

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Francis & Mary French, 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 202.3C.1 to permit a lot width of 50 feet in lieu of the required 55 feet, part of lot 1, "Property of A. Clarich".

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

1. I wish to build a new dwelling on a 50 foot lot.
2. I am unable to acquire adjacent property.

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 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: 2001 W. 16th St.
Baltimore, Md. 21221
Petitioner's Attorney
Address: 111 S. Maryland Ave.
Baltimore, Md. 21201
Protestant's Attorney
Address: 111 S. Maryland Ave.
Baltimore, Md. 21201

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day

of December, 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 14th day of February, 1977, at 10:00 o'clock A.M.

DEC 20 76 JH
Zoning Commissioner of Baltimore County.

(over)



Mr. Francis X. French
Re: Item 132
February 7, 1977
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would also be required for Mr. Boniface's lot. However, due to the extenuating circumstances, as indicated to Mr. James E. Dyer, Zoning Supervisor, said Variance on Mr. Boniface's lot is not included. Revised plans indicating the proposed 70 foot right-of-way on Marilyn Avenue should be submitted at the time of application for a permit should this Variance be granted.

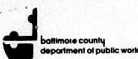
This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
Acting Chairman, Zoning Plans Advisory Committee

NBC:JD

Enclosure
cc: Leo W. Rader
38 Belfast Road
Timonium, Maryland 21093



THORNTON M. MOURING, P.E.
DIRECTOR

February 2, 1977

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

Re: Item #132 (1976-1977)
Property Owner: Francis & Mary French
E/S Marilyn Ave., 362.43' S. Lena Lane
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit lot width of 50' in lieu of the required 55'.
Acres: 0.434 District: 15th

Dear Mr. DiMenna:

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:

Marilyn Avenue, an existing County road, is proposed to be improved in the future as a 50-foot closed section roadway on a 70-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.

Sediment Control:

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damming private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping 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, will be the full responsibility of the Petitioner.

Francis & Mary French
111 S. Maryland Ave.
Baltimore, Md. 21201

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 2nd day of February 1977.

Petitioner: Francis & Mary French
Petitioner's Attorney: Nicholas B. Commodari

cc: Leo W. Rader
38 Belfast Road
Timonium, Maryland 21093

Item 132

S. Eric DiMenna
Zoning Commissioner

Reviewed by: Nicholas B. Commodari
Planning & Zoning Associate

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 7, 1977

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Acting Chairman

MEMBERS:
BUREAU OF ENGINEERING
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Mr. Francis X. French
111 S. Maryland Avenue
Baltimore, Maryland 21221

RE: Variance Petition
Item 132
Francis & Mary French - Petitioners

Dear Mr. French:

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. Put to assure that all parties are made aware of plans that 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.

This currently vacant site, zoned D.R. 5.5, is located on the east side of Marilyn Avenue approximately 362 feet south of Lena Lane, in the 15th Election District. Adjacent properties to the north, south and west are similarly zoned and improved with residences and trailer parking, respectively.

It is my understanding that this property was formerly owned by Mr. Joseph Boniface, and some time thereafter sold to you. Under Section 204 of the Zoning Regulations, a dwelling can be constructed on a 50 foot lot if the owner does not own sufficient adjoining land to conform substantially to the width and area requirements. In light of this, a Variance

Item #132 (1976-1977)
Property Owner: Francis & Mary French
Page 2
February 2, 1977

Storm Drains: (Cont'd)

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.

Water and Sanitary Sewers:

Public water main and sanitary sewerage exist in Marilyn Avenue. The reference numbers for sanitary sewers are not correct on the submitted plan.

Very truly yours,

Nicholas B. Commodari
Chief, Bureau of Engineering

END(SM:FWRS)

cc: John Trenner

1-BK Key sheet
1-BK 30 Pw. Sheet
MC 1-11 Topo
97 Tax Map



Paul H. Reincke
Chief

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

Attention: Nicholas B. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Francis & Mary French

Location: E/S Marilyn Ave. 362.43' S Lena La.

Item No. 132

Zoning Agenda December 20, 1976

Comments:

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.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (x) 2. A second means of vehicle access is required for the site.
- (x) 3. The vehicle dead-end condition shown at [location] is not allowed by the Fire Department.
- (x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 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 "Life Safety Code", 1970 edition prior to occupancy.
- (x) 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER:

Planning Group
Special Inspection Division

Noted and

Approved: [Signature]
Captain Chief
Fire Prevention Bureau

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 lot width of 50 feet instead of the required 55 feet, the Deputy Zoning Commissioner of Baltimore County this 15th day of February 1977, that the herein Petition for the aforementioned 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.

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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of February 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



February 7, 1977

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 #132, Zoning Advisory Committee Meeting, December 20, 1976, are as follows:

Property Owner: Francis and Mary French
Location: E/S Marilyn Avenue 372.43' S. Lena Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'
Acres: 0.434
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 are 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.

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

Very truly yours,

John L. Wimbley
Planner III
Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: December 16, 1976

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

Z.A.C. Meeting of: December 20, 1976

Re: Item 132
Property Owner: Francis & Mary French
Location: E/S Marilyn Avenue 362.43' S. Lena Lane
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'

District: 15th
No. Acres: 0.434

Dear Mr. DiNenna:

No hearing on student population.

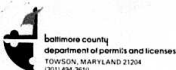
Very truly yours,

W. Nick Petrovich,
Field Representative.

JOSEPH W. HUGHES, JR., SECRETARY
F. STANLEY COLLIER, JR., TREASURER
JOHN J. KELLY, CLERK

MARTIN W. B. STANLEY
MICHAEL W. B. STANLEY
AND LOUISIANA J. STANLEY
JESSIE W. STANLEY, SUPERVISOR

ROGER W. HARTMAN
ALVIN HARTMAN
ROBERT W. HARTMAN, JR.



December 29, 1976

JOHN D. SEYFERT
DIRECTOR

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

Dear Mr. DiNenna:

Comments on Item #132, Zoning Advisory Committee Meeting, December 20, 1976, are as follows:

Property Owner: Francis & Mary French
Location: E/S Marilyn Avenue 362.43' S. Lena Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'

Acres: 0.434
District: 15

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☐ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 5'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burdham
Plans Review Chief
(22817)



S. ERIC DINENNA
ZONING COMMISSIONER

February 15, 1977

Mr. & Mrs. Francis X. French
811 S. Marilyn Avenue
Baltimore, Maryland 21221

RE: Petition for Variance
E/S of Marilyn Avenue, 362.43' S of
Lena Lane - 15th Election District
Francis X. French, et ux - Petitioners
NO. 77-146-A (Item No. 132)

Dear Mr. & Mrs. French:

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

Very truly yours,

George J. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

cc: Mr. Lewis G. Bigelow, Jr.
& Cardinal Lane
Baltimore, Maryland 21221

John W. Hession, III, Esquire
People's Counsel



STEPHENE COLLINS
DIRECTOR

January 14, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 132 - ZAC - December 20, 1976
Property Owner: Francis & Mary French
Location: E/S Marilyn Ave. 362.43' S. Lena Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of req. 55'
Acres: 0.434
District: 15th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to permit a lot width of 50 feet in lieu of required 55 feet.

Very truly yours,

Michael S. Flanigan
Traffic Engineer/Assistant

MSF/mc



January 6, 1977

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

Dear Mr. DiNenna:

Comments on Item 132, Zoning Advisory Committee Meeting, December 20, 1976, are as follows:

Property Owner: Francis & Mary French
Location: E/S Marilyn Ave. 362.43' S. Lena Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'
Acres: 0.434
District: 15th

Since metropolitan water and sewer exist, no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TMD/HV/rhs



38 Bellart Road - Tunicum Maryland 21093

November 5, 1976

DESCRIPTION FOR ZONING PETITION 807 S. MARLYN AVENUE

BEING presently known as No. 807 South Marlyn Avenue and being all of that part of Lot No. 4 lying on the easterly side of Marlyn Avenue (60 feet wide) distant 362.43 feet, more or less, measured southerly along said easterly side of Marlyn Avenue from the southerly side of Lena Lane, in the Fifteenth Election District of Baltimore County, and shown on the plat of "Property of A. Clarick", recorded among the Plat Records of Baltimore County in Plat Book C.H.K. No. 13 Folio 77.

Leo W. Rader

INTER-OFFICE CORRESPONDENCE

15th District

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerbel
Norman E. Gerbel
Acting Director of Planning

NEG:JGH:rw

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S of Marilyn Ave. 362.43' S of :
Lena Lane, 15th District : OF BALTIMORE COUNTY
FRANCIS X. FRENCH, et ux, : Case No. 77-146-A
Petitioners :

ORDER TO ENTER APPEARANCE

Charles E. Kuntz, Jr.
Charles E. Kuntz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 9th day of February, 1977, a copy of the
aforegoing Order was mailed to Mr. and Mrs. Francis X. French, 811 S. Marilyn
Avenue, Baltimore, Maryland 21221, Petitioners.

John W. Hession III
John W. Hession, III

**CERTIFICATE OF POSTING**

ZONING DEPARTMENT OF BALTIMORE COUNTY #77-846-11
Towson, Maryland

District: 15th
 Posted for: Henry Wenzel, Jr. 14th 1871 & 1872
 Position of: James X. Ward
 Location of property: E. S. of Wenzel 16 362nd S. of Iowa Street
 Location of Sign: Wenzel 16 362nd S. of Iowa Street
on East S. of Wenzel 16
 Remarks:
 Posted by: Wm. H. New
 Date of return: 2-3-76

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 15th day of December 1977. Filing Fee \$ 25. Received C Check Cash Other 10

_____ Other _____

H. D. [Signature]
S. Eric DiNunzio,
Zoning Commissioner

Petitioner *Levin Byler* Submitted by *Levin Byler*

Petitioner's Attorney _____ Reviewed by *[Signature]*

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF PUBLICATION

TOWSON, MD... January 27....., 1977

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 11th day of February, 19 77, the last publication appearing on the 27th day of January, 19 77.

THE JEFFERSONIAN,
L. Frank Shufelt
 Manager.
 Cost of Advertisement, \$.....

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

DATE Jan. 24, 1977 ACCOUNT 01-662
AMOUNT \$25.00

RECEIVED Lewis G. Bigelow, Jr., 2 Cardinal Lane, Balto.
FROM Ms. 21221
FOR Petition for Variance for Francis French
#77-116-A

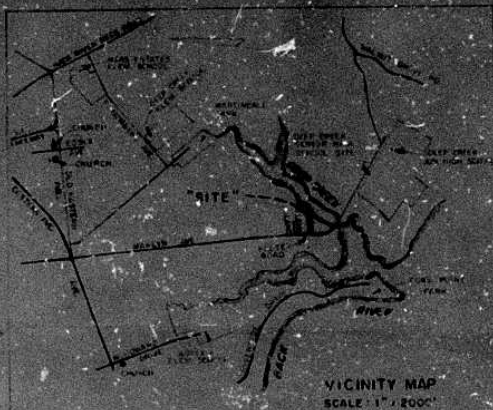
62 JUN 24 25.00 PER

BALTIMORE COUNTY, MARYLAND No. 42900

DATE Feb. 11, 1977 ACCOUNT 01-662
AMOUNT \$15.00
RECEIVED Francis X. French, 13247 E. Greenbank Rd.
Baltimore, MD. 21220
FOR Advertising and posting of property
#77-116-L

481 9 7 018 14 4 5.00 M00

[illegible]



PLAT TO ACCOMPANY
A ZONING PETITION

FOR

PROPERTY LOCATED
AT 807 MARLYN AVE

15TH ELECT DIST

BALTO CO, MD

SCALE 1" = 50'

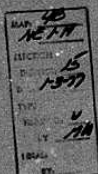
NOV. 22, 1976

ZONE DR 55
0.434 AC ± (TO APPARENT
HIGH TIDE)

ZONE DR 55

ZONE DR 55

TRAILER PAD
ZONE DR 55



REG. LAND SURVEYOR NO. 1625

LEO W. RADER
REG. LAND SURVEYOR
24 BELFAST AVE
TIMonium, MD. 21151