

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Parkfalls Drive, 470' +/- W of the c/l of Seven Courts Drive (3512 Parkfalls Drive) * DEPUTY ZONING COMMISSIONER
11th Election District * OF BALTIMORE COUNTY
5th Councilmanic District * Case No. 89-518-A
Jock O. Grynovicki, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a building to building setback of 23 feet in lieu of the minimum required 30 feet, a window to property line setback of 4 feet in lieu of the minimum required 15 feet, and to amend the last amended Final Development Plan of Oakhurst, Section One, Plat Four, accordingly, for a proposed addition, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Jock Grynovicki, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 3512 Parkfalls Drive, consists of .20 acres zoned D.R. 5.5, and is improved by a single family dwelling. Petitioners propose constructing a two-story garage addition to expand the existing kitchen on the first level and provide additional living space on the second level. Testimony indicated that the proposed addition cannot be placed on the rear of the existing dwelling without tremendous cost due to the steep slope of the rear yard. Mr. Grynovicki testified that he has spoken to his neighbors on both sides of the property, including the neighbor on the affected side of the window variance, who voiced no objections to his proposal. Testimony presented indicated that the adjoining neighbor's dwelling had no windows on the side facing the addition. Petitioner argued that the variances requested

will not result in any detriment to the health, safety or general welfare of the surrounding community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, 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 Petitioner.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of June, 1989 that the Petition for Zoning Variance to permit a building to building setback of 23 feet in lieu of the minimum required 30 feet, a window to property line setback of 4 feet in lieu of the minimum required 15 feet, and to amend the last amended Final Development Plan of Oakhurst, Section One, Plat Four, accordingly, for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 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 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the

- 2 -

Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN:bjs

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 857-3333
J. Robert Haines
Zoning Commissioner

June 22, 1989



Mr. & Mrs. Jock O. Grynovicki
3512 Parkfalls Drive
Perry Hall, Maryland 21236

Dennis F. Rasmussen
County Executive

RE: PETITION FOR ZONING VARIANCE
N/S Parkfalls Drive, 470' +/- W of the c/l of Seven Courts Lane (3512 Parkfalls Drive)
11th Election District - 5th Councilmanic District
Jock O. Grynovicki, et ux - Petitioners
Case No. 89-518-A

Dear Mr. & Mrs. Grynovicki:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: People's Counsel

File

PETITION FOR ZONING VARIANCE 395 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-518-A

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 307 of the Baltimore County Zoning Regulations to permit a building setback of 23 feet in lieu of the minimum required 30 feet, a window to property line setback of 4 feet in lieu of the minimum required 15 feet, and to amend the last amended Final Development Plan of Oakhurst, Section One, Plat Four, accordingly, for a proposed addition, all as more particularly described in Petitioner's Exhibit 1.

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 307 of the Baltimore County Zoning Regulations to permit a building setback of 23 feet in lieu of the minimum required 30 feet, a window to property line setback of 4 feet in lieu of the minimum required 15 feet, and to amend the last amended Final Development Plan of Oakhurst, Section One, Plat Four, accordingly, for a proposed addition, all as more particularly described in Petitioner's Exhibit 1.

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
City and State

Legal Owner(s):
Jock O. Grynovicki
Signature
Address
City and State

3512 Parkfalls Drive 301-356-0083
Address
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Jock O. Grynovicki
Address
City and State

3512 Parkfalls Drive 301-356-0083
Address
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of June, 1989, 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 21st day of June, 1989, at 9:30 o'clock A.M.

(over)

2. (cont.) The Grant will do no injustice to applicant or other property owners. The building is contained well within the the boundaries. 3. Relief can be granted without hindering the view of my neighbors or causing an eyesore.

Zoning Description
Beginning at the north side of Parkfalls, at the distance of four hundred seventy seven feet west of the central line of Seven Courts Drive. Being Lot 29, Block P, Flat 4, Section 1, in the subdivision of Oakhurst. Plat Book E.H.K.Jr. 42 folio 11. Also known as 3512 Parkfalls Drive in the eleventh district.

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 30, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 25, 1989.

NORTHEAST TIMES
THE JEFFERSONIAN,
S. Zabe Olson
Publisher

PO 12586
NY M30:05
CS 89-518-A
PICS # 82.35

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 11th
Posted for: Advertisement
Petitioner: Jock O. Grynovicki, et ux
Location of property: N/S Parkfalls Drive, 470' +/- W of c/l of Seven Courts Drive
Location of Sign: Property
Remarks: Advertisement
Posted by: M. Haines
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner



Mr. & Mrs. Jock O. Grynovicki
3512 Parkfalls Drive
Perry Hall, Maryland 21236

Re: Petition for Zoning Variance
CASE NUMBER: 89-518-A
N side Parkfalls Drive, 470' +/- W of c/l of Seven Courts Drive
3512 Parkfalls Drive
11th Election District - 5th Councilmanic District
Petitioner(s): Jock O. Grynovicki, et ux
HEARING SCHEDULED: WEDNESDAY, JUNE 21, 1989 at 9:30 a.m.

Dear Petitioner(s):

Please be advised that \$97.35 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

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

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before the hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND		No. _____		4 post set(s), there	
OFFICE OF FINANCE - REVENUE DIVISION				r each set not	
MISCELLANEOUS CASH RECEIPT					
DATE <u>6/21/89</u>		ACCOUNT <u>89-518-A</u>			
AMOUNT \$ <u>97.35</u>					
RECEIVED FROM <u>Jock O. Grynovicki</u>					
FOR <u>PA 6/21/89 89-518-A</u>					
VALIDATION OR SIGNATURE OF CASHIER					

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

May 15, 1989

NOTICE OF HEARING



Dennis 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 105 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-518-A
N side Parkfalls Drive, 470 ft. W of c/l of Seven Courts Drive
3512 Parkfalls Drive
11th Election District - 5th Councilmanic
Petitioner(s): Jack O. Grynovicki, et ux
HEARING SCHEDULED: WEDNESDAY, JUNE 21, 1989 at 8:30 a.m.

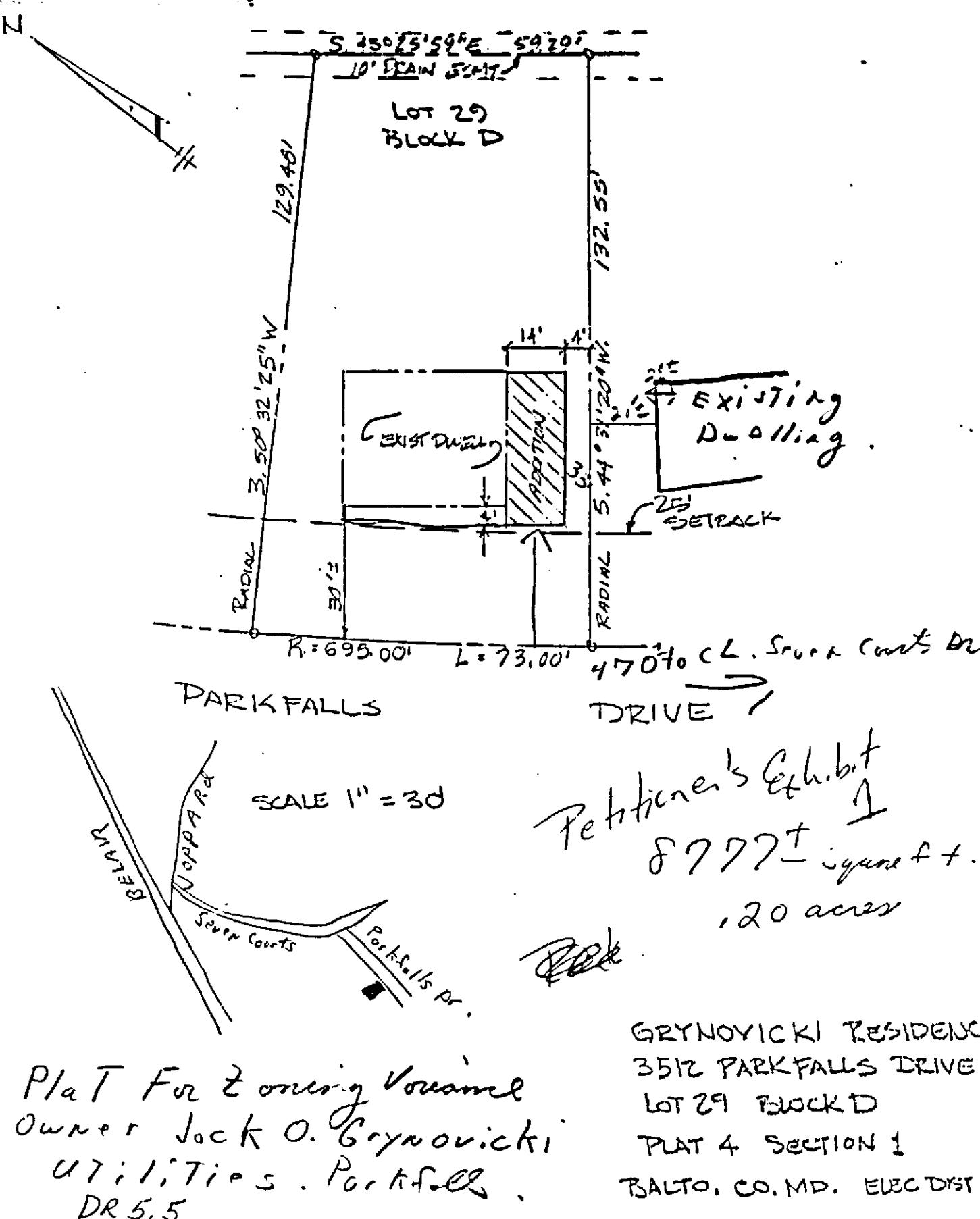
Variance: To permit a building to building setback of 23 ft. in lieu of the minimum required 30 ft. and to permit a window to property line setback of 4 ft. in lieu of the minimum required 15 ft. and to amend the last amended Final Development Plan of Oakhurst Section One, Plat Four.

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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mr. & Mrs. Grynovicki
File



GRYNOVICKI RESIDENCE
3512 PARKFALLS DRIVE
LOT 29 BLOCK D
PLAT 4 SECTION 1
BALTO. CO. MD. ELEC DIST 11

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Townson, Maryland 21204

Your petition has been received and accepted for filing this
5th day of April, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Jack O. Grynovicki
Petitioner's Attorney: _____

Received by: _____
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 7, 1989

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

Mr. & Mrs. Jack O. Grynovicki
3512 Parkfalls Drive
Perry Hall, MD 21936

RE: Item No. 395, Case No. 89-518-A
Petitioner: Jack O. Grynovicki
Petition for Zoning Variance

Dear Mr. & Mrs. Grynovicki:

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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Over
JAMES E. OVER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Townson, Maryland 21204
(801) 887-3354

April 25, 1989



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Townson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 274, 359, 383, 384, 389, 393, 394, 395, 396, 397, and 398.

Very truly yours,

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

MSE/lw

RECEIVED
APR 28 1989

ZONING OFFICE

Baltimore County
Fire Department
Townson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Townson, MD 21204



Dennis F. Rasmussen
County Executive

Re: Property Owner: Jack O. Grynovicki, et ux

Location: N side Parkfalls Dr., 470' W of centerline of Seven Cts. Dr.

Item No.: 395

Zoning Agenda: April 4, 1989

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.
- (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 comments at this time.

REVIEWER: *Paul H. Reincke* 3-31-89 Noted and Approved: *Paul H. Reincke*
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 17, 1989

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for April 4, 1989

The Developers Engineering Division has reviewed the zoning items for the subject meeting and we have no comments for Items 274, 359, 383, 389, 392, 393, 394, 395, 396, and 398. Comments are attached for Items 384 and 387.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Encls.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: May 25, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

RECEIVED
MAY 26 1989

ZONING OFFICE

Case No. 89-518-A
Item No. 395

Re: Jack O. Grynovicki, et ux

The Petitioners request a variance to permit a building to building setback of 23 feet in lieu of the required 30 feet, a window setback of 4 feet in lieu of the required 15 feet, and an amendment to the final development plan to allow construction outside of the building envelope. In reference to this request, staff offers the following comments:

The site plan should clarify whether a side window exists on the adjacent dwelling. If so, an additional variance would be required.

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