

MEMORANDUM

DATE: November 6, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0031-A – Appeal Period Expired

The appeal period for the above-referenced case expired on November 5, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE
(3 Patapsco Avenue)
12th Election District
7th Council District
Frank Kaniecki
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2016-0031-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of Frank Kaniecki, legal owner of the subject property ("Petitioner"). The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §§ 1B02.3.C.1 and 400.1: (1) to permit a proposed single family dwelling with a side yard setback of 2 ft. 10 in. and a rear yard setback of 10 ft. in lieu of the required 10 and 30 ft., respectively; and (2) to permit an accessory building (in-ground pool) to be located in the front yard of the dwelling in lieu of the required rear yard. A site plan showing these proposed improvements was marked as Petitioner's Exhibit 1.

Owner Frank Kaniecki appeared in support of the petition. The Petition was advertised and posted as required by the B.C.Z.R. There were no Protestants or interested citizens in attendance. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR) and the Department of Planning (DOP). Both agencies indicated landscaping would be required to screen the in-ground pool.

The subject property is approximately 5,760 square feet and is zoned DR 5.5. The property is improved with a single family dwelling which was constructed in 1934, and the Petitioner noted the house is in disrepair and needs many improvements. As such, Petitioner proposes to raze the

ORDER RECEIVED FOR FILING

Date 10/6/15
By sen

existing dwelling and in its place construct a new single family dwelling with an in-ground pool in the front of the home. To do so zoning relief is required.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioner has met this test. The Petitioner must contend with long-existing site conditions and thus the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because he would be unable to construct a new dwelling to replace the existing aging structure. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of Baltimore County and/or community opposition. In fact, Petitioner submitted letters of support from all adjoining neighbors.

THEREFORE, IT IS ORDERED, this 6th day of October, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §§ 1B02.3.C.1 and 400.1: (1) to permit a proposed single family dwelling with a side yard setback of 2 ft. 10 in. and a rear yard setback of 10 ft. in lieu of the required 10 and 30 ft., respectively; and (2) to permit an accessory building (in-ground pool) to be located in the front yard of the dwelling in lieu of the required rear yard, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

10/16/15

2

By

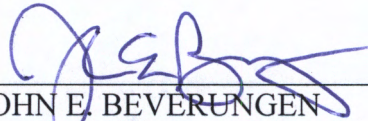
Sen

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must comply with flood protection and Critical Area regulations.
3. Petitioner must provide landscaping to screen the in-ground pool, as determined in the sole discretion of the Baltimore County Landscape Architect.

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

JEB:sln



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date

10/6/15

By

sln



CBCA

F1001

PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:
 Address 3 Patapsco Ave. Balto., Md. 21222 which is presently zoned DR 5.5
 Deed References: 24736/00159 10 Digit Tax Account # 1201035167
 Property Owner(s) Printed Name(s) Frank Lee Roy Kaniecki

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a **Variance** from Section(s) 1B02.3.C.1 of BCZR to permit a proposed single family dwelling with a side yard setback of 2'10" and a rear yard setback of 10 feet in lieu of the required 10 and 30 feet respectively; and from Section 400.1 of BCZR to permit an accessory building i.e. in-ground pool to be located in the front yard of the dwelling in lieu of the required in the rear yard.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Frank L. Kaniecki

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

341 Gusryan St. Balto. Md.

Mailing Address

City

State

21224 (443) 806-2018

Zip Code

Telephone #

Email Address

KSS.Kaniecki@y

Representative to be contacted:

Frank L. Kaniecki

Name - Type or Print

Signature

341 Gusryan St. Balto. Md.

Mailing Address

City

State

21224 (443) 806-2018

Zip Code

Telephone #

Email Address

KSS.Kaniecki@y

CASE NUMBER

2016-0031-A

Filing Date

8/5/15

Do Not Schedule Dates:

Reviewer

AT

Property Description of 3 Patapsco Avenue, Dundalk, MD 21222

Beginning at a point on the east side of Patapsco Avenue, which is 50 feet wide, at the north-east corner of the intersecting streets of Patapsco Avenue and Woodland Avenue.

Being Lot #35 in the subdivision of Carnegie as recorded in Baltimore County Plat Book #3, folio # 0075, containing 5,760 square feet, located in the 12th Election District, and 7th Council District.

2016-0031-A

No.

127377

Date:

8/5/15

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
----------	--------	------	-----

8/04/2015 8/05/2015 11:25:38

REF: HQON HQKXIN KSHI XMS

RECEIPT # 677448 8/05/2015

574

Dept 5 523 ZONING VERIFICATION

10. 12637

Receipt Tot	\$75.00
-------------	---------

\$75.00	CK	3.00	CA
---------	----	------	----

Baltimore County, Maryland

Total:

\$ 75

Rec

From:

FRANK KANIECKI

For:

3 DATADSCO AVE

2016-0031-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

August 19, 2015

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

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: 2016-0031-A

3 Patapsco Avenue

E/s Patapsco Avenue, NE corner of Patapsco Avenue & Woodland Avenue

12th Election District – 7th Councilmanic District

Legal Owners: Frank Kaniecki

Variance to permit a proposed single family dwelling with a side yard setback of 2' 10" and a rear yard setback of 10 feet in lieu of the required 10 and 30 feet respectively; to permit an accessory building i.e. in-ground pool to be located in the front yard of the dwelling in lieu of the required rear yard.

Hearing: Monday, October 5, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Frank Kaniecki, 341 Gusryan Street, Baltimore 21224

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 15, 2015**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 15, 2015 Issue - Jeffersonian

Please forward billing to:
Frank Kaniecki
341 Gusryan Street
Baltimore, MD 21224

443-806-2018

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2016-0031-A

3 Patapsco Avenue
E/s Patapsco Avenue, NE corner of Patapsco Avenue & Woodland Avenue
12th Election District – 7th Councilmanic District
Legal Owners: Frank Kaniecki

Variance to permit a proposed single family dwelling with a side yard setback of 2' 10" and a rear yard setback of 10 feet in lieu of the required 10 and 30 feet respectively; to permit an accessory building i.e. in-ground pool to be located in the front yard of the dwelling in lieu of the required rear yard.

Hearing: Monday, October 5, 2015 at 10:00 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 HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE

3 Patapsco Avenue; E/S Patapsco Avenue,
NE corner of Patapsco & Woodland Avenues
12th Election & 7th Councilmanic Districts

Legal Owner(s): Frank Kaniecki

Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-031-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 and all documentation filed in the case.

RECEIVED

AUG 17 2015

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of August, 2015, a copy of the foregoing Entry of Appearance was mailed to Frank Kaniecki, 341 Gusryan Street, Baltimore, Maryland 21224, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/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:

Case Number: 2016-0031-A
Property Address: 3 Potapso Ave Dundalk MD. 21222
Property Description: _____
Legal Owners (Petitioners): Frank Janiecki
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Frank Janiecki
Company/Firm (if applicable): _____
Address: 341 Mus Ryan St
Baltimore, MD. 21224
Telephone Number: 443-806-2018

Revised 5/20/2014



THE BALTIMORE SUN MEDIA GROUP

501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3569399

Sold To:

Frank Kaniecki - CU00488151
341 Gusryan St
Baltimore, MD 21224-2804

Bill To:

Frank Kaniecki - CU00488151
341 Gusryan St
Baltimore, MD 21224-2804

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Sep 15, 2015

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2016-0031-A
3 Patapsco Avenue
E/s Patapsco Avenue, NE corner of Patapsco Avenue & Woodland Avenue
12th Election District - 7th Councilmanic District
Legal Owner(s) Frank Kaniecki

Variance: to permit a proposed single family dwelling with a side yard setback of 2' 10" and a rear yard setback of 10 feet in lieu of the required 10' and 30 feet respectively; to permit an accessory building i.e. in-ground pool to be located in the front yard of the dwelling in lieu of the required rear yard.

Hearing: Monday, October 5, 2015 at 10:00 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 Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 9/7/14 Sept. 15 3569399

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

CERTIFICATE OF POSTING

2016-0031-A

RE: Case No.: _____

Petitioner/Developer: _____

Frank Kaniecki

October 5, 2015

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

3 Patapsco Ave

September 15, 2015

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

September 15, 2015

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
8/17/15	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
8/28/15	PLANNING (if not received, date e-mail sent _____)	no obj w/comment
8/11/15	STATE HIGHWAY ADMINISTRATION	no obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 9/15/15	
SIGN POSTING	Date: 9/15/15	by SSG Black
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

Real Property Data Search (w3)

Guide to searching the database

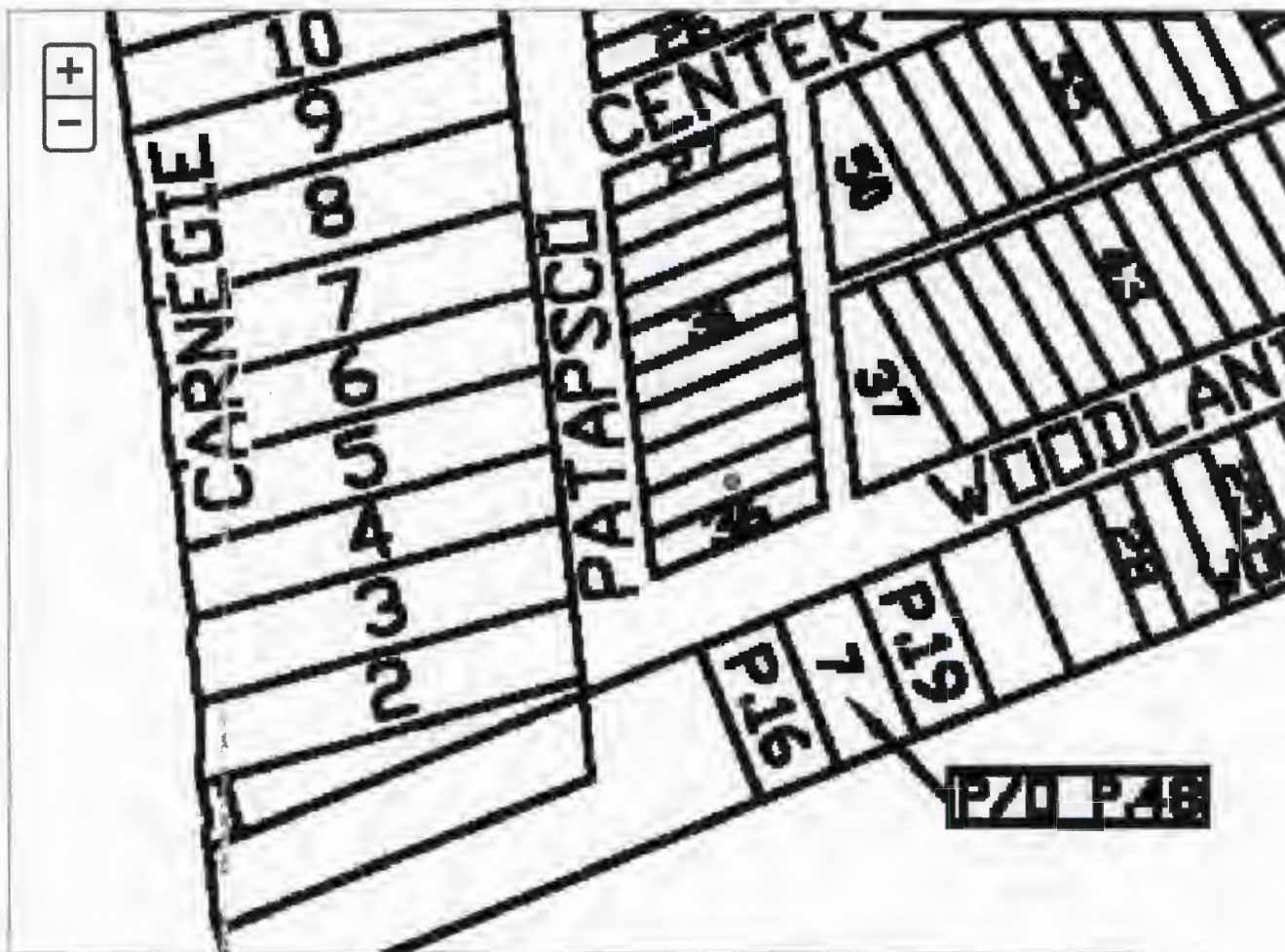
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 12 Account Number - 1201035167			
Owner Information					
Owner Name:	WILSON DORIS K KANIECKI FRANCIS M KANIECKI FRANK LEROY		Use: Principal Residence:	RESIDENTIAL NO	
Mailing Address:	3 PATAPSCO AVE BALTIMORE MD 21222-6132		Deed Reference:	/24736/ 00159	
Location & Structure Information					
Premises Address:		3 PATAPSCO AVE 0-0000		Legal Description:	LT 35-36 3 PATAPSCO AVE CARNEGIE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0110	0004	0047		0000	
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	County Use
	35	2015		0003/0075	04
Special Tax Areas:			Town: Ad Valorem: Tax Class:	NONE	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1934	1,856 SF		5,750 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	2 full	1 Detached
Value Information					
	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015 As of 07/01/2016		
Land:	41,700	41,700			
Improvements	72,500	57,200			
Total:	114,200	98,900	98,900	98,900	
Preferential Land:	0			0	
Transfer Information					
Seller: WILSON ELMER E		Date: 11/08/2006		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /24736/ 00159		Deed2:	
Seller: WILSON ELMER E		Date: 09/17/1984		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /06785/ 00351		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty/>)

District: 12 Account Number: 1201035167



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



KEVIN KAMENETZ
County Executive

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

September 30, 2015

Frank L Kaniecki
341 Gusryan Street
Baltimore MD 21224

RE: Case Number: 2016-0031 A, Address: 3 Patapsco Avenue

Dear Mr. Kaniecki:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 5, 2015. 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: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Douglas H. Simmons, Acting Administrator

Date: 8/11/15

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

RE: Baltimore County
Item No 2016-0031-A
Variance
Frank L. Kaniecki
3 Patapsco Avenue.

Dear Ms. Lewis:

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. 2016-0031-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: August 28, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 3 Patapsco Avenue

INFORMATION:

Item Number: 16-031

Petitioner: Frank L. Kaniecki

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the request for Variance to permit a proposed single family dwelling with a side yard setback of 2'10" and rear yard of 10' in lieu of the required 10' and 30' respectively and to have an accessory structure (in-ground pool) to be located in the front yard in lieu of the required rear yard.

The proposed structure will maintain the building setbacks established by the current structure now proposed to be removed.

The Department has no objection to the granting of the petitioned zoning relief conditioned upon the following:

- Provide vegetative plantings along the front and side yards to screen the pool from the adjacent public streets.

For further information concerning the matters stated herein, please contact Ngoné Seye Diop at 410-887-3480.

Division Chief:
AVA/KS

Katrina Schenck

C: Ngoné Seye Diop
Jeanette Tansey, RLA, Dept. of Permits, Approvals & Inspections

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For August 17, 2015
Item No. 2016-0031

DATE: August 17, 2015

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

Should Variance #2 for a pool in the front yard be granted, a Landscape Plan shall be submitted to and approved by the County Landscape Architect.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0031-08172015.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: August 28, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 3 Patapsco Avenue

INFORMATION:

Item Number: 16-031

Petitioner: Frank L. Kaniecki

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the request for Variance to permit a proposed single family dwelling with a side yard setback of 2'10" and rear yard of 10' in lieu of the required 10' and 30' respectively and to have an accessory structure (in-ground pool) to be located in the front yard in lieu of the required rear yard.

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Division Chief:
AVA/KS

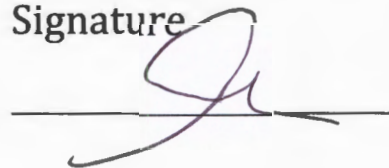
Katrina Schenck

C: Ngoné Seye Diop
Jeanette Tansey, RLA, Dept. of Permits, Approvals & Inspections

8 PATAPSCO Ave
Dundalk, MD
21222

I Ellen Woods who lives at the address above, have no issues or objections to Frank Kaniecki at 3 Patapsco Ave, Dundalk, Maryland. 21222, demolishing the existing home, and building a new home with a built in swimming pool on the same property.

Signature

A handwritten signature in purple ink, appearing to be 'Ellen Woods', written over a horizontal line.

Frank Pugh
117 woodland Ave.
21222

I Franklin E. Pugh who lives at the address above, have no issues or objections to Frank Kaniecki at 3 Patapsco Ave, Dundalk, Maryland. 21222, demolishing the existing home, and building a new home with a built in swimming pool on the same property.

Signature

Frank Pugh

115 Woodland Ave
Baltimore MD 21222

I VERNON HOK who lives at the address above, have no issues or objections to Frank Kaniecki at 3 Patapsco Ave, Dundalk, Maryland. 21222, demolishing the existing home, and building a new home with a built in swimming pool on the same property.

Signature

Vernon Hok

5 Patapsco AVE
DUNDALK Md 21222

I Edward V. Wisniewski who lives at the address above, have no issues or objections to Frank Kaniecki at 3 Patapsco Ave, Dundalk, Maryland. 21222, demolishing the existing home, and building a new home with a built in swimming pool on the same property.

Signature

Edward V. Wisniewski

3 Patapsco Ave



Publication Date: 8/3/2015



Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

2016-0031-A

Guide to searching the database

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 12 Account Number - 1201035167							
Owner Information									
Owner Name:		WILSON DORIS K KANIECKI FRANCIS M KANIECKI FRANK LEROY				Use: Principal Residence:		RESIDENTIAL NO	
Mailing Address:		3 PATAPSCO AVE BALTIMORE MD 21222-6132				Deed Reference:		/24736/ 00159	
Location & Structure Information									
Premises Address:		3 PATAPSCO AVE 0-0000				Legal Description:		LT 35-36 3 PATAPSCO AVE CARNEGIE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0110	0004	0047		0000			35	2015	0003/ 0075
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE		
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
1934		1,856 SF				5,750 SF		04	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation		
2	YES	STANDARD UNIT		SIDING	2 full	1 Detached			
Value Information									
		Base Value		Value As of 01/01/2015		Phase-in Assessments As of 07/01/2014			
Land:		41,700		41,700					
Improvements		72,500		57,200					
Total:		114,200		98,900		114,200		98,900	
Preferential Land:		0						0	
Transfer Information									
Seller: WILSON ELMER E				Date: 11/08/2006		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /24736/ 00159		Deed2:			
Seller: WILSON ELMER E				Date: 09/17/1984		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /06785/ 00351		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2014		07/01/2015			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:				Special Tax Recapture:					
Exempt Class:				NONE					
Homestead Application Information									
Homestead Application Status: No Application									

1. This screen allows you to search the Real Property database and display property records.
2. Click **here** for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

2016-0031-A

3 Patapsco St



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

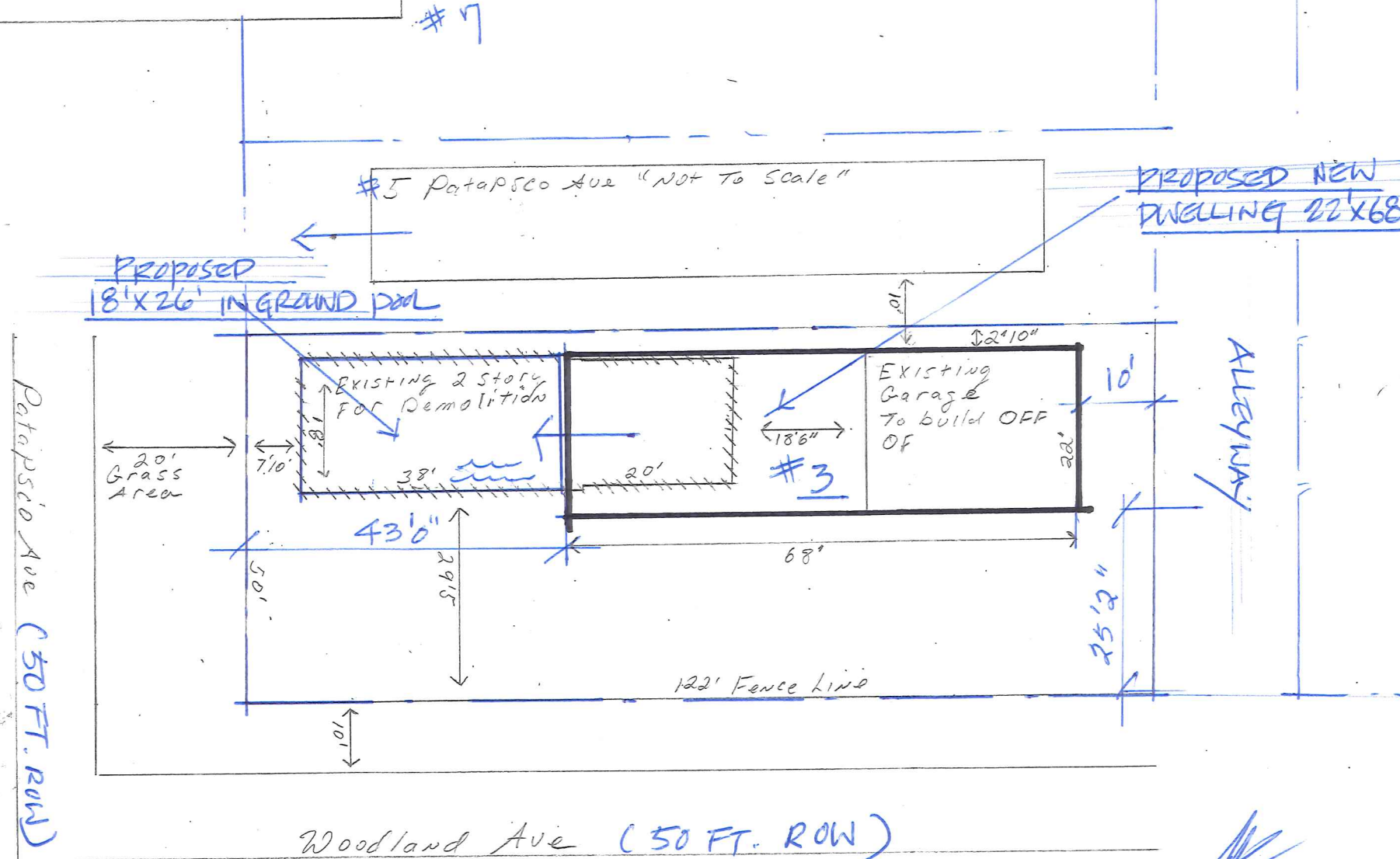
ADDRESS 3 Patapsco Ave, Dundalk, MD 21222 OWNER(S) NAME(S) Frank Zaniecki

SUBDIVISION NAME Carnegie LOT # 35 BLOCK # _____ SECTION # _____

PLAT BOOK # 0003 FOLIO # 0075 10 DIGIT TAX # 1201035167 DEED REF. # 24736100159

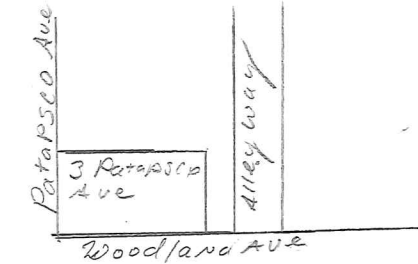
Legend

— EXISTING
+ + + + EXISTING TO BE DEMOLITION
- - - - NEW BUILD



PLAN DRAWN BY Frank Zaniecki DATE 8-03-2015 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 069C1

SITE ZONED DR 5.5

ELECTION DISTRICT 12th

COUNCIL DISTRICT 7th

LOT AREA ACREAGE _____

OR SQUARE FEET 5760

HISTORIC? NO

IN CBCA? Yes

IN FLOOD PLAIN? Yes

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? _____

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

NO

VIOLATION CASE INFO:

NO

2016-0031-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

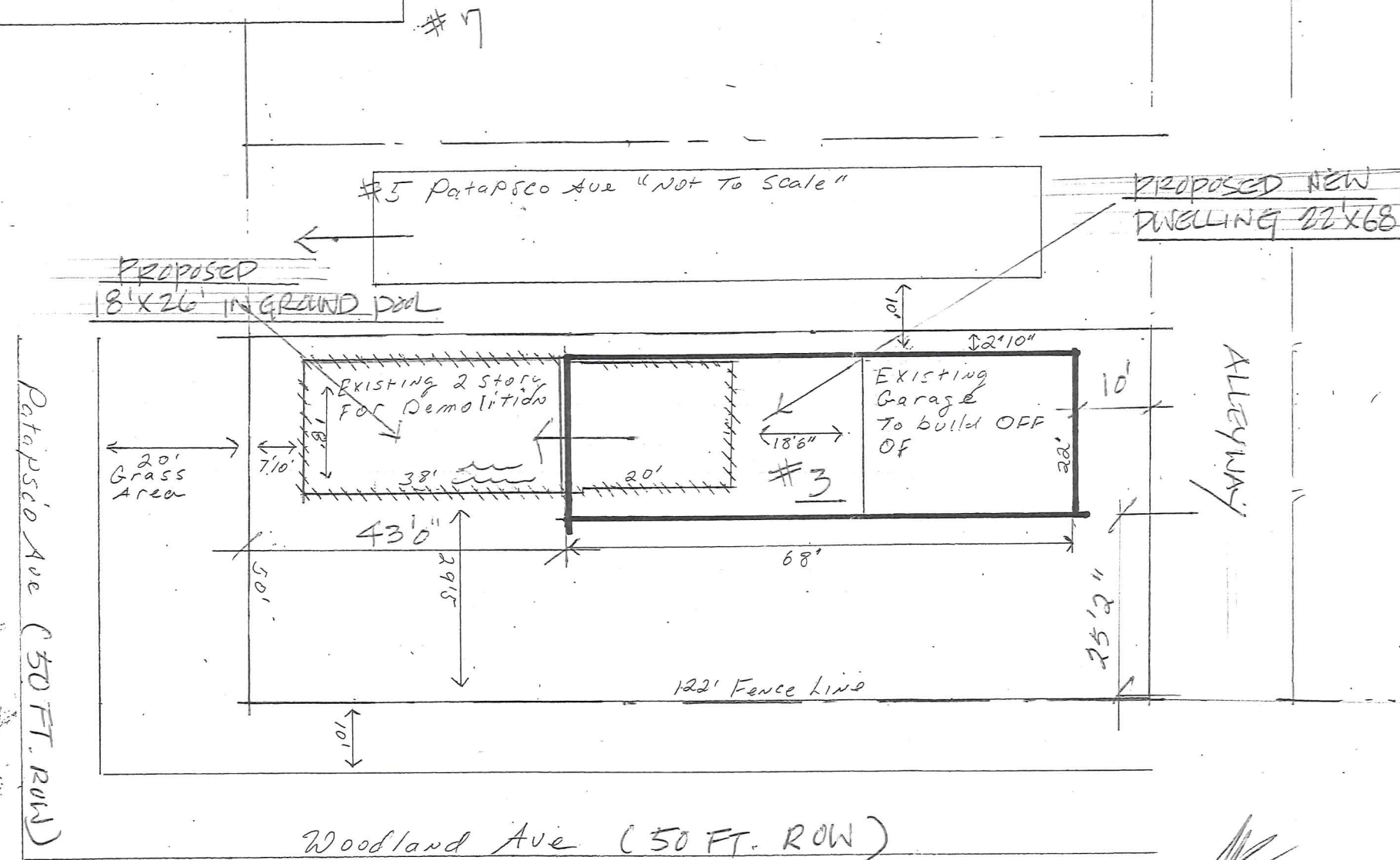
ADDRESS 3 Patapsco Ave, Dundalk, MD. 21222 OWNER(S) NAME(S) Frank Janiecki

SUBDIVISION NAME Carnegie LOT # 35 BLOCK # _____ SECTION # _____

PLAT BOOK # 0003 FOLIO # 0075 10 DIGIT TAX # 1201035167 DEED REF. # 24736100159

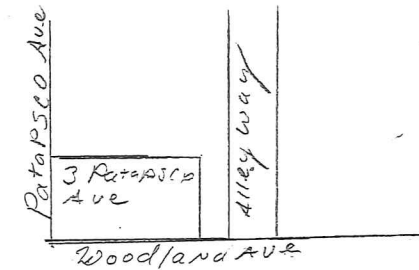
Legend

— EXISTING
----- EXISTING TO BE DEMOLITION
----- NEW BUILD



PLAN DRAWN BY Frank Janiecki DATE 8-03-2015 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



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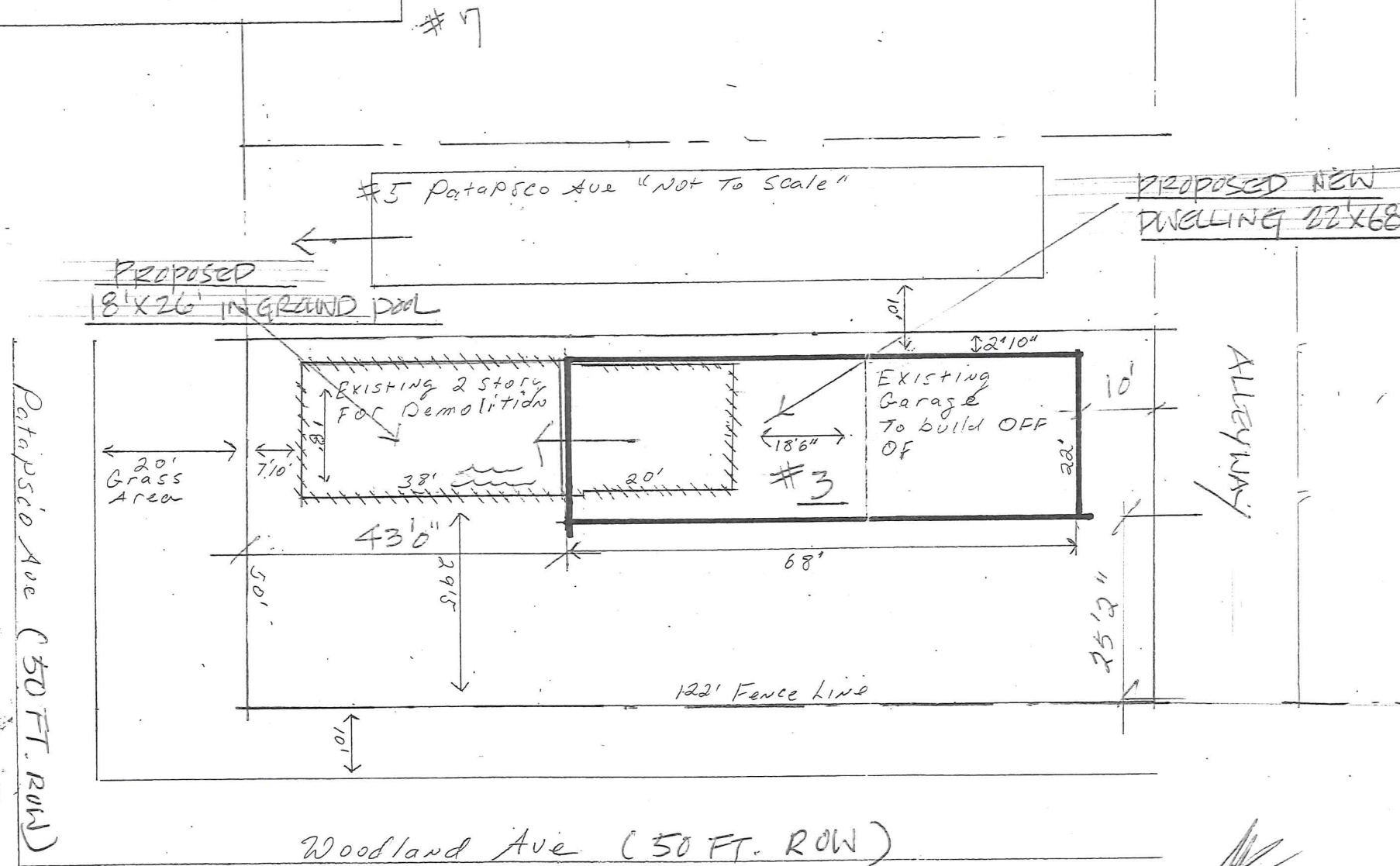
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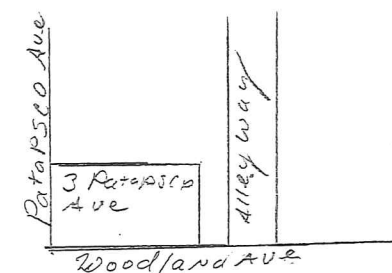
PLAT BOOK # 0003 FOLIO # 0075 10 DIGIT TAX # 1201035167 DEED REF. # 24736/00159

Legend

— EXISTING
 +++++ EXISTING TO BE DEMOLITION
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