

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
SE/Cor. 5th Street & Hinton Avenue *
(2809 5th Street) * DEPUTY ZONING COMMISSIONER
15th Election District *
7th Councilmanic District * OF BALTIMORE COUNTY

Martha Lipinski and * Case No. 98-295-A
Clara Lentz - Petitioners *
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Martha Lipinski and Clara Lentz. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure to be located on the corner/street rear yard area of a lot, in lieu of the required 1/3 of the yard farthest removed from any street for a proposed 18'5" x 23' shed. The subject property is located within the Chesapeake Bay Critical Areas near Cuckhold Point in the subdivision known as Swan Point. Therefore, the relief requested must comply with Critical Areas legislation and those regulations in the B.C.Z.R. which address development on those properties located on or near the Bay or its tributaries. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence 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.

ORDER RECEIVED FOR FILING

Date

By

In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore 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.

The facts and evidence presented have established that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner, and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must

ORDER RECEIVED
DATE 3/14/98
BY [Signature]

take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

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 Deputy Zoning Commissioner for Baltimore County this 4th day of March, 1998 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure to be located on the corner/street rear yard area of a lot, in lieu of the required 1/3 of the yard farthest removed from any street for a proposed 18'5" x 23' shed, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

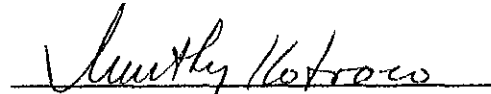
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order;

ORDER RECEIVED FOR PLANNING
DATE 3/4/98
BY [signature]

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.

2) Compliance with the Zoning Plans Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated February 20, 1998, and the Bureau of Developer's Plans Review, dated February 24, 1998.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 3/4/98
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

March 4, 1998

Ms. Martha Lipinski
Ms. Clara Lentz
2809 5th Street
Baltimore, Maryland 21219

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SE/Cor. 5th Street & Hinton Avenue
(2809 5th Street)
15th Election District - 7th Councilmanic District
Martha Lipinski and Clara Lentz - Petitioners
Case No. 98-295-A

Dear Ms. Lipinski & Ms. Lentz:

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,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; Case File





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

2809 5TH STREET

which is presently zoned

JR 5.5

This Petition shall be filed with the Dept. of Permits & 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)

Sec 400.1 TO ALLOW AN ACCESSORY STRUCTURE TO BE LOCATED ON THE CORNER STREET REAR YARD AREA OF A LOT, IN LIEU OF THE REQUIRED 1/3 FURTHEST REMOVED FROM ANY STREET.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) THE OLD BUILDING, WHICH WAS BETWEEN 60 TO 70 YEARS OLD, HAD ROTTED AWAY AT THE FOUNDATION. MOST OF THE LOADBEARING WALLS WERE FALLING AWAY FROM THE FLOATING RAISED FLOOR WHICH IS MADE OF POURED CONCRETE. IF WE ARE NOT ALLOWED TO USE THE EXISTING FOUNDATION, THIS AREA WILL BECOME A NON-USABLE AREA ON THE PROPERTY. BY USING THE EXISTING FOUNDATION, OUR NEIGHBORS WOULD CONTINUE TO HAVE A VIEW OF THE WATER AND ALLOW FOR CONTINUED AIRFLOW OVER THEIR PROPERTY. THE NEW BUILDING LOCATION WOULD BLOCK BOTH. THE REMOVAL OF THE OLD AND THE ESTABLISHMENT OF A NEW FOUNDATION WOULD RESULT IN A SUBSTANTIAL COST.

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

(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

Legal Owner(s):

MARTHA LIPINSKI

(Type or Print Name)

Martha Lipinski

Signature

CLARA LENTZ

(Type or Print Name)

Clara Lentz

Signature

2809 5TH STREET

Address

W. 301-633-8015

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted

JOHN C. HOLTHAUS

Name

4334 BLAKELY AVE

Address

410-931-0596

Phone No

BALTIMORE MD 21236

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: _____ DATE: _____

ESTIMATED POSTING DATE: _____



Printed with Soybean Ink on Recycled Paper

ITEM #:

295

98-295-A

ORDER RECEIVED FOR FILING

Date: 3/4/98
By: [Signature]

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 2809 5TH STREET
address
BALTIMORE MD 21219
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)

THE OLD BUILDING, WHICH WAS BETWEEN 60 TO 70 YEARS OLD, HAD
ROTTED AWAY AT THE FOUNDATION. MOST OF THE LOADBEARING WALLS WERE
PULLING AWAY FROM THE FLOATING RAISE POURED CONCRETE FLOOR. IF WE ARE NOT
ALLOWED TO USE THE EXISTING FOUNDATION, THIS AREA WILL BECOME UNUSABLE. BY USING
THE EXISTING FOUNDATION, OUR NEIGHBORS WOULD CONTINUE TO HAVE A VIEW OF THE
WATER AND ALLOW FOR CONTINUED AIRFLOW OVER THEIR PROPERTY. THE NEW
BUILDING WOULD BLOCK BOTH. THE REMOVAL OF THE OLD AND THE ESTABLISHMENT
OF A NEW FOUNDATION WOULD RESULT IN A SUBSTANTIAL COST

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.

Martha Lipinski
(signature)
MARTHA LIPINSKI
(type or print name)



Clara Lentz
(signature)
CLARA LENTZ
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of February, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Martha Lipinski & Clara Lentz

the Affiants(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.

2-5-98
date

Agnes M. Lipinski
NOTARY PUBLIC
My Commission Expires: 9-1-01

A-295-89

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 2809 5TH STREET
address
BALTIMORE MD. 21219
City State Zip Code

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BUILDING WOULD BLOCK BOTH. THE REMOVAL OF THE OLD AND THE ESTABLISHMENT
OF A NEW FOUNDATION WOULD RESULT IN A SUBSTANTIAL COST

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.

Martha Lipinski
(signature)
MARTHA LIPINSKI
(type or print name)



Clara Lentz
(signature)
CLARA LENTZ
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of February, 19 98, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Martha Lipinski, Clara Lentz

the Affiants(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.

2-5-98
date

Agnes M. Lipinski
NOTARY PUBLIC
My Commission Expires: 9-1-01

A-295-89



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

2809 5TH STREET

which is presently zoned

JR 5.5

This Petition shall be filed with the Dept. of Permits & 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)

SEC 400.1 TO ALLOW AN ACCESSORY STRUCTURE TO BE LOCATED ON THE CORNER STREET REAR YARD AREA OF A LOT; IN LIEU OF THE REQUIRED 1/3 FURTHEST REMOVED FROM ANY STREET.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) THE OLD BUILDING, WHICH WAS BETWEEN 60 TO 70 YEARS OLD, HAD ROTTED AWAY AT THE FOUNDATION. MOST OF THE LOADBEARING WALLS WERE PULLING AWAY FROM THE FLOATING RAISED FLOOR WHICH IS MADE OF POURED CONCRETE. IF WE ARE NOT ALLOWED TO USE THE EXISTING FOUNDATION, THIS AREA WILL BECOME A NON-USABLE AREA ON THE PROPERTY. BY USING THE EXISTING FOUNDATION, OUR NEIGHBORS WOULD CONTINUE TO HAVE A VIEW OF THE WATER AND AND ALLOW FOR CONTINUED AIRFLOW OVER THEIR PROPERTY. THE NEW BUILDING LOCATION WOULD BLOCK BOTH. THE REMOVAL OF THE OLD AND THE ESTABLISHMENT OF A NEW FOUNDATION WOULD RESULT IN A SUBSTANTIAL COST.

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

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.

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

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: _____ DATE: _____

ESTIMATED POSTING DATE: _____



Printed with Soybean Ink
on Recycled Paper

ITEM #: 295

98-295-A

ZONING DESCRIPTION FOR 2809 5th Street Baltimore, Maryland 21219

Beginning at a point on the East side of 5th Street which is 30 feet wide at a distance of 7.5 feet South of the center line of the nearest improved intersecting street Hinton Avenue which is 15 feet wide. Being lots 67 and 68 Block – Section # - in the subdivision of Swan Point as recorded in Baltimore County Plat Book # WPC7, Folio # 162 and 163 containing 15,000 square feet. Also known as 2809 5th Street and located in the 15th Election District, 7th Councilmanic District.

98-295-A

A-20

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 048644

DATE 6 Feb 98 ACCOUNT R-001-6150

295
AMOUNT \$ 50.00

RECEIVED FROM: John C. Halthaus (Fed. Leat-2)

FOR: 2807 5th Street

Adm - VAC. Aug 1

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

PAID RECEIPT
PROCESS HOTEL THE
2004/03/06 2/06/1998 1015006
FED 6506 CASHIER JOHN C. HALTHAUS
E MISCELLANEOUS RECD
RECEIPT # 910450
TR. NO. 048644
50.00 CASH
Baltimore County, Maryland

98-295-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-295-A

Petitioner/Developer: LENTZ, ETAL
P. O'KEEFE

Date of Hearing/Closing. 3/2/98

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at # 2809 FIFTH ST.

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

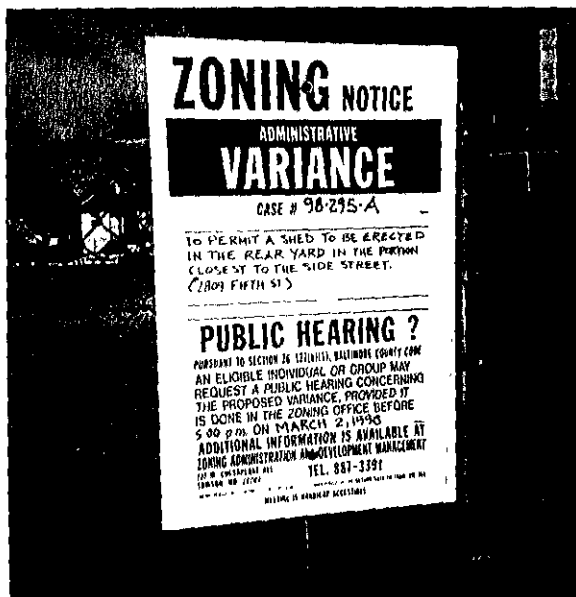
Patrick M. O'Keefe 2/8/98
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



98-295-A
LENTZ & LIPINSKI, ETAL
2809 FIFTH ST. @
P. 2/13/98 CL: 3/2/98



Baltimore County
Department of Permits and
Development Management

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

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.: 295

Petitioner: JOHN HOLTHAUS

Location: 2809 5TH. STREET

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JOHN HOLTHAUS

ADDRESS: 4324 BLAKELY AVE.
BALTO. MD 21236

PHONE NUMBER: (410) 931-0596

AJ:ggs

(Revised 09/24/96)

98-295-A

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book# _____, folio# _____, plat# _____, section# _____

OWNER: _____

North
date: _____
prepared by: _____

Scale of Drawing: 1"= _____

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

lot size: _____ acreage _____ square feet

SEWER: ☐ public ☐ private
WATER: ☐ yes ☐ no
Chesapeake Bay Critical Area: ☐ yes ☐ no
Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

 North
Vicinity Map
scale: 1"=1000'

A-2PS-8P

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 98- 295 -A

Address 2809 5th Street

Contact Person: KATE M. LUTON
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 6 Feb 98

Posting Date: 15 Feb 98

Closing Date: 2 March 98

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He 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 of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing 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.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 98- 295 -A

Address 2809 5th St

Posting Date: 15 Feb 98

Closing Date: 2 March 98

Wording for Sign: To Permit a shed to be erected in
the REAR YARD in the portion closest to
the side Street.



Baltimore County
Department of Permits and
Development Management

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

February 26, 1998

Martha Lipinski and Clara Lentz
2809 5th Street
Baltimore, MD 21219

RE: Item No.: 295
Case No.: 98-295-A
Petitioner: Martha Lipinski and Clara Lentz

Dear Petitioners:

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 February 2, 1998.

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 Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/ggs
Attachment(s)



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

DATE: February 20, 1998

To: Arnold L. Jablon
From: Bruce Seeley *BS/4P*
Subject: Zoning Item #295

Lipinski Property, 2809 5th Street

Zoning Advisory Committee Meeting of February 17, 1998

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
- Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code), if the property is being subdivided according to the Development Regulations.
- X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

GP:KK:sp



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 2/13/98
Item No. 295 CAM

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,

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: February 17, 1998

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 No. 295

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.

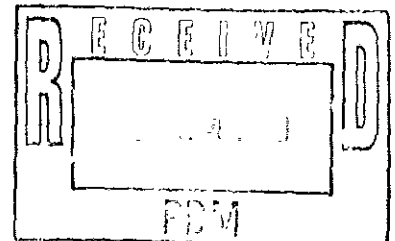
Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kern

AFK/JL



INTEROFFICE CORRESPONDENCE

Date: February 24, 1998

SUBJECT: Zoning Advisory Committee Meeting
for February 23, 1998
Item No. 295

cc: File

ZONE0223.295



Baltimore County
Fire Department

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

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEBRUARY 17, 1979

Item No.: SEE BELOW

Zoning Agency:

Gentlemen:

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

3. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

286, 289, 292, 293, 295, 296, AND 297

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MD-11027

cc: File



To whom it may concern:

As a resident neighbor to 2809 5th Street, property owned by Clara Lentz and Martha Lipinski, I would like to go on record as saying I am not opposed to the owners erecting their new structure on the same location that was once occupied for over 70 years by the old structure. I am in complete agreement with their plans to rebuild.

Please consider their request to rebuild their new structure.

Name: Margaret Schilpp

Address: 2808 - 5th St. - 21219

Date: Dec. 8, 1957

98-295-A

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Name: Mark Fabiszak

Address: 2808 5th ST. 21219

Date: 12/13/87

98-295-A

To whom it may concern:

As a resident neighbor to 2809 5th Street, property owned by Clara Lentz and Martha Lipinski, I would like to go on record as saying I am not opposed to the owners erecting their new structure on the same location that was once occupied for over 70 years by the old structure. I am in complete agreement with their plans to rebuild.

Please consider their request to rebuild their new structure.

Name:

Sheresa K. Antoniak

Address:

2808 4th St Baltimore MD 21219

Date:

10 Dec 97

98-295-A

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Name: Carol Anderson

Address: 2809 5th St Winter Ave

Date: 1/9/98

98.295-A

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Name: Florence M. Surakowski

Address: 9028 Hixton Ave.

Date: 1-10-98

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Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2803 5TH STREET

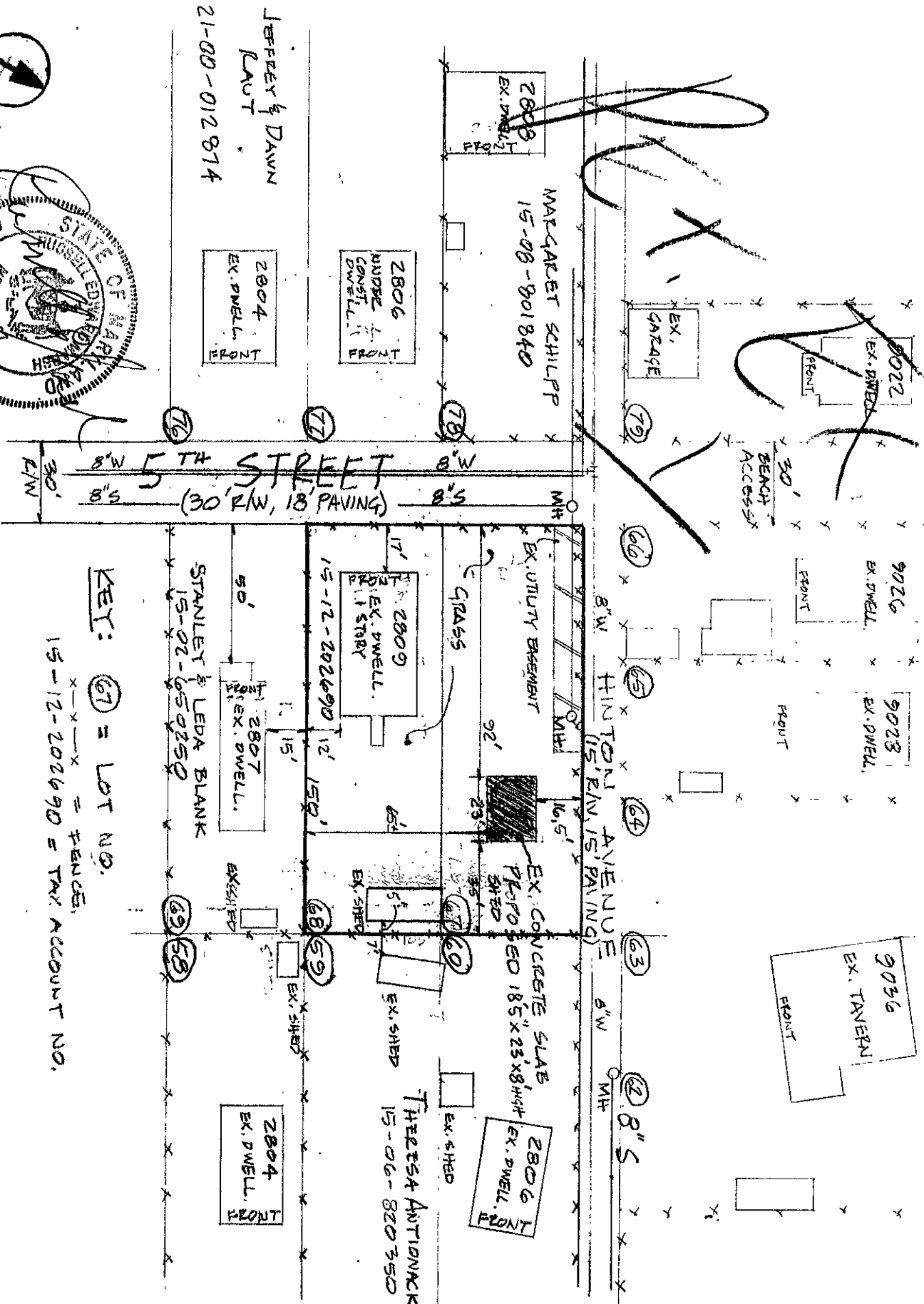
Subdivision name: SWAN POINT

plat book # WPC, folio # 162103, lot # 6768, section #

BACK RIVER

OWNER: CLARA LEUTZ & MARCETHA LIPINSKI
TAX ACCOUNT 15-12-202690

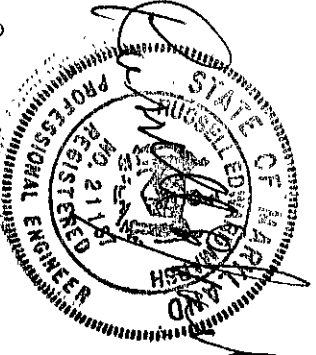
ANN MARESON
15-04-201230
FLORENCE
CHOWSKI
15-09-050010
SIEBROKOWSKI
15-01-002110
NOTMAN ANDERSON
15-20-200208
15-20-301070



North

date: 4/6/98

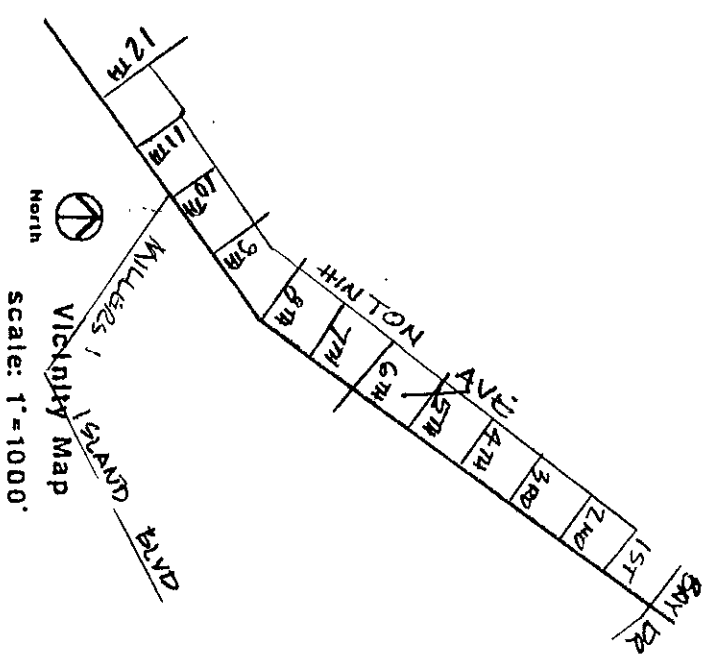
prepared by: Russell Marsh
MARYLAND REG. #21187



KEY: (67) = LOT NO.
X-X-X-X = FENCE,
15-12-202690 = TAX ACCOUNT NO.

NOTES: 1. UTILITY EASEMENT JOB NO. 1-2-600
2. ALL AREAS ARE PREVIOUS (GAS, ETC.) UNLESS NOTED.

Scale of Drawing: 1" = 50'



LOCATION INFORMATION

Election District: 15TH

Councilmanic District: 7TH

1"=200' scale map#: SE-6K

Zoning: DR 5.5

Lot size: 0.344± acreage 15,000 square feet

SEWER: ☒ public ☐ private
WATER: ☒ YES ☐ NO

Chesapeake Bay Critical Area: ☒ YES ☐ NO

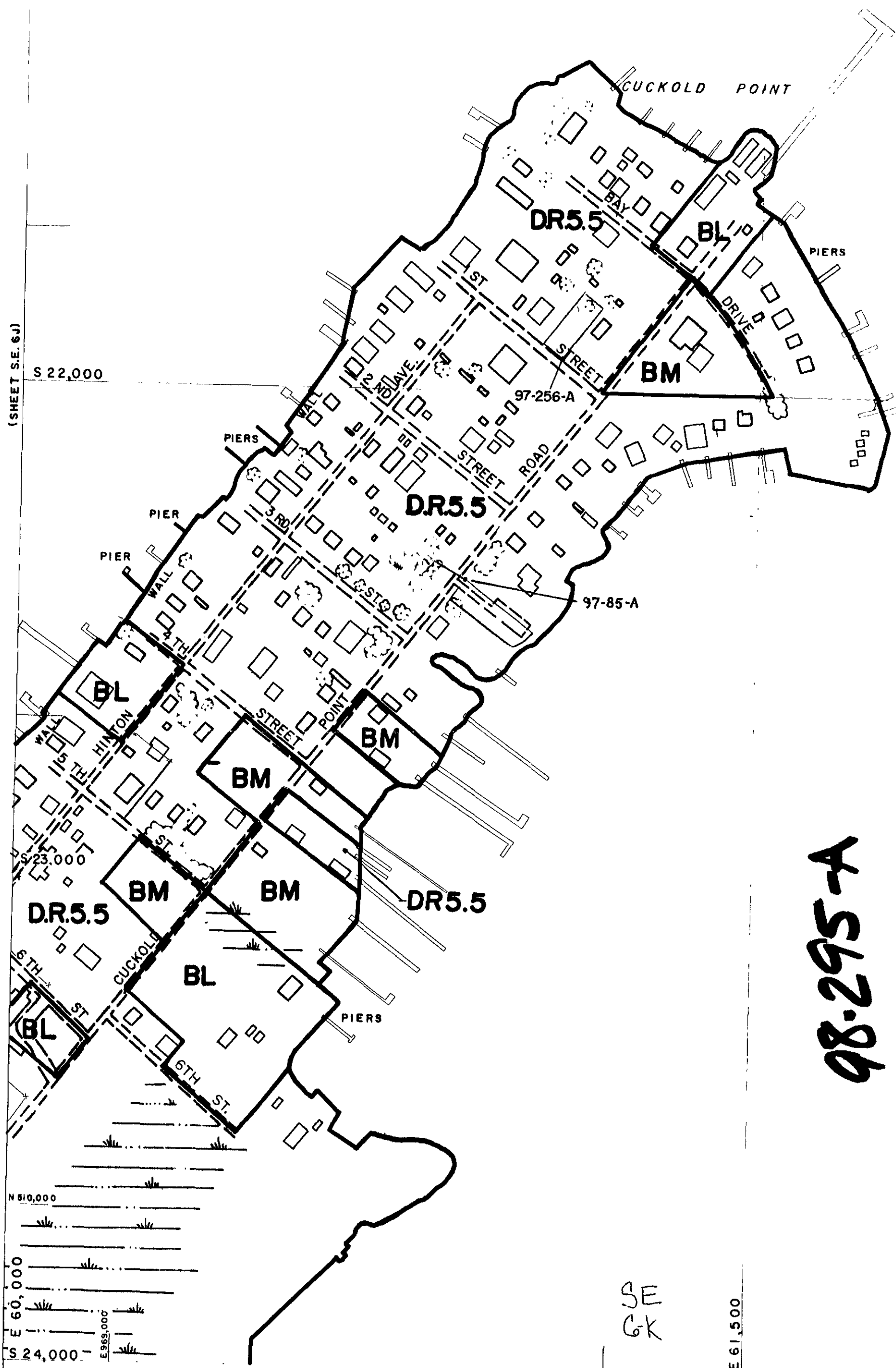
Prior Zoning Hearings: NONE

ZONE A9

Zoning Office USE ONLY!
reviewed by: ITEM #: CASE#:

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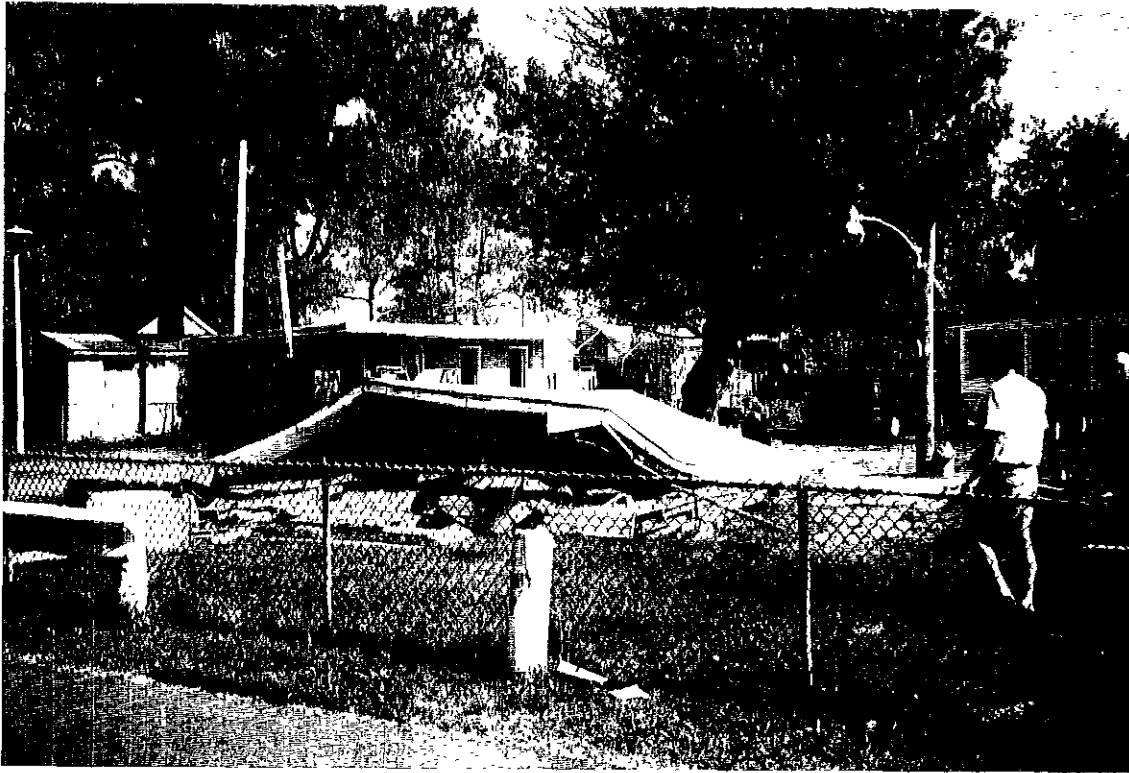
N 810,000
E 60,000
S 24,000
A-NE AA-NW

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996

Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Kevin Kamoneh

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



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