



DONALD I. MOHLER III  
County Executive

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

November 27, 2018

Lauren Lannelli  
3841 Bay Drive  
Middle River, Maryland 21220

Dear Ms. Lannelli:

RE: Spirit and Intent  
Zoning Case No. 1974-0268-A  
3841 Bay Drive  
MD Tax ID# 1502370353  
Baltimore County, Maryland

This refers to your November 16, 2018 letter to Mr. Arnold Jablon, Director of Permits, Approvals, and Inspections, requesting permission to rebuild a new dwelling on the current foundation with side yard setback of 10 and 38 feet in lieu of the granted side yard setbacks of 8 and 41 feet as per the Zoning Order# 1974-0268-A. A copy of the site plan from the said zoning case is attached for the record.

Please be advised that Mr. John Beverungen, the Administrative Law Judge, after careful consideration, has determined that the proposed side yard setbacks of 10 and 38 feet for the new dwelling is within the Spirit and Intent of the Zoning Case # 1974-0268-A. Please proceed with the Development approval process pursuant to the County codes accordingly.

This letter is strictly limited to the application of the BCZR as applied to the S&I request presented in your letter, and does not represent verification or approvals for any other Local, State or other Regulations that may apply to this property.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Tsui", written over a white background.

Aaron Tsui  
Planner II, Zoning Review

File: 18-418  
Zoning Case no.1974-0268-A  
Enclosure



# PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

74-268-A  
#172

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, William A. Bierman, Sr. 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 Variance from Section 1 A 00.30 B (3) to permit a side yard setback of 41 feet instead of the required 50 feet

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

1. Existing Building too small for year round family living.
2. An Addition of 25 X 25 is about as small as practical to add.

See attached description

MAP	NE-2
ELECTION	
OFFICE	
DATE	11/74
TIME	
HEARD	✓
BY	WH
INITIAL	24974
BY	SH

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 and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

ORDER RECEIVED FOR FILING

DATE May 29 1974

Address Indo Petrochemical

AGENCY INDO PETROCHEMICAL

Contract purchaser \_\_\_\_\_

Petitioner's Attorney \_\_\_\_\_

Address \_\_\_\_\_

William A. Bierman, Sr.  
Legal Owner  
Address 3171 Stuart St.  
Baltimore 212 21 MD

Protestant's Attorney \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day

of April, 1974, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 29th day of May, 1974, at 10:00 o'clock



Wini M. Hanna  
Zoning Commissioner of Baltimore County.

10:00  
5/29/74

(over)

**PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

74-268-A  
#172

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Millard A. Bierman, Sr., 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 Variance from Section 1A 00.2B (3) to permit a side yard setback of 41 feet instead of the required 50 feet

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

- Existing building too small for year round family living.
- An Addition of 20 x 25 is about as small as practical to add.

See attached description

SEARCHED INDEXED SERIALIZED FILED  
MAY 29 1974  
BALTIMORE COUNTY

Mr. Millard A. Bierman, Sr.  
317 S. Stuart Street  
Baltimore, Maryland 21221

RE: Petition for Variance  
SE/S of Bay Drive, 856' E of Wye  
Road - 15th District  
Millard A. Bierman, Sr. - Petitioner  
NO. 74-268-A (Item No. 172)

Dear Mr. Bierman:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Deputy Zoning Commissioner

ED/mc

Attachments

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 and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

ORDER RECEIVED FOR FILING

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 and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser: Millard A. Bierman, Sr.  
Legal Owner  
Address: 317 S. Stuart St. Baltimore 21221

Petitioner's Attorney: \_\_\_\_\_  
Protestant's Attorney: \_\_\_\_\_

ORDERED BY The Zoning Commissioner of Baltimore County, this 26th day

of April 1974, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of May, 1974, at 10:00 o'clock

*William D. Fromm*  
Zoning Commissioner of Baltimore County.  
10:00 A  
5/29/74

(over)

74-268-A  
#172

**Baltimore County, Maryland  
Department Of Public Works  
COUNTY OFFICE BUILDING  
TOWSON, MARYLAND 21284**

Bureau of Engineering  
ELLSWORTH W. DYER, P. E. CHIEF

May 13, 1974

Mr. S. Eric DiNenna  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21284

Re: Item #172 (1973-1974)  
Property Owner: Millard A. Bierman, Sr.  
S/S of Bay Dr., 1556' E. of Wye Rd.  
Existing Zoning: R.B.P.  
Proposed Zoning: Variance from Section 1A 00.2B (3) to permit a side yard setback of 41' instead of the required 50'  
No. of Acres: 208' x 113.26' District: 15th

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.

Highways:

Bay Drive, an existing public road, is proposed to be improved in the future as a 30-foot closed-type roadway cross-section generally on a 50-foot right-of-way (10-foot minimum). Highway improvements are not required at this time. Highway right-of-way widening, including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

Sediment Control:

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

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances 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.

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels of residential and commercial development and other special construction features are required.

Item #172 (1973-1974)  
Property Owner: Millard A. Bierman, Sr.  
Page 2  
May 13, 1974

Water:

Public water supply is serving this property.

Sanitary Sewer:

Public sanitary sewerage is not available to serve this property which is utilizing private onsite means of sewage disposal.

Very truly yours,

*Ellsworth W. Dyer*  
ELLSWORTH W. DYER, P.E.  
Chief, Bureau of Engineering

END:FAM:FW:rss

cc: J. Somers

2-SW Key Sheet  
3 NE 47 Pos. Sheet  
NE 1 L Topo  
08 Tax Map

74-268-A

May 27, 1974

Mr. James Iyer  
Deputy Zoning Commissioner  
County Office Building  
111 N. Chesapeake Avenue  
Towson, Maryland 21284

Dear Mr. Iyer:

I would like to waive the 30 day waiting period so as to receive my permit before June 14, 1974. The Ridge Hose Builders will only hold the current price until then. Thereafter it increases in price.

I will stand all responsibilities & damages should any appeal be received.

Very truly yours:

*Millard A. Bierman Sr.*

Millard A. Bierman, Sr.  
317 S. Stuart St.  
Baltimore, Md. 21221  
RE: Petition for Variance  
S/S of Bay Drive, 856' E. of Wye  
Road - 15th District  
#74-268-A (Item #172)

*W.R. Hunt*

*OK'd by 5/31/74*



**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: S. Eric DiNenna, Zoning Commissioner Date: May 28, 1974  
FROM: William D. Fromm, Director of Planning  
SUBJECT: Petition #74-268-A, Southeast side of Bay Drive 856 feet, more or less, East of Wye Road.  
Petitioner: - Millard A. Bierman, Sr.  
15th District

Hearing: Wednesday, May 29, 1974 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comment to offer.  
The granting of this request would not be inconsistent with the policies of the 1980 Codeplan, the County's official plan.

*William D. Fromm*  
William D. Fromm  
Director of Planning

WDF:NEG:rw

**BALTIMORE COUNTY ZONING ADVISORY COMMITTEE**

May 15, 1974

Mr. Millard A. Bierman, Sr.  
317 So. Stuart Street  
Baltimore, Maryland 21221

RE: Variance Petition  
Item 172  
Millard A. Bierman, Sr. -  
Petitioner

Dear Mr. Bierman:

This office is in receipt of revised plans and/or descriptions which reflect the required changes of the participating agency(ies) of the Zoning Advisory Committee.

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,

*James B. Byrnes, III*  
JAMES B. BYRNES, III  
Chairman,  
Zoning Advisory Committee

JBB:JD

Enclosure

cc:

JAMES B. BYRNES, III

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 strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners,

the above Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety and general welfare of the community

to permit a side yard setback of 41 feet instead of the a Variance required 50 feet. should be granted.

Deputy Zoning Commissioner of Baltimore County this 29th day of May, 1974, that the herein Petition for a Variance 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.

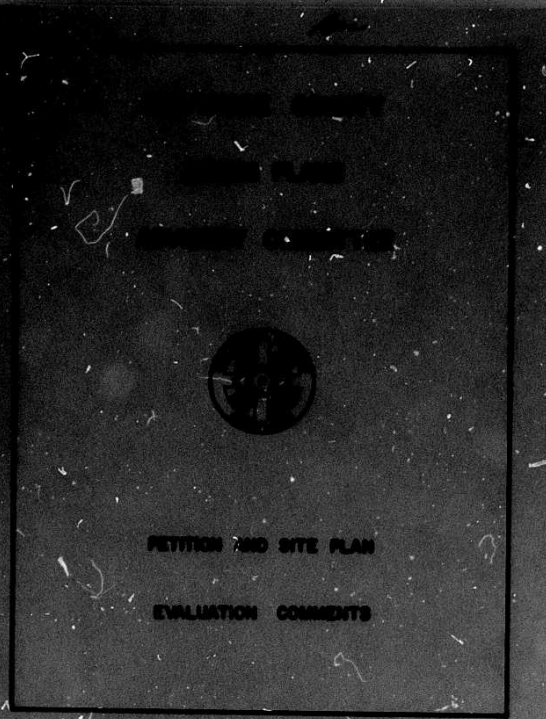
Deputy Zoning Commissioner of Baltimore County

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

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1974, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Item 172
Mr. Millard A. Bierman, Sr.
217 So. Stuart Street
Baltimore, Maryland 21221
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received and accepted for filing this 24th day of April, 1974.
S. ERIC DINENNA, Zoning Commissioner
Petitioner: Millard A. Bierman, Sr.
Petitioner's Attorney
Reviewed by James B. Byrnes, III, Chairman, Zoning Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE
May 2, 1974
XXXXXXXXXXXX
Mr. Millard A. Bierman, Sr.
317 So. Stuart Street
Baltimore, Maryland 21221
RE: Variance Petition
Item 172
Millard A. Bierman, Sr. - Petitioner
Dear Mr. Bierman:
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 southeast side of Bay Drive, approximately 800 feet northeast of Wye Road, in the 15th Election District of Baltimore County. It is presently improved by an existing dwelling and garage and is a large waterfront lot on the Chesapeake Bay.
Marsh lands exist to the northeast and adjacent to the site, and properties to the southeast, along Bay Drive, are improved with various shore homes. A wooded and unimproved area lies opposite the site on Bay Drive.
The petitioner is requesting a Variance to permit a side yard setback of 41 feet instead of the required 50 feet. He proposes to erect a 25'x28' addition to the existing dwelling.

Mr. Millard A. Bierman, Sr.
Item 172
May 2, 1974
Page 2
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,
James B. Byrnes, III
Chairman,
Zoning Advisory Committee
JBB:JD
Enclosure

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204
DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E. Director
Wm. T. MELZER Deputy Traffic Engineer
May 2, 1974
Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Re: Item 172 - ZAC - April 23, 1974
Property Owner: Millard A. Bierman, Sr.
SE/S Bay Drive, 1556 feet E of Wye Road
Variance from Section 1A00.3B (3) to permit a side yard setback of 41 feet instead of the required 50 feet
District 15
Dear Mr. DiNenna:
The subject petition is requesting a variance which should have no effect on traffic.
Very truly yours,
C. Richard Moore
Assistant Traffic Engineer
CRM/pk

Baltimore County Fire Department
J. Austin Deitz
Chief
Towson, Maryland 21204
822-7310
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee
Re: Property Owner: Millard A. Bierman, Sr.
Location: SE/S of Bay Dr., 1556' E of Wye Road
Item No. 172 Zoning Agenda April 23, 1974
Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.
( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
( ) 2. A second means of vehicle access is required for the site.
( ) 3. The vehicle dead-end condition shown at EXCEEDS the maximum allowed by the Fire Department.
( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
( ) 6. Site plans are approved as drawn.
(X) 7. The Fire Prevention Bureau has no comments at this time.
Reviewer: [Signature] Noted and Approved: Paul H. Reincke
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau
mls
4/16/74

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
April 29, 1974
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 172, Zoning Advisory Committee Meeting, April 23, 1974, are as follows:
Property Owner: Millard A. Bierman, Sr.
Location: SE/S of Bay Dr., 1556' E of Wye Rd.
Existing Zoning: R.D.F.
Proposed Zoning: Variance from Section 1A 00.3B (3) to permit a side yard setback of 41' instead of the required 50'
No. of Acres: 208' x 113.26'
District: 15
Metropolitan water is available.
Sewage disposal system functioning properly at this time.
Very truly yours,
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES
HVB/cag

