ON THE MOMENTAL AND A STATE OF THE STATE OF

IN RE: PETITION FOR ADMIN. VARIANCE N/S Frederick Avenue at Intersection

with E/S of Dutton Avenue

1st Election District

1st Councilmanic District

(1 Dutton Avenue)

Marie G. & Stan F. Czajkowski

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 00-175-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Marie G. & Stan F. Czajkowski, property owners, for that property known as 1 Dutton Avenue in the Catonsville area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a sideyard setback of 1 ft. and a rear yard setback of 1.5 ft. in lieu of the required 15 ft. and 40 ft. respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative 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 Deputy 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 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 Deputy Zoning Commissioner for Baltimore County this Aday of November, 1999, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a sideyard setback of 1 ft. and a rear yard setback of 1.5 ft. in lieu of the required 15 ft. and 40 ft. respectively, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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 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.

TIMOTHY M. KOTROCC

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

SECENCE FOR FILING

SO SECOND FOR FILING

SO



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

Fax: 410-887-3468

November 29, 1999

Mr. & Mrs. Stan F. Czajkowski 1 Dutton Avenue Catonsville, Maryland 21228

Re: Petition for Administrative Variance

Case No. 00-175-A

Property: 1 Dutton Avenue

Dear Mr. & Mrs. Czajkowski:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed 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 from 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 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

Aunthy Vetrace

TMK:raj Enclosure



REU 9/15/98

Petition for Administative Variance

to the Zoning Commissioner of Baltimore County

. RYLES	for the propert	y located at 1 Dutton Ave., Catonsville
		which is presently zoned DR 2
	^^C	its and Development Management. The undersigned, let ich is described in the description and plat attached hereto a tion(s) $1802.3.c.1 + perm; f = s$
made a part hereof, hereby pedator for a	. (11302.3,C.1 to permit a si
		rear yard setback of 1.5 ft.
in lieu of the p	equired	15 ft, and 40 ft, respectively.
of the zoning regulations of Baltimore Co of this petition form.	ounty, to the zoning l	law of Baltimore County, for the reasons indicated on the ba
Property is to be posted and advertised a l, or we, agree to pay expenses of above Va regulations and restrictions of Baltimore Cou	mance adventsing bo	isting eig and miller antee to and are to be pourious at any and are.
		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:		<u>Legal Owner(s):</u>
		Stan F. Czajkowski
Name - Type or Print		Name - Type or Print
Signature		Signature
		Maria G. Czajkowski
Address	Telephone No.	Name - Type or Print Maria G (ye) Conf
City State	Zip Code	Signature ()443)778-6431wk
Attorney For Petitioner:		1 Dutton Ave (410) 744-5953 Address Telephone N
		Address Telephone r Catonsville, MD 21228
		City State Zip Coc
Name - Type or Print		Representative to be Contacted:
Simulation		Representative to be contacted.
Signature C 2		Stan Czajkowski
Company		Name (443) 778-643
May Lan		1 Dutton Ave (410)744-5953
Advies	Telephone No.	Address Telephone No
		Catonsville, MD 21228 City State Zip Cod
City W State	Zip Code	City
A Public Rearing having been formally demand	ded and/or found to be at the subject matter of the	required, it is ordered by the Zoning Commissioner of Baltimore Countries petition be set for a public hearing, advertised, as required by the zoni
regulations of Baltimore County and that the proper	rty be reposted.	
ti w		
		Zoning Commissioner of Baltimore County
· · · · · · · · · · · · · · · · · · ·	 1	50 - 12/09
CASE NO. 00-175-A	Revi	iewed By Dic Date 10/24/1/

Estimated Posting Date

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

1 Dutton Ave.

Address

Catonsville, MD 21228
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):

We are planning to build an addition to our house in order to expand the existing kitchen, laundry/bathroom and add a mudroom. The addition will fill the area that currently exists between our house and the garage (Distance between buildings is approx. 9 feet). We want to attach the house to the garage so that we can enter the house directly from the garage. The garage is an existing structure and cannot be moved to comply with the setback regulations. Not attaching the house to the garage would result in hardship/practical difficulty with respect to 1) building the addition within the small area between the existing buildings, and 2) access to/from the house and the garage. Garage was built in the 1930's A letter from our most adjacent neighbor, Ms. Thelma McNemar, owner of 3 Dutton Ave, is attached, stating that she has no objections or concerns regarding our house addition plans. Ms. McNemar is the only neighbor who would be affected visually by the house addition.

NOTARY PUBLIC STATE OF MARYLAND MY COMMISSION EXPIRES 5-29-02

Affidavat 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

 1 Dutton Ave.

 Address
 Catonsville, MD 21228

 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):

We are planning to build an addition to our house in order to expand the existing kitchen, laundry/bathroom and add a mudroom. The addition will fill the area that currently exists between our house and the garage (Distance between buildings is approx. 9 feet). We want to attach the house to the garage so that we can enter the house directly from the garage. The garage is an existing structure and cannot be moved to comply with the setback regulations. Not attaching the house to the garage would result in hardship/practical difficulty with respect to 1) building the addition within the small area between the existing buildings, and 2) access to/from the house and the garage. Garage was boild in the 1930's. A letter from our most adjacent neighbor, Ms. Thelma McNemar, owner of 3 Dutton Ave, is attached, stating that she has no objections or concerns regarding our house addition plans. Ms. McNemar is the only neighbor who would be affected visually by the house addition.

Signature

Stan F. Czajkowski

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25 day of 10 many land for the County aforesaid, personally appeared

SHAN F. CZAJ KOWSKI

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.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and

AS WITNESS my hand and Notarial Seal

10.25-99

Date

ROBERT DELAWDER
NOTARY PUBLIC
STATE OF MARYLAND
MY COMMISSION EXPIRES 5-29-02

Notary Public

My Commission Expires 5 - 29 - 05

REV 09/15/98



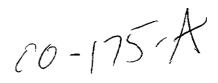
220 9115198

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

K C K	ty located at 1 Dutton Ave., Catonsville		
	which is presently zoned <u>DR 2</u>		
owner(s) of the property situate in Baltimore County and Wi	mits and Development Management. The undersigned, legal nich is described in the description and plat attached hereto and ction(s) 1802.3. C. 1 to permit a side		
yard setback of 1 ft. and a	rear yard setback of 1.5 ft. in		
lieu of the required 15 ft.	, and 40ft, respectively.		
of the zoning regulations of Baltimore County, to the zoning of this petition form.	g law of Baltimore County, for the reasons indicated on the back		
Property is to be posted and advertised as prescribed by the convex agree to pay expenses of above Variance, advertising, pregulations and restrictions of Baltimore County adopted pursuant	posting, etc. and further agree to and are to be bounded by the zoning		
	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:	Legal Owner(s):		
	Stan F. Czajkowski		
Name - Type or Print	Name - Type or Print Cray hursely		
Signature	Signature		
- 	Maria G. Czajkowski		
Address Telephone No.	Name - Type or Print 6 Cyc Cor 8		
City State Zip Code	Signature (443)778-6431wk		
Attorney For Petitioner:	Tolorhoop No.		
•	Address		
Name - Type or Print	Catonsville, MD 21228 City State Zip Code		
vanie - Type of Pilit	Representative to be Contacted:		
Signature	Representative to be contacted.		
Syndence	Stan Czajkowski		
Company	Name (443) 778-6431W		
- 1.,	1 Dutton Ave (410)744-5953 h		
Address Telephone No.	Address Telephone No.		
	Catonsville, MD 21228 State Zip Code		
City State Zip Code	Oily		
A Public Hearing having been formally demanded and/or found to this that the subject matter or regulations of Baltimore County and that the property be reposted.	be required, it is ordered by the Zoning Commissioner of Baltimore County, of this petition be set for a public hearing, advertised, as required by the zoning		
	Zoning Commissioner of Baltimore County		

Estimated Posting Date _



ZONING DESCRIPTION FOR 1 Dutton Ave LIBER 730/ FOLTO 091

Beginning for the same on the north side of Frederick Ave. at its intersection with the East side of Dutton Ave.; and running thence easterly, binding on the North side of Frederick Ave., 200 feet; thence northerly parallel with Dutton Ave. 200 feet thence westerly, 200 feet to the East side of Dutton Ave; thence southerly binding on the East side of Dutton Ave 200 feet to the place of beginning. The improvements Thereon being Known as No. 1 Dutton Ave.

Being the same lot of ground which by Deed lated March 28,1983 and recorded away the Land Records of Baltimore County in LIBER 6505, FOLIO 475 was granted and conveyed by R. Gail Drinkhouse to Stanley F. Czajkowski, So. and Stanley F. Czajkowski, Jr., the within grantors.

RECEIVED FROM: IVIISCELLANEOUS RECEIPT WHITE - CASHIER BALTIMORE COUNTY, MARYLAND Ä TICE OF BUDGET & FINANCE PINK - AGENCY 010 _ ACCOUNT_ AMOUNT \$ YELLOW - CUSTOMER KOU1 6150 No. 073239 10/27/1999 10/26/1999 15:51:53
REG WSOS COSHUER WSTE WEST DRAWLR
DOP: 5 529 ZONING VERTIFICATION
REDDIPT # 127942 50.00 DK Baltimire County, Krylani CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 00-175-A
PETITIONER/DEVELOPER:
(Stan Czajkowski)
DATE OF Closing
(Nov. 22, 1999)

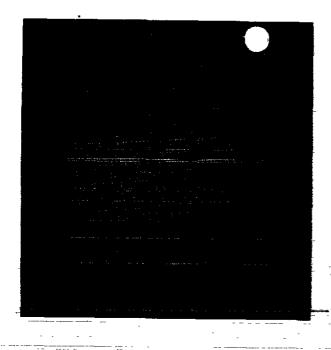
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

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 1 Dutton Ave. Baltimore, Maryland 21228_________

The sign(s) were posted on _____ 11-5-99 ____ [Month, Day, Year]



Sincerely,
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

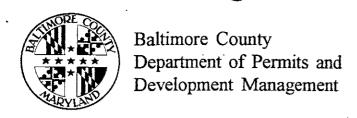
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Adve	ertising:
Item Number or Case	Number: 00-175-A
Petitioner: Stan	& Maria Czajkowski
Address or Location:	1 Dutton Ave., Catonsville, MD 21228
	The state of the s
	ADVERTISING BILL TO:
Address: 1 Dut	ton Ave.
Caton	sville, MD 21228
Telephone Number:	(410) 744-5953
	Revised 2/20/98 - SCJ

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 175	-A Address	outton Ave.
Contact Person: Brun	· Rudaitis	Phone Number: 410-887-3391
	Please Print Your Name	
Filing Date:	Posting Date:	Closing Date: 41/22/99
Any contact made with this office through the contact person (plann	ce regarding the status of the a er) using the case number.	administrative variance should be
reverse side of this form) a reposting must be done on is again responsible for all property on or before the padate. 2. DEADLINE: The closing days a formal request for a pure side of this form).	and the petitioner is responsible by one of the sign posters on the lassociated costs. The zoning rosting date noted above. It should late is the deadline for an occupariblic hearing. Please understand	osters on the approved list (on the for all printing/posting costs. Any he approved list and the petitioner notice sign must be visible on the d remain there through the closing of the or owner within 1,000 feet to file d that even if there is no formal
3. ORDER: After the closing commissioner. He may: order that the matter be (typically within 7 to 10 day denied, or will go to public left). 4. POSSIBLE PUBLIC HEAR	(a) grant the requested relief; (b) set in for a public hearing. Your set in for a public hearing. You when the closing date as to whether hearing. The order will be mailed	by the zoning or deputy zoning deny the requested relief; or (c) ou will receive written notification her the petition has been granted, to you by First Class mail.
- changed giving notice of the	ie riearing date. Time and location	of the zoning or deputy zoning e sign on the property must be . As when the sign was originally altered sign must be forwarded to
Petitioner: This Part of the Form	n is for the Sign Poster Only	
USE THE AI	DMINISTRATIVE VARIANCE SIG	Hon Ave.
Petitioner's Name Czaj k	owski	Telephone 4/0 - 744 - 5953
Posting Date: $u/7/99$	Closing Date	11/22/99
Wording for Sign:	side yard setback o	f one ft. and a rear
yard setback of 1.5	ft. in lieu of the	required 15 ft. and
40 ft. respectively.	<u> </u>	
		WCR - Revised 7/28/99



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

November 23, 1999

Mr. Stan Czaikowski 1 Dutton Avenue Catonsville, MD 21228

Dear Mr. Czajkowski:

RE: 00-175-A, 1 Dutton Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 26, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely.

W. Carl Richards, Jr. Zoning Supervisor

Zoning Review

WCR:rsi

Enclosures









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

Novembar 10, 1999

Department of Permits and Development Management (FDM) County Office Building, Poim 111 Mail Stop #1183 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Owen Bregners

RE: Singerty Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF November 8, 1999

Itam No.: See Delow

Dear Ms. Stephens:

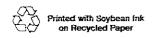
The File Marshal's Office ear to corrects at only time, IN PEFTRENCE TO THE FOULDWING ITEM NUMBERS:

172, 173, 174, 175, 177, 178, 173, 182

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office

PHONE 997-4981, MA-1302F

co: Bile



BALTIMORE COUNTY, . MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: November 16, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bareau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for November 15, 1999

Item Nos. 172, 173, 175, 177, 178

179 & 182

The Bureau of Development Plans Review has reviewed the subject zoning item, and we have no comment.

RWB:HJO:cab

cc: File

ZAC11159.NOC

AV 11/22

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: November 22, 1999

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 175

If there should be any questions or this office can provide additional information, please

contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date:

11.5.99

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

RE:

Baltimore County

Item No. 175

Dear. Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

L. J. Gredle

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

Zoning Commissioner C/O Office of Zoning Review 111 W. Chesapeake Ave Towson MD 21204

Dear Zoning Commissioner,

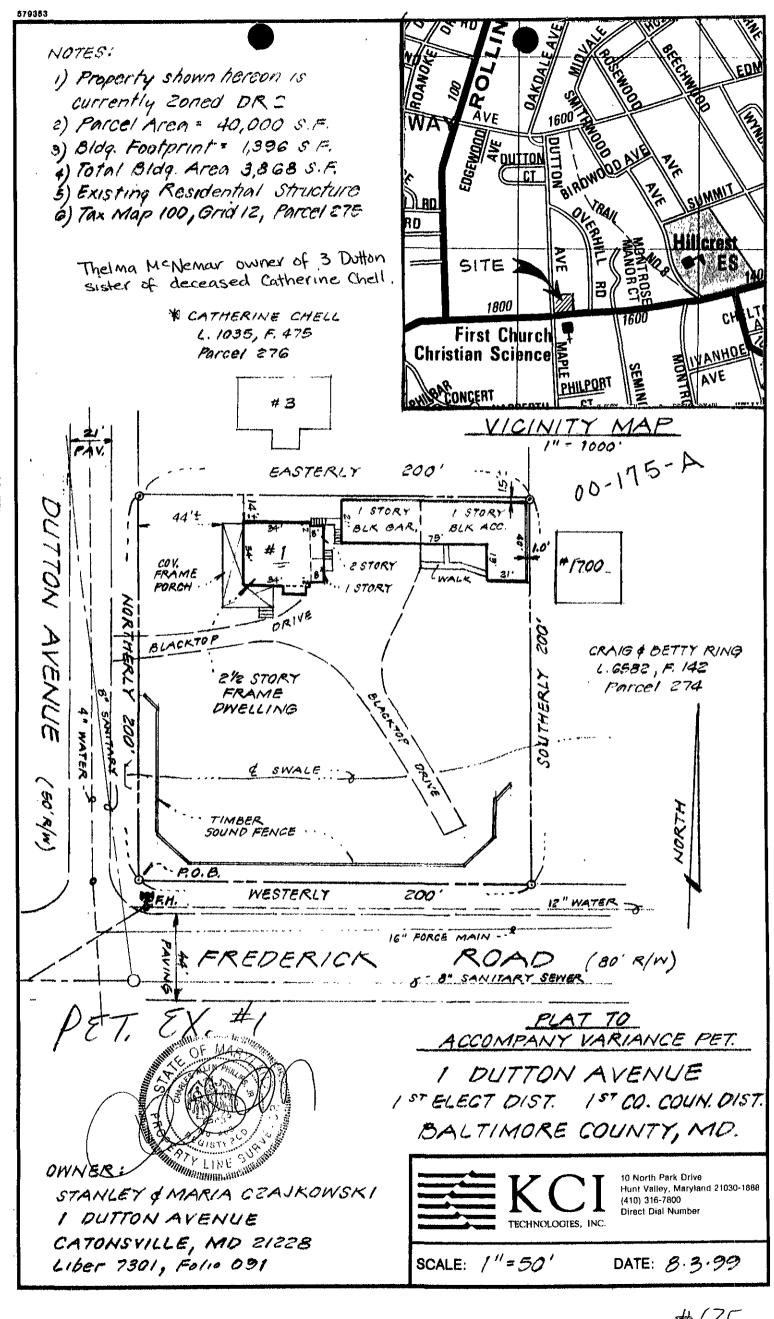
Thelme Mylemor

My good neighbors, Stan and Maria Czajkowski, have discussed with me the house renovation plans for their property at 1 Dutton Ave. I have no concerns or objections as to their plans.

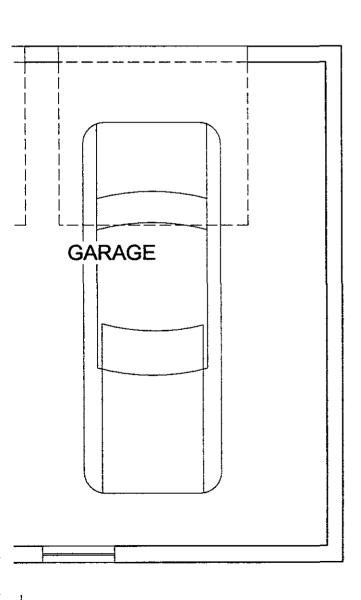
Respectfully,

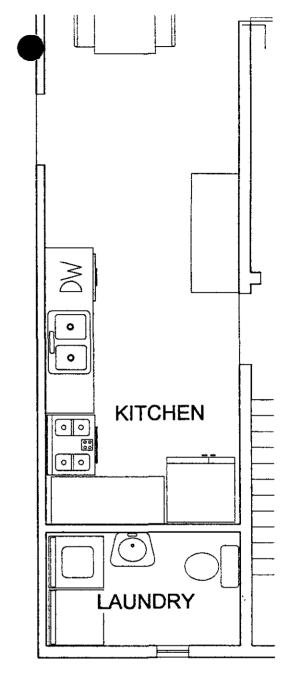
Thelma McNemar

00-175A H (75



1 Dutton Ave Current





00-175A

