

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Thomas & Reva Shifflett, 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone; for the following reasons:

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or Special Exception 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 _____
Address: 15 S. Marlyn Ave.
Baltimore, Md. 21204
Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1976, 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 _____ day of _____, 1976, at _____ o'clock _____ A.M.

Zoning Commissioner of Baltimore County

(over)

Item #133 (1975-1976)
Property Owner: Thomas & Reva Shifflett
Page 2
February 24, 1976

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

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.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving the present residence which also contains a Beauty and Barber Shop.

It appears that additional fire hydrant protection may be required in the vicinity.

Very truly yours,

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

END:EAM:FWR:ss

cc: John Trenner
Jack Wimbley
William Munchel

1-SW Key Sheet
6 NE 29 Pos. Sheet
NE 2 H Topo
97 Tax Map

baltimore county
department of public works
TOWSON, MARYLAND 21204

February 24, 1976

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

Re: Item #133 (1975-1976)
Property Owner: Thomas & Reva Shifflett
Location: E/S Marlyn Ave., 120' N. of Virginia Ave.
Existing Zoning: Business Local (B.L.)
Proposed Zoning: Special Exception
No. of Acres: 60.00'/71.94' x 234.54'/275.24'
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.

General:

The Petitioner's proposal for this property should receive comprehensive review by the Joint Subdivision Planning Committee and subdivision regulations may be applicable.

Highways:

S. Marlyn Avenue, an existing County Street, is proposed to be further improved in the future, in the vicinity of this property, as a 40-foot closed section roadway on a 60-foot right-of-way. 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. Further information may be obtained from the Baltimore County Bureau of Engineering. The submitted plan must be revised accordingly.

The entrance locations are subject to approval by the Department of Traffic Engineering and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

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

Drainage studies, storm water management drawings and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 484-3211

February 11, 1976

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 #133, Zoning Advisory Committee Meeting, January 13, 1976 are as follow:

Property Owner: Thomas & Reva Shifflett
Location: E/S Marlyn Ave., 120' N. of Virginia Avenue
Existing Zoning: Business Local (B.L.)
Proposed Zoning: Special Exception
No. of Acres: 60.00'/71.94' x 234.54'/275.24'
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The parking calculations do not indicate the square footage of the retail and other commercial use areas, nor does it indicate the number of dwelling units existing or proposed, therefore, the plan must be revised to show all the commercial square footage and number of dwelling units.

The 10 foot driveway does not meet minimum county standards for a commercial driveway. All loading areas must be shown on the site plan.

Very truly yours,

John L. Wimbley
Planning Specialist II
Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 23, 1976

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

Z.A.C. Meeting of: January 13, 1976

Re: Item 133
Property Owner: Thomas & Reva Shifflett
Location: E/S Marlyn Ave., 120' N. of Virginia Avenue
Present Zoning: Business Local (B.L.)
Proposed Zoning: Special Exception

District: 15th
No. Acres: 60.00'/71.94' x 234.54'/275.24'

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative.

H. EMBLE PARKS, PRESIDENT
EUGENE C. HESS, VICE-PRESIDENT
MRS. ROBERT L. BERTNEY

MARCUS M. ROTISARIS
JOSEPH N. MCCOY
ALVIN LORECK
JOSHUA B. WHEELER, SUPERVISOR

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD K. GUERTEL

STEPHENE COLLINS
DIRECTOR

February 19, 1976

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

Re: Item 133 - ZAC - January 13, 1976
Property Owner: Thomas & Reva Shifflett
Location: E/S Marlyn Ave. 120' N. of Virginia Ave.
Existing Zoning: Business Local (B.L.)
Proposed Zoning: Special Exception for residence in commercial bldg.
No. of Acres: 60.00'/71.94' x 234.54'/275.24'
District: 15th

Dear Mr. DiNenna:

The requested Special Exception for a residence in a business local zone is not expected to cause any major traffic problems.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reincke
CHIEF

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Thomas & Reva Shifflett

Location: E/S Marlyn Ave., 120' N. of Virginia Avenue

Item No. 133

Zoning Agenda January 13, 1976

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.

(xx) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: _____ Noted and Approved: _____
Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met, a Special Exception for living quarters in a commercial building should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of May, 1976, that a Special Exception for living quarters in a commercial building should be and the same is GRANTED, from and after the date of this Order, subject to compliance with the attached plat, dated November 4, 1975, having been filed as Zoning Commissioner's Exhibit "A" in this proceeding and which is incorporated by reference hereto as a part of this Order, and 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 re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of May, 1976, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a _____ zone; and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



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

January 23, 1976

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

Dear Mr. DiNenna:

Comments on Item #133, Zoning Advisory Committee Meeting, January 13, 1976, are as follows:

Property Owner: Thomas & Reva Shifflett
Location: E/S Marilyn Ave., 120' N of Virginia Ave.
Existing Zoning: Business Local (B.L.)
Proposed Zoning: Special Exception
No. of Acres: 60.00'/71.94' x 234.54'/275.24'
District: 15th

Metropolitan water and sewer are existing.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJW:dls



AUDREY K. KATZ, Director

March 4, 1976

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

Re: Item #133 (1975-1976) - Amended Highway Comment
Property Owner: Thomas & Reva Shifflett
E/S Marilyn Avenue, 120' N. of Virginia Avenue
Existing Zoning: Business Local (B.L.)
Proposed Zoning: Special Exception
No. of Acres: 60.00'/71.94' x 234.54'/275.24'
District: 15th

Dear Mr. DiNenna:

The Bureau of Engineering comments supplied February 24, 1976 in connection with this Item #133 (1975-1976) are revised only in regard to the proposed cross-section for S. Marilyn Avenue, which is to be constructed as a 44-foot closed section roadway, rather than a 40-foot closed section, on a 60-foot right-of-way.

Very truly yours,

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

END:EAM:FWR:ss

cc: J. Trenner
J. Wimbley
W. Munchel

1-SW Key Sheet
6 NE 29 Pos. Sheet
NE 2 H Topo
97 Tax Map

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 3, 1976

COUNTY OFFICE BUILDING
111 M. CHAPMAN AVE. TOWSON
TOWSON, MARYLAND 21204

Franklin T. HOGANS, Jr.
Chairman

Mr. Thomas Shifflett
15 S. Marilyn Avenue
Baltimore, Maryland 21221

RE: Special Exception Petition
Item 133
Thomas & Reva Shifflett -
Petitioners

Dear Mr. Shifflett:

The Zoning Plans 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 east side of Marilyn Avenue, 120 feet north of Virginia Avenue, and is currently improved with an existing dwelling, a portion of which has been converted to a barber shop. The petitioner is requesting a Special Exception to permit living quarters in a proposed commercial building to be located at the rear of the site.

In accordance with the comments of the Project and Development Planning section, the site plan must be revised to indicate a clear calculation of all commercial uses existing and proposed on the site. Adjacent properties are improved with single family and semi-detached two-family residential development.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: March 9, 1976

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition # 76-193-X. Petition for Special Exception for Living Quarters in a Commercial Building.
East side of Marilyn Avenue 130 feet North of Virginia Avenue.
Petitioner - Thomas Shifflett and Reva Shifflett

15th District

Hearing: Wednesday, March 24, 1976 at 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.

This office is not opposed to the granting of the requested special exception for living quarters in a commercial building. What does concern this office, however, is the proposal to construct a commercial building to the rear of the existing dwelling on this site. It is suggested that the petitioner's plan be revised to conform to the Project and Development Planning Division's comments, that the plan reflect an adequate interval traffic circulation pattern, and that the granting of special exception be conditioned accordingly.

William D. Fromm
Director of Planning

WDF:JGH:nb

Mr. Thomas Shifflett
Re: Item 133
March 3, 1976
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,

Franklin T. HOGANS, Jr.
Chairman, Zoning Plans
Advisory Committee

PTH:JD

Enclosure

MEETS AND BORDERS DESCRIPTION

Property of Thomas Shifflett and Reva K. Shifflett being that lot of ground, situated, lying and being in Baltimore County, State of Maryland, and described as follows; and lying 120 feet North of Virginia Avenue.

Beginning for the same on the East side of Marilyn Avenue 30 feet wide at a point distant 250 feet Northerly from the intersection of the East side of Marilyn Avenue with the second line of the land described in a deed from Daniel Crook and wife to George Lutz and wife dated September 29, 1910, and recorded among the Land Records of Baltimore County in Liber M.F.C. No. 117, folio 86 and running thence binding on the East side of Marilyn Avenue North 06 degrees West 60 feet thence parallel with the second line of the land described in said deed North 83 degrees 04 minutes East 237.54 feet to a point on the Northeastmost outline of Lot No. 1 as laid out on the Baltimore County in Plat Book W.P.C. No. 11, folio 111 thence binding on said outline South 40 degrees 27 minutes East 71.94 feet thence parallel with the second line of the land described in said deed South 83 degrees 04 minutes West 270.24 feet to the place of beginning.

The improvements thereon being known as 15 S. Marilyn Avenue.

Miller Reg. P.E.
Md. Reg. No. 5476 C.E.

May 14, 1976

Mr. & Mrs. Thomas Shifflett
15 South Marilyn Avenue
Baltimore, Maryland 21221

RE: Petition for Special Exception
E/S of Marilyn Avenue, 120' N
of Virginia Avenue - 15th Elec-
tion District
Thomas Shifflett, et ux -
Petitioners
NO. 76-193-X (Item No. 133)

Dear Mr. & Mrs. Shifflett:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

S. ERIC DINENNA
Zoning Commissioner

SED:scw

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

ORDER TO ENTER APPEARANCE

Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

John W. Hessian, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

Order was mailed to Mr. and Mrs. Thomas Shiftlett, 15 S. Marlyn Avenue, Baltimore, Maryland 21221, Petitioners.

John W. Hession, III



**FEETOWN FOR SPECIAL
EXCEPTION—1984 ABSTRACT**

WORKING: Feetown for Special Ex-
ception for Living Quarters in a
Commercial Building.

LOCATION: East side of Marilyn
Avenue 126 feet North of Vir-
ginia Avenue.

DATE & TIME: Wednesday, March
24, 1994 at 10:30 A.M.

PUBLIC HEARING: Room 124, Coun-
ty Office Building, 111 W. Cham-
paign Avenue, Towson, Maryland.

TOWSON, MD., March 4, 1976

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time successive weeks before the 24th day of March 19, 74, the first publication appearing on the 14th day of March 19, 74.

L. Frank Buckle
Manager.

Cost of Advertisement, \$.....

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for
filing this 17th day of February 1974


S. Eric DiNenna,
Zoning Commissioner

Petitioner's Attorney _____ Reviewed by Franklin T. Hoagans, Jr.
Franklin T. Hoagans, Jr.
Chairman,
Zoning Advisory
Committee

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CG, CA										
Reviewed by: <u>1-TH</u>	Revised Plans: Change in outline or description _____ _____ No									
Previous case: _____	Map # _____									

District. 15th Date of Posting. 3-4-76
 Posted for: Hearing Will. Marvel 246 1926 C. 10:00 P.M.
 Petitioner: Thos. Shifflett
 Location of property: E of W. Maryland St. 120' N. of Virginia St.
 Location of Signs: W. Maryland St. 15' S. of Maryland St. at
East Side
 Remarks:
 Posted by: Paul H. New Date of return: 3-11-76
 Sumner

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

DATE **Mar. 1, 1976** ACCOUNT **01-662**

AMOUNT 150.00

RECEIVED
FROM H. Griswold, 2804 Hillcrest Ave., Balto., Md. 212
Petition for Special Exception for Thomas Shifflett
FOR #76-193-X

4451RUR 2 5500RUR

VALIDATION OR SIGNATURE OF CASHIER

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

DATE April 26, 1976 ACCOUNT 01-662

AMOUNT \$54.00

RECEIVED
FROM H. Griswold, 2804 Hillcrest Ave., Balto., M. 27234
FOR Advertising and posting of property for Thomas
Shifflett — #76-193-X

8356 APR 27 5400

VALIDATION OR SIGNATURE OF CASHIER

