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Date

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By
The Manufacture of the Company of the

IN RE: PETITION FOR ADMIN. VARIANCE SE/S Misty Meadows Court, 200' N centerline of Misty Meadows Avenue 15th Election District 7th Councilmanic District (8 Misty Meadows Court)

Dorothy M. & Richard G. Danielczyk Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 01-432-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Dorothy M. and Richard G. Danielczyk, legal owners of that property known as 8 Misty Meadows Court in the Stemmers Run area of Baltimore County. The Petitioners herein seek relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a rear yard setback of 17 ft. in lieu of the required 30 ft. 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 day of May, 2001, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a rear yard setback of 17 ft. in lieu of the required 30 ft., 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. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

OPOEN PECEIVED FOR FILING
Date

5. The summer



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

Fax: 410-887-3468

May 22, 2001

Mr. & Mrs. Richard G. Danielczyk 8 Misty Meadows Court Baltimore, Maryland 21221

Re: Petition for Administrative Variance

Case No. 01-432-A

Property: 8 Misty Meadows Court

Dear Mr. & Mrs. Danielczyk:

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 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,

Timothy M. Kotroco

Deputy Zoning Commissioner

but hy Kotroco

TMK:raj Enclosure

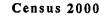


Printed with Soybean Ink

on Recycled Paper











Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

MOYUNE	
for the proper	rty located at 8 MISTY MEADOWS COURT
	which is presently zoned
This Petition shall be filed with the Department of Permowner(s) of the property situate in Baltimore County and who made a part hereof, hereby petition for a Variance from Section 12 and 12 and 15	nits and Development Management. The undersigned, legnich is described in the description and plat attached hereto are tion(s)
	1502.3.B to permit a
rear yard setback of 17 47	to in lieu of the required 30
	•
of the zoning regulations of Baltimore County, to the zoning of this petition form.	law of Baltimore County, for the reasons indicated on the bac
Property is to be posted and advertised as prescribed by the I, or we, agree to pay expenses of above Variance, advertising, por regulations and restrictions of Baltimore County adopted pursuant	
and a county adopted parsually	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the lenst owner(s) of the property which
Contract Purchaser/Lessee:	is the subject of this Petition. Legal Owner(s):
Name - Type or Print	Name - Type or Print & Carnelant
Address Telephone No.	Signature DOROTHY M. DANIELCZYK Name - Type or Pript
City State Zip Code	Signature M. Danielezek
Attorney For Petitioner:	8 MISTY MEADOWS COURT 410 574-3319 Address Telephone No
lame - Type or Print	BALTIMORE, MD 21221
ignatµre į	Representative to be Contacted:
ignature Company	GREGORY A. FALTER, AGENT Name day 1 e
ddress Telephone No.	224 8th AVENUE, N.W. 410-760-1919 Address Telephone No.
ity State Zip Code	BALTIMORE, MD 21261 City State Zip Code
Public Nearing having been formally demanded and/or found to be	required, it is ordered by the Zoning Commissioner of Baltimore County his petition be set for a public hearing, advertised, as required by the zoning
eguations of Baltimore County and that the property be reposted.	20111119
v)!	Zoning Commissioner of Baltimore County
CASE NO. 0/-435-A Revi	iewed By 3h Date 4/18/
ocu alielar	imated Postina Date 4/ac/

175 Vajle to.

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 <u>Remtsty MEADOWS COURT</u> Address	
_BALTIMORE, MD 21221	
City State Zip C That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administra	
variance at the above address (indicate nardship or practical difficulty);	live
1. THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS.	
2. INSULATE AND REDUCE HEATING BILLS. 3. REDUCE OUTSIDE NOISE.	
4. A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS, MOSQUITOES, FLIES B	TC.
 5. IMPROVE APPEARANCE OF HOUSE. 6. THE RESTRICTIVE AREA OF THE LOT DOES NOT LEND ITSELF TO ANY ADDITION OF PRACTICAL SI WITHOUT REQUIRING A VARIANCE. 	ZE
That the Afficient a communication (a) that if a first the state of th	
That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting advertising fee and may be required to provide additional information.	and
MADO IN MADO	,
x Michard J. Vanielcym x Lorothy M. Samelczyk	_
RICHARD G. DANTELCZYK Name - Type or Print Name - Type or Print Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:	
of Maryland, in and for the County aforesaid, personally appeared, before me, a Notary Public of the St	ate
TRICHARD G. DANGLOZYK & TORMY M. DANYLOZYK the Affiant(s) herein, personally known or satisfactorily identified to/me as such Affiant(s), and made oath in due form law that the matters and facts hereinable as a satisfactorily identified to/me as such Affiant(s), and made oath in due form	
the Affiant(s) herein, personally known or satisfactorily identified to/me as such Affiant(s), and made oath in due form law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief	of f.
AS WITNESS my hand and Notarial Seal	
Acris 3 MAMA	
April 3 2001 Notary Public	
My Commission Expires DUM the 1, 2001	
REU 09/15/198	

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 *** *** MTSTY **MEADOWS COURT** Address
,#	BALTIMORE, MD 21221 City State Zip Code
That Varia	based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative ance at the above address (indicate hardship or practical difficulty):
1. 2. 3.	THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS. INSULATE AND REDUCE HEATING BILLS. REDUCE OUTSIDE NOISE.
4. 5. 6.	A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS, MOSQUITOES, FLIES, ETC. IMPROVE APPEARANCE OF HOUSE. THE RESTRICTIVE AREA OF THE LOT DOES NOT LEND ITSELF TO ANY ADDITION OF PRACTICAL SIZE WITHOUT REQUIRING A VARIANCE.
That	the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and
adver	rtising fee and may be required to provide additional information. **Tarothy M. Danielsyk** X Jarothy M. Danielsyk** Signature S
RTCH Name -	IARD G. DANTELCZYK - Type or Print DOROTHY M DANTELCZYK Name - Type or Print
STAT	TE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HER	REBY CERTIFY, this 300 day of 1000, personally appeared, 2001, before me, a Notary Public of the State aryland, in and for the County aforesaid, personally appeared
the Al	Iffiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of nat the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
	MITNESS my hand and Notarial Seal WIL 3, 2001 Notary Public
	My Commission Expires NOUE MBER 1, 2001
	(· ·



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the pr	operty located at <u>8 MISTY MEADOWS</u> COURT
	which is presently zoned <u>DR 5.5</u>
made a part hereof, hereby petition for a Variance from	Permits and Development Management. The undersigned, legal and which is described in the description and plat attached hereto and a Section(s)
rear yard setback of 17 Ct	1802.3.13 to permit a in lieu of the required 3044.
	•
•	
of the zoning regulations of Baltimore County, to the zo of this petition form.	oning law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by a rescribed by a regulations and restrictions of Baltimore County adopted pure	
	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):
Name - Type or Print	RICHARD G. DANTELCZYK, Name - Type of Print
Signature	X Richard F. Canelley exh
Address Telephone No	DOROTHY M. DANIELCZYK Name Pype or Print A COMPANY OF THE
City State Zip Code Attorney For Petitioner:	8 MISTY MEADOWS COURT 410 574-3319
,	Address Telephone No.
Name - Type or Print	BALTIMORE, MD 21221 City State Zip Code
Signature	Representative to be Contacted:
Company	REGORY A. FALTER, AGENT Name ### ### ############################
Address Telephone No.	224 8th AVENUE, N.W. 410-760-1919
City State Zip Code	BALTIMORE, MD 21261 City State Zip Code
A Public Hearing having been formally demanded and/or found this day of that the subject matter regulations of Baltimore County and that the property be reposted.	to be required, it is ordered by the Zoning Commissioner of Baltimore County, er of this petition be set for a public hearing, advertised, as required by the zoning
	Zoning Commissioner of Baltimore County
CASE NO. <u>01-432-A</u>	Reviewed By 3/1 Date 4/18/01
REV 9115198	Estimated Posting Date 4/29/01

ZONING DESCRIPTION

Zoning Description for 8 Misty Meadows Court.

Beginning at a point on the East side of Misty Meadows Court
which is 40' wide at distance of 200'. North

of the centerline of the nearest improved intersecting street, Misty Meadows.

Avenue which is 40' wide. *Being Lot #24, Block, Section, in the subdivision of Lloyd Propery, as recorded in Baltimore County Plat Book 45, Folio #140, containing 6,908 sq. acre. Also known as 8 Misty Meadows Court and located in the 15th Election District, 13th. Councilmanic District.

432

BALTIMORE COUNTY, MARYLAND 92950 OFFICE OF BUDGET & FINANCE No.	PATO RECEIPT PROVIENT ACTUAL TIME
DATE 4/18/01 ACCOUNT 12001-006-6150	1/19/2001 4/18/2001 14:38:45 PCG VS01 (YACHTER JRIC JAR BRAWER 1 >>RCEIPT # 041791 OFLY Por 5 528 ZONING VERIFICATION
AMOUNT \$ 50.00	CP MO. 092950 Recept Tot 50.00 50.00 CK .00 CA Baltimore County, Maryland
FOR Zoning Januare	
DISTRIBUTION YELLOW CUSTOMER 131	CASHIER'S VALIDATION

CERTIFICATE OF POSTING

·	RE: Case No.: 01-43ZA
	Petitioner/Developer:
	RICHARD & DOROTHY DANIELCZYIC
	Date of Hearing/Closing: MAY 14, Zeo
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 pewere posted conspicuously on the property location. # B Mist 4	rjury that the necessary sign(s) required by law nted at
The sign(s) were posted on PRIC	28, 200 (Month, Day, Year)
·	Sincerely,
	(Signature of Sign Poster and Date) (APLAND E. MOORE (Printed Name) 3225 RYERSON (CIRCLE
	(Address) BACTIMONE, MID. 2127) (City, State, Zip Code)
	(410) 247-4263
9/96 cert.doc	(Telephone Number)

APR 3 0 2001

DEPT. OF PER INS AND DEVELOP CONTROL OF PER INS AND DEVELOP CONTROL OF PER INSTANCE OF PER INSTA

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.

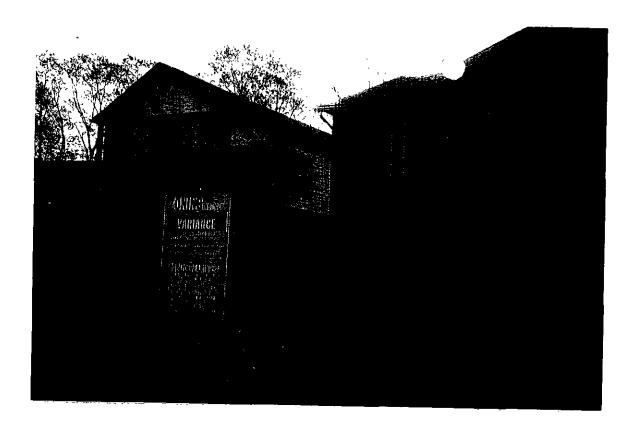
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 01-432-A Petitioner: Richard & Dogothy Danielczyk
Address or Location: 9 MISTY MEADOWS COURT, BALTIMORE, MD 21221
PLEASE FORWARD ADVERTISING BILL TO:
Name: PATIO ENCLOSURES, INC.
Address: 224 8th Avenue, N.W. GLEN BURNIE, MD 21061
Telephone Number: 410-760-1919

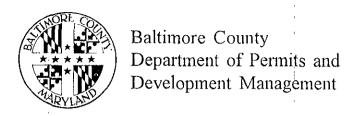
BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 432 -A Address 8 Misty Merdow Ct.
Address $\frac{3}{3} \frac{1911317}{191140000000000000000000000000000000000$
Contact Person: Brua Rudaitis Phone Number: 410-887-339 Planner, Please Print Your Name
Filing Date: 4/18/01 Posting Date: 4/29/01 Closing Date: 4/18/01
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. An 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.
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 (conder 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 01- 432 -A Address 8 Misty Illeadow Ct, Petitioner's Name Richard Dorothy Danielczyk Telephone 410 - 574 - 3319 Posting Date: 429/01 Closing Date: 5/14/01
Petitioner's Name Richard & Dorothy Danielczyk Telephone 410 - 574-3319
Posting Date: 4/29/0/ Closing Date: 5/14/0/
Nording for Sign: To Permit a rear yard setback at 17 ft. in lieu at
Nording for Sign: To Permit a rear yard setback at 17 ft. in lieu at the required 30 ft.







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

May 14, 2001

Dorothy M & Richard G Danielczyk 8 Misty Meadows Court Baltimore MD 21221

Dear Mr. & Mrs. Danielczyk:

RE: Case Number: 01-432-A, 8 Misty Meadows Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 18, 2001.

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, J.

W. Carl Richards, Jr. 632 Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Gregory A Falter, 224 8th Avenue NW, Baltimore 21261 People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: June 4, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 14, 2001

Item Nos. 427, 430, 431, 432, 440, 441,

and 442

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 15, 2001

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-432 & 01-440

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief: (

AFK/JL:MAC



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

May 10, 2001

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 MAY 7, 2001

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:

428, 429, 430, 431, 432, 440, 441, 442

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

cc: File



Parris N. Glendening Governor John D. Porcari

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 5 9 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. 432 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.

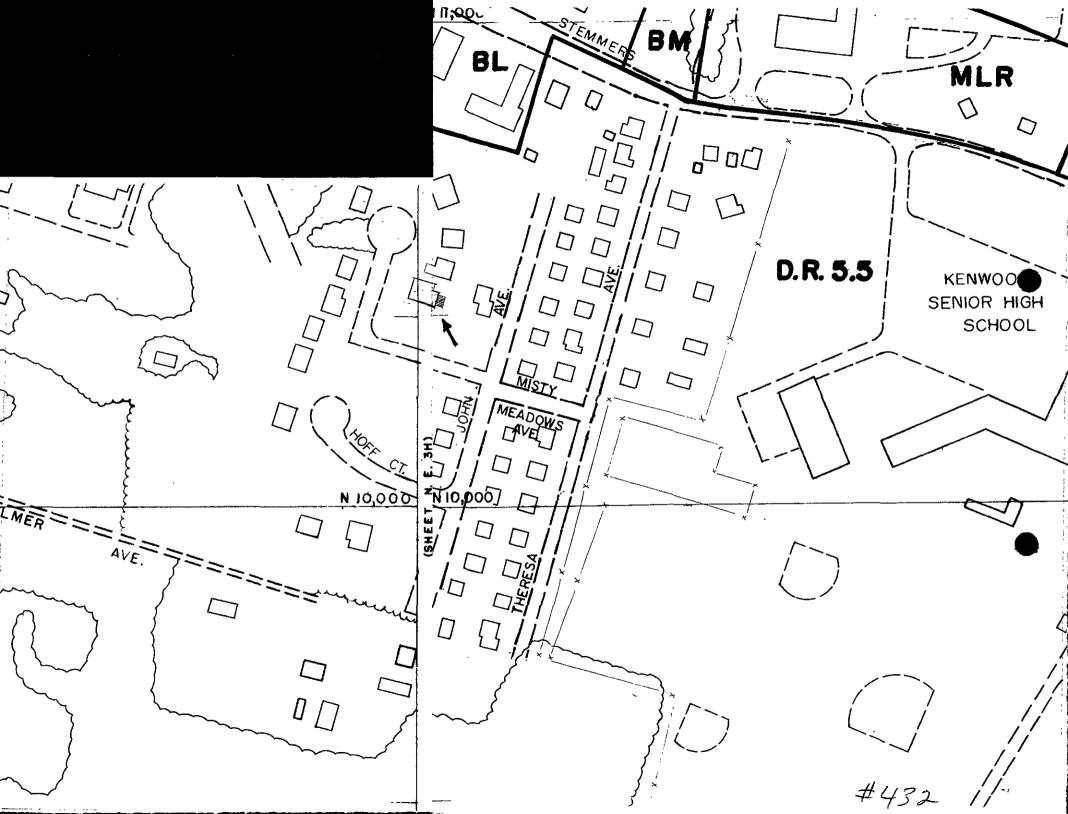
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

f.f. Doll

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

My telephone number is _____



Plat to accompany Petition for Zoning Variance Special Hearing PROPERTY ADDRESS: 8 MISTY MEADOWS COURT see pages 5 & 6 of the CHECKLIST for additional required information Subdivision name: LLOYD PROPERTY plat book# 45 ,tollo# 140,lot# 24 ,section# OWNER: RICHARD G. DANIELCZYK -400'TO & JOHNAVE. MISTY MEADOWS CT. 55 DEBBIF Vicinity Map scale: 1'=1000' LOCATION INFORMATION DANIMICZYK Election District: 15 8 MISTY MEADOWS Councilmanic District: 18 7 -/2'-1'=200' scale map#: N.E. 3-H Zoning: D.R. 5,5 Lot size: -1585 EXXXXIING HOUSE square feet NO STRUCTURE Fdith & Richard SEWER: X WATER: X TUX ID Chesapeake Bay Critical Area: X 18-00-013550 PROPOSED Prior Zoning Hearings: 6X1ZxB LOT 23-PURCH. Zoning Office USE ONLY! reviewed by: ITEM #: CASE#: repared by: GREGORY A. FALTER Scale of Drawing: 1 = 30

Led. Q. #



DANIALCZYK

#435



DANTELCZYK

#432



DANIELCZYK

#435



TIMORE COUPLANNING / PH(

