

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

N/Side of Chestnut Road, 600' NE from *
Seneca Road
15th Election District *
6th Councilmanic District
(4022 Chestnut Road) *

Judith Ann Pierce and *
Gregory and Barbara Maliszewski
Legal Owners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY

CASE NO. 2011-0225-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for consideration of Petitions for Special Hearing and Variance filed by the legal property owners, Judith Ann Pierce and Barbara A. & Gregory J. Maliszewski. The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve a lot area of 28,688 square feet or 0.65 9 acre in lieu of the required 1 1/2 acre for a single-family dwelling. The Variance is to permit side yards of 10 feet and 10 feet in lieu of the required 50 feet for a replacement dwelling and to permit an accessory use (swimming pool) in the front yard in lieu of the required rear yard pursuant to Sections 1A04.3.B.2 b and 400.1 of the B.C.Z.R. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the Special Hearing and Variance requests was Barbara and Gregory Maliszewski, property owners, and David Billingsley with Central Drafting & Design, Inc., the consultant who prepared the site plan and is assisting the Petitioners in the permitting process. There were no Protestants or other interested persons at the hearing.

ORDER RECEIVED FOR FILING

Date 3-17-11

By [Signature]

Testimony and evidence offered revealed that the subject property is located at the north side of Chestnut Road, just northeast from Seneca Road, in the Bowleys Quarters area of Baltimore County.

The subject property comprises 0.659 acre more or less and is zoned RC 5. The property is a waterfront lot located along Seneca Creek in Bowleys Quarters. At the present time, the property is improved with an existing temporary double wide trailer whereupon the property owners have been residing for some time. In addition to the manufactured home, there is also an old single family dwelling which was constructed in 1921 that is located on the waterfront portion of the lot. The property owners are desirous of tearing down the old single family dwelling which has been abandoned some years ago due to its uninhabitability. The owners are now desirous of moving forward with the construction of their new three story dwelling on the property as is depicted on Petitioners' Exhibit 1, the site plan submitted into evidence. They intend to obtain a razing permit to tear down the 90 year old abandoned dwelling and a new building permit to construct their new home. They will continue to reside in the manufactured house until such time as a use and occupancy permit is obtained for their new home.

Discussions ensued with the property owners regarding the removal of the manufactured house from the property once a use and occupancy permit is issued for their new home. The owners intend to move into this new home and will have 60 days within which to have the old manufactured house removed from the property. It is not permissible to maintain two dwelling units on the same property. Therefore, as a condition of approval of the special hearing and variance relief the property owners will be required to remove the manufactured house from the site.

In addition to the construction of the new home, the Petitioners are also requesting to locate a new swimming pool which will be located in the front yard of their property. Testimony

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Date 3-17-11 2

By [Signature]

revealed that the front of the house will face toward Seneca Creek thereby causing the swimming pool to be located in the front yard and additional variance relief being necessary.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated February 7, 2011, which indicates that it does not oppose the request, provided information being submitted to the Office as follows:

1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road, if consistent with the existing streetscape.

Also, comments were received from the Department of Environmental Protection and Sustainability (DEPS) dated February 15, 2011. DEPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, they offer the following comments:

1. This waterfront property is located in a Limited Development Area and a Buffer Management Area within the Chesapeake Bay Critical Area. Development of this property must comply with a maximum lot coverage limit of 5,445 square feet with mitigation for the lot coverage amount over 25%, must meet restrictions on development within the 100-foot tidal buffer, and must meet a 15% tree cover requirement. Based on this, DEPS has determined that adverse impacts on water quality from the pollutants discharged from the proposed development can be minimized with compliance and mitigation pursuant to

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Date 3-17-11 3

By 

Critical Area requirements. Mitigation requirements may include removal of lot coverage and the planting of native trees and shrubs.

2. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore the subject zoning petition will conserve fish, wildlife, and plant habitat.
3. The proposed development is permitted under the State-mandated Critical Area regulations provided that development is in compliance with all Critical Area requirements. Lot coverage on the property and within the tidal buffer is limited. Compliance with the Critical Area requirements, and mitigation can allow the subject development to be consistent with established land use policy 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.
4. There needs to be verification that the old well and septic have been properly abandoned/back-filled, at least prior to approval of the razing permit.

In addition, comments were received from the Bureau of Development Plans Review, dated February 2, 2011, comments indicate that the first floor or basement must be at least one foot above the flood plain elevation in all construction, the building should be designed and adequately anchored to prevent flotation or collapse and constructed of materials resistant to flood damage. Flood-resistant construction should be in accordance with the Baltimore County Building Code which adopts the International Building Code.

Having considered the testimony and evidenced offered at the hearing, there is no reason not to approve the special hearing and variance requests made by the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and after considering the testimony and evidence offered by the parties, I find that Petitioner's requests for special hearing and variance should be granted.

THEREFORE, IT IS ORDERED this 17th day of March, 2011, by the Administrative Law Judge, that Petitioners request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve a lot area of

ORDER RECEIVED FOR FILING

Date 3-17-11

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By [Signature]

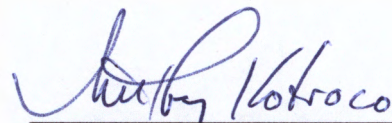
28,688 square feet or 0.65 9 acre in lieu of the required 1 1/2 acre for a single-family dwelling, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Variance request to permit side yards of 10 feet and 10 feet in lieu of the required 50 feet for a replacement dwelling and to permit an accessory use (swimming pool) in the front yard in lieu of the required rear yard pursuant to Sections 1A04.3.B.2 b and 400.1 of the B.C.Z.R., be and is hereby GRANTED in accordance with the variance area shown on the approved site plan.

The relief granted is subject to the following conditions:

1. Petitioners may apply for their building permits 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 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. Petitioners must comply with the ZAC comments submitted by the Office of Planning, dated February 7, 2011, the Department of Environmental Protection and Sustainability (DEPS), dated February 15, 2011, and the Bureau of Development Plans Review, dated February 2, 2011. Copies of these comments are attached and made a part hereof.
3. Petitioners shall be required to remove the manufactured house (trailer) within which they are living at this time, within 60 days from the date of their use and occupancy permit for their new home.

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



TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

Attachments

ORDER RECEIVED FOR FILING

Date 3-17-11

5

By [Signature]

3/9 11am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 7, 2011

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

SUBJECT: 4022 Chestnut Road

INFORMATION:

Item Number: 11-225

Petitioner: Barbara A. Maliszewski

Zoning: RC 5

Requested Action: Special Hearing

RECEIVED

FEB 09 2011

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

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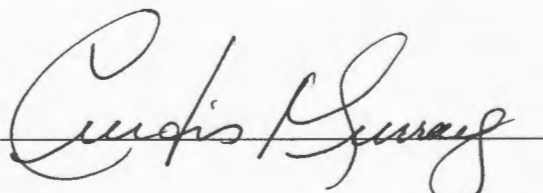
Date 3-17-11

By [Signature]

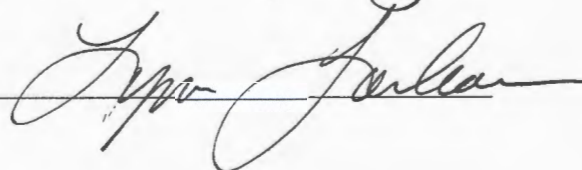
4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road, if consistent with the existing streetscape.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay with the Office of Planning at 410-887-3480.

Prepared By:



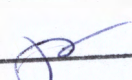
Division Chief:



CM/LL

ORDER RECEIVED FOR FILING

Date 3-17-11

By 

3/9 11am

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

FEB 15 2011



ZONING COMMISSIONER

TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Dave Lykens, Department of Environmental Protection and Sustainability (DEPS) -
Development Coordination

DATE: February 15, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-225-SPHA
Address 4022 Chestnut Road
(Maliszewski Property)

Zoning Advisory Committee Meeting of January 31, 2011.

DEPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. This waterfront property is located in a Limited Development Area and a Buffer Management Area within the Chesapeake Bay Critical Area. Development of this property must comply with a maximum lot coverage limit of 5,445 square feet with mitigation for the lot coverage amount over 15%, must meet restrictions on development within the 100-foot tidal buffer, and must meet a 15% tree cover requirement. Based on this, DEPS has determined that adverse impacts on water quality from the pollutants discharged from the proposed development can be minimized with compliance and mitigation pursuant to Critical Area requirements. Mitigation requirements may include removal of lot coverage and the planting of native trees and shrubs. – Regina Esslinger; *Environmental Impact Review*
2. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore the subject zoning petition will conserve fish, wildlife, and plant habitat. – Regina Esslinger; *Environmental Impact Review*
3. The proposed development is permitted under the State-mandated Critical Area regulations provided that development is in compliance with all Critical Area requirements. Lot coverage on the property and within the tidal buffer is limited. Compliance with the Critical Area requirements, and mitigation can allow the subject development to be consistent with established land use policy 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. – Regina Esslinger; *Environmental Impact Review*

ORDER RECEIVED FOR FILING

Date

3-17-11

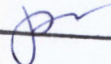
By

A handwritten signature in blue ink, appearing to be "R. Esslinger", is written over the "By" line.

4. There needs to be verification that the old well and septic have been properly abandoned/back-filled, at least prior to approval of the razing permit. – *Dan Esser; Groundwater Management*

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Date 3-17-11

By 

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 2, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For February 7, 2011
Item No. 2011-225

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 8.5 feet [NAVD 88].

The flood protection elevation is 9.5 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN:cab
cc: File
ZAC-ITEM NO 11-225-02072011.doc

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Date 3-17-11

By [Signature]



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 17, 2011

GREGORY AND BARBARA MALISZEWSKI
4022 CHESTNUT ROAD
BALTIMORE MD 21220

Re: Petition for Special Hearing and Variance
Case No. 2011-0225-SPHA
Property: 4022 Chestnut Road

Dear Mr. and Mrs. Maliszewski:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in cursive script, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

Enclosure

c: David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD
21040

CB A F Load



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4022 CHESTNUT ROAD
which is presently zoned RC 5

DEED REFERENCE: L. 30306 F.130 TAX ACCT. #1506820060

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

A LOT AREA OF 28,688 SQUARE FEET OR 0.659 ACRE
IN LIEU OF THE REQUIRED 1 1/2 ACRE. FOR A SINGLE
FAMILY DWELLING

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.

Legal Owner(s):

JUDITH ANN PIERCE

Name - Type or Print

Signature Judith Ann Pierce

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Date

BY

BARBARA A. MALISZEWSKI

Name - Type or Print

Signature Barbara A Maliszewski

GREGORY J. MALISZEWSKI

Name - Type or Print

Signature Gregory J. Maliszewski

4022 CHESTNUT ROAD (443) 677-3879

Address

Telephone No.

BALTO

MD.

21220

City

State

Zip Code

Representative to be Contacted:

DAVID BILLINGSLEY

CENTRAL DRAFTING & DESIGN, INC.

Name

601 CHARWOOD CT (410) 679-8719

Address

Telephone No.

EDGEWOOD

MD.

21040

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No. 2011-0225 SPHA

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By Jan Date 1-26-11



CBCA Flood
Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 4022 CHESTNUT ROAD
which is presently zoned RC 5

Deed Reference: 303061130 Tax Account # 1506820060

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.

JUDITH ANN PIERCE
Name - Type or Print
Judith Ann Pierce
Signature
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____ Date 3-17-11
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

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Legal Owner(s):
BARBARA A. MALISZEWSKI
Name - Type or Print
Barbara A. Maliszewski
Signature
GREGORY J. MALISZEWSKI
Name - Type or Print
Gregory J. Maliszewski
Signature
4022 CHESTNUT ROAD (443) 677-3879
Address Telephone No.
BALTO. MD 21220
City State Zip Code

Representative to be Contacted:

DAVID BILLINGSLEY
Name
CENTRAL DRAFTING & DESIGN, INC
Address
601 CHARWOOD CT. (410) 679-8719
Telephone No.
EDGEWOOD MD 21040
City State Zip Code

Case No. 2011-0225 SPA

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by JCM Date 1-26-11

SECTIONS 1A04.3.B.2.b AND 400.1 (BCZR) TO PERMIT SIDE YARDS OF 10 FEET AND 10 FEET IN LIEU OF THE REQUIRED 50 FEET AND 50 FEET FOR A REPLACEMENT DWELLING AND TO PERMIT AN ACCESSORY USE (SWIMMING POOL) IN THE FRONT YARD IN LIEU OF THE REQUIRED REAR YARD

ZONING DESCRIPTION

4022 CHESTNUT ROAD

Beginning at a point on the north side of Chestnut Road (30 feet wide), distant 600 feet northeasterly from it's intersection with the center of Seneca Road (30 feet wide) thence (1) N 26 31 E 380 feet to Seneca Creek thence (2) southeasterly 75 feet, more or less, thence (3) S 26 31 W 390 feet, thence (4) N 62 59 W 75 feet to the place of beginning.

Containing 28,688 square feet or 0.659 acre of land, more or less.

Being one half of Lot 134 and all of Lot 135 as shown on Plat 2 Bowleys Quarters recorded among the Baltimore County Plat Records in Plat Book 7 Folio 13. Located in the 15TH Election District, 6TH Councilmanic District of Baltimore county.

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

No. **63606**
Date: **1-26-11**

PAID RECEIPT

BUSINESS ACTUAL TIME WH
1/27/2011 1/26/2011 09:52:00 2

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount	Dept
				Source/	Rev/					
001	806	0010		6150					150.-	

Total: **150.-**

Rec From: **JUDITH PIERCE**

For: **2011-0225 A**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

REG 0505 WALKIN' ORLE 000
>>RECEIPT R 562958 1/26/2011 09:52
5:528 201101 VERIFICATION
063606
Recpt for 1150.00
\$25.00 CH 5.00 CA
Baltimore County, Maryland

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: # 2011-0225-SPHA

4022 Chestnut Road

N/side of Chestnut Road, 600 +/- northeast from

Seneca Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Gregory & Barbara Maliszewski

Special Hearing: to permit a lot area of 28,688 square feet or 0.659 acres in lieu of the required 1 1/2 acre for a single family dwelling. **Variance:** to permit side yards of 10 feet and 10 feet in lieu of the required 50 feet and 50 feet for a replacement dwelling and to permit an accessory use (swimming pool) in the front yard in lieu of the required rear yard.

Hearing: Wednesday, March 9, 2011 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS
AND INSPECTIONS 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.

JT/2/722 Feb. 22

267793

CERTIFICATE OF PUBLICATION

2/24/ 2011

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 2/22/ 2011.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 2011-0225-SPHA

Petitioner/Developer DAVE BILLINGSLEY

Date Of Hearing/Closing: 3/9/11

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 penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 4022 CHESTNUT ROAD

This sign(s) were posted on February 21, 2011

Month, Day, Year

Sincerely,

Martin Ogle 2/21/11
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

ZONING NOTICE

CASE # 2011-0225-SPHA

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

ROOM 205 JEFFERSON BUILDING 105 WEST

PLACE: CHESTERFARME AVENUE, TOWSON 21204

DATE AND TIME: WEDNESDAY, MARCH 9, 2011
AT 11:00 A.M.

REQUEST: SPECIAL HEARING TO REPEAL A LOT AREA OF
28,688 SQUARE FEET OR
0.651 ACRES IN LIEU OF THE REQUIRED 1 1/2 ACES FOR A
SINGLE-FAMILY DWELLING, VARIANCE TO REARLOT SIDE YARDS OF
10 FEET AND 10 FEET IN LIEU OF THE REQUIRED 50 FEET AND
50 FEET FOR A RECREATION BUILDING AND ITS REARLOT AND
ACCESSORY USE (SWIMMING POOL) IN THE FRONT YARD
IN LIEU OF THE REQUIRED REAR YARD

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

02/21/2011

Michael G. 2/21/11

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 22, 2011 Issue - Jeffersonian

Please forward billing to:
Gregory Maliszewski
4022 Chestnut Road
Baltimore, MD 21220

443-677-3879

NOTICE OF ZONING HEARING

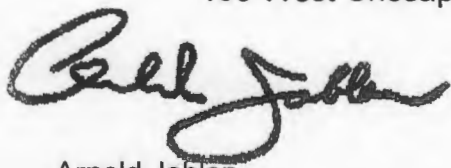
The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0225-SPHA

4022 Chestnut Road
N/side of Chestnut Road, 600 +/- northeast from Seneca Road
15th Election District – 6th Councilmanic District
Legal Owners: Gregory & Barbara Maliszewski

Special Hearing to permit a lot area of 28,688 square feet or 0.659 acres in lieu of the required 1 ½ acre for a single family dwelling. Variance to permit side yards of 10 feet and 10 feet in lieu of the required 50 feet and 50 feet for a replacement dwelling and to permit an accessory use (swimming pool) in the front yard in lieu of the required rear yard.

Hearing: Wednesday, March 9, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE LAW HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 14, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0225-SPHA

4022 Chestnut Road

N/side of Chestnut Road, 600 +/- northeast from Seneca Road

15th Election District – 6th Councilmanic District

Legal Owners: Gregory & Barbara Maliszewski

Special Hearing to permit a lot area of 28,688 square feet or 0.659 acres in lieu of the required 1 ½ acre for a single family dwelling. Variance to permit side yards of 10 feet and 10 feet in lieu of the required 50 feet and 50 feet for a replacement dwelling and to permit an accessory use (swimming pool) in the front yard in lieu of the required rear yard.

Hearing: Wednesday, March 9, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Maliszewski, 4022 Chestnut Road, Baltimore 21220
David Billingsley, 601 Charwood Ct., Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 22, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE LAW HEARINGS OFFICE AT 410-887-3868.
- (3) 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/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: _____

Petitioner: GREGORY MALISZEWSKI

Address or Location: 4022 CHESTNUT ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: GREGORY MALISZEWSKI

Address: 4022 CHESTNUT ROAD
BALTO MD 21220

Telephone Number: (443) 677-3879



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 28, 2011

Mr. & Mrs. Maliszewski
4022 Chestnut Road
Baltimore, MD 21220

RE: Case Number 2011-0225SPHA , 4022 Chestnut Road, Baltimore, MD 21220

Dear Mr. & Mrs. Maliszewski,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 25, 2011. 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:mcn

Enclosures

c: People's Counsel
David Billingsley, c/o Central Drafting & Design, Inc., 601 Charwood Ct.,
Edgewood, MD 21040

3/9 11am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 7, 2011

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

SUBJECT: 4022 Chestnut Road

INFORMATION:

Item Number: 11-225

Petitioner: Barbara A. Maliszewski

Zoning: RC 5

Requested Action: Special Hearing

RECEIVED

FEB 09 2011

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

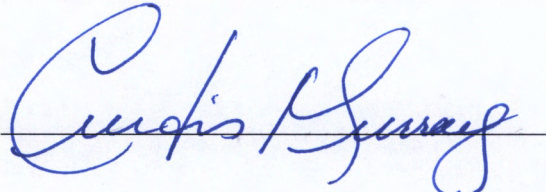
The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

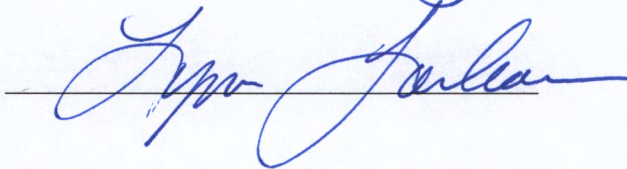
4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road, if consistent with the existing streetscape.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay with the Office of Planning at 410-887-3480.

Prepared By:

A handwritten signature in blue ink, appearing to read "Curtis R. Gurney", written over a horizontal line.

Division Chief:

A handwritten signature in blue ink, appearing to read "J. J. J. J. J.", written over a horizontal line.

CM/LL



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

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 2-14-2011

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

RE: Baltimore County
Item No 2011-0225-SPHA
4022 CHESTNUT RD.
MALISZEWSKI PROPERTY
SPECIAL HEARING
VARIANCE-

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. 2011-0225-SPHA.

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
Access Management Division

SDF/mb

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



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

February 3, 2011

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

None

ATTENTION: Zoning Review

Distribution Meeting of: **January 31, 2011**

Item No.:

Administrative Variance: 2011-0215A – 0216A, 2011-0224A

Special Hearing: 2011-0213-SPH, 2011-0219-SPHA, 2011-0220-SPH, **2011-0225-SPHA**

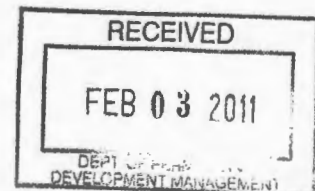
Variance: 2011-0217A, 2011-0219-SPHA, 2011-0221-XA, 2011-0222A – 0223A, **2011-0225-SPHA**

Special Exception: 2011-0221-XA,

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



3/9 11am
RECEIVED

FEB 15 2011

ZONING COMMISSIONER

TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Dave Lykens, Department of Environmental Protection and Sustainability (DEPS) -
Development Coordination

DATE: February 15, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-225-SPHA
Address 4022 Chestnut Road
(Maliszewski Property)

Zoning Advisory Committee Meeting of January 31, 2011.

DEPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. This waterfront property is located in a Limited Development Area and a Buffer Management Area within the Chesapeake Bay Critical Area. Development of this property must comply with a maximum lot coverage limit of 5,445 square feet with mitigation for the lot coverage amount over 15%, must meet restrictions on development within the 100-foot tidal buffer, and must meet a 15% tree cover requirement. Based on this, DEPS has determined that adverse impacts on water quality from the pollutants discharged from the proposed development can be minimized with compliance and mitigation pursuant to Critical Area requirements. Mitigation requirements may include removal of lot coverage and the planting of native trees and shrubs. – *Regina Esslinger; Environmental Impact Review*
2. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore the subject zoning petition will conserve fish, wildlife, and plant habitat. – *Regina Esslinger; Environmental Impact Review*
3. The proposed development is permitted under the State-mandated Critical Area regulations provided that development is in compliance with all Critical Area requirements. Lot coverage on the property and within the tidal buffer is limited. Compliance with the Critical Area requirements, and mitigation can allow the subject development to be consistent with established land use policy 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. – *Regina Esslinger; Environmental Impact Review*

4. There needs to be verification that the old well and septic have been properly abandoned/back-filled, at least prior to approval of the razing permit. – *Dan Esser; Groundwater Management*

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For February 7, 2011
Item No. 2011-225

DATE: February 2, 2011

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 8.5 feet [NAVD 88].

The flood protection elevation is 9.5 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN:cab
cc: File
ZAC-ITEM NO 11-225-02072011.doc

PLEASE PRINT CLEARLY

CASE NAME 4022 CHESTER. R O

CASE NUMBER 2011-0225 SPNA

DATE 3/9/11

PETITIONER'S SIGN-IN SHEET

[illegible]

Prior Order 4/28

IN RE: PETITIONS FOR SPECIAL HEARING & * BEFORE THE
ZONING VARIANCE *
NE/S Chestnut Road, 600 ft. +/- * ZONING COMMISSIONER
NE of Seneca Road *
4022 Chestnut Road * OF BALTIMORE COUNTY
15th Election District *
5th Councilmanic District *
Legal Owner: Beatrice N. Funk Case No. 98-325-SPHA
Lessee: Barbara A. Pierce
Petitioners

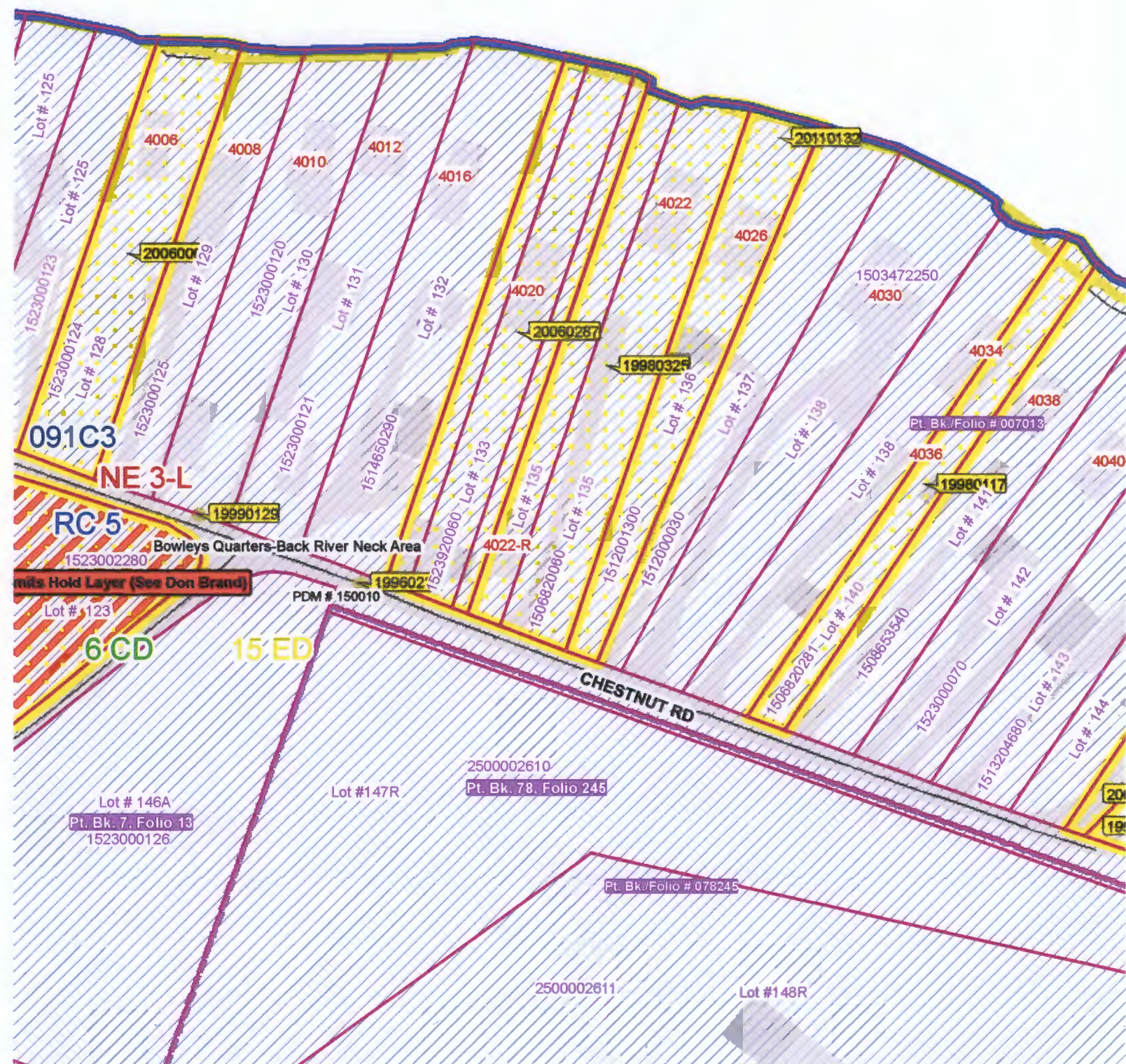
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a joint Petition for Special Hearing and Variance for the property located at 4022 Chestnut Road, in the Bowleys Quarters subdivision of eastern Baltimore County. The Petition was filed by Beatrice N. Funk, property owner, and Barbara A. Pierce, Lessee. Special Hearing relief is requested to allow a new trailer to replace an existing structure (a nonconforming trailer). The Petition further states that the new trailer will be 3.07 times larger in size. Variance relief is requested from Section 104.3 of the Baltimore County Zoning Regulations (BCZR) to allow an expansion greater than 25% of the area of a nonconforming use. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petitions for Special Hearing and Variance.

Appearing at the public hearing held for this case were the Petitioners, Beatrice N. Funk and Barbara A. Pierce. Ms. Funk is the grandmother of Ms. Pierce. There were no Protestants present. Additionally, the Petitioners submitted a signed Petition from several neighbors indicating support of the Petitioner's plans.

An examination of the site plan shows that the subject property is approximately 28,500 sq. ft. in area, zoned R.C.5. The lot is rectangular in shape, 75 ft. in width by 358 ft. in depth. Vehicular access to the property is by way of Chestnut Road which abuts the property on its north



PETITIONER'S EXHIBITS

**4022 CHESTER ROAD
CASE NO. 2011-0225 SPHA**

- 1. PLAT TO ACCOMPANY PETITION DATED JANUARY 4, 2011 (NO CHANGES)**
- 2. SDAT REAL PROPERTY DATA SEARCH**
- 3. DEED OF RECORD L.30306 F.130**
- 4. PLAT OF BOWLEYS QUARTERS P.B. 7 F. 13 RECORDED MAY 26, 1921**
- 5. AERIAL PHOTO**
- 6a – 6d. PHOTOGRAPHS**
- 7. BUILDING ELEVATIONS**

Maryland Department of Assessments and Taxation
Real Property Data Search (vw6.3A)
BALTIMORE COUNTY

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

Account Identifier: District - 15 Account Number - 1506820060

Owner Information

Owner Name: PIERCE JUDITH ANN
MALISZEWSKI GREGORY J/BARBARA A
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 4022 CHESTNUT RD
BALTIMORE MD 21220-4025
Deed Reference: 1) /30306/ 130
2)

Location & Structure Information

Premises Address: 4022 CHESTNUT RD
Legal Description: LT 135 PT 134
4022 CHESTNUT RD
WATERFRONT BOWLEYS QUARTER

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
91	22	150					135	3		2
									Plat Ref:	7/13

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1921	960 SF	28,500.00 SF	34

Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT SIDING	

Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	326,120	326,120		
Improvements:	67,080	56,150		
Total:	393,200	382,270	382,270	382,270
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
PIERCE JUDITH ANN	12/22/2010	\$0
Type:	Deed1:	Deed2:
NOT ARMS-LENGTH	/30306/ 130	
Seller:	Date:	Price:
FUNK BEATRICE N	09/15/2003	\$0
Type:	Deed1:	Deed2:
NOT ARMS-LENGTH	/18782/ 348	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000		

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

PETITIONER'S
EXHIBIT NO. 2

File No. 10-1147MSH
 Tax ID # 15 15-06-820060
EXEMPT FROM RECORDATION/TRANSFER TAXES
ADDING DAUGHTER AND SON-IN-LAW

NO CONSIDERATION
NO TITLE EXAMINATION
NO EXISTING DEBT

This Deed, made this 22nd day of November, 2010, by and between Judith Ann Pierce, party of the first part, Grantor; and Judith Ann Pierce, Gregory J. Maliszewski and Barbara A. Maliszewski, husband and wife, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of No Dollars 00/100 (\$.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said Judith Ann Pierce, Gregory J. Maliszewski and Barbara A. Maliszewski, as joint tenants unto the survivor of them, the survivor's personal representatives and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

BEGINNING FOR THE SAME on the northeast side of Chestnut Road 30 feet wide, and at the dividing line between Lots No. 135 and 136 as shown on Plat No. 2 of Bowley's Quarter, said place of beginning at a distance of 490 feet south 62 degrees 59 minutes east from stone heretofore planted on the northeast side of Chestnut Road at the division line between Lots No. 124 and 125 on the aforesaid plat; and running thence and binding on the northeast side of Chestnut Road north 62 degrees 59 minutes west 75 feet; thence north 26 degrees 31 minutes east 380 feet, more or less, to the waters of Seneca Creek; thence southeasterly binding on the waters of said creek 75 feet to intersect a line drawn north 26 degrees 31 minutes east from the place of beginning; and thence reversing said line so drawn and binding thereon south 26 degrees 31 minutes west 380 feet, more or less, to the place of beginning. The improvements thereon being known as 4022 Chestnut Road.

Being the same property, which by Confirmatory Deed dated April 28, 2003 and recorded September 15, 2003 among the Land Records of Baltimore County in Liber SM 18782, at Folio 348, was granted and conveyed by Michael J. Kenney, Personal Representative of the Estate of Patricia S. Kenney, deceased and Judith Ann Pierce, unto Judith Ann Pierce.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Judith Ann Pierce, Gregory J. Maliszewski and Barbara A. Maliszewski, as joint tenants unto the survivor of them, the survivor's personal representatives and/or assigns, in fee simple.

And the said party of the first part hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

Baltimore County - My Neighborhood



PETITIONER'S
EXHIBIT NO. **5**



a



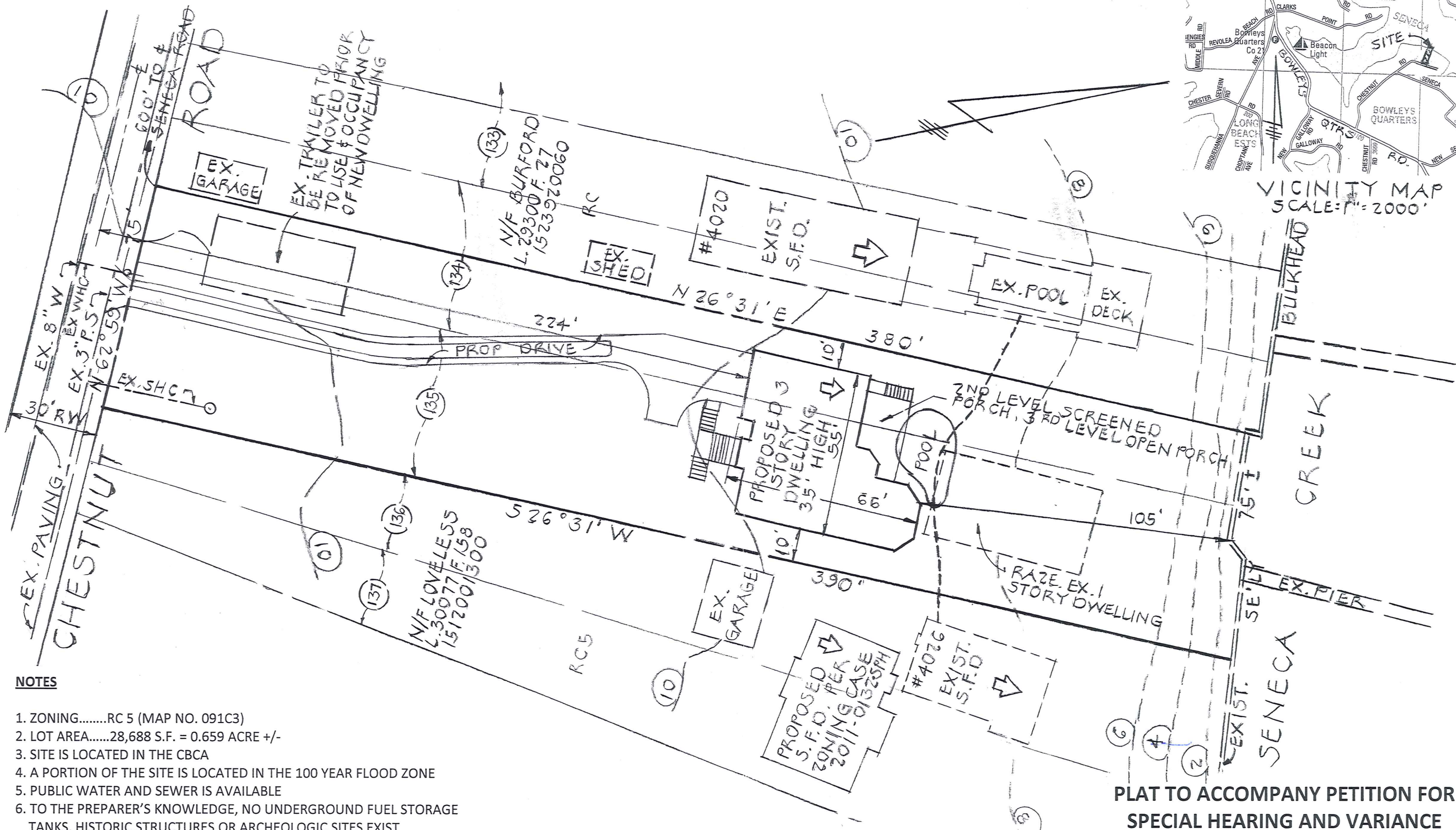
b



c



d



NOTES

1. ZONING.....RC 5 (MAP NO. 091C3)
2. LOT AREA.....28,688 S.F. = 0.659 ACRE +/-
3. SITE IS LOCATED IN THE CBCA
4. A PORTION OF THE SITE IS LOCATED IN THE 100 YEAR FLOOD ZONE
5. PUBLIC WATER AND SEWER IS AVAILABLE
6. TO THE PREPARER'S KNOWLEDGE, NO UNDERGROUND FUEL STORAGE TANKS, HISTORIC STRUCTURES OR ARCHEOLOGIC SITES EXIST
7. ZONING HISTORY.....CASE NO. 98-325-SPHA ORDER DATED JUNE 5, 1998 DENYING A REPLACEMENT TRAILER 3.07 TIMES LARGER THAN THE EXISTING TRAILER
8. BUILDING COVERAGE.....9.5 %

CENTRAL DRAFTING & DESIGN, INC.
 601 CHARWOOD COURT
 EDGEWOOD, MD 21040
 (410) 679-8719

OWNER

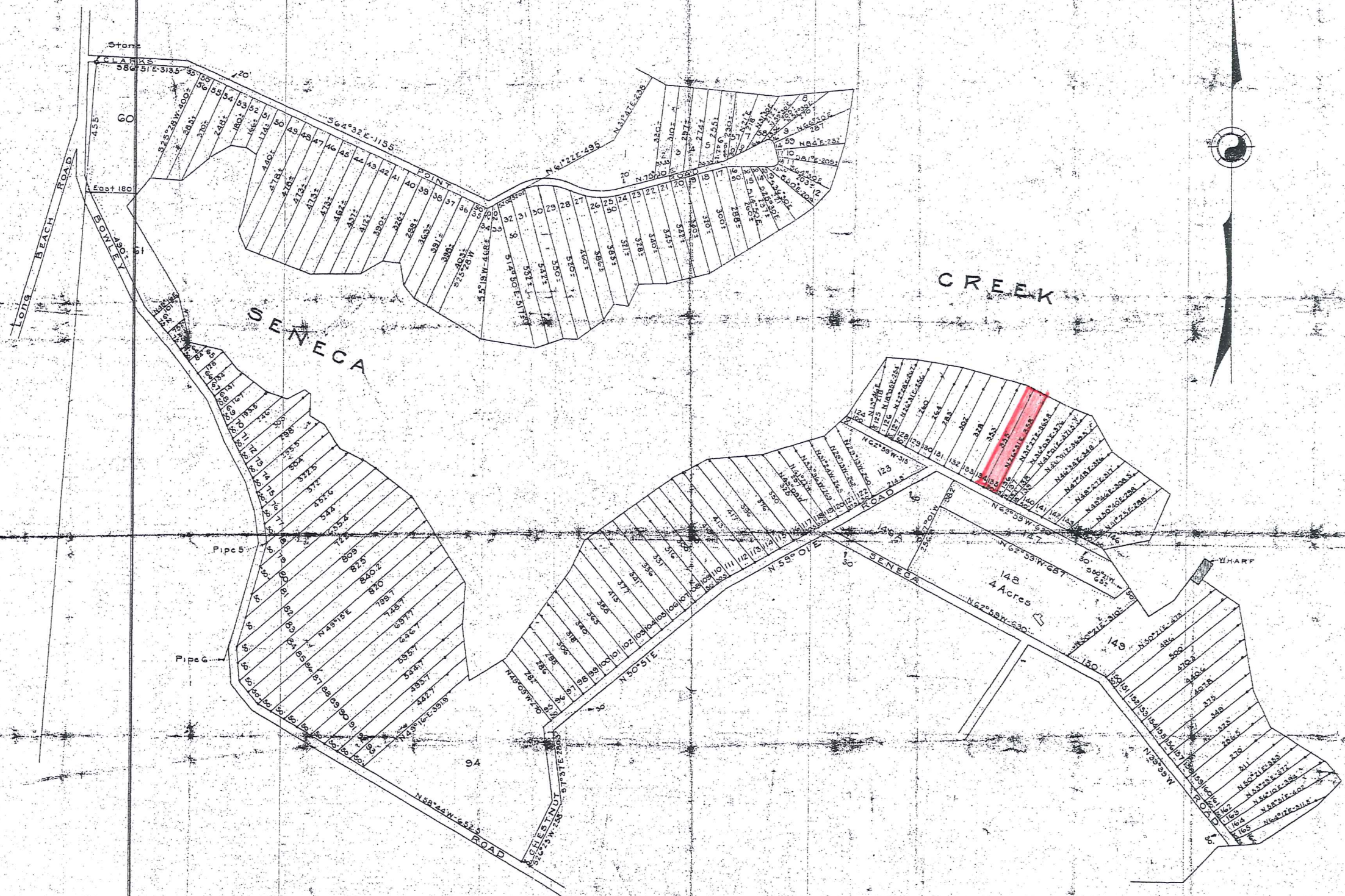
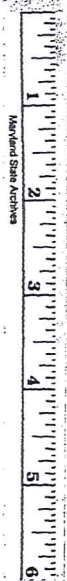
JUDITH ANN PIERCE, GREGORY J. & BARBARA A. MALISZEWSKI
 4022 CHESTNUT ROAD
 BALTIMORE, MD. 21220
 DEED REF: L. 30306 F. 130
 ACCT. NO. 1506820060

**PETITIONER'S
 EXHIBIT NO. 1**

**PLAT TO ACCOMPANY PETITION FOR
 SPECIAL HEARING AND VARIANCE**

**4022 CHESTER ROAD
 1/2 OF LOT 134 AND LOT 135**

**PLAT 2 BOWLEYS QUARTERS P.B. 7 F.13
 ELECTION DISTRICT 15C6 BALTIMORE CO, MD.
 SCALE: 1 INCH = 30 FEET JANUARY 4, 2011**



REC. 5/26/21
P.B. 7 F. 13

PETITIONER'S
EXHIBIT NO. 4

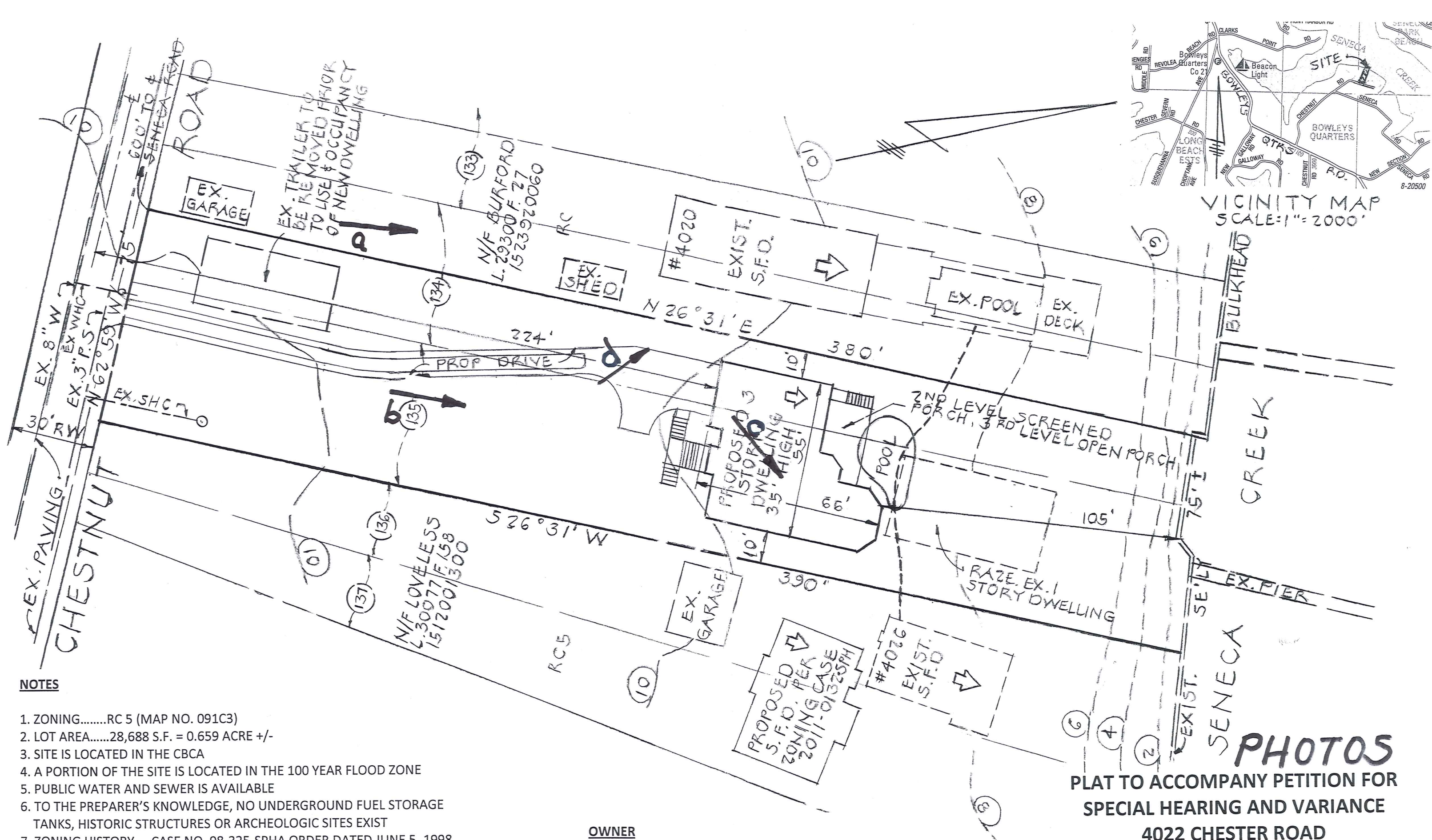
BOWLEYS QUARTE
PLAT NO. 2

Scale 1"=200' April 16, 1921

Edward V. Coonan and Company
Surveyors and Civil Engineers

Balto, Md.

Indicates Location of Stake



- 2009 IECC CODE COMPLIANCE
- 401.1 CLIMATE ZONE 4A
- 401.2 COMPLIANCE METHOD:
MANDATORY AND PRESCRIPTIVE PROVISIONS
- 402.1.1 EXTERIOR FRAME WALL CONSTRUCTION:
2x4 STUDS AT 16" O/C
R-15 KRAFT FACED BATT INSULATION
7/16" OSB (CONTINUOUS)
HOUSEWRAP
- 402.1.1 ATTIC INSULATION:
R-38
- 402.1.1 BASEMENT WALL INSULATION:
R-10 FOIL FACED CONTINUOUS, UNINTERRUPTED BATTS FULL HEIGHT
- 402.1.1 GRAVEL SPACE WALL INSULATION:
R-10 FOIL FACED CONTINUOUS BATTS FULL HEIGHT, EXTENDING FROM FLOOR ABOVE TO FINISH GRADE LEVEL AND THEN VERTICALLY OR HORIZONTALLY AN ADDITIONAL 2'-0"
- 402.1.1 FLOOR INSULATION OVER UNCONDITIONED SPACE:
R-11 BATT INSULATION
- 402.1.1 WINDOW U-VALUE / SHGC
54 (U-VALUE)
51 (SHGC)
- 402.1.1 SLAB ON GRADE FLOORS LESS THAN 12' BELOW GRADE:
R-10 RIGID FOAM BOARD UNDER SLAB EXTENDING EITHER 2'-0" HORIZONTALLY OR VERTICALLY
- 402.2.3 ATTIC ACCESS:
ATTIC ACCESS SCUTTLE WILL BE WEATHERSTRIPPED AND INSULATED R-38
- 402.4.1 BUILDING THERMAL ENVELOPE (AIR LEAKAGE):
EXTERIOR WALLS AND PENETRATIONS WILL BE SEALED PER THIS SECTION OF THE 2009 IECC WITH CAULK, GASKETS, WEATHERSTRIPPING OR AN AIR BARRIER OF SUITABLE MATERIAL
- 402.4.2 BUILDING ENVELOPE TIGHTNESS TEST OPTION:
BUILDING ENVELOPE TIGHTNESS AND INSULATION INSTALLATION MUST MEET THE INSULATION CRITERIA LISTED IN TABLE 402.4.2. A 'BLOWER DOOR AIR INFILTRATION TEST' SHALL BE PERFORMED IN ALL UNITS
- 402.4.3 FIREPLACES:
ALL WOOD BURNING MASONRY FIREPLACES WILL HAVE GASKETED DOORS AND OUTDOOR COMBUSTION AIR. GASKETED DOORS ARE NOT REQUIRED FOR PREFABRICATED FIREPLACE UNITS
- 402.4.5 RECESSED LIGHTING:
RECESSED LUMINAIRES INSTALLED IN THE BUILDING THERMAL ENVELOPE SHALL BE SEALED TO LIMIT AIR LEAKAGE
- 403.1.1 THERMOSTAT:
ALL DWELLING UNITS WILL HAVE AT LEAST (1) PROGRAMMABLE THERMOSTAT FOR EACH SEPARATE HEATING AND COOLING SYSTEM PER 2009 IECC SECTION 403.1
- 403.2.1 MECHANICAL DUCT INSULATION:
SUPPLY DUCTS IN ATTIC R-8 MINIMUM
SUPPLY DUCTS OUTSIDE OF CONDITIONED SPACES R-8 MINIMUM
ALL OTHER DUCTS EXCEPT THOSE LOCATED COMPLETELY INSIDE THE BUILDING THERMAL ENVELOPE R-6 MINIMUM. DUCTS LOCATED UNDER CONCRETE SLABS MUST BE R-6 MINIMUM
- 403.2.2 DUCT SEALING:
ALL DUCTS, AIR HANDLERS, FILTER BOXES WILL BE SEALED. JOINTS AND SEAMS WILL COMPLY WITH SECTION M601.41 OF THE IRC.
A DUCT TIGHTNESS TEST ('DUCT BLASTER' DUCT TOTAL LEAKAGE TEST) WILL BE PERFORMED ON ALL HOMES AND SHALL BE VERIFIED BY EITHER A POST CONSTRUCTION TEST OR A ROUGH-IN TEST. DUCT TIGHTNESS TEST IS NOT REQUIRED IF THE AIR HANDLER AND ALL DUCTS ARE LOCATED WITHIN THE CONDITIONED SPACE
- 403.5 MECHANICAL VENTILATION:
OUTDOOR (MAKE-UP) AIR WILL BE BROUGHT INTO THE HOME THRU A DUCT WITH AN AUTOMATIC OR GRAVITY DAMPER
- 403.6 EQUIPMENT SIZING:
ALL FURNACES WILL BE 80% EFFICIENT FURNACES
- 404.1 LIGHTING EQUIPMENT:
A MINIMUM OF 50% OF ALL LAMPS (LIGHTS) MUST BE HIGH-EFFICACY LAMPS
- WATER HEATER:
MINIMUM EFFICIENCY ESTABLISHED BY NAECA
- MECHANICAL TESTING:
ALL MECHANICAL TESTING TO BE PERFORMED BY CONTRACTOR
THIS CONTRACTOR ALSO RESPONSIBLE FOR GENERATING CERTIFICATE OF COMPLIANCE AND AFFIXING TO ELECTRIC PANEL



THE MALISZEWSKI RESIDENCE

THE MALISZENSKI RESIDENCE



RIGHT SIDE ELEVATION
SCALE: 1/4"=1'-0"



LEFT SIDE ELEVATION
SCALE: 1/4"=1'-0"

THE MALISZENSKI RESIDENCE

SCALE: 1/4" = 1'-0"

DATE: 11/2010

SHEET NO.: 2 OF 8

GBL CUSTOM HOME
DESIGN INC.
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-893-8920