

IN RE: **PETITIONS FOR SPECIAL HEARING ***

AND VARIANCE – N/S Foreston Road,
955' W of c/line of Tracys Store Road *

(17815 Foreston Road)

5th Election District *

3rd Council District *

Stanley E. Radecki, et ux

Petitioners *

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2009-0158-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Stanley E. Radecki and his wife, Mary F. Radecki. The Petitioners request a special hearing to approve a garage with a larger footprint than the principal building, and variance relief to permit an accessory structure height of 30 feet in lieu of the maximum allowed 15 feet. Relief is requested pursuant to Sections 101 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were Stanley Radecki, property owner; David Billingsley of Central Drafting and Design, Inc., who prepared the site plan; Robert Infussi, with Expedite, LLC, who is assisting the Petitioners through the process, and Bart Shook, builder with Pinnacle Design, LLC. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregularly shaped parcel, 351' wide by 511' deep (western boundary), located on the north side of Foreston Road just west of its intersection with Tracys Store Road in Parkton. The property contains an acre of 3.176 acres, more or less, zoned R.C.2 and is improved with a two-story single family dwelling, in-ground swimming pool and a barn at the rear of the property. The Petitioners have

RECEIVED FOR FILING
Date 2-17-09
By [Signature]

owned and resided on the property since 1978. Testimony indicated that the existing 2,016 square foot home is 49' wide x 24' deep in dimension. The Petitioners purchased a Motorhome Coach and have stored it in the rear side yard adjacent to their driveway. Mr. Radecki testified that the vehicle is frequently used for recreational purposes and that it has been stored outside exposed to the elements since its purchase. The Petitioners now come before me seeking approval to construct an accessory building (garage) large enough to house the motorhome. As shown on the site plan (Petitioners' Exhibit 1) and building elevation drawing (Petitioner's Exhibit 6), a proposed 30' x 45' barn-like structure made of hardy plank will be built on the eastern side of the property between existing mature evergreens (east side) and a large oak tree (west side) that will screen the accessory building. It should also be noted that the property to the east is vacant land, to the north or rear of the property is heavily wooded. *See* photographs (Petitioners' Exhibit 4 – aerial view) and existing conditions (Petitioners' Exhibit 5). This will allow the Radecki's to store the recreational vehicle out of the view from adjacent neighbors and passing motorists traveling on Foreston Road. B.C.Z.R. Section 415A.1A provides in pertinent part a preference that such a vehicle be stored in a garage. Due to the fact that the proposed garage will have a larger footprint than the dwelling and will have a height greater than that allowed by the regulations, variance relief is necessary.

After due consideration of the testimony and evidence presented, I am persuaded that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. for relief to be granted and that strict compliance with the regulations would result in a practical difficulty and unreasonable hardship for the Petitioners. As noted above, the closest home beyond the wooded property to the north is 160 feet away; to the west the closest home is over 380 feet. There were no adverse Zoning Advisory Committee (ZAC) comments with any County reviewing agencies. However, the Office of Planning has requested that approval be conditioned to exclude conversions for living space and/or commercial uses.

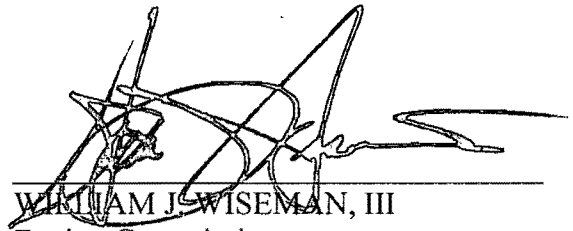
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

UNAPPROVED FOR FILING
Date 5-17-09
By [Signature]

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of February 2009 that the Petitions for Special Hearing and Variance seeking relief, pursuant to Sections 101 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory building (garage) with an area of 1,350 square feet which is larger than the footprint of the existing dwelling (1,186 square feet) and with a height of 28 feet in lieu of the maximum allowed 15 feet, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

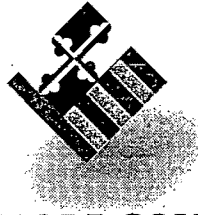
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The garage shall be limited to uses accessory to the residential use of the property. It shall not be used for commercial or business purposes. Moreover, the Petitioners or their assigns shall not allow or cause the garage to be converted to a second dwelling unit and/or apartments. There shall be no living quarters contained therein, and no kitchen or bathroom facilities.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 2-17-09
By 103

WJW:dlw



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

February 17, 2009

Stanley E. Radecki
Mary F. Radecki
17815 Foreston Road
Parkton, Maryland 21120

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE

N/S Foreston Road, 955' W of c/line of Tracys Store Road
(17815 Foreston Road)
5th Election District - 3rd Council District
Stanley E. Radecki, et ux – Petitioners
Case No. 2009-0158-SPHA

Dear Mr. and Mrs. Radecki:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. J. Wiseman, III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: David Billingsley, Central Drafting and Design, Inc., 601 Charwood Court,
Edgewood, MD 21040
Robert Infussi, Expedite, LLC, P.O. Box 1043, Bel Air, MD 21014
Bart Shook, Pinnacle Design, LLC, 14114 North Leford Lane, Baldwin, MD 21013
People's Counsel; Office of Planning; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 17815 FORESTON ROAD
which is presently zoned R.C. 2

DEED REFERENCE L. 5900 F. 581 TAX ACCT. #1700000007

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, 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):

STANLEY E. RADECKI
Name - Type or Print _____
Signature [Signature] _____
MARY F. RADECKI
Name - Type or Print _____
Signature [Signature] _____
17815 FORESTON RD.
Address _____ Telephone No. _____
PARKTON MD. 21120
City _____ State _____ Zip Code _____

Representative to be Contacted:

ROBERT INFUSSI
EXPEDITE LLC
Name _____
P.O. BOX 1043-7043 (410) 812-2236
Address _____ Telephone No. _____
BEL AIR MD. 21014
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2009-0158-SPHA

REV 9/15/98

UNAVAILABLE FOR HEARING

ORDER RECEIVED FOR FILING A-TSUI Date 12/03/2008

Date 2-17-09

By [Signature]

**AN ACCESSORY BUILDING (GARAGE) WITH AN AREA OF 1350 SQUARE
FEET WHICH IS LARGER THAN THE AREA OF THE PRINCIPAL BUILDING
(DWELLING) 1186 SQUARE FEET**

2009-0158-SPHA



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 17815 FORESTON ROAD
which is presently zoned R.C. 2

Deed Reference: 5900 1581 Tax Account # 1700000007

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)

SEE ATTACHED

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

TO BE PRESENTED AT HEARING

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):

STANLEY E. RADECKI
Name - Type or Print _____
Signature _____
MARY F. RADECKI
Name - Type or Print _____
Signature _____
17815 FORESTON RD.
Address _____ Telephone No. _____
PARKTON MD. 21120
City _____ State _____ Zip Code _____

Representative to be Contacted:

ROBERT INFUSSI
EXPEDITE LLC
Name _____
P.O. BOX 1043-7043 (410) 812-2236
Address _____ Telephone No. _____
BEL AIR MD. 21014
City _____ State _____ Zip Code _____

Case No. 2009-0158-SPHA

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

REV 8/20/07

OFFICE RECEIVED FOR FILING

Date 2-17-09

By ISW

Reviewed by _____

Date 12/03/08

**SECTION 400.3 (BCZR) TO PERMIT AN ACCESSORY BUILDING (GARAGE)
WITH A HEIGHT OF 30 FEET IN LIEU OF THE PERMITTED 15 FEET**

2009-0158-SPHA

ZONING DESCRIPTION

17815 FORESTON ROAD

Beginning at a point on the north side of Foreston Road (60 feet wide), distant 955 feet westerly from it's intersection with the center of Tracys Store Road (60 feet wide), thence being all of Lot 8 as shown on the plat entitled Foreston Ridge, recorded among the Baltimore County plat records in Plat Book 37 Folio 101.

Containing 3.176 acres of land, more or less.

Being known as 17815 Foreston Road. Located in the 5TH Election District, 3RD Councilmanic District of Baltimore County, Md.

2009-0158-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 3300

Date: 12/03/08

PAID RECEIPT

BUSINESS ACTUAL TIME
 12/03/2008 12/03/2008 09:16:30

REG # 01 WALKIN JRIC INC
 REC # 400674 12/03/2008 OPEN

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount	Dept
001	806	0000		6150						130	

Total: \$ 130

Rec From

For

17815 FORESTON RD

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

2009-0158-SPHA

**CASHIER'S
 VALIDATION**

5 520 ZONING VERIFICATION
 033006
 Recpt Tot \$130.00
 \$130.00 CK \$130.00 CA
 Baltimore County, Maryland

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: #2009-0158-SPHA

17815 Foreston Road

N/side of Foreston Road, 955 feet w/of centerline of Tracey's Shore Road

5th Election District — 3rd Councilmanic District

Legal Owner(s): Stanley & Mary Radecki,

Special Hearing: to permit a proposed detached garage with an area larger than the area of the principal building. **Variance:** to permit an accessory building (garage) with a height of 30 feet in lieu of the permitted 15 feet.

Hearing: February 13, 2009 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

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.

1/565 January 29

193140

CERTIFICATE OF PUBLICATION

1/30/2009

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/29/2009.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 2009-0158-SPHA

Petitioner/Developer: DAVE
BILLINGSLEY, BOB INFUSSI

Date Of Hearing/Closing: 2/13/09

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

Attention:

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
at 17815 FORESTON RD

This sign(s) were posted on January 29, 2009
(Month, Day, Year)

Sincerely,

Martin Ogle 1/29/09
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

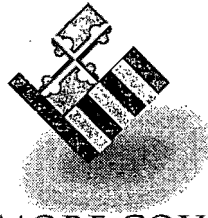
Address

Balto. Md 21220

(443-629 3411)



01/29/2009



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

January 20, 2009
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

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: 2009-0158-SPHA

17815 Foreston Road

N/side of Foreston Road, 955 feet w/of centerline of Tracey's Shore Road

5th Election District - 3rd Councilmanic District

Legal Owners: Stanley & Mary Radecki

Special Hearing to permit a proposed detached garage with an area larger than the area of the principal building. Variance to permit an accessory building (garage) with a height of 30 feet in lieu of the permitted 15 feet.

Hearing: Friday, February 13, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Radecki, 17815 Foreston Road, Parkton 21120
Robert Infussi, P.O. Box 1043-7043, Bel Air 21014

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 29, 2009.**
- (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 29, 2009 Issue - Jeffersonian

Please forward billing to:
Stanley Radecki
17815 Foreston Road
Parkton, MD 21120

410-239-3676

NOTICE OF ZONING HEARING

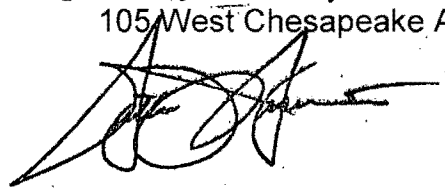
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2009-0158-SPHA

17815 Foreston Road
N/side of Foreston Road, 955 feet w/of centerline of Tracey's Shore Road
5th Election District - 3rd Councilmanic District
Legal Owners: Stanley & Mary Radecki

Special Hearing to permit a proposed detached garage with an area larger than the area of the principal building. Variance to permit an accessory building (garage) with a height of 30 feet in lieu of the permitted 15 feet.

Hearing: Friday, February 13, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
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.

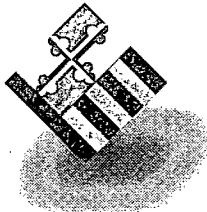
For Newspaper Advertising:

Item Number or Case Number: 2009-0158-SPHA
Petitioner: STANLEY & MARY RADECKI
Address or Location: 17815 FORESTON RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: STANLEY RADECKI
Address: 17815 FORESTON ROAD
PARKTON, MD. 21120

Telephone Number: (410) 239-3676



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
February 3, 2009

Stanley & Mary Radecki
17815 Foreston Rd.
Parkton, MD 21120

Dear: Stanley & Mary Radecki

RE: Case Number 2009-0158-SPHA, 17815 Foreston Rd

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 03, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Expedite, LLC: Robert Infussi; P.O. Box 1043; Belair, MD 21014

BW 2/13
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 16, 2008

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

SUBJECT: 17815 Foreston Road

INFORMATION:

Item Number: 9-158

Petitioner: Stanley E. Radecki

Zoning: RC 2

Requested Action: Special Hearing

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BY:

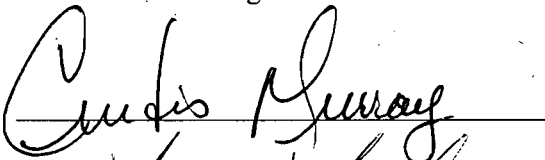
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 30 feet in lieu of the maximum permitted 15 feet and to have a garage with a foot print larger than that of the principle dwelling provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

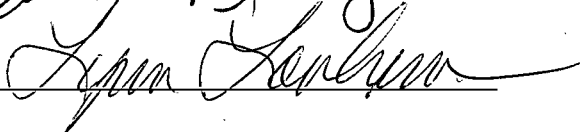
For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by:



Division Chief:

AFK/LL: CM



BW 2/13 9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JAN 21 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: January 21, 2009

SUBJECT: Zoning Item # 09-158-SPHXA
Address 17815 Foreston Road
(Radecki Property)

Zoning Advisory Committee Meeting of December 15, 2008.

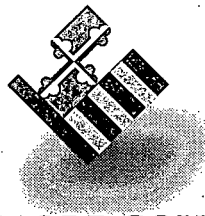
 X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

 The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Additional Comments:

Reviewer: JWL

Date: 1/21/09



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

December 16, 2008

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

ATTENTION: Zoning Review planners

Distribution Meeting of: December 15, 2008

Item No.: 2009-0135-A, 2009-0153-X, **2009-0158-SPHXA**, 2009-0159-A,
2009-0160-A, 2009-0161-SPHXA, 2009-0162-A, 2009-0163-A,
2009-0165-A, AND 2009-0166-SPH.

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.

Don W. Muddiman, Acting Lieutenant
Fire Marshal's Office
(Office) 410-887-4880
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: December 18, 2008

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For December 22, 2008
Item Nos. 2009-0153, 0158, 0159, 0160,
0161, 0162, 0163, 0164, 0165, and 0166

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

DAK:CEN:lrk
cc: File
ZAC-122208 -NO COMMENTS



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 12/16/2008

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

RE: Baltimore County
Item No 2009-0158-SP4XA
17819 FORESTON ROAD
RADECKI PROPERTY
VARIANCE -
SPECIAL EXCEPTION

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2009-0158-SP4XA.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
SPECIAL EXCEPTION & VARIANCE * ZONING COMMISSIONER
17815 Foreston Road; N/S Foreston Rd, *
955' W of c/line of Traceys Store Rd *
5th Election & 3rd Councilmanic Districts * FOR
Legal Owner(s): Stanley & Mary Radecki *
Petitioner(s) * BALTIMORE COUNTY
* 09-158-SPHA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

DEC 30 2008

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of December, 2008, a copy of the foregoing Entry of Appearance was mailed to Robert Infussi, Expedite, LLC, P. O. Box 1043-7043, Bel Air, MD 21014, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 17815 FORESTON RD
CASE NUMBER 2009-0158-SPHA
DATE 2/13/09

CASE NAME 17815 FORESTON RD
CASE NUMBER 2009-0158-SPHA
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[illegible]

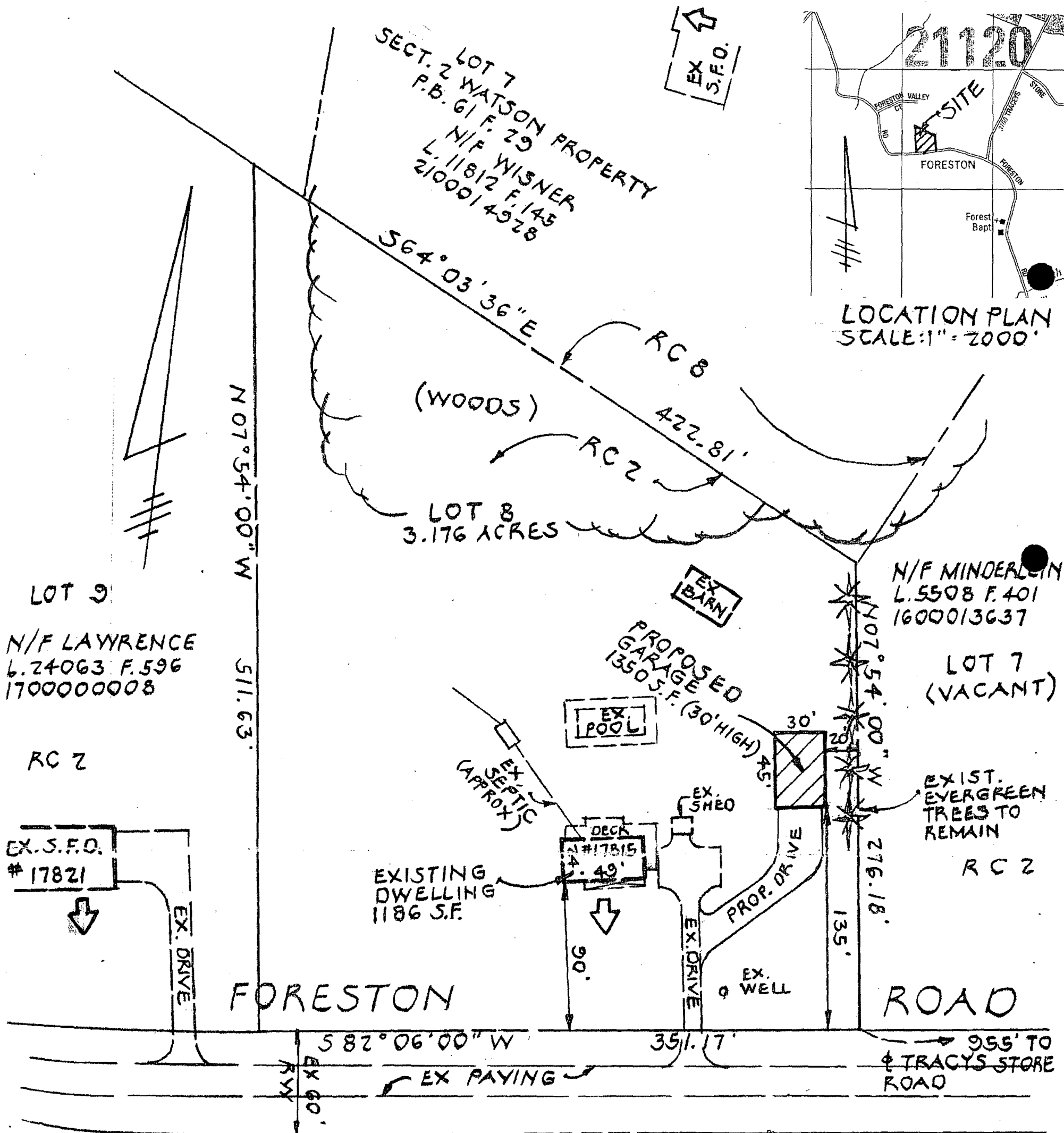
Case No.: 2009-0158-SHA 17815 FORESTON RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	SDAT DATA SHEET	
No. 3	SUB DIVISION PLAT	
No. 4	AERIAL PHOTO	
No. 5 A-E PHOTO'S	PHOTO PLAT and Existing Condition Photos	
No. 6	Elevation sketch of Barn	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



NOTES

1. ZONING.....RC 2 (MAP NO. 015C3)
2. AREA.....3.176 ACRES
3. PRIVATE WATER AND SEWER
4. SITE IS NOT LOCATED IN THE CBCA OR A 100 YEAR FLOOD ZONE
5. NO HISTORIC STRUCTURES, CRITICAL AREAS, UNDERGROUND STORAGE TANKS, ARCHEOLOGICAL SITES ARE KNOWN
6. NO PREVIOUS ZONING HISTORY OR VIOLATIONS KNOWN

OWNER
STANLEY AND MARY RADECKI
17815 FORESTON ROAD
PARKTON, MD. 21120
DEED REF. L.5900 F.581
PROP. NO. 1700000007

PETITIONER'S

EXHIBIT NO. 1

2009-0158-SPHA

PLAT TO ACCOMPANY PETITION FOR
VARIANCE AND SPECIAL HEARING
17815 FORESTON ROAD
LOT 8 FORESTON RIDGE P.B. 37 F. 101
ELECTION DISTRICT 5C3 BALTO. CO., MD.
SCALE: 1 INCH = 60 FEET NOVEMBER 15, 2008



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 05 **Account Number -** 1700000007

Owner Information

Owner Name:	RADECKI STANLEY E	Use:	RESIDENTIAL
	RADECKI MARY F	Principal Residence:	YES
Mailing Address:	17815 FORESTON RD	Deed Reference:	1) / 5900/ 581
	PARKTON MD 21120-9658		2)

Location & Structure Information

Premises Address	Legal Description
17815 FORESTON RD	3.176 AC
	967 W TRACYS STORE RD
	FORESTON RIDGE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
15	23	91					8	2	Plat Ref: 37/ 101

Special Tax Areas

Town

Ad Valorem

Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1980	2,016 SF	3.17 AC	04
Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2008	07/01/2009
Land	109,530	170,380		
Improvements:	166,560	254,720		
Total:	276,090	425,100	325,760	375,430
Preferential Land:	0	0	0	0

Transfer Information

Seller: BONCZEWSKI MICHAEL H	Date: 06/23/1978	Price: \$24,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 5900/ 581	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO

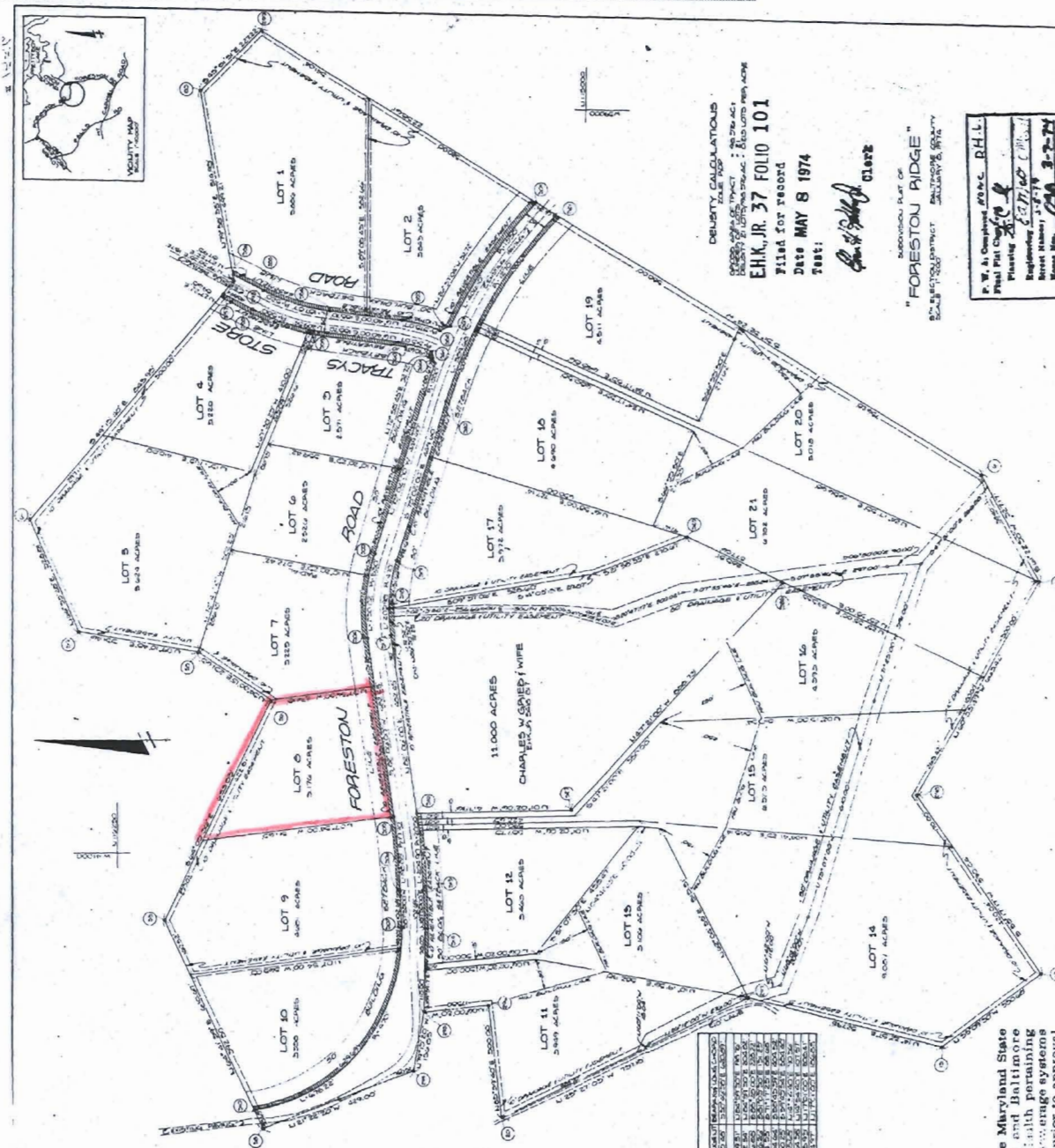
Exempt Class:

Special Tax Recapture:

* NONE *

PETITIONER' S

EXHIBIT NO. 2

[illegible]

CURVE #	2	CURVE DATA				BRKING UNITS (LBS)	LBS (LBS)
		2	1	1	1		
300-307	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-308	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-309	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-310	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-311	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-312	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-313	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-314	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-315	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-316	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-317	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-318	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-319	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-320	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-321	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-322	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-323	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-324	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-325	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-326	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-327	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-328	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-329	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-330	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-331	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-332	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-333	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-334	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-335	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-336	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-337	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-338	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-339	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-340	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-341	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-342	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-343	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-344	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-345	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-346	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-347	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-348	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-349	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-350	20.0	10.0	10.0	10.0	10.0	10.0	10.0
300-351	20.0	10.0	10.0	10.0	10.0	10.0	10.0

DENSITY CALCULATIONS
SCALE INCH

SECTION OF THE TRACT : ON THE ACI
ENCLINITY TO LUTHERAN CHURCH : 600 LOTS PER ACRE

EHLK, JR. 37 FOLIO 101

Filed for record

Date MAY 8 1974

Test:

[Signature] Clerk

"FORESTON RIDGE"
SUBDIVISION PART OF
BETHESDA DISTRICT BALTIMORE COUNTY

F. W. & Co. Completed *None* R.H.L.
Fiscal Post Charge *0*
Placing *2*
Engineering *3-8-14*
Street Name *000* 3-3-74
Monsie Mm.

THIS PLAN WAS DRAFTED BY:
E. F. RADPHEL / ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYOR
805 COURT AND AVE
MONTICELLO, IDAHO 83401

MSA55WJ236-4241

[illegible]

OWNER'S CERTIFICATE
THE FIDELITY AND SECURITY OF ASSURANCE CO.
OF NEW YORK, INC., HAS EXAMINED THE
RECORDS OF THIS COMPANY AND HAS FOUND
THAT THE RECORDS ARE IN FULL ACCORD
WITH THE REQUIREMENTS OF THE ACT
AND THAT THE RECORDS HAVE BEEN
MAINTAINED IN ACCORDANCE WITH
THE PROVISIONS OF THE ACT.

SIGNATURE OF THE COMPANY

Pickard & McKee

[illegible]

NOTES:
COORDINATES ALSO REAPPLIED TO
P.O. UNCORRECTED IN PARAGRAPHS AND ALPHABETICALLY
FOR EASY REFERENCE TO THE
CORRECTIONS. THE
CORRECTIONS TO THE
ORIGINALS ARE
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MARGINS AND RECORDED
FOR EASY REFERENCE TO THE
ORIGINALS.

[illegible]

All requirements of the Maryland State Department of Health and Baltimore County Department of Health pertaining to private water and sewerage systems must be complied with prior to approval of building applications.

AERIAL MAP FOR 17815 FORESTOM ROAD



sanitary sewer and/or storm drain) location
 is not guaranteed correctd and should only
 ference. Locations of appurtenances should
 g construction drawings, which are available
 of the Baltimore County Office Building, or,
 ough actual field investigations.



BALTIMORE
 COUNTY

Baltimore
 Department
 GIS

For in
 The cadastral inform
 from existing deed is

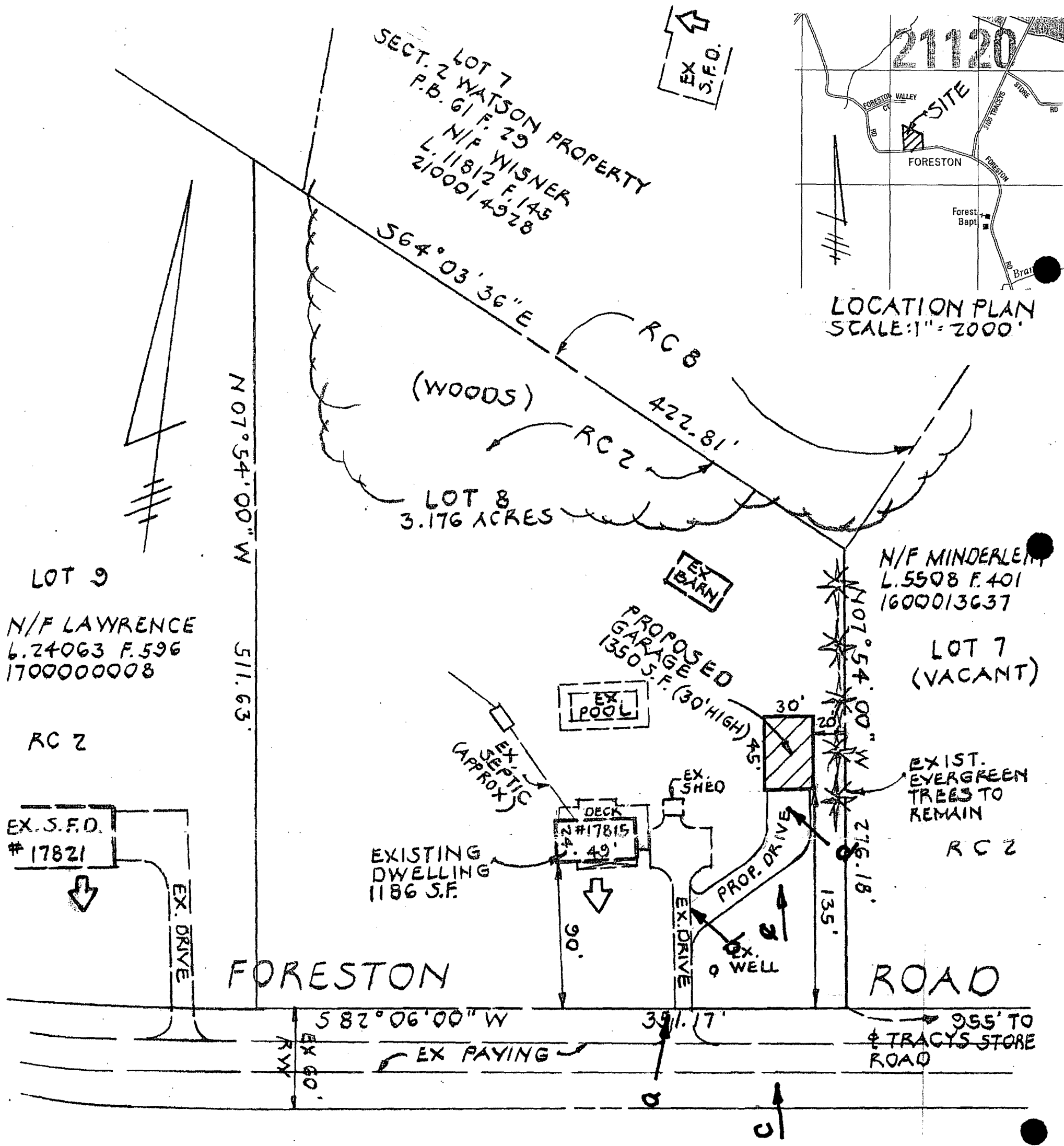
PETITIONER'S

EXHIBIT NO.

4



2009-0158-SPHA



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 DEED REF. L.5900 F.581
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PETITIONER'S
 EXHIBIT NO. 5

PHOTOS

**PLAT TO ACCOMPANY PETITION FOR
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 17815 FORESTON ROAD
 LOT 8 FORESTON RIDGE P.B. 37 F. 101
 ELECTION DISTRICT 5C3 BALTO. CO., MD.
 SCALE: 1 INCH = 60 FEET NOVEMBER 15, 2008**

a



c



b





d



e

SIDING TO BE T111
COLOR TO MATCH EXISTING ACCESSORY STRUCTURE

