

Law Office
Eccleston, Seidler and Miller

110 EAST LEXINGTON STREET

SUITE 100

Baltimore, Maryland 21202

CABLE "OSECS"

AREA CODE

301

781-7414

538-7288

ARCHIBALD ECCLESTON, JR.
J. MARSHALL SEIDLER
HENRY MILLER
EDWIN J. WOLF

RONALD W. FUCHS
DONALD L. MILLER
SANFORD WACHS
ALVIN L. FREDERICK

ELLSWORTH H. STEINBERG
OF COUNSEL

November 16, 1977

Baltimore County - Office of Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Mr. Nick Commodari



RE: Petition for Variance
S/S of Janellen Drive, 776, 08' W of
Keyser Road - 3rd Election District
Evelyn W. Berman - Petitioner
No. 78-73-A (Item No. 21)

Dear Mr. Commodari:

Enclosed you will find two copies of plat showing the one foot
set-back for the carport concerning the above captioned
property. Pursuant to the Zoning Commissioner's Order of
October 5, 1977, same is hereby submitted for your approval
and final approval of the Zoning Office of Baltimore County.

Very truly yours,

ECCLESTON, SEIDLER AND MILLER

BY:

J. Marshall Seidler
J. Marshall Seidler

IMS/cmd

Enclosure

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Evelyn W. Berman, legal owner of the property situated 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 1802.1, Sub. 2(3)(1), 11, to permit a side set back of one (1) foot from the side lot line instead

of required 11.25 ft. for existing car port. This is a variance from the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) see attached description car port built by owner after obtaining residential alteration permit no. 35735, dated September 23, 1965, copy attached hereto; permit obtained by builder; carport built with understanding that owner owned at least 12 ft. of property to the west of property line as shown on attached plat; that the error was only discovered recently when property sold under contract of sale by Evelyn W. Berman, widow; that said property is under contract of sale to T. Marshall Seidler and Leah E. Seidler, his wife; that in order to comply with zoning laws would require owner to tear down car port, preventing present sale, greatly reducing value and beauty of house built on property if requested variance is not granted; that a 20ft. pedestrian walkway owned by Baltimore County adjoins lot 8 (subject property) from lot 7 (property to immediate west).

Property is to be used 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 for Baltimore County.

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

RE: PETITION FOR VARIANCE
S/S of Janellon Dr. 776.08' W of
Keyser Rd., 3rd District

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

EVELYN W. BERMAN, Petitioner
Case No. 78-73-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

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.
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 7th day of September, 1977, a copy of the foregoing Order was mailed to Evelyn W. Berman, 3407 Janellon Drive, Baltimore, Maryland 21208, Petitioner.



Revised November 1966.

BALTIMORE COUNTY, MARYLAND
WALTER A. BARNES, Mayor
DEPARTMENT OF PERMITS AND LICENSES
Office of the Buildings Examiner
County Office Building, Towson, Md. 21204

N. 35735
District 3
Date September 23, 1965
SUBDIVISION
Glenmar
Lot No. 8
Block D
Section
Plot No.

This Alteration Permit is hereby Granted To

Evelyn W. Berman & Evelyn W.
3407 Janellon Dr.
Baltimore, Maryland 21208

To make the following Alterations:

Location 3407 Janellon Dr.
Use of Building Dwelling-Residential
Size of existing Building: Front 92' ft. Depth 36' ft. Height 9' ft.
Size of alteration: Front 72' ft. Depth 36' ft. Height 9' ft.
Existing setback Front 57' ft. Side 81' and 36' ft. Alteration setback Front 57' ft. Side 81' and 36' ft.
Complete Description of Alteration Construct a carport on side of dwelling.

Character of Construction: exist, exist, build

Fee Paid \$ 8.00

Walter A. Barnes
WALTER A. BARNES, Mayor
Department of Permits and Licenses

This Permit shall be kept on the premises open to public inspection during the prosecution of the work and until completion of same. LIMITATION: After a new building permit is issued, if the operation or work authorized and approved thereunder is not commenced within six (6) months after the date, or if, after commencement of the operation or work, the operation or work is suspended or discontinued for a period of one year, then, in either case, this said permit shall be null and void, and no operation or work shall be again commenced unless and until another proper permit shall have been issued for such work.

October 5, 1977

Mrs. Evelyn W. Berman
3407 Janellon Drive
Baltimore, Maryland 21208

RE: Petition for Variance
S/S of Janellon Drive, 776.08' W of
Keyser Road - 3rd Election District
Evelyn W. Berman - Petitioner
NO. 78-73-A (Item No. 21)

Dear Mrs. Berman:

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

Very truly yours,

S/

S. ERIC DINENNA
Zoning Commissioner

SED/mc

Attachments

cc: Emanuel H. Hore, Esquire
Stevenson Ridge-Halcyon Improvement Association
200 Court Square Building
Lexington & Calvert Streets
Baltimore, Maryland 21202

John W. Hession, III, Esquire
People's Counsel
Mr. & Mrs. T. Marshall Seidler
6105 Lincoln Avenue
Baltimore, Maryland 21209

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna, Zoning Commissioner Date: September 21, 1977
FROM: Leslie H. Graef, Director of Planning
SUBJECT: Petition 78-73-A. Petition for Variance Side Yard.

South side of Janellon Drive 776.08 feet West of Keyser Road.
Petitioner - Evelyn W. Berman

3rd District

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

Leslie H. Graef
Leslie H. Graef
Director of Planning

LHG:JGH

December 15, 1977

I. Marshall Seidler, Esquire
Ecclleston, Seidler & Miller
110 East Lexington Street
Suite 100
Baltimore, Maryland 21202

RE: Approved Plan for Variance
Petition No. 78-73-A
S/S of Janellon Drive,
776' West of Keyser Road -
3rd Election District

Dear Mr. Seidler:

As per your request, this letter can be considered the approval from the Office of Planning and Zoning on the above referenced matter. It should be noted that approval is also required from the Department of Public Works. Since a small portion of the driveway traverses the 20' walkway adjacent to this property, I personally contacted Mr. John Sommers in the aforementioned department in order to solicit his comment. After our conversation and coupled with the problems that can possibly result if an accident occurred in this area of the driveway, it is our suggestion that you remove this portion.

If you have any further questions regarding this matter, please feel free to contact this office.

Very truly yours,

Nicholas B. Comodari
NICHOLAS B. COMODARI
Chairman
Zoning Plans Advisory Committee

NDC:rf

cc: Mr. S. Eric Dinenna
Zoning Commissioner

Zoning File Case No. 78-73-A

DESCRIPTION

Beginning at a point on the south side of Janellon Drive, 776.08 feet west of Keyser Road; being known and designated as Lot 8, Block "D", as shown on the Plat of "Subdivision of Sections 3 and 4 - Glenmar", as recorded among the land records of Baltimore County in Plat Book No. 25, folio 3; also known as 3407 Janellon Drive, Baltimore County, Maryland, third election district.

DICKERSON, INC.
ATTORNEY

L & HORN
AW

EMANUEL H. HORE
RECORDED & INDEXED
ANDREW J. LITTLE
INDEX & RECORDS
HERBERT BARNES, JR.
STEVEN M. BARNES
BANK - CHARGE

EDWIN J. DICKERSON
RECORDS
MARTIN A. HORN
RECORDS
COUNSEL
MAX GOLD

200 COURT SQUARE BUILDING
LEXINGTON & CALVERT STS.
BALTIMORE, MD. 21202

October 4, 1977

S. Eric Dinenna
Zoning Commission of Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition for Variance
Hearing No. 78-73-A
Subject: Property - 3407 Janellon Drive

Dear Mr. Dinenna:

On behalf of the Stevenson Ridge-Halcyon Improvement Association, the Association which encompasses the above subject property, I have been directed to inform you, as president, that the Association has no objections to the granting of the Variance sought in this matter by the Applicant.

Sincerely yours,

Stevenson Ridge-Halcyon
Improvement Association
By: Emanuel H. Hore

EHH/jen

DATE August 1977
BY John L. Wimbley

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 fact, 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, reason of the EXISTENCE of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit a side yard setback of 1 foot instead of the required 11.25 feet for an existing car port should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 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 _____

the above Variance should NOT BE GRANTED.

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

Zoning Commissioner of Baltimore County

M's. Evelyn W. Berman
Page 2
Item Number 21
September 20, 1977

Since this property is under contract of sale, the contract purchasers should be advised that a portion of the existing driveway traverses the corner of the existing County right-of-way to the west.

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. Conodori
NICHOLAS B. CONODORI
Chairman, Zoning Plans
Advisory Committee

NBC:rf

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
THEODOR M. MOURING, P.E.
DIRECTOR

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

August 16, 1977

Re: Item #21 (1977-1978)
Property Owner: Evelyn W. Berman
2/3 Janelan Dr. 776' W. Keyser Rd.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 11.25'.
Acres: 0.472 District: 3rd

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved. The 20-foot pedestrian walkway, indicated on the submitted plan as "unimproved" is improved with concrete sidewalk and provides access for children and others to and from the Garrison Elementary School. The petitioner's driveway traverses the northeastern portion of this County right-of-way. The petitioner is cautioned that no construction of any structure, including footings, will be permitted within County right-of-way or utility easements.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #21 (1977-1978).

Very truly yours,
Edward M. Ryan
EDWARD M. RYAN, P.E.
Chief, Bureau of Engineering

END:RAM, PWB:as
O-SM Key Sheet
36 x 39 NW 17 x 18 Pos. Sheet
NW 10 R Topo
60 Top Map

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 486-3211

August 31, 1977

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

Dear Mr. DiNenna:

Comments on Item #21, Zoning Advisory Committee Meeting, August 2, 1977, are as follows:

Property Owner: Evelyn W. Berman
Location: 2/3 Janelan Drive 776' W. Keyser Road
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 11.25'
Acres: 0.472
District: 3rd

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.

Since metropolitan water and sewer is available, a health hazard is not anticipated.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 20, 1977

COUNTY OFFICE BLDG.
110 W. Calverton Ave.
Towson, Maryland 21204

Mr. Nicholas B. Conodori
Chairman

MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE HIGH COMMISSIONER
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

M's. Evelyn W. Berman
3407 Janelan Drive
Baltimore, Maryland 21208

RE: Variance Petition -
Item Number 21
Petitioner - Evelyn W. Berman

Dear M's. Berman:

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.

Located on the south side of Janelan Drive approximately 776 feet west of Keyser Road in the 3rd Election District, this D.R. 2 property is presently improved with a one story brick and framed dwelling and attached carport, which is the subject of this petition. Adjacent properties to the north, east and west are similarly zoned and improved with detached residences while an elementary school exist to the rear of this property.

This Variance is necessitated in order to legalize the existence of the existing carport which is within 1' of the property line in lieu of the required 11.25'

78-73 A

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

October 11, 1977

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

Dear Mr. DiNenna:

Comments on Item #21, Zoning Advisory Committee Meeting, August 2, 1977, are as follows:

Property Owner: Evelyn W. Berman
Location: 2/3 Janelan Dr. 776' W. Keyser Rd.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 11.25'.
Acres: 0.472
District: 3rd

Since metropolitan water and sewer is available, a health hazard is not anticipated.

Very truly yours,

Edward M. Ryan
EDWARD M. RYAN, P.E.
BUREAU OF INDUSTRIAL SERVICES

END:RAM/TFG

September 13, 1977

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

Re: Item 21 - SAC - August 2, 1977
Property Owner: Evelyn W. Beran
Location: S/S Janelle Dr. 776' W. Keyser Rd.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 11.25'.
Acres: 0.472
District: 3rd

Dear Mr. DiNenna:
No traffic problems are anticipated by the requested variance to the side setbacks.

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

MSV/cmv

Paul H. Belsack
Chief

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

Attention: Nicholas Comodori, Chairman
Zoning Advisory Committee

Re: Property Owner: Evelyn W. Beran
Location: S/S Janelle Dr. 776' W. Keyser Rd.

Item No. 21 Zoning Agenda August 2, 1977

Enclosure:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the easements 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 100 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 _____

PERMITS 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.

Reviewed by *Charles E. Burdick* and approved by *George M. Hagan*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

John S. Bennett
Chief

August 2, 1977

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

Dear Mr. DiNenna:

Comments on Item # 21 Zoning Advisory Committee Meeting, August 2, 1977 are as follows:

Property Owner: Evelyn W. Beran
Location: S/S Janelle Drive - 776' W. Keyser Road
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 11.25'.

Acres: 0.472
District: 3rd

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 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. Burdick
Charles E. Burdick
Planning Group Deputy Chief
CBH:rj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 17, 1977

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

S.A.C. Meeting of: August 2, 1977

Re: Item No. 21
Property Owner: Evelyn W. Beran
Location: S/S Janelle Dr. 776' W. Keyser Road
Present Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 11.25'.

District: 3rd
No. Acres: 0.472

Dear Mr. DiNenna:

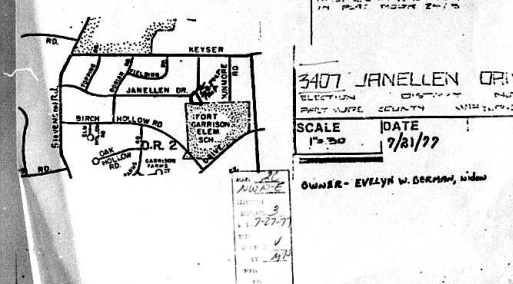
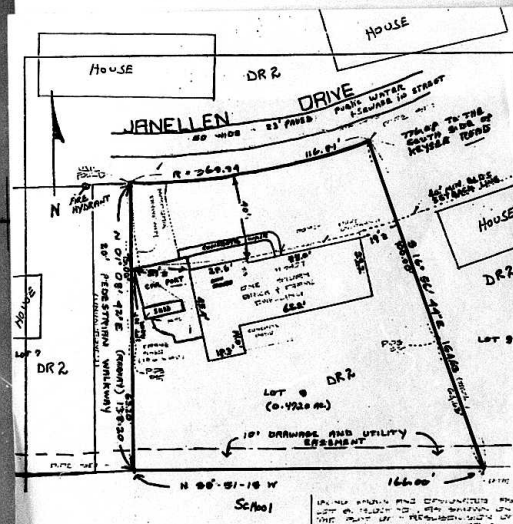
No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich
Field Representative

MSV/bp

JOSEPH H. MCGRAW, PRESIDENT
E. BAYARD WILKINS, JR., VICEPRESIDENT
MARTIN W. BUDENK
THOMAS S. BOYER
MRS. LORNAE F. COFFEE
ROBERT M. HATFIELD
ALVIN LORICK
MR. DULCE E. SMITH, JR.
RICHARD W. TUCKER, D.V.M.



CERTIFICATE OF PUBLICATION

TOWSON, MD. September 15, 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 a week at one time _____ before the _____ day of _____, 1977, the last publication appearing on the _____ day of _____, 1977.

L. L. L. JEFFERSONIAN, Publisher

Cost of Advertisement, \$ _____

OFFICE OF THE TIMES

NEWSPAPERS

TOWSON, MD. 21204 September 15 1977

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Evelyn W. Beran, S/S Janelle Dr. - R-1400 was inserted in the following:

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

weekly newspapers published in Baltimore, County, Maryland, once a week for _____ successive weeks before the _____ day of _____, 1977, that is to say, the same was inserted in the issues of September 15, 1977

STROMBERG PUBLICATIONS, INC.
BY *Esther Singer*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 31st day of July 1977. Filing Fee \$ 25.00. Received ☒ Cash ☐ Other

S. Eric DiNenna
S. Eric DiNenna, Zoning Commissioner

Petitioner Evelyn W. Beran Submitted by Martha W. Sadler
Petitioner's Attorney _____ Reviewed by John C. H.

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

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: Sept. 19, 1977

Posted for: PETITION FOR VARIANCE
Petitioner: EVELYN W. BERAN
Location of property: S/S of JANELLE DR. 776' W. of Keyser Rd.

Location of Sign: FRONT 3407 JANELLE DR.

Remarks: *Thomas B. Belsack*
Posted by: _____ Date of return: Sept. 23, 1977

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 51899

DATE: Aug. 25, 1977 ACCOUNT: 01-668

AMOUNT: \$25.00

RECEIVED: E. Marshall Belsack 6305 Lincoln Ave., Balto., MD. 21206
FOR: Building Fee Variance Fee Evelyn W. Beran
976-734

2027248 20 25.00

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 57202

DATE: October 5, 1977 ACCOUNT: 01-668

AMOUNT: \$47.75

RECEIVED: Evelyn W. Beran, Residential Zoning (R-1400) Fee
FOR: Building Fee Variance Fee Evelyn W. Beran
976-734

2027248 6 47.75

VALIDATION OR SIGNATURE OF CASHIER

