

IN RE: PETITION FOR ZONING VARIANCE
Intersection of SE/S Moorehead
Road and SW/S Craigmont Road
(6047 Moorehead Road)
1st Election District
1st Councilmanic District

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-374-A

Beatrice C. Piekarski, et al
Petitioners

MEMORANDUM AND ORDER

The Petitioners herein request a variance to permit a side yard setback of 6 feet in lieu of the required 7 feet for a proposed carport, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, Beatrice Piekarski and her daughter, Margaret Piekarski, appeared and testified. There were no Protestants.

Testimony indicated that Beatrice Piekarski has lived at the subject location for the past seven years. The Petitioners testified that they would like to construct a carport for protection during inclement weather. Beatrice Piekarski testified that she is getting older and is unable to shovel snow and is afraid of falling on the ice. The Petitioners discussed the matter with the neighbors who indicated they had no objection to the proposed carport.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, it is the opinion of the Deputy Zoning Commissioner that the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variance should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance is granted.

March 16, 1988

Ms. Beatrice C. Piekarski
Ms. Margaret M. Piekarski
6047 Moorehead Road
Baltimore, Maryland 21228

RE: Petition for Zoning Variance
Intersection of SE/S Moorehead Road and SW/S Craigmont Road
1st Election District; 1st Councilmanic District
Case No. 88-374-A

Dear Ms. Piekarski:

Enclosed please find the decision rendered in the above-referenced case. Your Petition for Zoning Variance has been granted, subject to the restriction noted in the attached order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AMN:bjs

Enclosures

cc: People's Counsel

File

ance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of March, 1988 that a side yard setback of 6 feet in lieu of the required 7 feet for a proposed carport, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

AMN:bjs

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1st
Location of property: 6047 Moorehead Rd. SW/S Craigmont Rd.
Location of sign: In front of 6047 Moorehead Rd.
Remarks: 3/16/88
Posted by: J. Robert Haines
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date:

Beatrice and Margaret Piekarski
6047 Moorehead Road
Baltimore, Maryland 21228

Re: Petition for Zoning Variance
Case number: 88-374-A
Int. SE/S Moorehead Road & SW/S Craigmont Road
(6047 Moorehead Road)
1st Election District - 1st Councilmanic District
HEARING SCHEDULED: MONDAY, MARCH 14, 1988 at 2:30 p.m.

Dear Ms. Piekarski:

Please be advised that 72 hours is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign(s) from the property from the time it posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN MUST BE RETURNED
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

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

No. 50280

URS,

DATE: 3/16/88 ACCOUNT: 18-011-1000

AMOUNT: \$ 75.00

RECEIVED FROM: [Signature]

Signature of

City

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

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 111.C.3, 1953 to permit a side yard setback of 6 feet in lieu of the required 7 feet

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

Protection from elements for both house and automobile.

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

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

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

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Address

Phone No.

Address

Phone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 17th day of March, 1988, 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of March, 1988, at 2:30 o'clock

J. Robert Haines
Zoning Commissioner of Baltimore County.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

THIS IS TO CERTIFY, that the annexed advertisement of

NOTICE OF HEARING

was inserted in the following:

- [] Catonsville Times
- [] Arbutus Times
- [] Reporter Weekly
- [] Booster Weekly
- [] Owings Mills Flier
- [] Towson Flier

weekly newspapers published in Baltimore County, Maryland once a week for successive weeks before the day of March, 1988, that is to say, the same was inserted in the issues of

February 23, 1988

PATUXENT PUBLISHING COMPANY

By: [Signature]

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

Defendant

CERTIFICATE OF PUBLICATION OF

PROPERTY DESCRIPTION

Beginning for the same on the southwest side of Craigmont Road (60 feet wide) at the distance of 114.50 feet southeasterly from the southeast side of Moorehead Road.

Being lot 10 block S in the subdivision of Westview Park 22/24. Also known as 6647 Moorehead Road in the election district 1.

CERTIFICATE OF PUBLICATION

TOWSON, MD., Feb. 25, 1988

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 Feb. 25, 1988.

THE JEFFERSONIAN,

James H. Haines
Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
PUBLISHED DATE: 2/25/88
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 appeal for a period of 30 days from the date of the hearing and permit during this period the good cause shown. Such request must be in writing and received in the office by the date of the hearing or above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
2318 Feb. 25

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

JAN 20 1988

NOTICE OF HEARING

David F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case number: 88-374-A
Int. SE/S Moorehead Road & SW/S Craigmont Road
(6047 Moorehead Road)
1st Election District - 1st Councilmanic District
Petitioners: Beatrice C. Piekarski, et al
HEARING SCHEDULED: MONDAY, MARCH 14, 1988 at 2:30 p.m.

Variance to permit a side yard setback of 6 feet in lieu of the required 7 feet.

(FOR SNOW DATE, CALL 494-3391)

It is noted that this Petition is granted, a building permit may be issued within 30 days. The Zoning Commissioner will, however, entertain any appeal for a period of 30 days from the date of the hearing and permit during this period the good cause shown. Such request must be in writing and received in the office by the date of the hearing or above or presented at the hearing.

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

No. 45789

DATE: 3/16/88 ACCOUNT: 18-011-1000

AMOUNT: \$ 75.00

RECEIVED FROM: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

CPS-00