

74-93-ASP4 #37 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Lorraine C. Miller, legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

herby petition for a Variance from Section 1802.3 (subsection C.11) pertaining to Lot No. 1 for a side yard setback of 7.85 feet instead of the required 10 feet; Lot No. 2 for a front yard setback of 10.75 feet instead of the required 55 feet; and side yard setback of 7.85 feet instead of the required 10 feet; and Lot No. 3 for a front yard setback of 10.75 feet instead of the required 55 feet; and Lot No. 4 for a front yard setback of 33.83 feet instead of the required 55 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

That the above variances should be granted due to the hardship and practical difficulty which the Petitioner would have in attempting to move the present dwelling that are now located on said lots.

See attached description

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Contract purchaser

Lorraine C. Miller

Legal Owner

Address: 700 Register Avenue
Baltimore, Maryland 21212

Protestant's Attorney

Robert J. K... Attorney
809 Eastern Boulevard
Baltimore, Maryland 21221

ORDERED By the Zoning Commissioner of Baltimore County, this... day of August, 1973, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the... day of September, 1973, at 10:15 o'clock.

Zoning Commissioner of Baltimore County.

(over) 10:45 PM
9/15/73

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Lorraine C. Miller, legal owner... 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 and/or Deputy Zoning Commissioner should approve the validity of a non-conforming use for two family dwellings on each of the four lots as set out on the enclosed zoning plot plan.

See attached description

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

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Contract Purchaser

Lorraine C. Miller

Legal Owner

Address: 700 Register Avenue
Baltimore, Maryland 21212

Protestant's Attorney

Robert J. K... Attorney
809 Eastern Boulevard
Baltimore, Maryland 21221

ORDERED By the Zoning Commissioner of Baltimore County, this... day of August, 1973, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the... day of September, 1973, at 10:15 o'clock.

Zoning Commissioner of Baltimore County

(over)

PHONE: HAMILTON 6-0322

KELLER & KELLER

State Registered Land Surveyors

3914 WOODLEE AVENUE
BALTIMORE, MARYLAND 21206

DESCRIPTION OF LOT #1

July 28th, 1973.

#1116 MACE AVENUE

BEGINNING for the same at a point on the Northwest side of Mace Avenue as now widened, distant 283.70' Southwesterly, measured along the said Northwest side of said Mace Avenue, from the South end of band at the Southwest corner of Golden Ring Road and the said Mace Avenue; said place of beginning being also distant 117.70' Southwesterly, measured along the said Northwest side of said Mace Avenue, from the corner formed by the intersection of the said Northwest side of said Mace Avenue and the 1st line of the whole tract of land of which the lot now being described is a part; and said whole tract of land is described in a Deed dated July 3rd, 1967 and recorded among the Land Records of Baltimore County in Liber #797 folio 29 from Title Trustees, Inc., to John W. Schauer, Jr., and wife; and running thence from said place of beginning, binding on the said Northwest side of said Mace Avenue, South 19°45'00" West, with all bearings referred to the True Meridian, 96.30' to intersect the 3rd line of said whole tract of land; thence leaving the said Northwest side of said Mace Avenue and binding reversely on part of said 3rd line and running North 49°33'20" West 187.90' to the end of the 2nd line of said whole tract of land; thence binding reversely on part of said 2nd line and running North 19°31'20" East 25.64'; thence running for a line of division heretofore made South 69°45'12" East 175.22' more or less, to the place of beginning.

SUBJECT to Temporary Easement for supporting slopes along said Northwest side of said Mace Avenue.

CONTAINING 16,175.40 SQUARE FEET of land, more or less.

BEING improved by a dwelling and garage all known as #1116 Mace Ave.

Henry A. Keller

PHONE: HAMILTON 6-0322

KELLER & KELLER

State Registered Land Surveyors

3914 WOODLEE AVENUE
BALTIMORE, MARYLAND 21206

DESCRIPTION OF LOT #2

July 28th, 1973.

#1116 MACE AVENUE

BEGINNING for the same at a point on the Northwest side of Mace Avenue as now widened, distant 283.70' Southwesterly, measured along the said Northwest side of said Mace Avenue, from the South end of band at the Southwest corner of Golden Ring Road and the said Mace Avenue; said place of beginning being also distant 117.70' Southwesterly, measured along the said Northwest side of said Mace Avenue, from the corner formed by the intersection of the said Northwest side of said Mace Avenue and the 1st line of the whole tract of land of which the lot now being described is a part; and said whole tract of land is described in a Deed dated July 3rd, 1967 and recorded among the Land Records of Baltimore County in Liber #797 folio 29 from Title Trustees, Inc., to John W. Schauer, Jr., and wife; and running thence from said place of beginning, binding on the said Northwest side of said Mace Avenue, South 19°45'00" West, with all bearings referred to the True Meridian, 96.30' to intersect the 3rd line of said whole tract of land; thence leaving the said Northwest side of said Mace Avenue and running for a line of division North 49°33'20" West 187.90' to the end of the 2nd line of said whole tract of land; thence binding reversely on part of said 2nd line and running North 19°31'20" East 25.64'; thence running for a line of division heretofore made South 69°45'12" East 175.22' more or less, to the place of beginning.

SUBJECT to Temporary Easement for supporting slopes along said Northwest side of said Mace Avenue.

CONTAINING 8,009.79 SQUARE FEET of land, more or less.

BEING improved by a dwelling and garage all known as #1116 Mace Ave.

Henry A. Keller

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Review of Engineering
ELLSWORTH H. DIVER, P. E. CHIEF

August 30, 1973

Mr. F. E. Dillena
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #37 (1973-1974)
Property Owner: Lorraine C. Miller
M/W Mace Ave., 266' 2/3 of band at Golden Ring Rd.
Existing zoning: R-1
Proposed zoning: Variance on four (4) lots for front and side yard setbacks; also Special Hearing to determine the non-conforming use for two (2) family dwellings on each of the four (4) lots.
District: 15th No. Acres: 1. 20,175 sq. ft.
2. 8,009.79 sq. ft.
3. 1,132.68 sq. ft.
4. 11,019 sq. ft.

Dear Mr. Dillena:

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.

General:

The comments supplied for this property in connection with Item #52 (1971-1972) remain valid and applicable to this Item #37 (1973-1974). These comments are referred to for your consideration.

Very truly yours,

Ellsworth H. Diver, P.E.
Chief, Bureau of Engineering

END:HAM:ELM

1-44 Key Sheet
11 NE 27 & 28 Top. Sheets
US 2 G Topo
PO Tax Map

PHONE: HAMILTON 6-0322

KELLER & KELLER

State Registered Land Surveyors

3914 WOODLEE AVENUE
BALTIMORE, MARYLAND 21206

DESCRIPTION OF LOT #4

July 28th, 1973.

#1120 MACE AVENUE

BEGINNING for the same at a point on the Northwest side of Mace Avenue as now widened, distant 266' Southwesterly, measured along the said Northwest side of said Mace Avenue, from the South end of band at the Southwest corner of Golden Ring Road and the said Mace Avenue; said place of beginning being also at the corner formed by the intersection of the said Northwest side of said Mace Avenue and the 1st line of the whole tract of land of which the lot now being described is a part and which said whole tract of land is described in a Deed dated July 3rd, 1967 and recorded among the Land Records of Baltimore County in Liber #797 folio 29 from Title Trustees, Inc., to John W. Schauer, Jr., and wife; and running thence from said place of beginning, binding on the said Northwest side of said Mace Avenue, South 19°45'00" West, with all bearings referred to the True Meridian, 31.0' to the center of a 12' driveway; thence leaving the said Northwest side of said Mace Avenue, binding on the said center of said 12' driveway, to be used in common with others entitled thereto, North 69°45'12" West 118.70'; thence North 49°33'20" East 61.33'; to intersect the 2nd line of said whole tract of land; thence binding reversely on part of said 2nd line and running North 19°31'20" East 25.64' to the beginning of said 2nd line; thence binding reversely on the said 1st line of said whole tract of land and running North 49°33'20" East 188.22' more or less, to the place of beginning.

SUBJECT to Temporary Easement for supporting slopes along said Northwest side of said Mace Avenue.

CONTAINING 11,019.54 SQUARE FEET of land, more or less.

BEING improved by a dwelling and garage, all known as #1120 Mace Ave.

Henry A. Keller

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following finding of facts that, the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variances should be granted; and, it further appearing that by reason of the granting of the Variances requested not adversely affecting the health, safety, and general welfare of the community...

Variances to permit a side yard setback of 7.85 feet in lieu of the required ten (10) feet for Lot No. 1; to permit a front yard lot width of 40.75 feet in lieu of the required fifty-five (55) feet and a side yard setback of 7.85 feet in lieu of the required ten (10) feet for Lot No. 2; to permit a front yard lot width of 43.12 feet in lieu of the required fifty-five (55) feet for Lot No. 3; and to permit a front yard lot width of 33.83 feet in lieu of the required fifty-five (55) feet for Lot No. 4 should be granted.

IT IS ORDERED by the Zoning Commission of Baltimore County, this 20th day of November, 1973, that the herein Petition for Variances to permit a side yard setback of 7.85 feet in lieu of the required ten (10) feet for Lot No. 1; to permit a front yard lot width of 40.75 feet in lieu of the required fifty-five (55) feet and a side yard setback of 7.85 feet in lieu of the required ten (10) feet for Lot No. 2; to permit a front yard lot width of 43.12 feet in lieu of the required fifty-five (55) feet for Lot No. 3; and to permit a front yard lot width of 33.83 feet in lieu of the required fifty-five (55) feet for Lot No. 4, should be and the same is 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.

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 1973, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following finding of facts that, the requirements of Section 500.7 of the Baltimore County Zoning Regulations have been met and the health, safety, and general welfare of the community have not been adversely affected, therefore...

the above Special Hearing for establishing a non-conforming use of two-family dwellings for Lot Nos. 1, 2, 3, and 4, as herein petitioned for, should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of November, 1973, that the herein Petition for Special Hearing, as set forth above, should be and the same is 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.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of...

the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 1973, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 4, 1973

COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

JOHN J. DILLON, JR.
Chairman

MEMBERS

MICHAEL S. FLAHERTY
DEPARTMENT OF
TRAFFIC ENGINEERING

STATE BOARD COMMISSION

BUREAU OF
JURY PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUREAU OF PLANNING

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENT

Robert J. Romadka, Esq.,
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Variance Petition
Item 37
Lorraine C. Miller - Petitioner

Dear Mr. Romadka:

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.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the northwest side of Mace Avenue, 266 feet southwest of Golden Ring Road, in the 15th District of Baltimore County. This property is currently improved with four frame structures, all of which contain two apartments. The property is zoned DR 5.5 and is requesting a Variance for front yard widths and a side yard setback; also, a Special Hearing to determine non-conforming use for the apartments.

This petition was before this Committee approximately a year to a year and a half ago, and was returned for reasons outlined in the letter to the petitioner at that time, and these comments will be made a part of this file.

Robert J. Romadka, Esq.,
Re: Item 37 - Lorraine C. Miller
September 4, 1973

Barring any serious objections from members of this Committee, this petition will be accepted for filing.

Curb and gutter exists along Mace Avenue at this location.

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.

Very truly yours,
JOHN J. DILLON, JR., Chairman
Zoning Advisory Committee

JJDjr:JD

Enclosure

cc: Keller & Keller
3914 Woodlark Avenue
Baltimore, Maryland 21206

BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Director
Wm. T. NELSON Deputy Traffic Engineer

August 20, 1973

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

Re: Item 37 - ZAC - August 14, 1973
Property Owner: Lorraine C. Miller
NW/5 Mace Avenue, 266 feet SW of bend at Golden Ring Road
Variances on 4 lots for front and side yard setbacks; also Special Hearing to determine the non-conforming use for 2 family dwellings on each of the 4 lots.
District 15

Dear Mr. DiNenna:

The requested variances to the front and side yards are not expected to cause any traffic problems.

Very truly yours,

Michael S. Flahey
Michael S. Flahey
Traffic Engineer Associate

MSF/ph

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

August 15, 1973

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

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

Dear Mr. DiNenna:

Comments on Item 37, Zoning Advisory Committee Meeting August 14, 1973, are as follows:

Property Owner: Lorraine C. Miller
Location: NW/5 Mace Ave., 266' SW of bend at Golden Ring Road
Present Zoning: D.R. 16
Proposed Zoning: Variances on 4 lots for front and side yard setbacks; Special Hearing on non-conforming use for 2 family dwellings on each of the 4 lots.
District: 15
No. Acres: 1) 10.175 sq. ft.; 2) 8009.79 sq. ft.; 3) 7392.68 sq. ft.; 4) 11,019 sq. ft.

Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:md

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



August 15, 1973

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #37, Zoning Advisory Committee Meeting, August 14, 1973 are as follows:

Property Owner: Lorraine C. Miller
Location: NW/5 Mace Avenue, 266 feet SW of bend at Golden Ring Road
Existing Zoning: D.R. 16
Proposed Zoning: Variances on four (4) lots for front and side yard setbacks; also Special Hearing to determine the non-conforming use for two (2) family dwellings on each of the four (4) lots.
Election District: 15
No. of Acres: 1. 10.175 square feet
2. 8009.79 square feet
3. 7392.68 square feet
4. 11,019 square feet

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project & Development Planning Division

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 16, 1973

Z.A.C. Mtg. of August 14, 1973

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

Re: Item 37
Property Owner: Lorraine C. Miller
Location: see agenda
Present Zoning: D.R. 16
Proposed Zoning: variance

District: 15
No. Acres: see agenda

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,
W. Nick Petrovich
Field Representative

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 100 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 464-3811 TOWSON 464-3811

H. EMBLE PARKS, Chairman
EUGENE C. HEDS, Vice President
MR. ROBERT L. GIBNEY

MARCUS M. BOTSARIS
JOSEPH H. WILSON
ALVIN LINDEN

V. BARBARA WILLIAMS, JR.
RICHARD W. TRACY, V.M.D.
MR. RICHARD K. WILCOFF

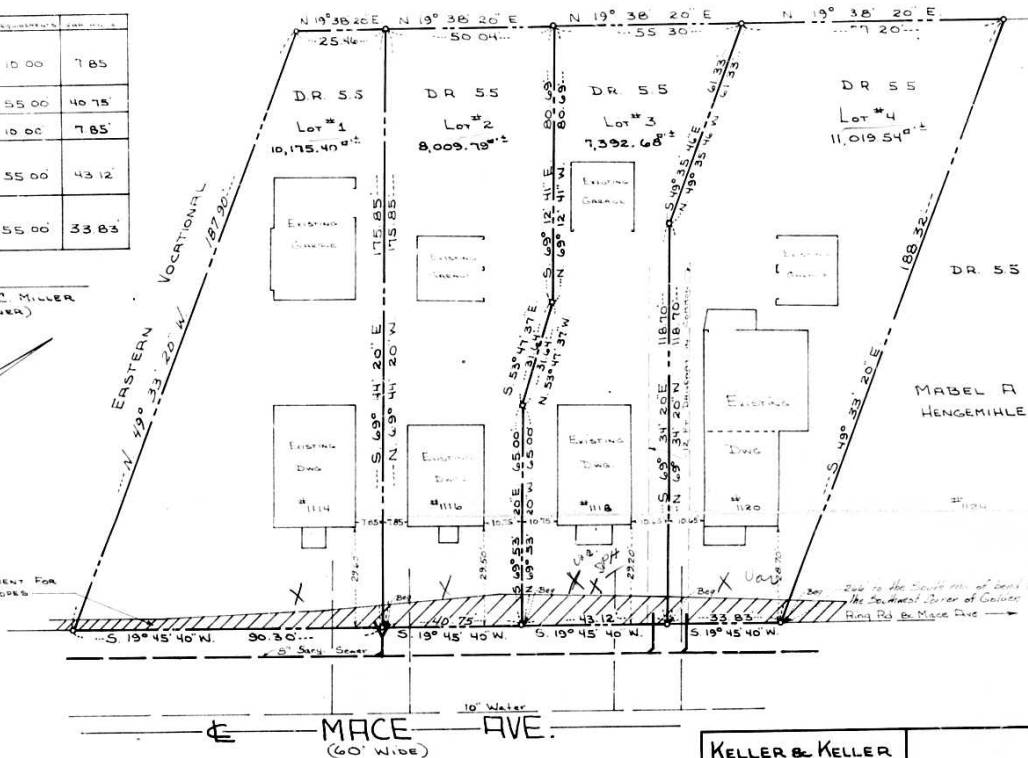
PETITIONER PRAYS FOR FOLLOWING VARIANCES

Lot #	Side Yard	10.00	7.85
Lot #1	FRONT	55.00	40.75
Lot #2	SIDE YARD	10.00	7.85
Lot #3	FRONT	55.00	43.12
Lot #4	FRONT	55.00	33.83

MRS. LORRAINE C. MILLER
(PETITIONER)

TEMPORARY EASEMENT FOR
SUPPORTING SLOPES

TECHNICAL HIGH SCHOOL



SCALE: 1"=20' DATE: JULY 25th, 1973

Henry C. Keller
REG. PROF. L.S. #1500

KELLER & KELLER
LAND SURVEYORS
3914 WOODLIE AVE.
BALTO., MD. 21206
483-5150

MAP
NO. 10
SECTION
D. 10.1
8-17-73
TYP.
DATE
1973
BY

