TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

instead of the required 50'.

on for a Variance from Section 1802, 38 (214.1b) negrait a rear

.yerd for lot 1.of 9.58' and rear yerd for lot 2 of 5.10'.

of the Zoning Regulations of Ballimore County, to the Zoning Law of Baltimore County; for the following reasons: indicate bariship or practical difficulty.

This being a piece of land left over from Yount Ridge development. Aftle the size of the lot is much greater them the required amount of land to build this dwelling, it is because the way the land live, being more to either side.

Nowever, if the small verience asked for is granted, this would provide the side of th

see attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

1, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing jof-thi
tition, and further agree to and are to be bound by the zoning regulations and restrictions o
impore County adopted pursuant to the Zoning Law For Baltimore County.

L'estona m. Marca Legal Owner Address 3501 ALAMEDA GROLE

BALTIMORE MD. 21218 PHONE 467-9885 Protestant's Attorney

(900

. 190c72-ye 301300'clock

Zoning Commissioner of Baltimore County.

12/11/72

MCCARTY & MCCARTY

INNEYS AND COUNSCIORS AT LAW

1606 FFEDERICK ROAD

ATTOMERIES MARYLAND 21228

A M

July 23, 1973

JUL 2/ 73 AM -

Planning and Zoning Jefferson Building on, Maryland 21204

> Re: No. 73-139-A (Item No. 68) Charles W. Miller, et ux Petitioneers for Variance

Mr. Alexander Schmick, the protestant in the above captioned matter, has informed this office that he does not intend to appeal this decision to the County Board of Appeals.

He has asked me to request that your office return the plat which he supplied to the commission when he presented his protest. You may send the plat to this office.

I also wish to thank you for the courtesy extended to Mr. Schmick and this office during the proceeding.

0 Romas B. M. Cart

Department of Public Works County Office Building Towson, Maryland

RE: PETITION FOR VARIANCES BEFORE THE SW/S of Garden Ridge Road DEPUTY ZONING 167.03' W of Mount Ridge Road -1st District Charles W. Miller, et ux -COMMISSIONER

Petitioners NO. 73-139-A (Item No. 68)

OF BALTIMORE COUNTY

This Petition represents a request to permit rear yard setbacks of 9.58 feet and 5.16 feet for Lot Nos. 1 and 2, respectively. Said Lots, also known as "Parcel A" of the "Mount Ridge" subdivision, are located on the southwest side of Garden Ridge Road, in the First Election District of Balti

Testimony indicated that the subject parcel is the residue land left over from the development of the above referenced group home subdivision dwellings. However, the shape of the lot, which has 137.17 feet of road frontage with an average depth of only 58.32 feet. is not adaptable to the min ents for the rear yard setback. All other setbacks, front and side yards, can be more than amply complied with.

Mr. Alexander Schmick, the owner of a large tract of land that abute He objected to a five (5) foot rear yard adjacent to his property and felt that ding for the proposed dwelling would create problems with the natural olved if a retaining wall were constructed and other precautions taken.

fy the need for the requested Variances, it was agreed that the Order would be held sub curia. However, they could not reach an agreement on the valu of the land, and the Order is now being written.

MICROFIE IS.

In considering the requested Variances, one must consider the fact that this property has been vacant for several years and, consequently, has ment and would, in all probability, be more compatible with the neighborhood if improved, even though the rear yards were not of normal size

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Z day of July, 1973, that the herein petitioned for Variances, to permit rear yard setbacks of 9.58 feet and 5.16 feet for Lot Nos. 1 and 2, respectively, in lieu of the required fifty (50) feet, should be and the same are GRANTED, from and after the date of this Order. subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

> Deputy Zoning Comm Baltimore County

HMA:LEE.

111 MICROFILMED

Seconds Rest 63.08 feet to the place of beginning.

on the Flat herein referred to.

114 W. 25th Street Baltimore 18, Md.

DESCRIPTION OF PART OF PARCEL "A", MOUNT RIDGE, PIRST DISTRICT, BALTIMORE COUNTY, MANYLAND.

Road at the distance of 167.03 feet measured Northwesterly along

the Southwest side of Garden Ridge Road from a point of curve on

Book G.L.B. So. 18, folio 56, and running thence and binding on the

Southwest side of Garden Ridge Road, and referring the courses of

this description to the Baltimore County Grid Meridian. North 36

Degrees 25 Minutes 20 Seconds West 87.17 feet to the outline of

Percel "A" as shown on said Plat, thence leaving Sarden Sidge Poud

courses and distances: South 63 Degrees 09 Minutes 50 Seconds West

and binding on the outlines of said Parcel "A" the two following

42.13 feet and South 23 Degrees SO Minuses 30 Seconds East 96.59 feet, and thence leaving the cutline and running for a line of

division scross said Parcel "A" Borth 55 Degrees 36 Minutes 40

Seing the Borthwesternmost portion of Parcel "A" as shown

Beginning for the same on the Jouthwest side of Garden Ridge

January 26, 1983

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO Mr. S. Eric Di Nenna, Zoning Commissioner Date December 8, 1972

NUIUECT Petition #73-139-A. Southwest side of Garden Ridge Road 167.03 Feet West of Mount Ridge Road.

Petition for variance for rear yards.
Petitioners - Charles W. and Victoria M. Miller

1st District

HEARING: Monday, December 11, 1972 (10:30 A.M.)

The staff  $^{\prime\prime}$  he Office of Planning and Zoning has reviewed the subject petition and has the following comments to make.

The subject property is known as Parcel A of Mont Ridge Subdivision recorded in the 1st District of Baltimore County. In order to divide Parcel A into two separate lots as proposed by the petitioner, a resubdivision of Parcel A is

It is suggested by this office that the property owner take steps to resubdivide Parcel A before making a request for variance for the rear yard. If the owner could not obtain the recorded plat for the two lots, it would appear that varia would not be necessary.

MICROFILMED

SECENT.

73-/3 #6F

BALTIMORE COUNTY, MARYLAND

July 27, 1973

JUL 27 '73 PM

73-139-A

Me. Della Schmick 137 Cherrydell Road Baltimore, Maryland 21228

211

Mr. Anderson asked me to acknowledge your letter of July 24. Although the County Executive is not permitted to become involved in soining cases executive before the Zoning Gommissioner or the Zoning Board Appeals, I will, in order to be of assistance to you, feeling of your letter to Mr. Fire DiNenna, Zoning Commissioner; Mr. James Dyer, Deputy Zoning Commissioner and Mr. John Slowik, Chairman, Board of Appeals, so that they will be aware of your views related to the case described in your letter.

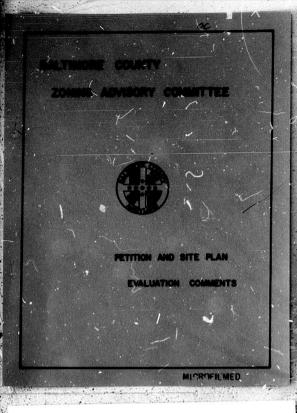
To further assist you, I must advise you that a letter cannot be considered as evidence at the hear "g before the Board of Appeals and that if you wish to follow through with your appeal, you should be prepared to personally testify and/or present other expert testimon to substantiate the basis of your appeal. Since I am not permitted to give you legal advice, I can only suggest that you further discuss this matter with your attorney.

If additional information is desired, please feel welcome to contact this office at any time.

Sincerely, Morton Klasmer Administrative Assistant

Mr. Dyer

AUG 16 1973



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG 111 T. Chempeake Ave. Towner, Marriand 21255

JOHN J. DILLON. J.

MEMBERS

BUREAU OF DEPARTMENT OF TRAFFIC ENGINEERING STATE ROADS COM

BUREAU OF HEALTH DEPARTMEN PROJECT PLANNING BUILDING DEPARTMEN BOARD OF EDUCATION ZONING ADMINISTRATIC INDUSTRIAL DEVELOPMENT

Hr. Charles W. Miller 3501 Alameda Circle Baltimore, Haryland 21218

RE: Verience Petition Item 68 Charles W. Miller - Petitioner

Dear Mr. Hillers

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is located on the southwest side of Gardon Ridge Road, 117 feet north of Ridge Road. The subject property is an uniagnoved RI 0.5 lot that contains RIZI square feet of property. The patitioner proposes to build one sent-of-active that the result of the result o

This petition is accepted for filing, however, it should be noted that if the proposed dwelling were turned  $90^{\circ}$  4, creater rear yard could be established although variances would still be required.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

JOHN &. DILLON, JR .. Cheirman, Zoning Advisory Committee

JJD:JD Enclosure

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DEPARTMENT OF HEALTH-

Baltimore County, Maryland Bepartment Of Bublic Marks

COUNTY OFFICE BUILDING

Occase of Engineering

November 9, 1972

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 2120b

Re: Item #68 (1972-1973)

Property Conser: Curries W. Miller
PNS Garden Ridge Road, 127 W. of Mount Sidge Rd.
Present Zoning: D.R. 10,5

Proposed Zonine: Variance from Section 211,1b to permit
a rear yard for lot #1 of 9,58 and a rear yard of 5,16
for lot #2 instead of roquired 50

District: let No. Acres: 8212,67 sq. ft.

Dear Mr. DiNenna.

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

The 1963 plan should be revised and updated. The revised plan should indicate respect property outlines, ownerships and use, all neighboring houses or buildings, check list, as required per the

It appears that a subdivision plat may be required in connection with this property which appears as Parcel "A" on the recorded plat of Mount Ridge (G.L.R. 18 Folio 56).

Garden Ridge Road is an existing County road which terminates at the northern boundary of this Parcel of land. This road connects with a 16-foot alley leading easterly to Taylor Avenue.

No further highway improvements are required. However, stdewalk is required to be constructed along the firmtage of this property. Purther, any construction or reconstruction of sidewalk, queb and gutter, entrance, apron, etc., in connection with the development of this site will be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilisation could result in a sediment pollution problem, demaring private and public holdings downstream of the property. A grading permit is, therefore, mecessary for all grading, including the stripping of top soil.

MICROFILMED

Item #68 (1972-1973) Property Owner: Charles W. Miller Page 2 November 9, 1972

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any muisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Samitary Sewer:

Public water supply and sanitary sewerage are available to serve this property.

Very truly yours,

Down Son Deier PLISWORTH N. DIVER, P.E. Chief, Bureau of Engineering

END . EAM . FWR - #5

G-NW Key Sheet 8 SW 18 Position Sheet SW 2 E Topo 101 Tax Map

MICROFILMED

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

> Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 21204

5 - 1 - 1 E - P -

Re: Item 68 - ZAC - October 17, 1972
Property Owner: Charles W. Hiller
Garden Nidge Road N. of Nount Ridge Road
Variance from Section 214, bt to permit a
rear yard for Lot #1 of 9,584 and a rear yard
of 5,161 for Lot #2 instead of req. 501
District 1

No traffic problems are anticipated from the requested variances.

DEPARTMENT OF TRAFFIC ENCINEERING

THERE J. CLIFFORD. P.E.

Movember 9, 1972

Very truly yours.

Michael S. Flanigan Engineer Ass

Traffic Engineer Associate

October 25, 1972

BALTIMORE COUNTY, MARYLAND

Hr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Comments on Item 68, Zoning Advisory Committee Meeting, October 24, 1972, are as follows:

Property Owner: Charles W. Miller Location: S/W/S Garden Ridge Road, 117' N of Hount Ridge Road

Present Zoning: D.R. 10.5
Propsed Zoning: Variance from Section 214.1b to permit
a rear yard for Lot #1 of 9.58' and a rear yard of
5.16' for Lot #2 instead of required 50'. District: 1 No. Acres: 8,212,67 sq.ft.

Since metropolition water and sewer are available to the site, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director BURRAU OF ENVIRONMENTAL SERVICES

HVK:mn

Acing Director

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Mr. S. Eric DiNenne, Zoning Commissione Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building

Comments on Item #68, Zoning Advisory Committee Meeting, October 17, 1972, are as follows:

Property Owner: Charles W. Miller Location: 5/M/S Garden Ridge Road, 117' N of Mount Ridge Road Present Zoning: D.R.10.5 sed Zoning: Variance from Section 214.1b to permit a rear yard for Lot #1 of 9.50' and a rear yard of 5.16' for Lot #2

No. Acres: 8212.67 square feet

It is suggested by this office that the building be redesigned. The building should be built lengthwise across the lot, which would create a building width of 57 feet and a building depth of 19.33 feet.

John L Wimbley John L. Wimbley

November 10, 1972

Proje : t Planning Division

Mr. S. Eric DiNemna, Zoning Commissione: Zoning Advisory Cormittee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Comments on Item #68, Zoning Advisory Committee Meeting, October 17, 1972 are as follows:

Baltimore County, Margland

OFFICE OF THE BUILDINGS ENGINEER

DEPARTMENT OF PERMITS AND LICENSES

TOWSON, MARYLAND 21204

November 3, 1972

C. Elmer Hoppert.

Property Owner: Charles W. Miller
Location: SAVES Gardem Ridge Road, 117' N. of Mount Ridge Road
Present Zonings D.R.10.5
Propused Zoning: Variance from Section 21h.1b to permit a rear yard for
Lot #1.0 f 9.58' and a rear yard of 5.16' for Lot #2
instead of required 50'

District: 1 No. Acres: 8212.67 square feet

"When any structure is to be constructed, the Petitioner shall comply with all applicable requirements of Baltimore County Building Code and Regulations".

C. Elmes Hoggest Jr

C. Elmer Hoppert, Jr. Euildings Engineer, (Acting)

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## CERTIFICATE OF PUBLICATION

TOWSON,	MD., November 23	1

THIS IS TO CERTIFY, that 'he annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published it. Towson, Baltimore County, Md., associaceach one time successive weeks before the 11th day of December , 19.72, the first publication appearing on the 23rd day of November 19.72

Cost of Advertisement, \$\_\_\_\_\_

Petitioner: CHARLES W. HILLER Location of property: Siy/s OF GARdew Ridge Rd. 167,03 w of MOYNT RIDGE Rd. Location of Signs: W/S OF CARDER RIGHE TEU. 170 FF.+- WOF HOLNT RIDGE Rd.

MICROFILMED

Date of Posting Nov 25 1971

OF CE OF

## CATONSVILLE CI IM IE S

CATONSVILLE, MD. 21228

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dinenna, Zoning Commissioner of Baltimore County

was inserted in THE CATONSVILLE TIMES, a weekly newspaper pub-

lished in Baltimore County, Maryland, once a week for One

ENCOSCINGWEEK before the 27thay of Nov., 1972, that is to say,

the same was inserted in the issue of Hovember 22, 1972.

STROMBERG PUBLICATIONS, Inc.

MICROFILMED

MICROFILMED

BALTIMORE COUNTY, MARYLAND OFFICE OF FINA - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 5824

DATE NOV. 20, 1972 ACCOUNT 01-662

Battimore, Ms. 21217 Petition for Variance for Charles Miller \$73-139-4 23 5 244-230 22 5.00 x

BALTIMORE COUNTY, MARYLAND No. 5830 DATE Dec. 5, 1972

AMOUNT\_ \$55.25

FUNCTION dete by  Descriptions checked and outline plotted on map	date b	y date	by	date	by	date	by
Petition number added to outline			TVIII.				
Denied							
Granted by ZC, BA, CC, CA							

