

IN RE: PETITION FOR ADMIN. VARIANCE
E/S of Bathurst Road, 230 ft. S
centerline of Westchester Avenue
1st Election District
1st Councilmanic District
(511 Bathurst Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-598-A

Patricia & John Szczecinski
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Patricia and John Szczecinski. The variance request is for property located at 511 Bathurst Road in the western area of Baltimore County. The variance request is from Section 211.4 (1955-71 B.C.Z.R.) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 28 ft. in lieu of 30 ft. for a proposed addition. 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 on May 29, 2005, 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 32-3-303 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.

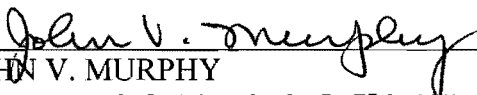
ORDER RECEIVED FOR FILING
6/21/05
By [Signature]

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 21 day of June, 2005, that a variance from Section 211.4 (1955-71 B.C.Z.R.) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 28 ft. in lieu of 30 ft. for a proposed addition, 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.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
6/21/05
raj

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

21
June 20, 2005

Mr. & Mrs. John Szczecinski
511 Bathurst Road
Baltimore, Maryland 21228

Re: Petition for Administrative Variance
Case No. 05-598-A
Property: 511 Bathurst Road

Dear Mr. & Mrs. Szczecinski:

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,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Dan Dutton, 7110 Golden Ring Road, Baltimore, MD 21221





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 511 Bathurst Road
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and 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) 211.4 (1955-71 BCZR) TO PERMIT

A ~~28 FT~~ REAR YARD SETBACK OF 28 FT. IN LIEU OF 30 FT.
FOR A PROPOSED ADDITION

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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 bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

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

Legal Owner(s):

Szczecinski John

Name - Type or Print

Signature

Szczecinski Patricia

Name - Type or Print

Signature

511 Bathurst Road

410-788-6535

Address

Telephone No.

Baltimore

MD

21228

City

State

Zip Code

Representative to be Contacted:

Dan Dutton

Name

7110 Golden Ring Road

410-780-0062

Address

Telephone No.

Baltimore

MD

21221

City

State

Zip Code

Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 16 day of May, 2005, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 05 598 A

Reviewed By JL

Date 5/18/05

Estimated Posting Date 5/29/05

REV 10/25/01

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: 511 Bathurst Road
Address
Baltimore 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 would like to build a 12'x20' patio room on the rear of our house. Our problem is our lot is only 100ft deep. Our house set 30ft back off the front property line. We have a required 25ft front set back, this with a 30ft setback, this with a 30ft deep house we only have a 40ft deep rear yard. This with a 12'x20' room would only leave us 28ft in lew of the required 30ft. This is the only place we can build the room. There is an existing 12'x20' patio at this location with a sliding door going into our home.

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

John Szczecinski
Signature
Szczecinski John
Name - Type or Print

Patricia Szczecinski
Signature
Szczecinski Patricia
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15 day of May, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John + Patricia Szczecinski
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

DeLores A. Scott
Notary Public
DELORES A. SCOTT
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 26, 2005

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 511 Bathurst Road

Address

Baltimore

City

MD

State

21228

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 would like to build a 12'x22' patio room on the rear of our house. Our problem is our lot is only 100ft deep. Our house set 30ft back off the front property line. We have a required 25ft front set back, this with a 30ft setback, this with a 30ft deep house we only have a 40ft deep rear yard. This with a 12'x20' room would only leave us 28ft in lieu of the required 30ft. This is the only place we can build the room. There is an existing 12'x20' patio at this location with a sliding door going into our home.

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

Signature

Szczecinski John

Name - Type or Print

Signature

Szczecinski Patricia

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15 day of May, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John & Patricia Szczecinski
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

Delores A. Scott
DELORES A. SCOTT

NOTARY PUBLIC STATE OF MARYLAND

My Commission Expires Commission Expires November 26, 2005



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 511 Bathurst Road
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and 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) 211.4 (1955-71, BCZR) to

PERMIT A REAR YARD SETBACK OF 28 FT. IN LIEU OF 30 FT. FOR
A PROPOSED ADDITION

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

Legal Owner(s):

Szczecinski John

Name - Type or Print

Signature

Szczecinski Patricia

Name - Type or Print

Signature

511 Bathurst Road

Address

410-788-6535

Telephone No.

Baltimore

City

MD

State

21228

Zip Code

Representative to be Contacted:

Dan Dutton

Name

7110 Golden Ring Road

Address

410-780-0062

Telephone No.

Baltimore

City

MD

State

21221

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11 day of May, 2005, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

CASE NO. 05 598 A

REV 10/25/01

Zoning Commissioner of Baltimore County

Reviewed By JL

Date 5/18/05

Estimated Posting Date 5/29/05

Zoning Description for 511 Bathurst Road

Beginning at a point in the east side of Bathurst road which is 50 feet right of way wide at the distance of 230 feet south of the centerline of the nearest improved intersection street Westchester avenue which is 50 feet right of way wide. * Being lot# 19 Block C, Section#2, in the subdivision of Westchester as recorded in the Baltimore county plat book #32, Folio #142, containing 6,500sq ft. Also known as 511 Bathurst road and located in the 1st Election District, 1st Councilmanic District.

598

BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET & FINANCE

MISCELLANEOUS RECEIPT

DATE 5/18/05 ACCOUNT 001 006 6150

AMOUNT

\$

65.00RECEIVED
FROM:

FOR:

DISTRIBUTION

WHITE CASHIER

PINK AGENCY

YELLOW CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DATE
5/18/2005	5/18/2005	10:56:41	4
REG 0804	WALKIN	KMCH KVM	
RECEIPT #	360405	5/18/2005	0811
Dept	5	528 ZONING VERIFICATION	
TR NR	445383		

Receipt Tot \$45.00

1195.00 CR 3.00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-598-A

Petitioner/Developer: JOHN & PAT
SZCZECINSKI

Date of Hearing/Closing: 6/13/05

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

ATTN: Kristen Matthews ((410) 887-3394)

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:

511 BATHURST RD

The sign(s) were posted on

MAY 29, 2005
(Month, Day, Year)

Sincerely,

Robert Black
(Signature of Sign Poster)

5/31/05
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

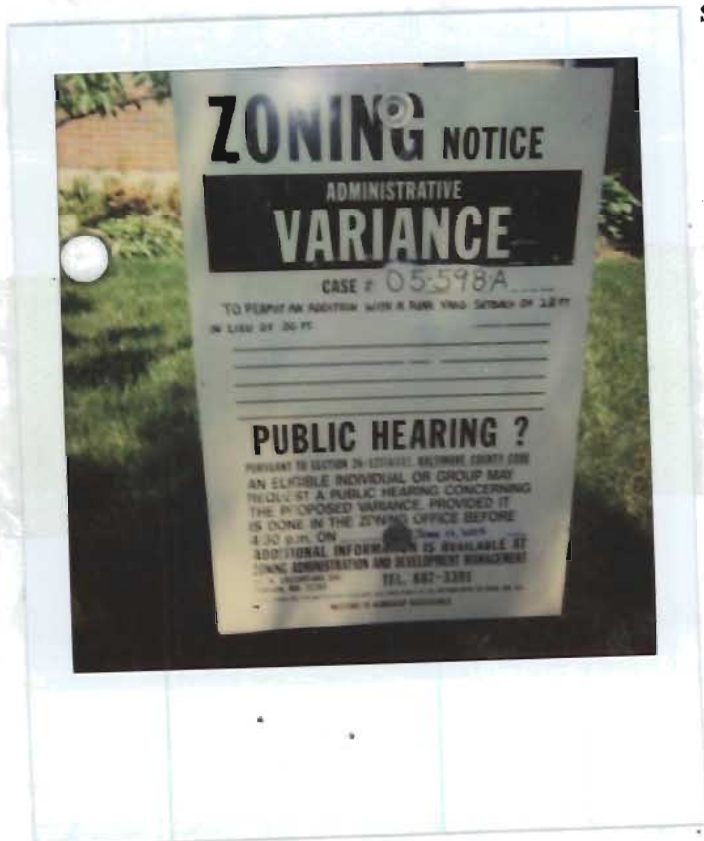
(Address)

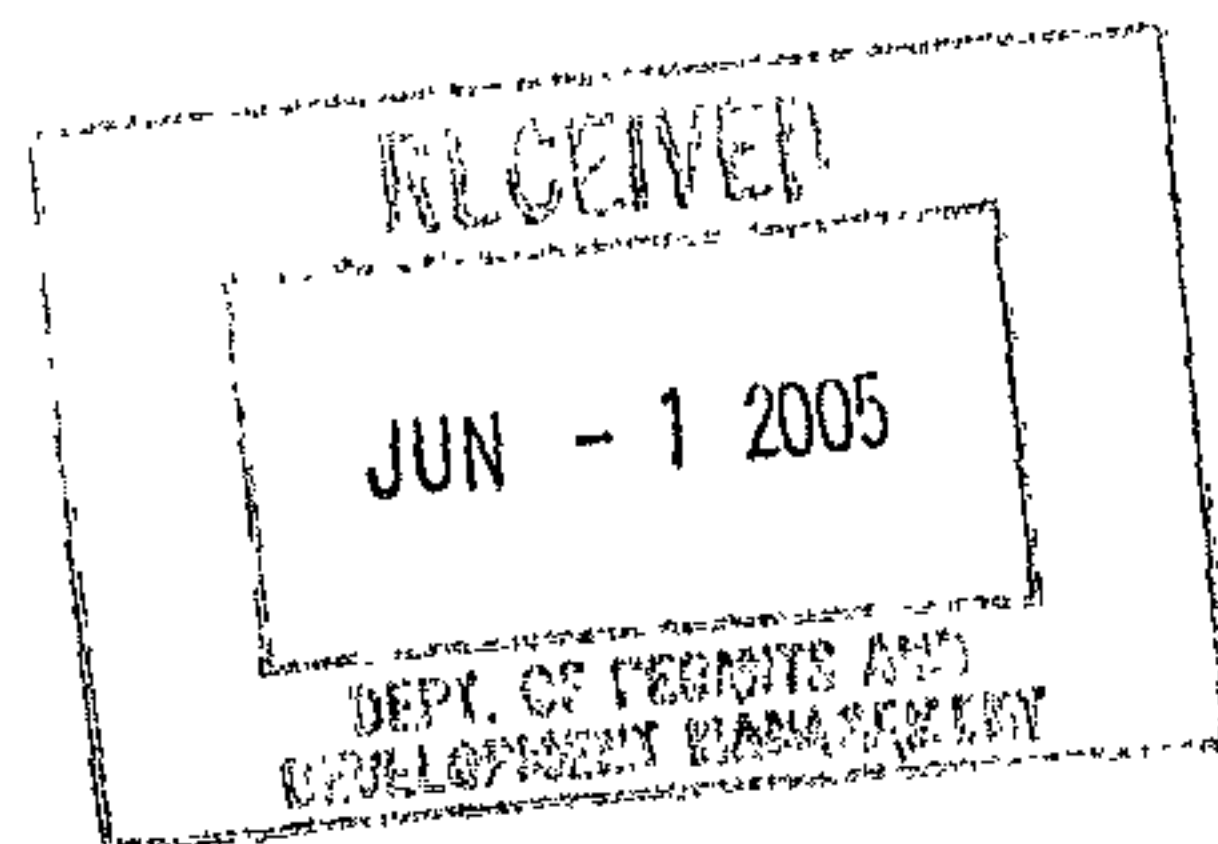
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 598 -A Address 511 BATHURST RD
Contact Person: JOHN LEWIS Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/18/05 Posting Date: 5/29/05 Closing Date: 6/13/05

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.
1. **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 05- 598 -A Address 511 BATHURST RD
Petitioner's Name JOHN & PAT SZCIECINSKI Telephone 410 788 6535
Posting Date: 5/29/05 Closing Date: 6/13/05
Vording for Sign: To Permit AN ADDITION WITH A REAR YARD SETBACK
OF 28 FT. IN LIEU OF 30 FT.

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/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 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: ~~155~~ 05 598 A
Petitioner: Gerard Andersen
Address or Location: 511 Bathurst Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Champion
Address: 7110 Golden Ring Rd
Balto. Md. 21221
Telephone Number: 410 780-0062

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

June 13, 2005

John Szczecinski
Patricia Szczecinski
511 Bathurst Road
Baltimore, Maryland 21228

Dear Mr. and Mrs. Szczecinski:

RE: Case Number: 05-598-A, 511 Bathurst Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 18, 2005.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Dan Dutton 7110 Golden Ring Road Baltimore 21221

Visit the County's Website at www.baltimorecountyonline.info



Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

May 25, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: May 30, 2005

Item No.: 578, 597, 598, 599, 600, 602, 603, 604, 605 and 606

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.

Acting Lieutenant Don W. Muddiman
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

Visit the County's Website at www.baltimorecountyonline.info



Printed on Recycled Paper

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

Date: 5.24.05

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

RE: Baltimore County
Item No. 598 JLL

Dear Ms. Matthews:

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,

Steven D. Foster, Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr *JDO*

DATE: June 14, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 31, 2005

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-596

05-597

05-598

05-599

05-600

05-601

05-602

05-603

05-604

05-605

05-606

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: May 27, 2005

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-597 and 5-598**
Administrative Variance(s)

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 Cunningham in the Office of Planning at 410-887-3480.

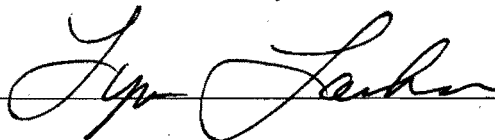
Prepared By:



RECEIVED

JUN 2 2005

Division Chief:



ZONING COMMISSIONER

MAC/LL

Dear Neighbor,

We are planning on having a sunroom built on our existing patio in the back of our house. Since our mother has great difficulty going up and down the stairs to our family room, we feel this room would be a place she can sit and watch TV. We hope this project will be of no inconvenience to you. Thank you for your consideration.

Your Neighbors at 511
Bathurst Road.

John & Pat Szczecinski

*I have no objection to my neighbors at
511 Bathurst Road building a sunroom on the
back of his house.*

*Jon Romeo
Don Romeo
509 Bathurst Road*

No objection

*John C. Kirby -
John C. Kirby, Jr.
432 Rockway Rd.*

590

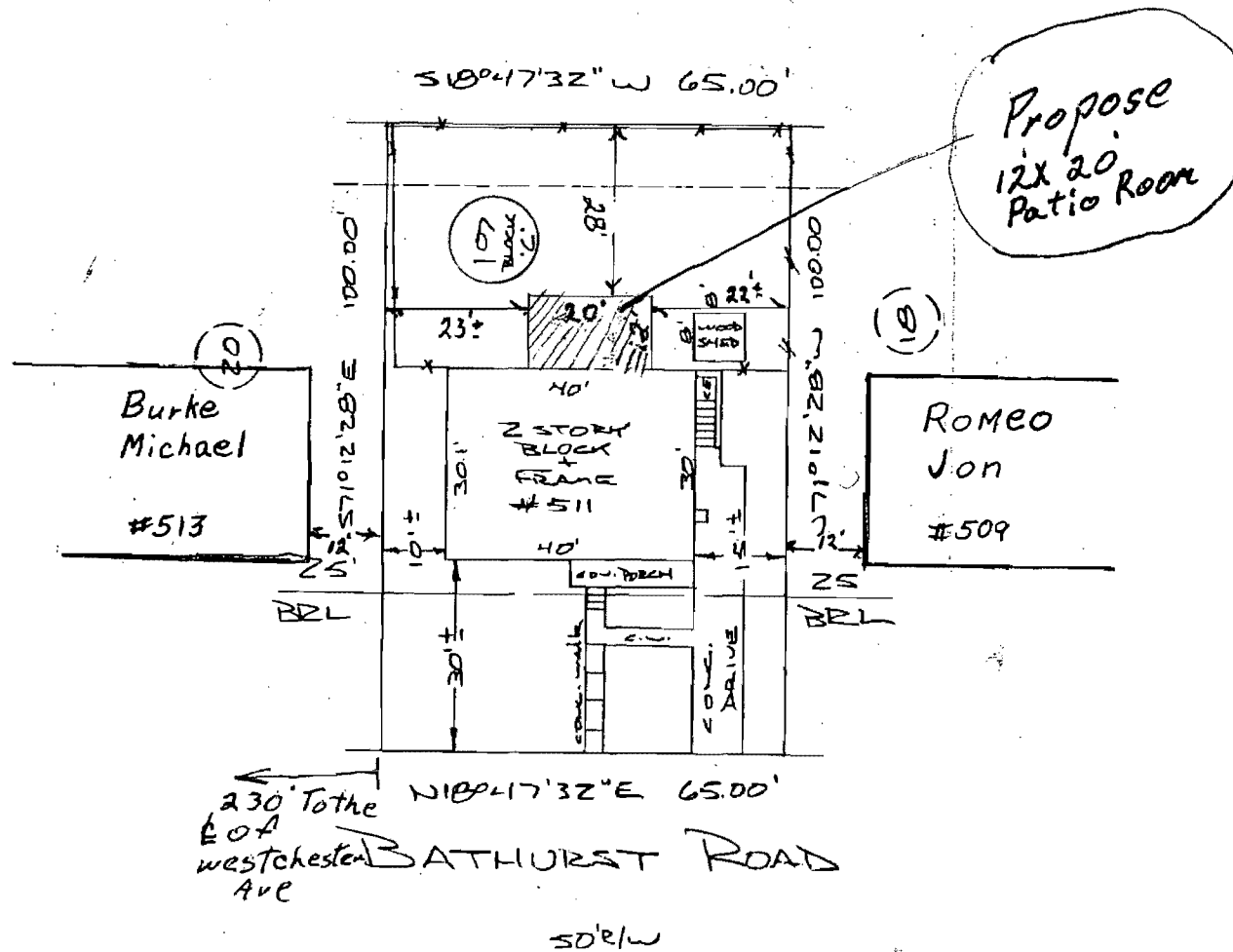
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS 511 Bathurst

SUBDIVISION NAME Westchester

PLAT BOOK # 32 FOLIO # 142 LOT # 19 SECTION # 2

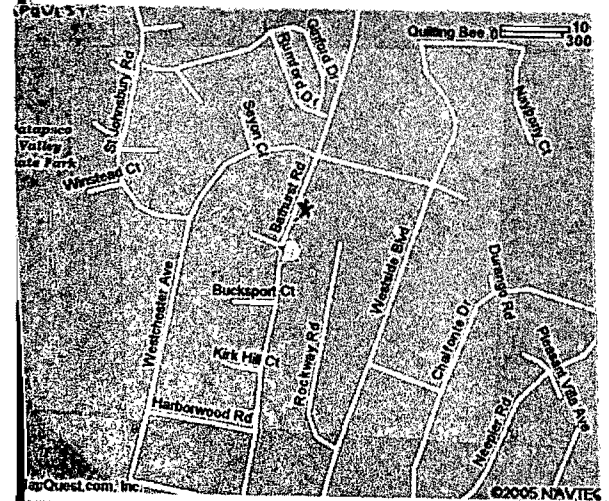
OWNER Szczecinski, John + Patricia



NORTH

PREPARED BY Gerard Andersen

SCALE OF DRAWING: 1" = 30'



LOCATION INFORMATION

ELECTION DISTRICT 1

COUNCILMANIC DISTRICT 1

1" = 200' SCALE MAP # SW 2-H

ZONING DR 5.5

LOT SIZE 6,500
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

CHESAPEAKE BAY
CRITICAL AREA

YES ☐ NO ☒

100 YEAR FLOOD PLAIN ☐ ☒

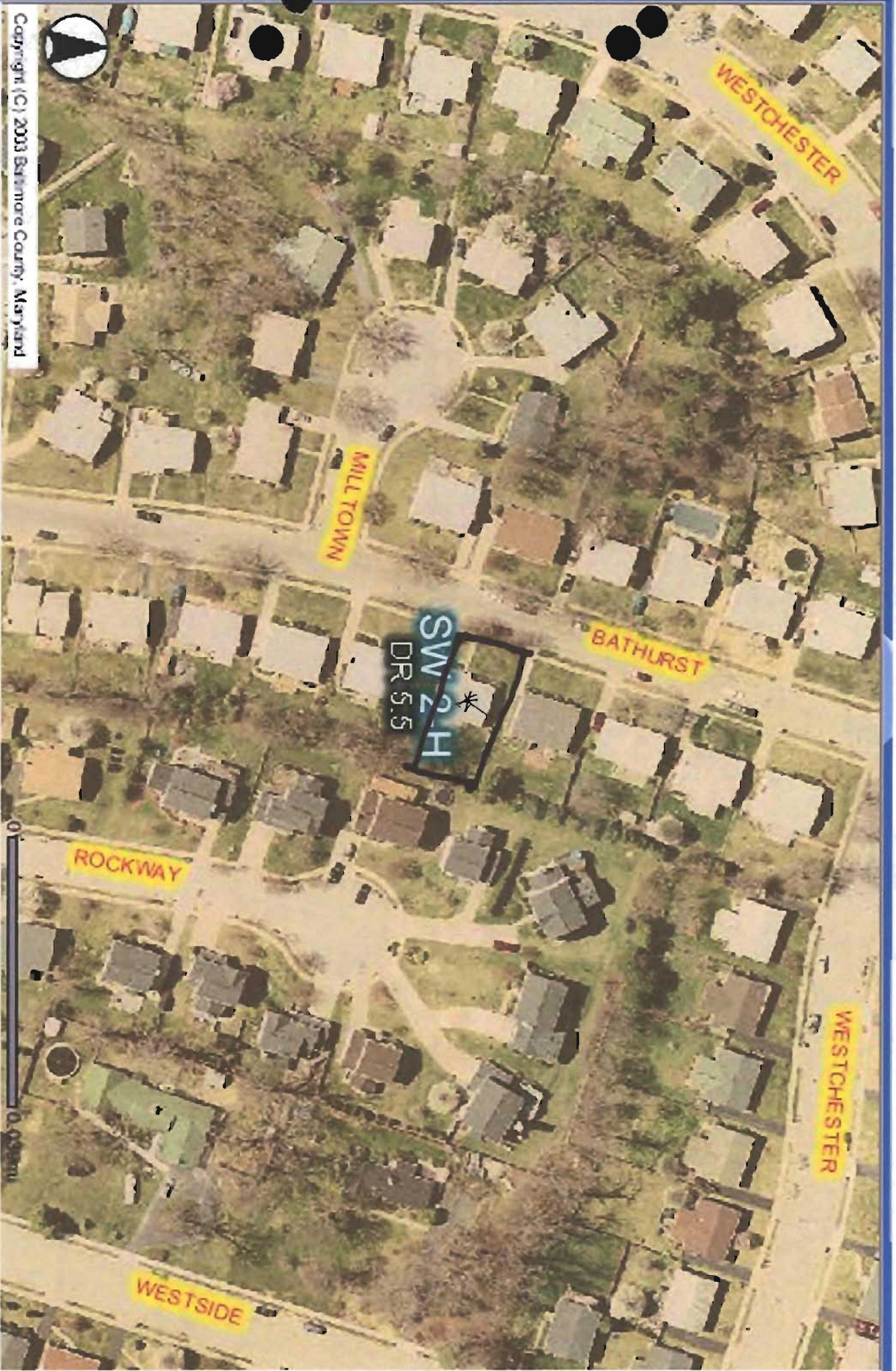
HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

52 | 598 |

598



Copyright (C) 2003 Baltimore County, Maryland



Location
of Patio Room
12x20



Right side of
house



Left side of
house

598