

IN RE: PETITION FOR VARIANCE
W/S Maple Road, 215' N
centerline Holly Neck Road
15th Election District
5th Councilmanic District
(1130 Maple Road)

Richard and Nancy Waligorski
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-237-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Richard and Nancy Waligorski. The Petitioners are requesting a variance for property they own at 1130 Maple Road, located in the Cedar Beach area of Baltimore County. The subject property is zoned RC 5 and is unimproved at this time.

The variance requested is from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 14 ft. and 15 ft. in lieu of the required 50 ft. and from Section 304 to approve an undersized lot.

Appearing at the hearing on behalf of the variance request were Richard Waligorski, owner of the property, Mark Fuchsluger, homebuilder and Vince Moskunas, a representative of Site Rite Surveying, Inc. Appearing in opposition to the Petitioners' request were adjacent property owners Janet and Edward Palasik.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.24 acres, more or less, zoned RC 5. The subject property is unimproved at this time. The subject property consists of 3 lots, totaling 75 ft. in width and approximately 140 ft. in depth. The Petitioners are interested in selling the subject property to Mr. Fuchsluger who intends to construct a single-family residential dwelling thereon. Mr. Fuchsluger has already

2/1/01
R. Jensen

secured a purchaser of the home. In order to proceed with the construction of a home on this lot the variance requests are necessary.

Mr. Waligorski testified that he purchased the subject lot in 1979. He was residing in a home adjacent to this lot at the time it came up for sale. In 1987, Mr. Waligorski sold his house to Edward and Janet Palasik, the protestants herein. At the time the Palasik's bought their house from Mr. Waligorski, the parties were unable to negotiate a price for the sale of this additional land. The Palasik's have resided in the their dwelling since 1987 until the present. Over the years they have utilized the property which is the subject of this variance request as additional yard space and parking space for their vehicles. They paid Mr. Waligorski a monthly fee for utilizing the subject property.

At this time, Mr. Waligorski is desirous of selling the subject property so that a house may be built thereon. He has the property under contract with Mr. Fuchsluger who intends to build the house. However, Mr. and Mrs. Palasik object to a house being constructed on this property and are concerned over additional storm water runoff draining onto their property. Furthermore, they feel that the house to be constructed on this lot would be located too close to their house. The site plan submitted into evidence indicates that the Palasik's dwelling is located 8 ft. from the side property line. While the Palasik's have a large lot area, their house is not situated in the center of the lot and, consequently the new home is situated 23 ft. from their house.

After considering the testimony and evidence presented at the hearing, I find that the relief requested sufficiently complies with the requirements of Section 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should, therefore, be granted. The Petitioners have owned the subject lot since 1979. They sold their adjoining house in 1987.

ORDER APPROVED FOR THE
DATE 02/11/01
BY R. J. [Signature]

They have no use for the subject lot at this time. Their only option is to either sell the lot to an adjacent property owner or sell it on the open market. The Petitioners were unable to agree on a price with the Palasiks. Therefore, I believe it is appropriate to sell the lot to Mr. Fuschlager for the construction of a home.

The facts and evidence presented tend to establish 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 Petitioners; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioners 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 Petitioners 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 (attached herewith) which describe what steps the Petitioners must 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

2/1/01
R. Jenson

- 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 advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

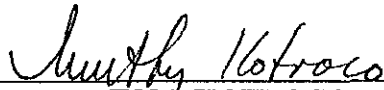
THEREFORE, IT IS ORDERED this 1st day of February, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 14 ft. and 15 ft. in lieu of the required 50 ft. and from Section 304 to approve an undersized lot, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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.
2. The Petitioners shall be required to install gutters and downspouts directing all storm water runoff from the subject property out towards Maple Road. There shall be no

RECEIVED
2/1/01
R. J. Jensen

runoff from the development of this property generated onto the property owned by Mr. and Mr. Palasik.

3. Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated December 28, 2000, a copy of which is attached hereto and made a part hereof.
4. When applying for any permits, 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:raj

2/16/01
R. J. G. [Signature]
[Illegible text]

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold L. Jablon, PDM
FROM: Bruce Seeley, DEPRM *hjs*
DATE: December 28, 2000
SUBJECT: Zoning Item #237
1130 Maple Road

Zoning Advisory Committee Meeting of December 26, 2000.

- _____ 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 (Section 14-331 through 14-422 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).
- 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).

Reviewer: Keith Kelley

Date: December 27, 2000

2/16/01
R. Jameson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

February 1, 2001

Mr. & Mrs. Richard S. Waligorski
2951 Burnt Oak Court
Abingdon, Maryland 21009

Re: Petition for Variance
Case No. 01-237-A
Property: 1130 Maple Road

Dear Mr. & Mrs. Waligorski:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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 Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Copies to:

Vince Moskunas
Site Rite Surveying, Inc.
200 E. Joppa Road, Ste. 101
Towson, MD 21286

Mr. Mark A. Fuchsluger
2118 Riverview Drive
Baltimore, MD 21221

Back River Neck Peninsula Community Assn.
P. O. Box 16754
Baltimore, MD 21221



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at #1130 Maple Road

which is presently zoned R.C.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, leg owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto or made a part hereof, hereby petition for a Variance from Section(s)

1A04.3, B, 3 to permit side yard setbacks of 14 ft. and 15 ft. in lieu of the required 50 ft. respectively, Section 304 to approve an undersized lot (0.24 acre in lieu of the required 1 acre), and to approve any other variances deemed necessary by the Zoning Commissioner.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. Owner does not own any contiguous property in order to meet B.C.Z.R.
2. Will not cause any injury to public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.
3. Compliance with current zoning regulations unreasonably prevents the use of the property for a permitted use.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 01-237-A

REP 9/15/98

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Site Rite Surveying, Inc.
200 E. Joppa Road, Room 101
Towson, MD 21286
(410) 828-9060 (d)

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By BJR Date 12/12/00

COPIES OF THIS PETITION

2/1/01

By



200 E. Joppa Road
Shell Building, Suite 101
Towson, MD 21286

tel. 410.828.9060

fax. 410.828.9066

www.siteritesurveying.com

ZONING DESCRIPTION FOR #1130 MAPLE ROAD

Beginning at a point on the west side of Maple Road which is 40 feet wide at the distance of 215 feet north of the centerline of Holly Neck Road which is 30 feet wide. Being Lot Nos. 12,12A and 13 as recorded in Baltimore County Plat Book No. 7, folio No. 186, containing 10,500 S.F. Also known as #1130 Maple Road and located in the 15th. Election District, 5th. Councilmanic District.



J. Tilghman Downey, Jr.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

30114

DATE

12/12/00

ACCOUNT

Trans 6151

AMOUNT

\$ 50.00

RECEIVED
FROM:

Competition Unlimited

FOR:

Zoning Variance

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

MO	YR	DATE	AMOUNT	TYPE
12	00	12/12/2000	50.00	CH
OFF	VS	12/12/2000	50.00	CH
DEPT	6	12/12/2000	50.00	CH
PROJECT	2	12/12/2000	50.00	CH
CR	MS	12/12/2000	50.00	CH

Receipt Tot 50.00

.00 12 100.00 00

50.00- 00

Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #01-237-A
1130 Maple Road
W/S Maple Road; 215' N of
centerline Holly Neck Road
15th Election District
5th Councilmanic District
Legal Owner(s): Nancy L. &
Richard S. Waligorski

Variance: to permit side yard setbacks of 14-feet and 15-feet in lieu of the required 50-feet respectively; to approve an undersized lot; and to approve any other variances deemed necessary by the zoning commissioner.

Hearing: Friday, January 19, 2001 at 10:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or hearing, contact the Zoning Review Office at (410) 887-3391.

J/1/002 Jan. 4 C442449

CERTIFICATE OF PUBLICATION

TOWSON, MD, 1/4, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/4, 2001.

THE JEFFERSONIAN,
J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.

01-237-A

Petitioner/Developer:

B. JONES, ETAL

Date of Hearing/Closing:

1/19/01

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 # 1130 MAPLE RD.

The sign(s) were posted on

1/3/01

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 1/5/01
(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)

ZONING NOTICE

Case # 01-237-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE TO POST THE COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVE
TIME & DATE: FROM JANUARY 19, 2001 @ 10:00 AM

VARIANCE TO PERMIT SIDE YARD SETBACKS
AND IS FIRST IN LINE OF THE REQUIRED SETBACKS
TO APPEAR IN UNDESIRABLE LOT
IN OTHER VARIANCES. DEEDED ADDRESS
AND CHANGING

RE: PETITION FOR VARIANCE
1130 Maple Road, W/S Maple Rd,
215' N of c/I Holly Neck Rd
15th Election District, 5th Councilmanic

Legal Owner: Richard S. & Nancy L. Waligorski
Petitioner(s)

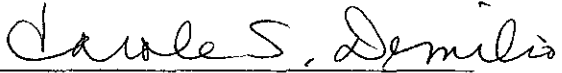
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-237-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of December, 2000 a copy of the foregoing Entry of Appearance was mailed to Bernadette L. Moskunus, Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson, MD 21286, representative for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

December 21, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-237-A

1130 Maple Road

W/S Maple Road, 215' N of centerline Holly Neck Road

15th Election District – 5th Councilmanic District

Legal Owners: Nancy L. & Richard S. Waligorski

Variance to permit side yard setbacks of 14-feet and 15-feet in lieu of the required 50-feet respectively; to approve an undersized lot; and to approve any other variances deemed necessary by the zoning commissioner.

HEARING: Friday, January 19, 2001 at 10:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake Avenue

A handwritten signature in cursive script, reading "Arnold Jablon". Below the signature is the handwritten number "602".

Arnold Jablon
Director

C: Nancy L. & Richard S. Waligorski, 2951 Burnt Oak Court, Abingdon 21009
Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 4, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 4, 2001 Issue – Jeffersonian

Please forward billing to:

Site Rite Surveying, Inc.

Mark Fuchslager

410 828-9060

200 E. Joppa Road, Room 101

Towson, MD 21286

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-237-A

1130 Maple Road

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Variance to permit side yard setbacks of 14-feet and 15-feet in lieu of the required 50-feet respectively; to approve an undersized lot; and to approve any other variances deemed necessary by the zoning commissioner.

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Lawrence E. Schmidt
GDZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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 Advertising:

Item Number or Case Number: 01-237-A

Petitioner: Site Rite Surveying, Inc.

Address or Location: 1130 Maple Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Site Rite Surveying, Inc. c/o Mark Fuchslager

Address: 200 E. Joppa Road Room 101
Towson MD 21286

Telephone Number: (410) 828-9060

Revised 2/20/98 - SCJ



Baltimore County
Department of Permits and
Development Management

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

January 12, 2001

Nancy L. & Richard S. Waligorski
2951 Burnt Oak Court
Abingdon MD 21009

Dear Mr. & Mrs. Waligorski:

RE: Case Number: 01-237-A, 1130 Maple Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 12, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. ^{gdz}
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Site Rite Surveying Inc, 200 E. Joppa Road Room 101, Towson 21286
Janet Panasik, 1128 Maple Road, Baltimore 21221
People's Counsel





Baltimore County
Fire Department

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

December 27, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 26, 2000

Item No.: See Below

Dear Ms. Stephens:

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.

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

231, 233, 234, 235, 236, 237, 238, 240, 241, 243, 244,
245, 246, 247, 249, and 250

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

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

Date: 1.3-01

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

RE: Baltimore County
Item No. 237 BR

Dear Ms. Jackson:

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,

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

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
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: January 18, 2001

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 2, 2001
Item No. 237

The Bureau of Development Plans Review has reviewed the subject zoning item.

The developer will dedicate a **15-foot by 15-foot** drainage and utility easement to Baltimore County for the public maintenance of the grinder pump required for sanitary sewer service.

The *State Department of the Environment Construction Permits* for water and sewer mains that are larger than **15-inches** in diameter and for pumped sewer systems (including grinder pumps) will be obtained through the *Baltimore County Department of Public Works* after approval of the construction drawings.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold L. Jablon, PDM
FROM: Bruce Seeley, DEPRM *hjs*
DATE: December 28, 2000
SUBJECT: Zoning Item #237
1130 Maple Road

Zoning Advisory Committee Meeting of December 26, 2000.

- _____ 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 (Section 14-331 through 14-422 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).
- 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).

Reviewer: Keith Kelley

Date: December 27, 2000

Sign
1/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 26, 2000

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

SUBJECT: 1130 Maple Road

JAN 3

INFORMATION:

Item Number: 237

Petitioner: Waligorski Property

Zoning: RC-5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

Conditioned upon submission of elevations for review and approval by the Office of Planning, this office recommended approval of an undersized lot request for the subject property on December 13, 2000 (see attached).

Section Chief: Jeffrey W. Long
AFK:JL

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

To: George - File

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 01-237-A

12/28/00

FROM: Arnold Jablon, Director
Department of Permits & Development Management

Residential Processing Fee Paid
(\$50.00)

Accepted by _____
Date _____

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Site Rite Surveying, Inc. 200 E. Joppa Road Room 101 Towson, MD 21286 410 828-9060
Print Name of Applicant Address Telephone Number

Lot Address #1130 Maple Road Election District 15 Councilmanic District 5 Square Feet 10,500

Lot Location: N E S W side/corner of Maple Road (street) feet from N E S W corner of Holly Neck Road (street)

Land Owner: Richard & Nancy Waligorski Tax Account Number 1520661 080

Address: 2951 Burnt Oak Court Abingdon, MD 21009 Telephone Number 410, 864-3188

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan Property (3 copies)	☒	☐
Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	☒	☐
4. Building Elevation Drawings permanent plans N°	☐	☐
5. Photographs (please label all photos clearly) PP96-078-99	☒	☐
Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: P.C. 5		

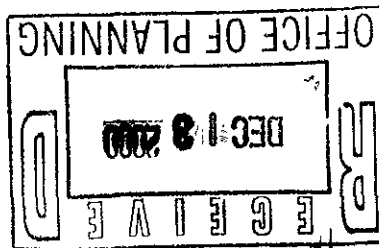
TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☒ Approval conditioned on required modifications of the application to conform with the following recommendations

Submit elevation to the office of Planning prior to the issuance of a building permit.

Signed by: Jeffrey W. Long
for the Director, Office of Planning and Community Conservation



Date: 12/13/2000

Revised 2/25/99

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A
BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

MAILED

12-22

G2

DATE: December 20, 2000

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 237 (01-237-A)
Legal Owner/Petitioner: Nancy L. & Richard S. Waligorski
Contract Purchaser: N/A
Property Address: 1130 Maple Road
Location Description: W/S Maple Road, 215' N of centerline Holly Neck Road

VIOLATION INFORMATION: Case No.: 00-8256
Defendants: Nancy B. & Richard S. Waligorski

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
Janet Panasik	1128 Maple Road, Baltimore, MD 21221

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- Complaint Intake Form/Code Enforcement Officer's report and notes
- State Tax Assessment printout
- Correction Notice
- Letter from Mr. & Mrs. Richard Waligorski dated 12/11/00 confirming an extension for removing the RV trailer granted by M. Stewart Kelly.

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/scj

c: Code Enforcement Officer Kelly

CODE ENFORCEMENT REPORT

1 CF

DATE: 11/14/00 INTAKE BY: HU CASE #: 00-8256 INSPEC: 6

COMPLAINT

LOCATION: 1130 MAPLE RD

ZIP CODE: 21221 DIST: _____

COMPLAINANT

NAME: JANNET PALASIK PHONE #: (H) 410-574-6228 (W) _____

ADDRESS: 1128 MAPLE RD. ZIP CODE: 21221

PROBLEM: TRAILER ON LOT 16 TAGS

IS THIS A RENTAL UNIT? YES _____ NO _____
 IF YES, IS THIS SECTION 8? YES _____ NO _____

**OWNER/TENANT
INFORMATION:**

TAX ACCOUNT #: ~~15-06-001191~~ 15-20-661080 ZONING: _____

INSPECTION:

BALI BHANDARI

410 882-~~1163~~ 1163

REALTOR

REINSPECTION:

REINSPECTION:

REINSPECTION:

Code Enforcement - Daily Worksheet

Inspector - WJG

Area Case # Location

006 00-8256 1130 MAPLE RD

Apt Zip Date Rec Reinsp Dt

21221 11/14/2000

Tax Acct #: ~~1506001191~~ 15-20-661080

Complainant Name: (Last) PANASIK

(First) JANET

Addr: 1128

MAPLE RD

Str #

Dir

Street Name

BALTIMORE

MD 21221

Type Apt

City

ST Zip

Phone: (Home) 410/574-6228

(Work)

Problem: TRAILER ON LOG W/O TAGS

1-15-00
PROPERTY HAS A MOBILE HOME + SITED
WITH NO PRIMARY STRUCTURE. ~~THE~~
MOBILE HOME IS UNTAGGED.

MAILED NOTICE TO PROPERTY OWNER
FOR UV UNDER BCZR 101; 102.1; 428 AND
ILLEGALLY PARK RECREATIONAL VEHICLE +
ILLEGALLY BUILT SHED UNDER BCZR
101; 102.1; 1301.1A, PROPERTY HAS NO PRIMARY
STRUCTURE.

Reinspect 12-15-00

CALLED REALTOR BALI BHANDARI
WILL CALL OWNER 410-882-4963

~~WJG~~ ~~to call compl~~

SPOKE WITH COMPLAINANT ON SITE

WJG

DATE: 11/16/2000
TIME: 09:04:02

ASSESSMENT TAXPAYER SERVICE

RA1001F

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HIST	DEL	LOAD DATE
15 20 661080	15	3-1	04-00	N	NO		04/25/00
WALIGORSKI RICHARD S				DESC-1..		PT LT 12,12A,13	
WALIGORSKI NANCY B				DESC-2..		CEDAR BEACH	
2951 BURNT OAK CT				PREMISE. 00000		MAPLE	
						RD	
						00000-0000	

ABINGDON

MD 21009-1920 FORMER OWNER: FISHER DENNIS E

-----FCV-----		-----TRANSFER DATA-----		---PROPERTY ID---	
	PRIOR	PROPOSED	NUMBER.....		LOT.....
LAND:	2,620	2,620	DATE.....	01/18/79	BLOCK....
IMPV:	0	0	PURCHASE PRICE..	5,000	SECTION..
TOTL:	2,620	2,620	GROUND RENT.....	0	PLAT.....
PREF:	0	0	DEED REF LIBR..	05981	BOOK..... 0007
CURT:	0	0	DEED REF FOLIO..	16	FOLIO.... 0186
DATE: 10/96		10/99	YEAR BUILT.....		MAP..... 0105
			NEW CONSTR YR...		GRID..... 0001
					PARCEL... 0262
TAXABLE BASIS				SB 1995	150.00
00/01	1,040	LOT WIDTH..	75.00	WB 1968	41.25
99/00	1,040	LOT DEPTH..	140.00	SS	.00
98/99	1,040	LAND AREA..	10500.000 S	WD	.00
ENTER-INQUIRY1 PA1-PRINT PF4-MENU PF5-QUIT					



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 00-8256	Property No. 15-20-661080	Zoning: DR
-------------------------------------	-------------------------------------	----------------------

Name(s): **RICHARD S WALIGORSKI**
NANCY B WALIGORSKI

Address: **2951 BURNT OAK CT ABINGDON MD 21009**

Violation Location: **1130 MAPLE RD BALTIMORE MD 21221**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

**BCZR 101;102.1; 428 CEASE OUTSIDE
STORAGE OF UNLICENSED/IMPURATIVE
MOTOR VEHICLES. Remove From Lot**

**BCZR 101;102.1; 1801.1A Remove SHED
AND MOBILE HOME FROM LOT. NO
STRUCTURE OR VEHICLE CAN BE ON
A LOT WITHOUT A PRIMARY STRUCTURE**

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 12-15-00	Date Issued: 11-15-00
----------------------------------	---------------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name **M. SHARKEY**

INSPECTOR: _____

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN.

Not Later Than:	Date Issued:
-----------------	--------------

INSPECTOR: _____

AGENCY

M.Stewart Kelly
Baltimore County Permits and Building Inspection
Code Enforcement
111 West Chesapeake Avenue
Towson, MD. 21204

12-11-2000

Dear Mr. Kelly,

I'm writing this letter in response to your request per our phone call on 12-11-00. You agreed to give us an extension of moving the RV trailer that is located on the lot on Maple Road, Baltimore, MD. 21221.

The removal of the RV will be extended until 1-15-2001 because of the circumstances that we discussed on the phone. The circumstances are:

- We need to get an updated tag before it can be on the road. We are currently waiting for the DMV to send us the application for the renewal of the tag.
- Arrangements for a large vehicle to move the RV from the property needs to be made before it can be moved.
- We need to locate a place of storage that is willing to take the RV.

Thank you for your consideration in this matter as it will be easier to make the necessary arrangements with out the constraint of time during the Holiday Season. Have a Happy Holiday and a Happy New Year. If you need to reach us for any reason, please feel free to contact myself at 410-569-2925 or my wife at 410-864-3188. Once again Thank you.

Sincerely,



Mr. And Mrs. Richard Waligorski
2951 Burnt Oak Court
Abingdon, MD. 21009

BACK RIVER NECK
PENINSULA
COMMUNITY ASSOCIATION



SINCE 1983

P.O. Box 16754, Baltimore, Maryland 21221

January 17, 2001

Zoning Commissioner
Baltimore County
Towson, MD. 21204

JAN 17

Dear Sirs,

The Back River Neck Peninsula Community Association, Inc. would like to go on record as being opposed to the granting of the variances and exceptions being requested in case # 01-237A. Several years ago, when a Growth Management Plan was being formulated it was agreed and incorporated into the plan that a minimum lot size of 50 ft at the building line be required for all new development within the Growth management plan area. When formulating this plan, community members who were a part of the committee cited vacant 25 ft wide lots within the community where owners might apply to build homes. It was noted that homes built on these 25 ft wide lots were not consistent with the remainder of the community. One lot in particular was pointed to as an example of this situation. Today we find this exact same lot under consideration for development.

The adjoining property owners will testify that when they purchased their home, the 25 ft wide lot in question was "cut out" as a separate parcel. At the time they purchased their home, the Palasik's offered to buy the lot in question to give them a larger yard for their family. The owner refused. In following years, the Palasik's again made offers to purchase the lot but were turned down each time. Denying this application would cause absolutely no hardship on the owners for they have been made offers to buy the lot many times but refused.

The granting of these requested variances and exception's would go against everything which has been done in the past twenty years to protect this environmentally sensitive area. To name a few, the Federally Funded sewerage of the Cedar Beach community to protect the Chesapeake Bay, the grinder pump system being extended to the entire peninsula to limit development, the Growth Management Plan, the lower Back River Neck Community Plan, Smart Growth/Rural Legacy, the Critical Areas program and much more. This application should be denied.

Thank You,

Keith Roberts, President

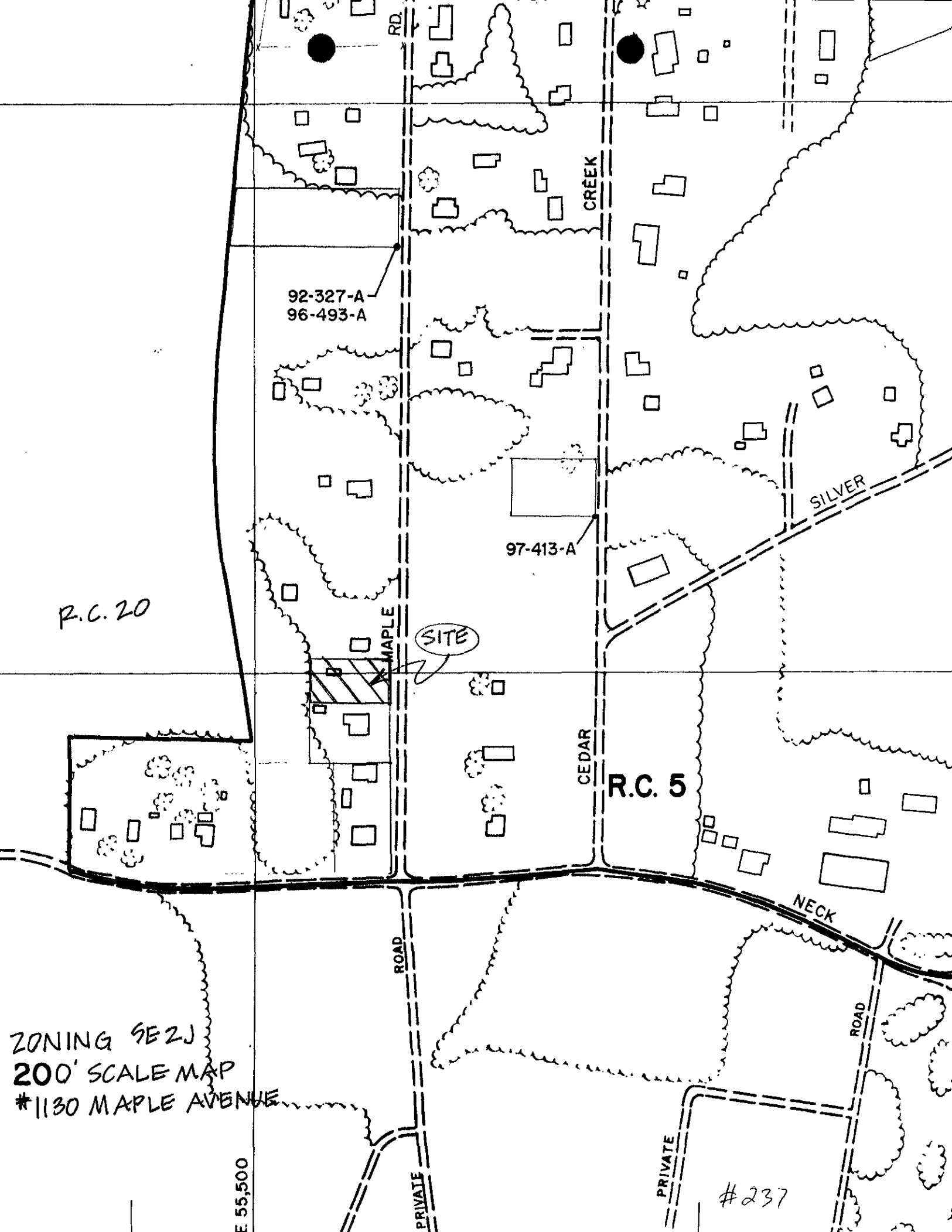
1130 Maple Rd.

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]

Revised 4/17/00



R.C. 20

92-327-A
96-493-A

97-413-A

SITE

CEDAR

R.C. 5

SILVER

NECK

ROAD

ROAD

PRIVATE

PRIVATE

#237

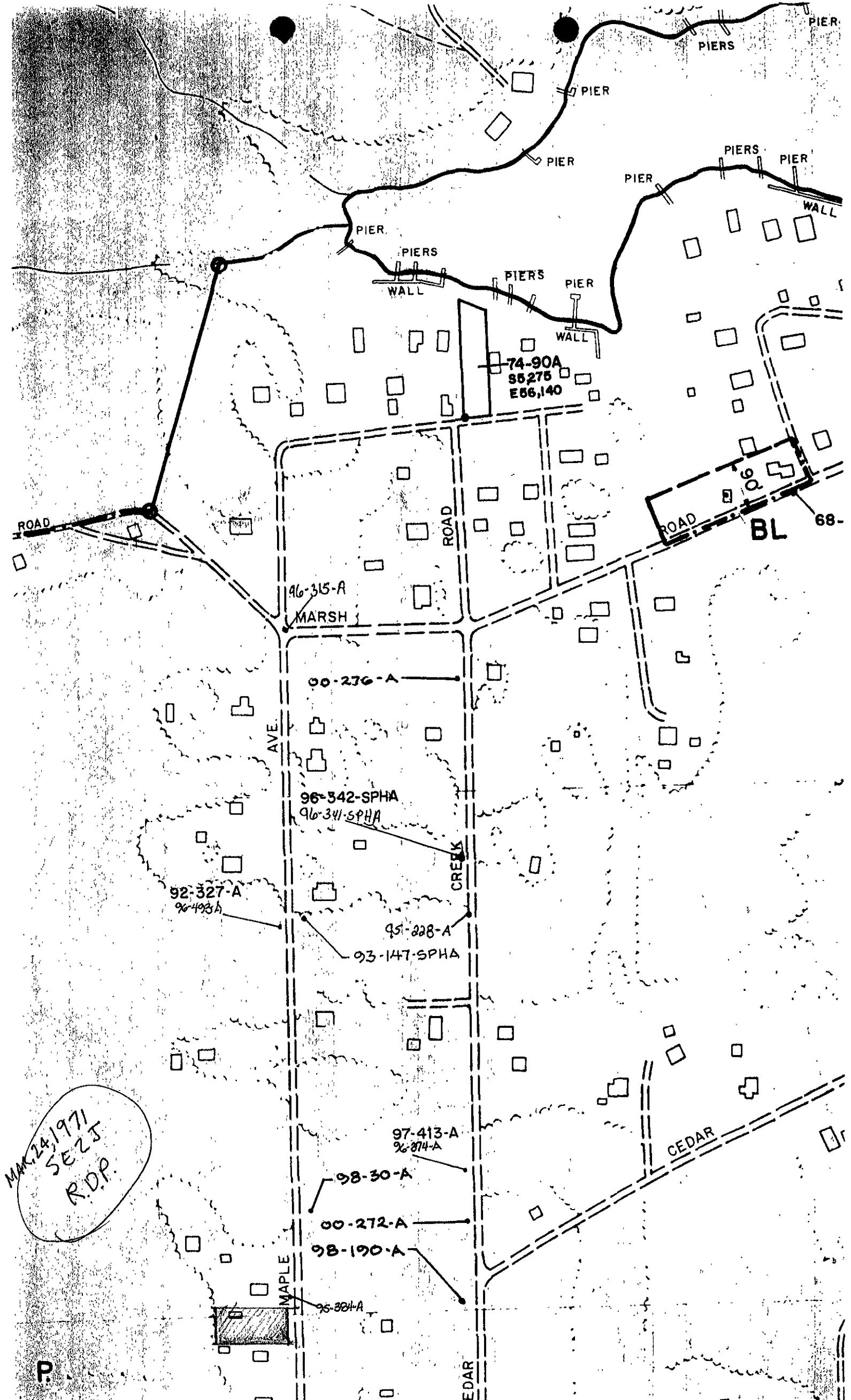
E 55,500

ZONING SE2J
200' SCALE MAP
#1130 MAPLE AVENUE

ITE

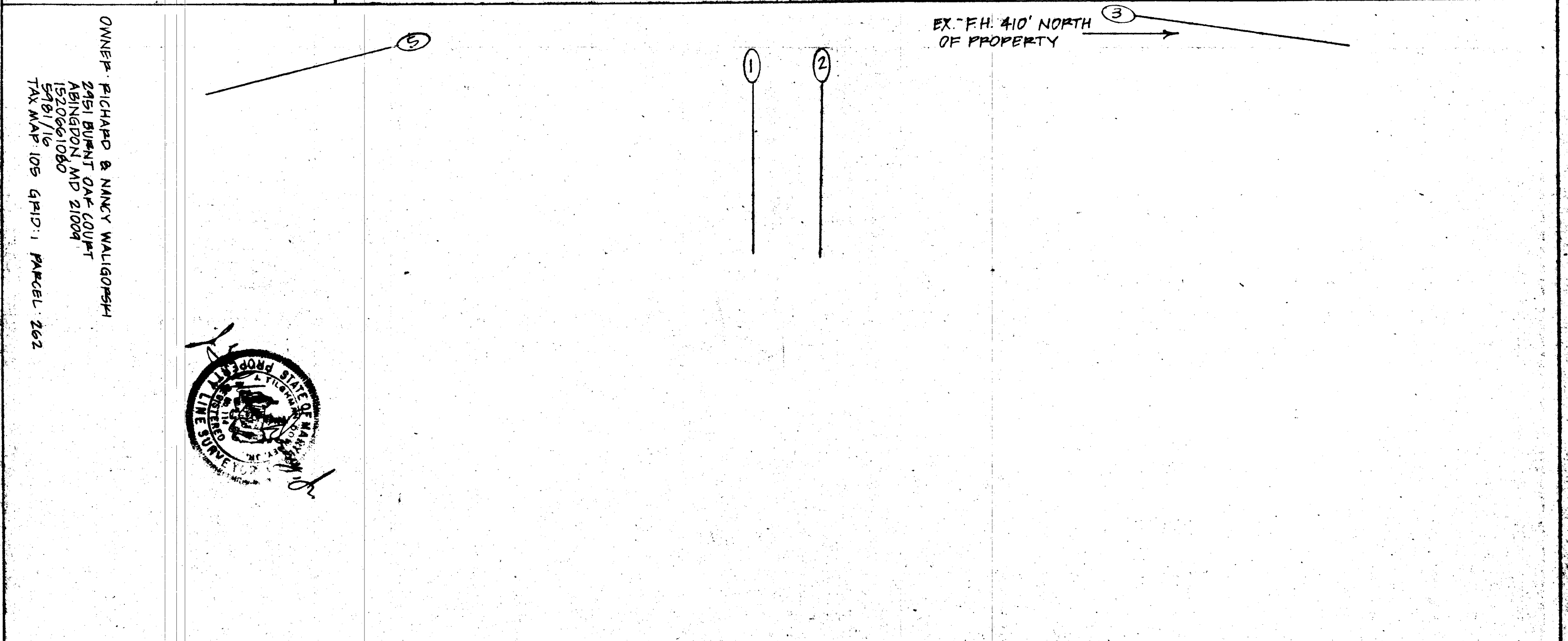
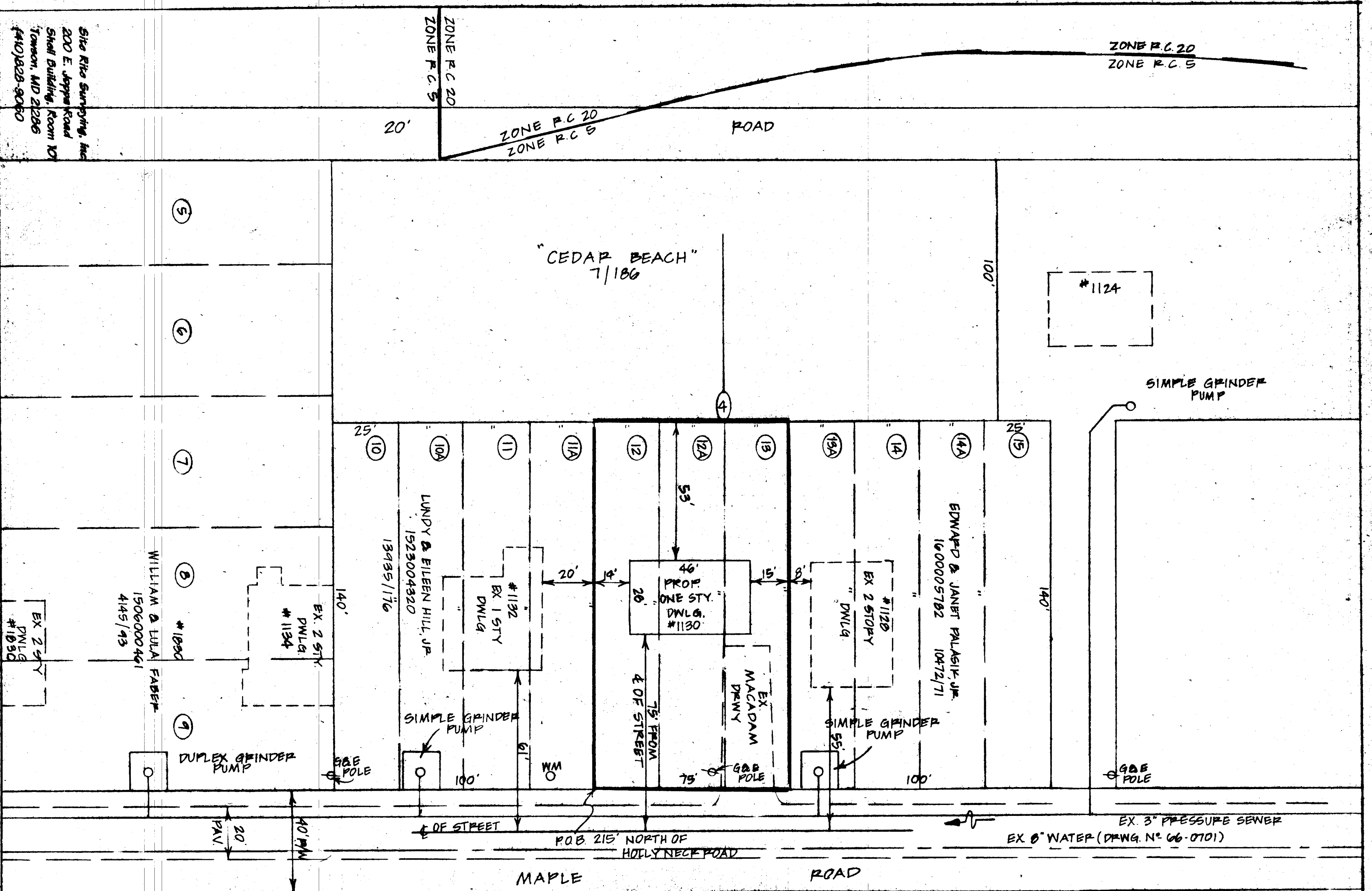
AERIAL MAP SE2J
200 SCALE MAP
1130 MAPLE ROAD

#237



MAR 24, 1971
SEZJ
R.D.P.

P.



LOCATION INFORMATION

1. EXISTING ZONING: R-C-5
2. 200' SCALE ZONING MAP: SE. 2J
3. LOT SIZE: 0.24 ACRES - 10,500 S.F.
4. PUBLIC WATER AND SEWER
5. EXISTING USE: VACANT
6. PROPOSED USE: SINGLE FAMILY DWELLING
7. THIS PROPERTY IS NOT LOCATED WITHIN THE GREENWICH BAY CRITICAL AREA
8. THIS PROPERTY IS NOT LOCATED WITHIN A FLOODPLAIN AREA. COMMUNITY PANEL NO. 240010 0445C
9. ZONE: 'C'
10. REQUESTING A SIDEYARD VARIANCE OF 4' AND 5' IN LIEU OF THE REQUIRED 30'

PLAT LOCATION & NUMBER

PLAT TO ACCOMPANY PETITION FOR A SIDEYARD SETBACK VARIANCE AND AN UNDERSIZED LOT APPLICATION

LOT 1 APPLICATION

#130 MAPLE ROAD

LOT NOS. 12, 12A AND 13

"CEDAR BEACH" 7/186

ELECTION DISTRICT NO. 15

COUNCILMANIC DISTRICT NO. 5

BALTIMORE COUNTY, MARYLAND

SCALE: 1"=30'

00-8449

Per Ex #1

ZONING OFFICE USE ONLY

REV'D BY:	ITEM NO.:	CASE NO.:
3/1	237	01-37-9

Site File Summary, Inc.
200 E. Joppa Road
Shed Building, Room 10
Towson, MD 21286
(410) 283-8080

OWNER: RICHARD & NANCY WALIGORSKI
2451 BURNING OAK COURT
ABINGDON, MD 21004
1520661080
5781/16
TAX MAP 105 GRID 1, PARCEL 262