as follows:

Property Owner: Donald Budacz
Location: NW/S Chesapeake Ave., 410' NE of Baylight Ave.
District: 15th

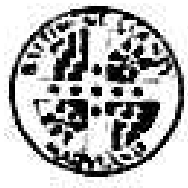
APPLICABLE ITEMS ARE CIRCLED:

- 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.M.S.T. #11-1 - 1980) 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/are not required on plans and technical data.
- Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- All Two Groups except B-4 Single Family Detached Dwelling require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-4 Two Groups require a one hour wall if closer than 1'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 107, Section 106.1 and Table 102. No openings are permitted in an exterior wall within 1'-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 101 and 505 and have your Architect/Engineer contact this department.
- The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered 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 to Mixed Use. See Section 312 of the Building Code.
- The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 216.0 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.
- Comments: Show grade & floor levels above sea-level. See copy of Section 515.0 attached.

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 review. If desired the applicant may obtain additional information by visiting Room 172 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Schuman
Charles E. Schuman, Chief
Building Plans Section

L/21/87



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 14, 1987

Mr. Donald Budacz
Mrs. Carolyn R. Budacz
2925 Sparrows Point Boulevard
Baltimore, Maryland 21219

RE: PETITION FOR ZONING VARIANCE
NW/S Chesapeake Ave., 410' NE of Baylight Ave.
(8910 Chesapeake Ave.)
15th Election District - 7th Councilmanic District
Donald Budacz, et ux - Petitioners
Case No. 87-450-A

Dear Mr. and Mrs. Budacz:

This is to advise you that \$81.95 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.

Please make the check payable to Zoning Commission, Baltimore County, Maryland, and remit to Zoning Commission, Baltimore County, Maryland.

No. 35807

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

DATE 4/20/87 ACCOUNT R-61-615-000

AMOUNT \$ 81.95

RECEIVED FROM

FOR Advertising Posting 87-450-A

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15th Date of Posting 4/14/87
Posted for: Variance
Petitioner: Donald Budacz, et ux
Location of property: NW/S Chesapeake Ave., 410' NE of Baylight Ave.
Location of Sign: Baylight Ave. 410' NE of Chesapeake Ave.
Remarks: See Subj. on face of Petition
Posted by: [Signature] Date of return: 4/17/87
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 9, 1987.

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 April 9, 1987.

THE JEFFERSONIAN,

Publisher

35.75

PETITION FOR ZONING VARIANCE
NW/S Chesapeake Ave., 410' NE of Baylight Ave.
(8910 Chesapeake Ave.)
15th Election District - 7th Councilmanic District
Donald Budacz, et ux - Petitioners
Case No. 87-450-A
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the above petition for a zoning variance to permit a side yard setback of 7 feet in lieu of the required 10 feet. Being the property of Donald Budacz, et ux, as shown on plat filed with the Zoning Office. In the event that this Petitioner is granted a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during the period of appeal. 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
1498 Apr. 9.

PETITION FOR ZONING VARIANCE
NW/S Chesapeake Ave., 410' NE of Baylight Ave.
(8910 Chesapeake Ave.)
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By Order of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
1498 Apr. 9.

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

April 9,

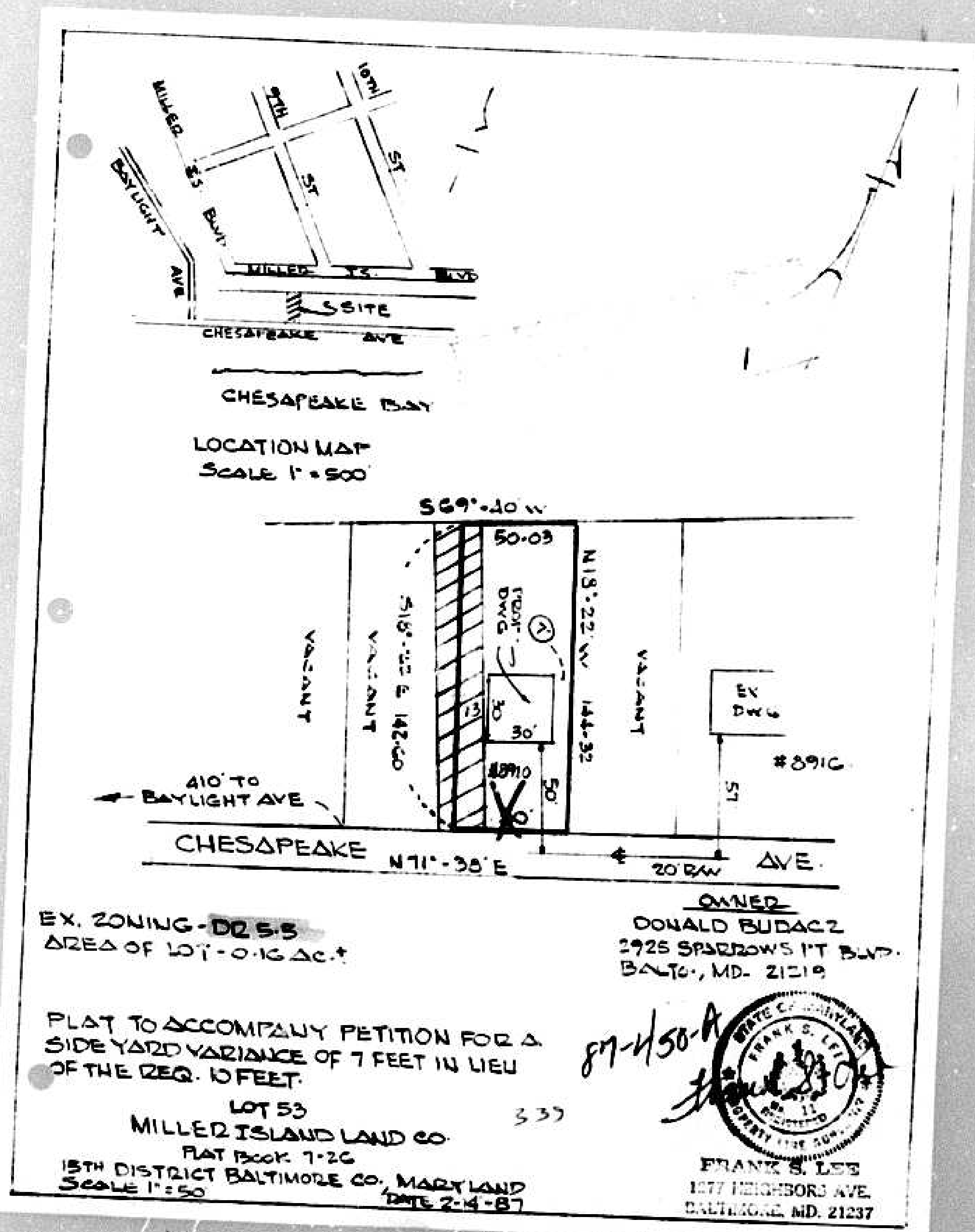
1987

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Zoning Hrgs. Case # 87-450-A - P.O. #86907 - Reg. #M00080 - 78 lines @ \$31.20, was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive week before the 10th day of April 1987; that is to say, the same was inserted in the issues of April 9, 1987.

Kimbel Publication, Inc.

per Publisher.

By [Signature]



Mr. Donald Budacz
Mrs. Carolyn R. Budacz
2925 Sparrows Point Boulevard
Baltimore, Maryland 21219

April 1, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NW/S Chesapeake Ave., 410' NE of Baylight Ave.
(8910 Chesapeake Ave.)
15th Election District - 7th Councilmanic District
Donald Budacz, et ux - Petitioners
Case No. 87-450-A

TIME: 10:00 a.m.

DATE: Monday, April 27, 1987

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. 29990

DATE 2-17-87 ACCOUNT 01-615-000

AMOUNT \$ 35.00

RECEIVED FROM FRANK LEE

FOR PETITION FOR VARIANCE #339

B 145*****35007a 2186F

VALIDATION OR SIGNATURE OF CASHIER