

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, LYON A. MILLER, legal owner of 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 106-6-501-A, Paragraph 1, Side A, setback of 80 ft. instead of the required 25 ft. and 1101 9.03 to permit a side setback from the center of Marmat Rd. of 48 ft. instead of the required 80 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
This variance would help to build a residence on a standard width. The lot is the remainder of Shelburne Heights plat recorded in Liber 7, Folio 169, of the Land Records of Baltimore County, Subdivision requirements 1904.

See attached description

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

I, or we, agree to pay expenses of 30-day 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 Ignon A. Miller Legal Owner
Address 3210 Labyrinth Rd., Baltimore, Md. 21208
Petitioner's Attorney Charles E. Kuntz, Jr. Pro Pet's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 25th day of January, 1977, 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 25th day of March, 1977, at 10:00 o'clock.



(over)

10:00A
3/28/77

RE: PETITION FOR VARIANCE
NE/C of Seven Mile Lane and
Marmat Road, 3rd District
LYON A. MILLER, Petitioner
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 77-181-A

ORDER TO ENTER APPEARANCE

Pursuant to the authority contained in Section 524.1 of the Baltimore County 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.

Charles E. Kuntz, Jr. John W. Heslin, III
Charles E. Kuntz, Jr. John W. Heslin, III
Deputy People's Counsel People's Counsel
County Office Building County Office Building
Towson, Maryland 21204 Towson, Maryland 21204
494-2188 494-2188

I HEREBY CERTIFY that on this 24th day of March, 1977, a copy of the foregoing Order was mailed to Mr. Lyon A. Miller, 3210 Labyrinth Road, Baltimore, Maryland 21208, Petitioner.

John W. Heslin, III
John W. Heslin, III



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dineen, Zoning Commissioner Date: March 14, 1977
FROM: Norman E. Gerber, Acting Director of Planning
SUBJECT: Petition #77-181-A, Petition for Variance for Side Setbacks
NE/C of Seven Mile Lane and Marmat Road
Petitioner - Lyon A. Miller

HEARING: Monday, March 26, 1977 (10:00 A.M.)

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

Norman E. Gerber
Norman E. Gerber
Acting Director of Planning

NRB:JSH:rw

April 18, 1977

Mr. Lyon A. Miller
3210 Labyrinth Road
Baltimore, Maryland 21208

RE: Petition for Variance
NE/C of Seven Mile Lane and
Marmat Road - 3rd Election District
Lyon A. Miller - Petitioner
NO. 77-181-A (Item No. 151)

Dear Mr. Miller:

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

Very truly yours,

Eric Dineen
Eric Dineen
Zoning Commissioner

Q76/mz

Attachments

cc: Ellis M. Fell, Esquire
1316 Sunney Building
Baltimore, Maryland 21201

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

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 16, 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., on one time, on March 16, 1977, the 16th day of March, 1977, the 16th day of March, 1977, appearing on the 10th day of March, 1977.
THE JEFFERSONIAN,
Manager.
Cost of Advertisement, \$.



OFFICE OF
THE TIMES
NEWSPAPERS
TOWSON, MD. 21204 Mar. 9, 1977

THIS IS TO CERTIFY that the annexed advertisement of Petition for a Variance - Miller was inserted in the following:

- ☐ Catonsville Times
- ☐ Dundalk Times
- ☐ Essex Times
- ☐ Suburban Times East
- ☐ Towson Times
- ☐ Arbutus Times
- ☒ Community Times
- ☐ Suburban Times West

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 25th day of March 1977, that is to say, the same was inserted in the issue of March 9, 1977.

STROMBERG PUBLICATIONS, INC.

BY Eric Dineen

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 3rd Date of Posting MARCH 12, 1977
Posted for PETITION FOR VARIANCE
Petitioner: LYON A. MILLER
Location of property: NE/C of SEVEN MILE LANE and MARMAT RD.
Location of Sign: NE/C of SEVEN MILE LANE and MARMAT RD.
Remarks: See Eric Dineen, Zoning Commissioner
Posted by Eric Dineen Date of return: MARCH 18, 1977

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 11th day of January 1977. Filing Fee \$ 25.00 Received ☒ Check ☐ Cash ☐ Other

Eric Dineen
Eric Dineen
Zoning Commissioner

Petitioner: LYON A. MILLER Submitted by Eric Dineen
Petitioner's Attorney Reviewed by Eric Dineen

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

BALTIMORE COUNTY, MARYLAND No. 46503
OFFICE OF FINANCE RECEIVED DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: March 23, 1977 ACCOUNT: 01-662
AMOUNT: \$45.75
RECEIVED: Lyon A. Miller, Petitioner, 3210 Labyrinth Rd., Baltimore, Md. 21208
FOR: Advertising and posting of property - 77-181-A
\$60.00 RECEIVED 29 45.75
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 46447
OFFICE OF FINANCE RECEIVED DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: Mar. 7, 1977 ACCOUNT: 01-662
AMOUNT: \$5.00
RECEIVED: Lyon A. Miller, Petitioner, 3210 Labyrinth Rd., Baltimore, Md. 21208
FOR: Petition for Variance 77-181-A
\$60.00 RECEIVED 0 5.00
VALIDATION OR SIGNATURE OF CASHIER



ORDER RECEIVED FOR FILING

DATE April 13, 1977
Stallard, J. J. J.

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 Petitioner,

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, Variances to permit a side street setback of 20 feet instead of the required 25 feet and a side setback from the centerline of Marnat Road of 45 feet instead of the required 50 feet should be granted.

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of April, 1977, that the herein Petition for the aforementioned Variances 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.
[Signature]
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 _____ of _____, 197__, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

Form No. 151

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 15th day of February, 1977.

Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: John A. Miller
Petitioner's Attorney: _____
Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Planning & Zoning
Associate III

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

Nicholas B. Commodari
Acting Chairman

MEMBERS

BUREAU OF ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROAD COMMISSION
BUREAU OF
FIRE PREVENTION

HEALTH DEPARTMENT
PROJECT PLANNING

BUILDING DEPARTMENT
A. BOARD OF EDUCATION

ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

Mr. Lyon A. Miller
3210 Labyrinth Road
Baltimore, Maryland 21208

Dear Mr. Miller:

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 place 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 lot, zoned D.R. 5.5, is located on the northeast corner of Seven Mile Lane and Harriet Road, in the Third Election District. Adjacent properties to the north and east are improved with residences, while a food market and drug store exist to the south.

This variance is necessitated by your proposal to construct a dwelling 28 feet from the side street property line in lieu of the required 25 feet. It should be noted that, based upon your request and the orientation of the proposed dwelling on the submitted site plan, the front entrance is restricted to Seven Mile Lane. In addition, the disposition and setback of what appears to be a side porch on the south side of the proposed structure should be verified at the scheduled hearing and the resultant setback approved at that time.

March 15, 1977

RE: Variance
Item No. 151
Lyon A. Miller - Petitioner

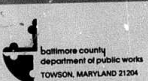
Mr. Lyon A. Miller
Page 2
March 15, 1977

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
NICHOLAS B. COMMODARI
Acting Chairman
Zoning Plans Advisory Committee

NBC/scw
Enclosure



WILLIAM M. MOURING, P.E.
DIRECTOR

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

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:

Harriet Road, an existing County Road, is improved as a 30-foot closed section roadway on a 50-foot right-of-way in this vicinity. No further highway improvements are required for Harriet Road at this time.

Seven Mile Lane, an existing public road, is proposed to be improved in the future as a 44-foot closed section roadway on a 60-foot right-of-way. Highway improvements are not required at this time. However, highway right-of-way widening including a fill cut area for a right distance at the intersection and 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, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading including the striping of top soil.

Item #151 (1976-1977)
Property Owner: Lyon A. Miller
Page 2
February 17, 1977

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.

Water and Sanitary Sewers:

Public water mains exist in Harriet Road and Seven Mile Lane. Public sanitary sewer exists in Harriet Road, opposite the easternmost portion of this property, which comprises Lots 10, 11 and 12 of Shelbourne Heights (W.P.C. 7, Part 2, Public 169).

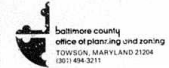
Very truly yours,

William M. Mouring
WILLIAM M. MOURING, P.E.
Chief, Bureau of Engineering

END: EAM:PMR:ss

cc: J. Trenner
J. Somers
S. Ballistreri

C-58 Key Sheet
28 IN 17 Pos. Sheet
78 E Topo
78 Tax Map



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 #151, Zoning Advisory Committee Meeting, January 25, 1977, are as follows:

Property Owner: Lyon A. Miller
Location: NE/C Seven Mile Lane and Harriet Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side street setback of 25' in lieu of the required 25' and a side set back from the center of Harriet Road of 45' in lieu of the required 50'.
Acres: 130.00 x 62.16
130.00 62.16
District: 3d

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 place 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
John L. Wimbley
Planner III
Project and Development Planning

March 1, 1977



STEPHEN E. COLLINS
DIRECTOR

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

Re:

Item 151 - VAC - January 25, 1976
Property Owner: Lyon A. Miller
Location: NE/C Seven Mile Lane & Harriet Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side street setback of 25' in lieu of the required 25' and a side setback from the center of Harriet Rd. of 45' in lieu of the required 50'.
Acres: 130.00 x 62.16
130.00 62.16
District: 3d

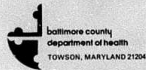
Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the front and side street setbacks.

Very truly yours,
Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

NET/jlf

March 6, 1977



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

February 1, 1977

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

Dear Mr. DiNenna:

Comments on 151, Zoning Advisory Committee Meeting, January 25, 1977, are as follows:

Property Owner: Lyon A. Miller
Location: NE/C Seven Mile La. & Marnat Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side street setback of 20' in lieu of the required 25' and a side setback from the center of Marnat Rd. of 45' in lieu of the required 50'.
Acres: 130.00/130.00 X 62.16/62.16
District: 3rd

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

Very truly yours,

Thomas H. Devlin, Dir.
BUREAU OF ENVIRONMENT

TED/BJW/rth



Paul H. Reinecke
CHIEF

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

Attention: Nicholas B. Commodari
Zoning Advisory Committee

Re: Property Owner: Lyon A. Miller

Location: NE/C Seven Mile La. & Marnat Rd.

Item No. 151

Zoning Agenda January 25, 1977

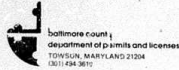
Gentlemen:

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 or _____ 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 as _____ 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 "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: *H. J. Kelly*
Planning Group
Special Inspection Division

Noted and Approved: *George M. Waganath*
Battalion Chief
Fire Prevention Bureau



JOHN D. SEYFFERT
DIRECTOR

January 27, 1977

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

Dear Mr. DiNenna:

Comments on Item # 151 Zoning Advisory Committee Meeting, January 25, 1977 are as follows:

Property Owner: Lyon A. Miller
Location: NE/C Seven Mile La. & Marnat Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side street setback of 20' in lieu of the required 25' and a side setback from the center of Marnat Rd of 45' in lieu of the required 50'.
Acres: 130.00/130.00 X 62.16/62.16
District: 3rd

The items checked below are applicable:

- (X) A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- (X) B. A building permit shall be required before construction can begin.
- (X) C. Three sets of construction drawings will be required to file an application for a building permit. It is assumed this building is a dwelling otherwise provide Item "D".
- () 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 6'0" of property line.
- () F. No comment.
- () G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____

Very truly yours,

Charles E. Burnham CEB

Charles E. Burnham
Plans Review Chief
CEB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 24, 1977

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

Z.A.C. Meeting of: January 25, 1977

RE: Item No: 151
Property Owner: Lyon A. Miller
Location: NE/C Seven Mile Lane & Marnat Road
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side street setback of 20' in lieu of the required 25' and a side setback from the center of Marnat Road of 45' in lieu of the required 50'.

District: 3rd
No. Acres: 130.00 x 62.16
130.00 62.16

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

NNP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. POTTS, JR.

THOMAS H. ROYER
MRS. LORRAINE P. THINCUS
ROGER B. HAYDEN

ROBERT T. DUREL, SUPERINTENDENT

ELVIN LORECK
L.B. MILTON R. SMITH, JR.
RICHARD W. TRACKY, D.V.M.

BALTIMORE

INSERT LOCATION MAP
NO SCALE

Prop. 1st Br.
House

Proposed
1-Story Br.
BUNGALOW
#7401

Prop. 1st Br.
BUNGALOW
#7403

FOOD MARKET

DRUG STORE

VACANT LOT

LANE

ROAD

MARIAT

MILE

SEVEN

Plot PLS II 11 20

LAND RECORDS LIBER 7 FOLIO 169
LOTS 104 PT II.

PROPOSED 1-Story BRICK

BUNGALOW

7401 SEVEN MILE BALTO. CO. MD

LYON & MILLER OWNER

AMOUNT	26
NOTE	1075
DATE	3
NO.	1-2337
BY	✓
DATE	1/10
REMARKS	

BALTO. CO. LINEA
BALTO. CITY

JAN. 1977

10 PLATS
7 DESCRIP.

