

94-288A
IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
ZONING VARIANCE, 550 ft. E. of Pleasant Grove Road
Baltimore County
4th Election District
103 Councilmanic District
Thomas Marciszewski, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW
This matter comes before the Zoning Commissioner as an administrative variance filed by Thomas A. Marciszewski and Pamela A. Marciszewski, his wife, for that property known as 8 Manoppa Court in the Pleasant Run subdivision of Baltimore County. The Petitioners herein seek a variance from Section 103.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 22 ft. +/- in lieu of the required 50 ft. for an attached garage, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

94-288A
B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of March, 1994 that the Petition for a Zoning Variance from Section 103.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 22 ft. +/-, in lieu of the required 50 ft., for an attached garage, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

ORDER RECEIVED FOR FILING
Date 3/1/94
By [Signature]

LES:mm

LAWRENCE E. SCHULTZ
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

94-288A

February 25, 1994

(410) 887-4386

Mr. and Mrs. Thomas A. Marciszewski
8 Manoppa Court
Reisterstown, Maryland 21136

RE: Petition for Administrative Zoning Variance
Case No. 94-288-A
Property: 8 Manoppa Court

Dear Mr. and Mrs. Marciszewski:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-1391.

Very truly yours,

[Signature]
Lawrence E. Schultz
Zoning Commissioner

LES:mm
encl.

Petition for Administrative Variance
94-288A
to the Zoning Commissioner of Baltimore County
for the property located at 8 Manoppa Court, Reisterstown, MD 21136
which is presently zoned R.D.P.
(R-2S)
B.C.Z.R. Sec. 103.3 (1800.3B.3; 1971) To permit a side yard setback of 22'2" in lieu of the required 50'.
Additional living and storage space needed due to growth in family. Need to build external garage so that existing garage can be turned into living space.
Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or my agent, do hereby agree to the above Variance as containing, 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.

Corrected Petitioner
Print Name
Signature
Address
City
State
Zip
Phone No.

Mr. Thomas A. Marciszewski
Mrs. Pamela A. Marciszewski
8 Manoppa Court
Reisterstown, MD 21136
710-6276 WK (Thomas)

A fee for filing has been deposited and is to be returned to the Zoning Commissioner of Baltimore County, MD, at the time of the appeal. If the fee is not returned, the appeal will be considered as withdrawn. The fee for filing is \$100.00. The fee for filing is \$100.00. The fee for filing is \$100.00.

RECEIVED BY: 94 DATE: 1/1/94 FILED IN: 288

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) believe(s) to be true and correct in the facts stated herein, and that the Affiant(s) believe(s) to be true and correct in the facts stated herein.

That the Affiant(s) do(es) presently reside at 8 Manoppa Court

Reisterstown, MD 21136

That based upon personal knowledge the following are the facts upon which I/we have the request for an Administrative Variance of the above address, unless stated otherwise.

Additional living and storage space is needed due to a growth in family. We need to build an external garage, so that the existing garage (interior) can be turned into living space. We feel the addition of this structure will not compromise the intent of the zoning regulations, because it does not compromise the existing property line.

This Affiant(s) do(es) hereby certify that a person is a resident of Baltimore County, Maryland, and that the Affiant(s) do(es) hereby certify that a person is a resident of Baltimore County, Maryland, and that the Affiant(s) do(es) hereby certify that a person is a resident of Baltimore County, Maryland.

Thomas Marciszewski
Pamela Marciszewski

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss: I, James E. Schantz, Justice of the Peace for the County of Baltimore, do hereby certify that the above named person(s) is/are a resident(s) of Baltimore County, Maryland.

Thomas Marciszewski and Pamela Marciszewski

As WITNESS my hand and Natural Seal.

James E. Schantz
My Commission Expires September 30, 1997

ZONING DESCRIPTION

94-288A

ZONING DESCRIPTION FOR: 8 Manoppa Court, Reisterstown, MD 21136

Election District: 4th Councilmanic District: 3

Beginning at a point on the North side of Manoppa Court

which is 50 feet wide at a distance of 500 feet East of the

centerline of the nearest improved intersecting street Pleasant Grove Road

which is 66.33 feet wide. "Being lot # 4

Block N/A Section # N/A in the subdivision of

Pleasant Run as recorded in Baltimore County Plat Book # 28

Folio # 3 containing 81,684.56 Square Feet/ 2.36 Acres

#288

CERTIFICATE OF POSTING

OFFICE OF PLANNING AND ZONING

DATE: 1/1/94 DATE OF POSTING: 2/1/94

POSTED BY: Thomas A. Marciszewski

LOCATION OF PROPERTY: 8 Manoppa Court, Reisterstown, MD 21136

LOCATION OF SIGN: Property line on North side of Manoppa Court

REASON FOR POSTING: Administrative Variance

DATE OF RETURN: 2/1/94

NUMBER OF SIGNS: 1

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11 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

February 15, 1994

Mr. and Mrs. Thomas A. Marciszewski
8 Manapa Court
Baltimoretown, Maryland 21136

RE: Case No. 94-288-A, Item No. 288
Petitioners: Thomas A. Marciszewski, et al.
Petition for Administrative Variance

(Dear Mr. and Mrs. Marciszewski)

The Zoning Planning Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of each zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plan or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 January 21, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



Maryland Department of Transportation
State Highway Administration

O. James Lightizer
Secretary
Hall Vassallo
Administrator

Re: Baltimore County
Item No. *** 288 (JRF)**

Ms. Cheryl Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

David H. Kanich
DAVID H. KANICH, ACTING CHIEF
John C. Connelley, Jr.
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2228 Statewide Toll Free
Relay Address: 800 West 117th Baltimore, MD 21203-8777
Street Address: 207 South Calvert Street Baltimore, Maryland 21202



700 East Joppa Road Suite 901
Towson, MD 21206-5500

(410) 887-4500

DATE: 01/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1104

RE: THOMAS A. MARCISZEWSKI & PAMELA A. MARCISZEWSKI

LOCATION: N/3 MANOPA CT., 550' E OF CENTERLINE PLEASANT GROVE RD.
(8 MANOPA CT.)

Item No.: 288 (JRF)

Zoning Agenda: ADMINISTRATIVE VARIANCE

Gentlemen:

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

7. The Fire Prevention Bureau has no comments at this time.

RECEIVED
JAN 27 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Prevention, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

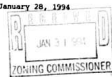
94-288-A

DATE: January 28, 1994

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

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

SUBJECT: Petitions from Zoning Advisory Committee



The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 277, 278, 281, 286, 287 and 288.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*

Division Chief: *Pat Keller*

PK/SLW

ZAC, ZPP/PEOPLE/ZAC

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

Baltimore County Government
Office of Planning and Zoning



March 24, 1994

(410) 887-4386

Mr. and Mrs. Thomas Marciszewski
8 Manapa Court
Baltimoretown, Maryland 21136

RE: Case No. 94-288-A
Property: 8 Manapa Court

Dear Mr. and Mrs. Marciszewski:

This is to acknowledge receipt of your letter dated March 12, 1994 regarding the above captioned matter. I have reviewed your recent request, as well as the case file, and the information which was originally submitted with the Administrative Variance. In my view, the request complies with the spirit and intent of the Petition and thus should be granted. Thus, I will approve an amendment to the Order previously passed on March 1, 1994, so as to permit a 20 ft. side yard setback in lieu of the required 50 ft.

I have attached a copy of this letter to the case file and the Order previously issued. In my view, it is not necessary to issue an Amended Order and the relief requested is minor. I suggest that you attach this letter to the Order previously received, so that you may obtain the necessary permits for the proposed construction.

Please do not hesitate to contact me should you have any further questions in this regard.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LJS:smm

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

JANUARY 27, 1994

94-288-A

NOTICE OF CASE NUMBER

TO: Thomas and Pamela Marciszewski
8 Manapa Court
Baltimoretown, Maryland 21136

RE: CASE NUMBER: 94-288-A (Item 288)
8 Manapa Court
420 Manapa Court, 550' E of E of Pleasant Grove Blvd
Web Section District - 3rd Commission

Please be advised that your Petition for Administrative Variance has been assigned the above case number. Contact with this office should be made on or before the date of this case number and be directed to the ZAC. This notice also serves as a reference regarding the administrative process.

1) Your property will be posted on or before February 22, 1994. The closing date (February 22, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning and Planning Commission. They may (a) grant the requested relief, (b) deny the requested relief, or (c) amend that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In case regarding public hearing (whether due to a neighbor's formal request or by Order of the Commission), the property will be posted and notice of the hearing will appear in a Baltimore County newspaper. Changes related to the reporting and newspaper advertisement are available by the petitioner(s).

3) Please be advised that you must return the signs and post to this office. They may be returned after the closing date. Failure to return the signs and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW, CORRECTIONS AND NOT AVAILABLE FOR DISTRIBUTION VIA POST-UP, WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

March 12, 1994

Mr. Lawrence E. Schmidt
Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 113, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Dear Mr. Schmidt,

We applied for an Administrative Variance on January 20, 1994. At that time we requested a side yard setback of 22 feet in lieu of 50 feet. The following information pertains to our petition:

Case Number: 94-288-A
Property: 8 Manapa Court
Baltimoretown, Maryland 21136
Owners: Thomas and Pamela Marciszewski

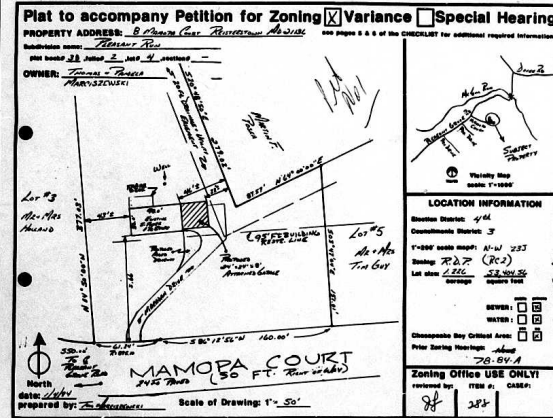
At this time we are requesting an adjustment of our original request from a 22 foot side yard setback to a 20 foot side yard setback. This change is due to erroneous property information we had when we applied for the variance. We discovered the errors when we had a station survey done. The additional 2 feet is needed to build a garage at least 22 feet wide. The extra 2 feet needed will in no way impact our neighbors or the surrounding community.

Enclosed you will find signatures from our neighbors who are most affected by this change.

If you have any questions on this matter please call us at (410) 526-4582.

Sincerely,

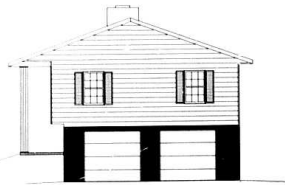
Thomas and Pamela Marciszewski
Thomas and Pamela Marciszewski





5 Mamopa Court
Front Elevation

5 Mamopa Court
Existing Elevation



5 Mamopa Court
Rear Elevation

288

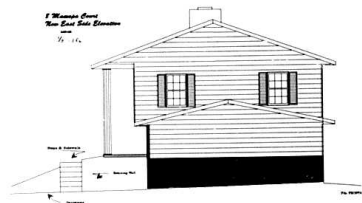
94-288-A



5 Mamopa Court
New Front Elevation

94-288-A

288



5 Mamopa Court
New Rear Elevation

94-288-A

288

94-288-A



Rear of House

288

94-288-A



Front of Property (Right side)



Rear of Property (left side)

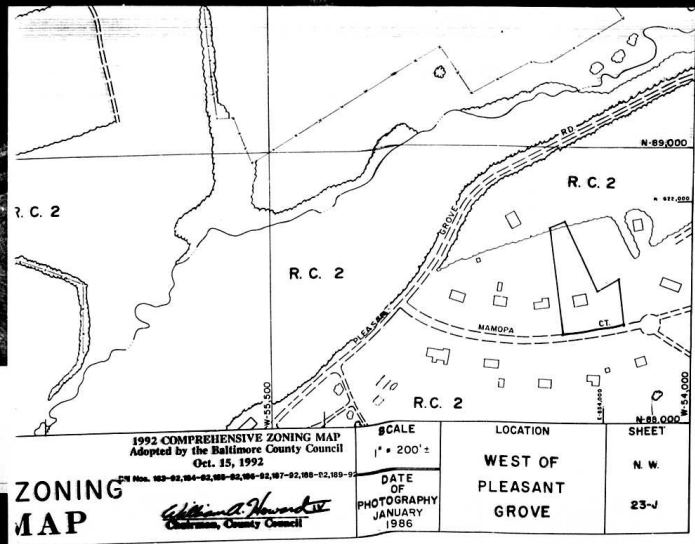
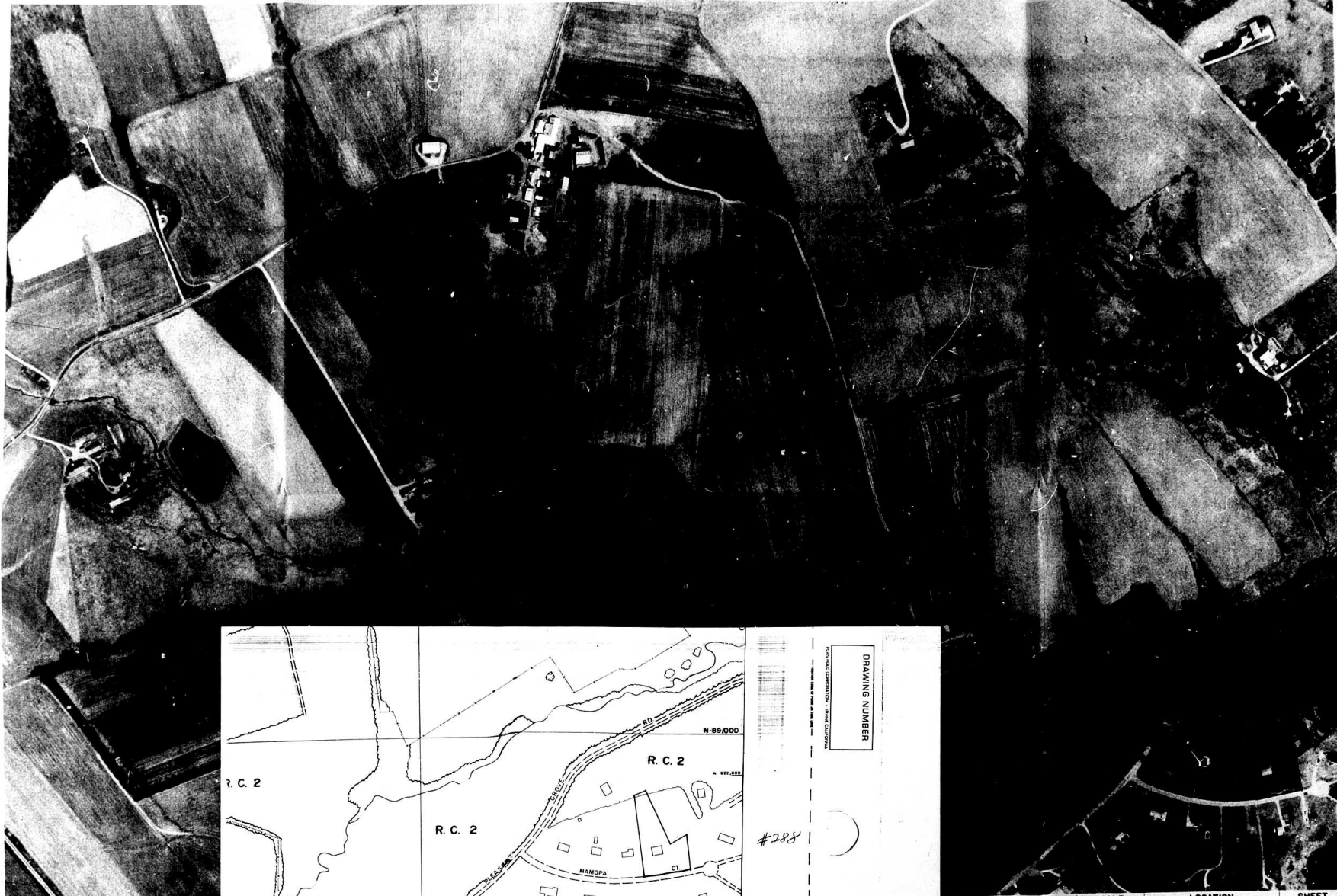
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94-288-A



Front of Property

288



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

ZONING MAP

DRAWING NUMBER

#288

DRAWING NUMBER

NW 23-J

SCALE 1" = 200' ±	LOCATION WEST OF PLEASANT GROVE	SHEET N.W. 23-J
DATE OF PHOTOGRAPHY JANUARY 1986		

#288
94-288-A