

IN RE: PETITION FOR ADMIN. VARIANCE \* BEFORE THE  
 NW/S Eastern Avenue, 686.63' SW \* ZONING COMMISSIONER  
 of the c/l of Ebenezer Road \* OF BALTIMORE COUNTY  
 (12518 Eastern Avenue) \* Case No. 98-47-A  
 15th Election District \*  
 5th Councilmanic District \*  
 Alexander T. Wodarczyk, et ux \*  
 Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Alexander T. and Barbara A. Wodarczyk. The Petitioners seek relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 23 feet in lieu of the maximum permitted 15 feet for a proposed residential garage. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked as Petitioner's Exhibit 1.

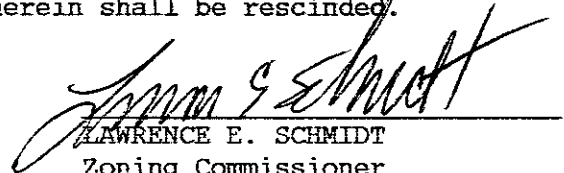
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, 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 B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER RECEIVED FOR FILING  
 Date \_\_\_\_\_  
 By \_\_\_\_\_

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of September, 1997 that the Petition for Administrative Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 23 feet in lieu of the maximum permitted 15 feet for a proposed residential garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING  
Date: 9/5/97  
By: [Signature]



Baltimore County  
Zoning Commissioner  
Office of Planning

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386

September 4, 1997

Mr. & Mrs. Alexander T. Wodarczyk  
12518 Eastern Avenue  
Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
NW/S Eastern Avenue, 686.63' SW of the c/l of Ebenezer Road  
(12518 Eastern Avenue)  
15th Election District - 5th Councilmanic District  
Alexander T. Wodarczyk, et ux - Petitioners  
Case No. 98-47-A

Dear Mr. & Mrs. Wodarczyk:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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 the Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: People's Counsel

File





# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12518 Eastern Avenue

(adjacent residence Zone D.R. 5.5) which is presently zoned BM and BR-AS and BL-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s) 400.3 to allow a residential garage 23 feet high in lieu of the allowed maximum 15 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) I have a very good price available for a 40 foot by 40 foot pole building 23 feet high for my home garage and storage use. The site will be shielded from Eastern Avenue visibility by my house. The only adjacent residential neighbor is to the northeast and has no objection to a garage. My lot is fenced and my garage will be consistent with or superior to neighborhood construction.

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/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

City for Petitioner.

Jonathan Scott Dallas

(Type or Print Name)

Signature

J.S. Dallas, Inc. 410-

P. O. Box 26 817-4600

Address Phone No.

Baldwin MD 21013

City State Zipcode

Legal Owner(s):

Barbara A. Wodarczyk

(Type or Print Name)

Signature

Alexander T. Wodarczyk

(Type or Print Name)

Signature

12518 Eastern Avenue 410--

Address Phone No.

Baltimore MD 21220

City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_ day of \_\_\_\_\_ 19\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: *mta* DATE: 8/6/97

ESTIMATED POSTING DATE: 8/17/97



Printed with Soybean Ink on Recycled Paper

ITEM #: 47

ORDER RECEIVED FOR FILING

Date

By

# 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) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 12518 Eastern Avenue  
address  
Baltimore MD 21220  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

I have a very good price available for a 40 foot by 40 foot pole building 23 feet high for my home garage and storage use. The site will be shielded from Eastern Avenue visibility by my house. The only adjacent residential neighbor is to the northeast and has no objection to a garage. My lot is fenced and my garage will be consistent with or superior to neighborhood construction.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Barbara A. Wodarczyk  
(signature)  
Barbara A. Wodarczyk  
(type or print name)



Alexander T. Wodarczyk  
(signature)  
Alexander T. Wodarczyk  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of August, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Barbara A. Wodarczyk and Alexander T. Wodarczyk

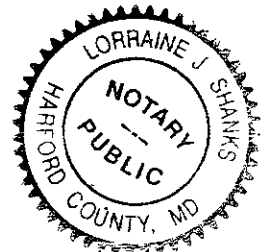
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

August 5, 1997  
date

Lorraine J. Shanks  
NOTARY PUBLIC

My Commission Expires: 6/13/00



ORDER RECEIVED FOR FILING  
 Date 8/14/97  
 By [Signature]

# J. S. DALLAS, INC.

SURVEYING & ENGINEERING

13523 LONG GREEN PIKE  
P.O. BOX 26  
BALDWIN, MD 21013  
(410) 817-4600  
FAX (410) 817-4602

## ZONING DESCRIPTION FOR # 12518 EASTERN AVENUE

BEGINNING at a point in the center of Eastern Avenue at the distance of 686.63 southwesterly from the centerline of Ebenezer Road thence running with and binding on said center of Eastern Avenue 1) South 45 degrees 15 minutes 00 seconds West 250.97 feet thence leaving said Avenue and running 2) North 45 degrees 50 minutes 00 seconds West 340.11 feet to the southeast side of the Pennsylvania Railroad right-of-way thence running with and binding on said right-of-way 3) Northeasterly by a curve to the left with a radius of 22,978 feet for an arc distance of 195.13 feet (the chord of said arc being North 41 degrees 40 minutes 12 seconds East 195.13 feet) thence leaving said right-of-way and running 4) South 54 degrees 49 minutes 53 seconds East 357.76 feet to the place of beginning.

CONTAINING 1.77 acres of land, more or less.

Also known as 12518 Eastern Avenue and located in the 15th Election District, 5th Councilmanic District.

NOTE: Description above is for ZONING PURPOSES ONLY and IS NOT the result of a boundary survey.

# 47

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. **042710**

DATE 8/6/97 ACCOUNT 61-615

Item: 47

By: MTK

AMOUNT \$ 50.00

RECEIVED FROM: Leodaczyk - 12518 Eastern Ave

FOR: 010 - Bus Vac (allow) - 50.00

TRIBUTION  
\*ITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

**PAID RECEIPT**

PROCESS ADTWA TMM  
8/06/1997 8/06/1997 10:58:52  
R/G 4505 CASHIER MARY BKT DROPPER  
MISCELLANEOUS CASH RECEIPT  
Receipt # 000768  
CR NO. 042710

50.00 CASH  
Baltimore County, Maryland

CASHIER'S VALIDATION



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 18, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 98-47-A  
12518 Eastern Avenue  
NW/S Eastern Avenue, 686.63' SW of c/l Ebenezer Avenue  
15th Election District - 5th Councilmanic  
Legal Owner(s): Barbara A. Wodarczyk and Alexander T. Wodarczyk  
Post by Date: 08/17/97  
Closing Date: 09/02/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Barbara and Alexander Wodarczyk  
Jonathan Scott Dallas





Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than \* 8/17/97

Format for Sign Printing, Black Letters on a White Background:

Item # 47

# ZONING NOTICE

## ADMINISTRATIVE VARIANCE

Case No.: 98-47-A

to permit a garage height 23 ft in lieu  
of 15 ft.

### PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE.  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING  
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS  
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

\* 9/1/97

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,  
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 47

Petitioner: Alexander T. Wodarczyk

Location: 12518 Eastern Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: //

ADDRESS: //

Balto. MD. 21220

PHONE NUMBER: (410) 450-5458

AJ:ggs

(Revised 09/24/96)



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 27, 1997

Mr. and Mrs. Alexander Wodarczyk  
12518 Eastern Avenue  
Baltimore, MD 21220

RE: Item No.: 47  
Case No.: 97-47-A  
Petitioner: Alexander Wodarczyk

Dear Mr. and Mrs. Wodarczyk:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 6, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)





Baltimore County  
Fire Department

21

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
(410)887-4880

August 19, 1997

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owners: SEE BELOW

Location: DISTRIBUTION MEETING OF August 25, 1997

Item No.: See Below Zoning Agenda:

Gentlemen:

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

Comments on the plan are as follows: at this time  
the property is zoned R-100. The following comments are  
made: 1. The lot area is 142, 149, 150, and 151.

Comments on the plan are as follows: at this time  
the property is zoned R-100. The following comments are  
made: 1. The lot area is 142, 149, 150, and 151.

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 8/26/97

FROM: R. Bruce Seeley .  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee  
Meeting Date: Aug 18, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 42  
46  
47  
48  
49  
50  
51

RBS:sp

BRUCE2/DEPRM/TXTSBP



**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County 8.14.97  
Item No. 047 MJK

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*f. jr. burns*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

LG

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

**Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717**  
**Street Address: 707 North Calvert Street • Baltimore, Maryland 21202**

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits  
and Development Management

DATE: August 15, 1997

FROM: Arnold F. "Pat" Keller, III, Director  
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item Nos. 23, 42, 43, 46, 47, 48, 49, 50, and 51

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Samuel Kerns*

AFK/JL

# J. S. DALLAS, INC.

SURVEYING & ENGINEERING

13523 LONG GREEN PIKE  
P.O. BOX 26  
BALDWIN, MD 21013  
(410) 817-4600  
FAX (410) 817-4602

# # 47

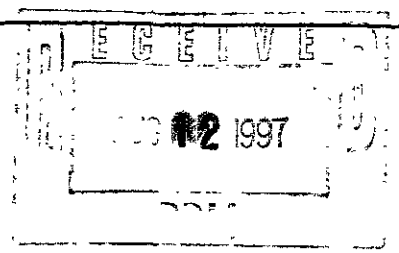
Date: August 11, 1997

To: Baltimore Co. Zoning Office

Re: # 12518 Eastern Ave.

Case No. 98-47-A

HAND DELIVER



Attention: Mitch K.

Gentlemen:

- We are submitting
- We are forwarding
- We are returning
- We request
- Herewith
- Under separate cover

No.	Description
1	Set of original site photos (panoramic)
1	Copy of original site photos (panoramic)

Remarks:

- In accordance with your request
- For your review
- For processing
- Plans reviewed and accepted
- Plans reviewed and accepted as noted
- For revision by you
- For your use
- Please call when ready
- Please return to this office
- Approval requested
- Conference requested at your convenience

For further information, please contact the writer at this office.

Very truly yours,

J. Scott Dallas, P.L.S.

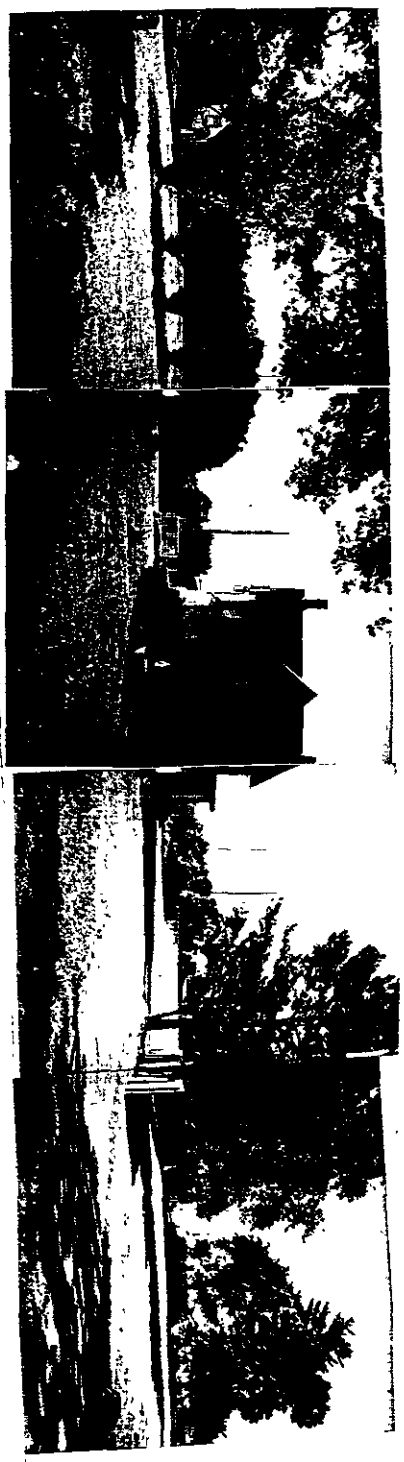
President

cc: Mr. Alex Wodarczyk

Enclosures



LOOKING TOWARD EX. DWG.  
FROM SOUTH



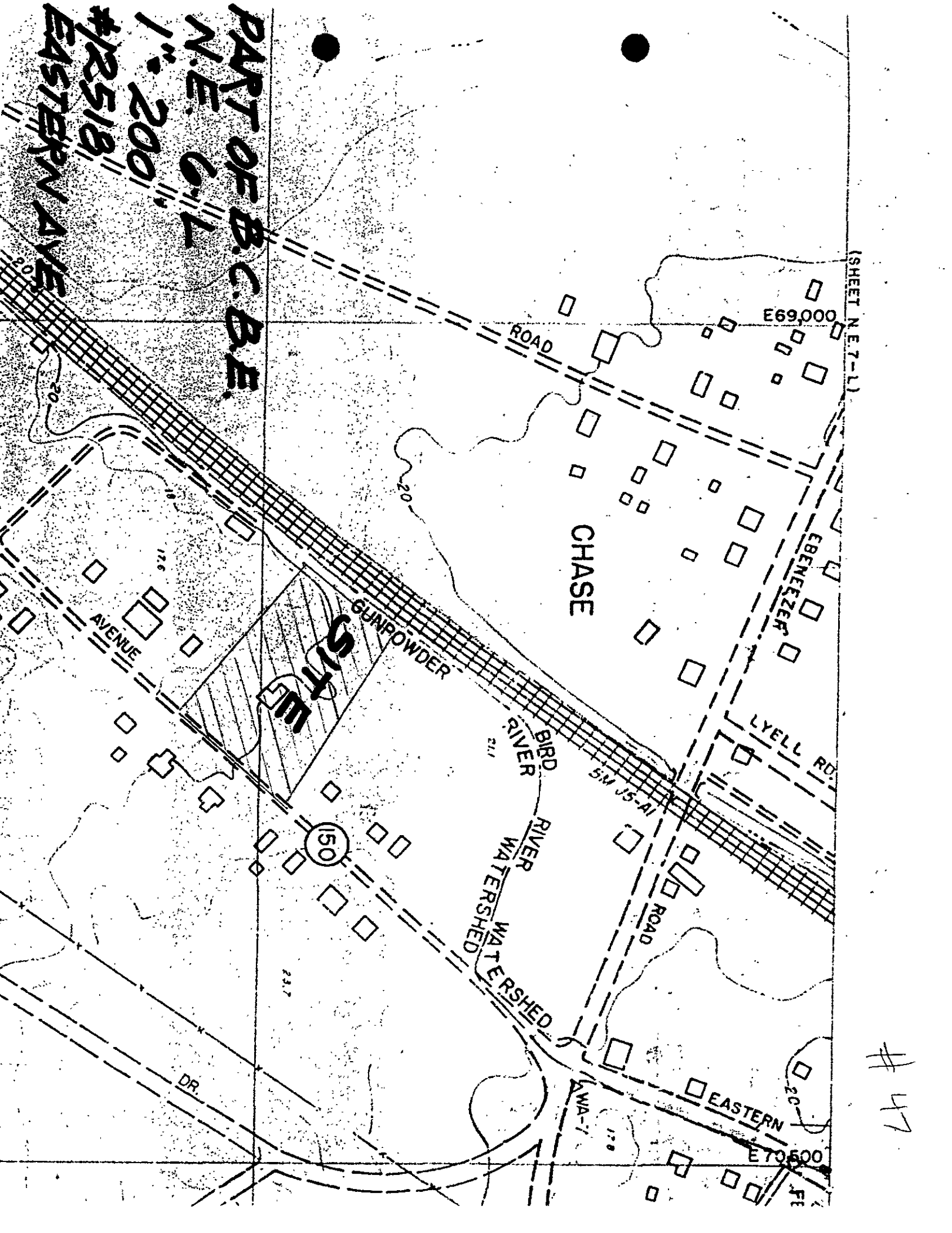
LOOKING FROM EX. DWG.  
TOWARD PROP. GARAGE.



CASE NO. 98.47.A  
# 12518 EASTERN AVE.

(SHEET N E 7-1)

**PART OF B.C.B.E.  
N.E. 611  
1" = 200'  
#12518  
EASTERN AVE**

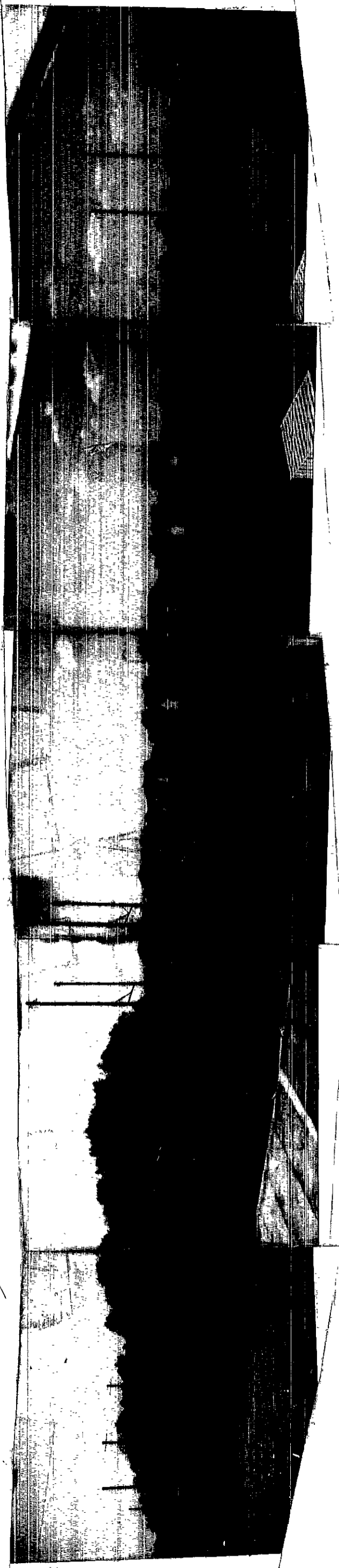


# 47

#107



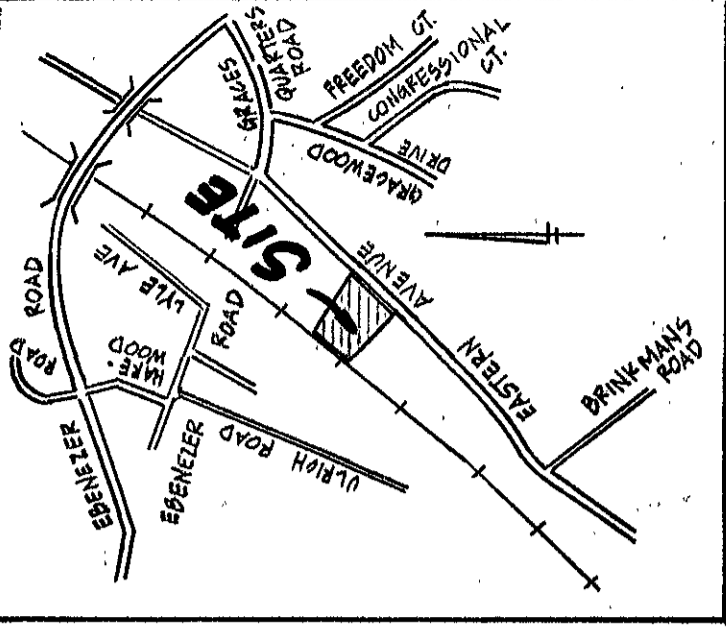
LOOKING TOWARD EX. DWG.  
FROM SOUTH



LOOKING FROM EX. DWG.  
TOWARD PROP. GARAGE.

CASE NO 98.47.A  
#12518 EASTERN AVE.

- NOTES:**
1. EXISTING ZONING: BL-AS & BM & BR-AS (PER BALTO CO. MAP N.E. G-L 1"=200')
  2. AREA = 1.77 AC. ± (11,320 SF ±)
  3. SITE DOES NOT LIE WITHIN CHESAPEAKE BAY CRITICAL AREA. (PER BALTO COUNTY CRT AREA MAP NO 83)
  4. OWNER: BARBARA A. & ALEXANDER T. WODARCZYK
  5. DEED REFERENCE: 11412-215  
Acc. No 1823750212



VICINITY MAP  
1" = 1000'

\* SITE LIES IN ZONE G PER F.I.R.M.  
240010-0455B.

# 47

*John J.*

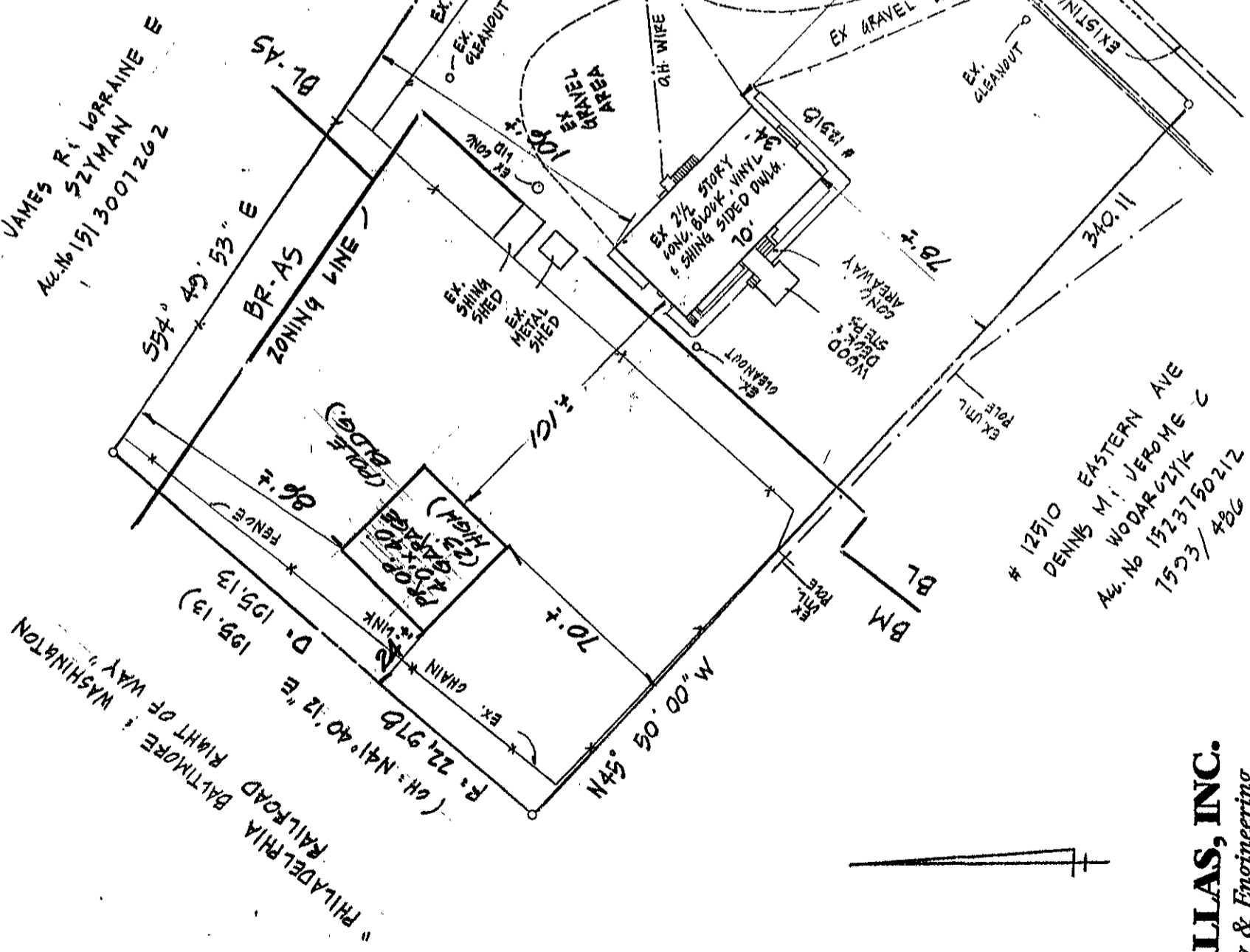
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE  
**# 12518 EASTERN AVENUE**  
 ELECT. DIST. NO. 15 COUNCDIST. NO. 5 BALTO. CO., MD.  
 SCALE: 1"=50'  
 JULY 21, 1997

j.o.# 97-736

JAMES R. LORRAINE B  
 SZYMAN  
 Acc. No 1513001262

Acc. No 1513123980  
 6161.658  
 # 12526 EASTERN AVE  
 JAMES A. & MARTHA L  
 FOR DYCE

# 12510 EASTERN AVE  
 DENNIS M. JEROME C  
 WODARCZYK  
 Acc. No 1523750212  
 1503/486



**J.S. DALLAS, INC.**  
 Surveying & Engineering  
 13523 Long Green Pike  
 Baldwin, MD. 21013  
 (410) 817-4600



SCALE  
1" = 200' ±

DATE OF PHOTOGRAPHY
JANUARY

LOCATION  
CHASE

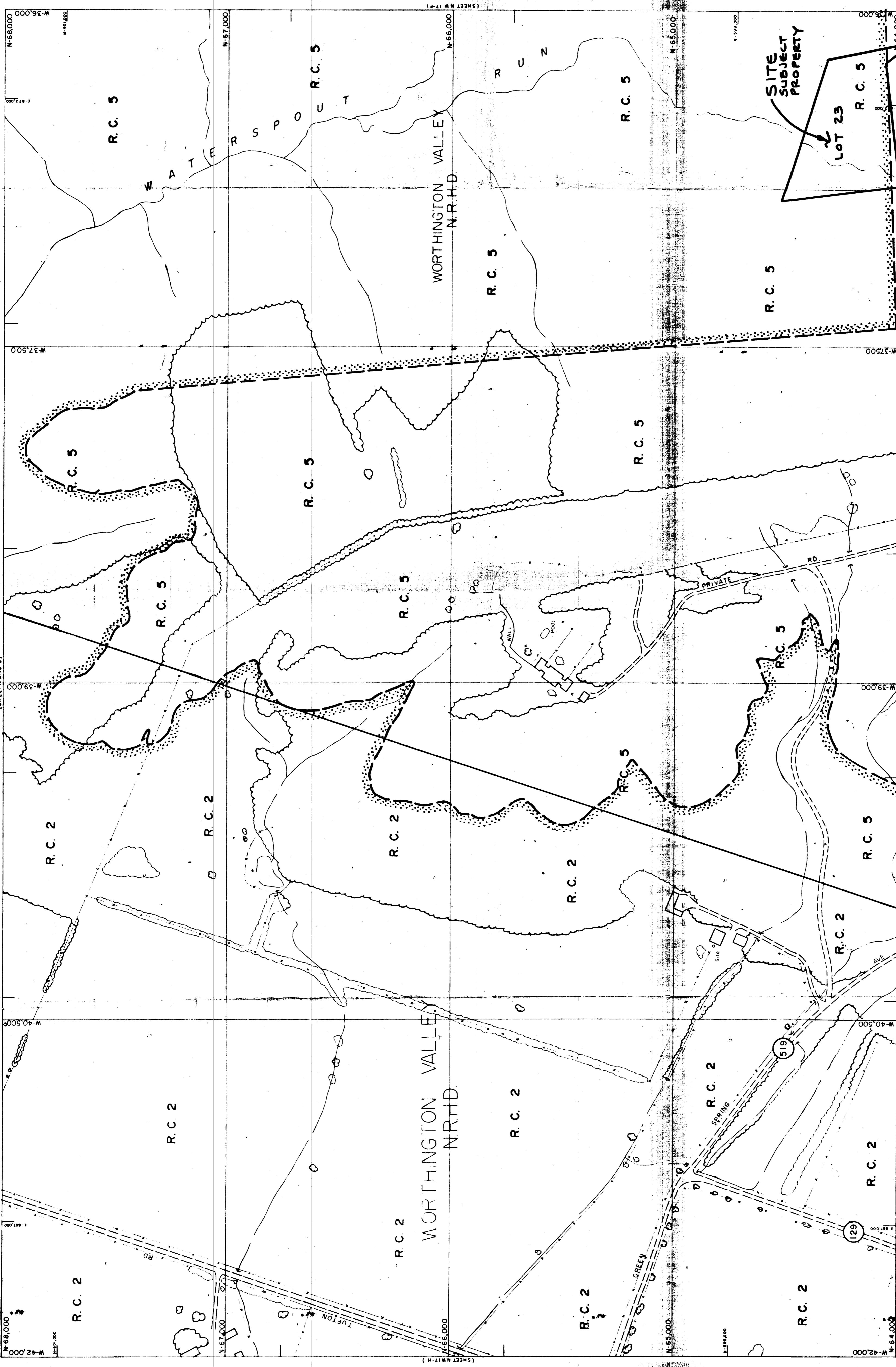
SHEET  
#47

N.E.  
6-L

BALTIMORE COUNTY #12518  
OFFICE OF PLANNING AND ZONING EASTERN AVENUE  
PHOTOGRAPHIC MAP

928-487

X



**BALTIMORE COUNTY**  
**OFFICE OF PLANNING AND ZONING**  
**OFFICIAL ZONING MAP**

SCALE 1" = 200'	LOCATION SOUTHEAST OF BELMONT TRACK	SHEET N W 17-G
DATE OF PHOTOGRAPHY JANUARY 1986		

1986 OFFICIAL ZONING MAP  
 AND BALTIMORE COUNTY OFFICE  
 OF PLANNING AND ZONING  
 BELMONT TRACK

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
 BY BUCHARTY-HORN, INC. BALTIMORE, MD. 21210