PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we Carrecla Mirabile, et al 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 238.1 & 238.2 to permit a front ----yard of 25 feet instead of the required 50 feet and to permit

a side yard of 20 and 25 feet instead of the required 30 feet.

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

Sides are not adequately wide enough for construction of building. Existing lot is too narrow. Front setback is not needed but it is included to clarify any future problems or questions that may arise.

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

1, or we, agree to pay expenses of above Variance advertising, posting, eletion, and further agree to and are to be bound by the Loring regulations

1, or County adopted pursuant to the Zoning Law Toy Ballimore County. Camola Mushile

Carmela Mirabile 400 Mirabile Lane

Baltimore, Maryland 21224

18-248-A

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First LDG.

POWDERS

Department of Traffic Engineering

State Foads Commis

Bureau of Fire Provention

.. . Planning

is us of Education

visitrial Development

Eureau of Engineering

#81# 4-8+6-3

... 197 8 at 11:00 o'clock

5/22/78 11: 0 o A M

. D. LYNCH CO., INC. CONSTRUCTION LAYOUT 4907 HARFORD ROAD BALTIMORE, MARYLAND 21214

TEL: 254-4936 ZONING DESCRIPTION

Property of Carmela Mirabile, etal.

14th Election District of Baltimore County, Maryland Northwest Corner of O'dell Avenue and Pulaski Highway

Beginning for the same at a point 25.00 feet distant from the centerline of O'dell Avenue at the intersection of Pulaski Highway. Thence running along the North side of Pulaski Highway: South 48 degrees 47 minutes West - 59.78 feet. Thence leaving the North side of Pulaski Highway and running the following courses and distances:

1) North 41 degrees - 13 minutes West - 147.75 feet.

2) North 61 degrees - 21 minutes - 47 seconds East - 72.62 feet.

3) South 27 degrees - 41 minutes - 13 seconds East - 30.00 feet.

4) North 61 degrees - 21 minutes - 47 seconds East - 20.00 feet. To intersect the West side of O'dell Avenue and thence run with and bind upon the West right of way of O'dell Avenue: South 27 degrees - 41 minutes - 13 seconds - East - 101.15 feet to the point of beginning.

RE: PETITION FOR VARIANCES NW corner of O'Dell Ave. and Pulask! Highway, 14th District : BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

CARMELA MIRABILE, et al, Petitioners : Case No. 78-248-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.

Leter May Dinmeron Pete. Max Zimmerman Deputy People's Counse

John To Derrie I John W. Hess' an, III People's Counsel County Office Building Jowson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 3rd day of May, 1978, a copy of the aforegoing Order was mailed to Carmela Mirabile, 400 Mirabile Lane, Baltimure, Maryland 21224, Petitioner.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

As Chairman of the Baltimore County Zoning Plan.
Advisory Committee. I am forwarding you the proposed site plans for the above referenced properties.

The plant of the county of these hearings m.y affect the land to utcome of these hearings m.y affect the land in the county of the later property. I am requesting property, I am requesting the later to this office on the proposed development.

The former property concerns a net of Wiriance for a proposed carry-out store on trops by which is lo unded in proximity to the Bollander, because the Even though only a corner of the selection. Even though only a corner of the selection which is the corner of the selection make you aware of this regrest.

Your commonts on the latter propert, are what I would consider nore injectate, because the request involves a rezonine from the constant involves a rezonine from the constant of the constant industrie. (M.L.) Since time is a full example. I am respectfully requesting your separate commonts on each property prior to April 18, 1978.

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

Very truly yours, Nicholas B. Commodari, Chairman NICHOLAS B. COMMODARI, Chairman Zoning Plans Advisory Committee

Department of Planning 8th Floor 222 East Saratoga Street Baltimore, Maryland 21202

Dear Mr. Reich:

April 11, 1978

RE: Future Zoring Hearings Northeast Corner of Pulaski Highway and City/County Line Southeast Corner of Patapaso River and City/County Line

TV. Neyeren, ET



400 M rabile Lane Baltimore, Maryland 21224 May 8, 1978

S. Eric Dinemma Zoning Commissioner Towson, Maryland 2:204

Due to pre-arranged plans that affect several persons and that were made several wonths ago. I am unable to attend the zoning searing of May 22, 1979.

Since my presence is not available, I would hope that my son, Russell R. Mirabile, would be allowed to represent me at the zoning hearing and be acceptable to all concerned on the zoning

Again, please accept my apologies for being absent at this important hearing. I remain.

Very truly yours,

mrs. (Mirabier Mrs. C. Mirabile

CCM/net

June 14, 1978

Mrs. Carmela Mirabile 400 Mirabile Lane Baltimore, Maryland 21224

RE: Petition for Variances NW/corner of O'dell Avenue and Pulaski Highway - 14th Election District District Carmela Mirabile - Petitioner NO. 78-248-A (Item No. 184)

Dear Mrs. Mirabiler

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

78 248

GJM/jhm

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO. S. Eric DiNenna, Zoning Commissioner

Date ____ May 17, 1978

SUBJECT. Petition #78-248-A. Item #184. Petition for Variances for front and side yard setbacks Northwest corner of O'dell Avenue and Pulaski Highway

LHG- IGH

PALTIMORE COUNTY ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

FROM Leslie H. Graef, Director of Planning

14th District Petitioner - Carmela Mirabile

HEARING: Monday, May 22, 1978 (11:00 A.M.)

It is suggested that a landscaping plan be prepared by the petitioner for review by the Pivision of Current Planning and Development.

Q	Pursuant to the adversament, posting of property, and public working on the atlant. Petitic
	of it appearing that by reason of the following finding of facts that atrict compliance wine Baltimore County Zoning Regulations would result in practical difficulty a
u	nreasonable hardship upon the Petitioner,
	and the court of the court of the contract of the court o
	and the Alexenter (1997) is 1900. Specially an all the modern three
	e stame Varianceshould be had; and it further appearing that by reason of the granting.
25	ne Variances requested not adversely affecting the health, safety, and gener reliare of the community. Variances to permit a front yard setback of 25 fee
	n lieu of the required 50 feet and side yard setbacks of 20 feet and 25 feet in
1	ieu of the required 30 feet should be granted.
	swime Victorial Colleges
	IT IS ORDERED by the Zoning Commissioner of Baltimore County this
8	June, 157 8, that the herein Petition for the aforementioned V
	should be and the same is GRANTED, from and after the date of this C
	usect to the approval of a site plan by
t	tate Highway Administration, the
0	Office of Planning and Zoning.
	Pursuant to the advertisement, posting of property and public hearing on the above petitic
3	att appearing that by reason of
	Control of the Contro
-	And the Lot beach. The
	A SHURTHER PARK STATES
th	e aLove Variance should NOT BE GRANTED.
	IT IS ORDERED by the Zoning Commissioner of Baltimore County, thisdi
of	
	Zoning Commissioner of Baltimore Coun

ONDER RECEIVED FOR FILING

April 12, 1978

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

Itom \$184 (1977-1978)

Frophity Owner: Cammala Mirabile, et al

NY cor, Palaski Hay, s Odeli Ave.

Proposed Zoning: Variance to permit a front setback of

25' in lies of the required 50' and side setbacks of 20'

and 35' in lies of the required 30'.

Armss 0.22 District: 14th

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:

Pulsaki Righwey (H.S. 40) and Philudelphia Road (Md. 7) are State Roads; therefore, all Improvements, intersections, entrances and desimage requirements as they force, and a state of the state of the

Odell Avenue, an existing public road which treverses the eastern Baltimor. Collaborations county bound—is proposed to be improved in the future as a 30-foot closed type readew) on a 50-foot closed-copy and the proposed property of the interest the interest the many necessary revertible easternest for altypes, will be required in connection with any graduage or building permit aggle lattices.

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

The Petitioner shall also obtain additional comments from Baltimore City agencies in regard to Odeil Avenue and the proposed parking area within Baltimore City.

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

Carpels Hirabile, et sl.
400 Mirabile Lane
Baltimore, HD BALTIMORE COUNTY OFFICE OF PLANNING & ZONINC TTEM 8 184 County Office Building 111 W. Chesapeake Ave. Towson, Maryland 21204 Your Petition has been received and accepted for filling this 21st day of March 197 % S, ERIC DINENNA

Petitioner Carmela Mirabile et al

Nicholas B. Commodari Chairman, Zoning Plans Advisory Comm

Item #184 (1977-1978) er: Carmela Mirabile, et al Page 2 April 12, 1978

Storm Drains:

The Nettitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any maisances or damage to adjacent properties, especially by the concentration of surface where. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Nettitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist in Odell Avenue.

Very truly yours. Elfenta / Die / do m w

ELLSWORTH N. DIVER, P.E. Chief, durenu of Engineering

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 8, 1978

COUNTY OFFICE BLDG. 111 W. Chenspeake Ave. Towner, Maryland ? 202 Chairman

hereau of

Designment of Traffic Engineering

Smalth Separtment

Barling & partners

Sourd of Education

Zerona administration industrial Desclopment

Carmela Mirabile, et al 400 Mirabile Lane Baltimore, Maryland 21224

RE: Variance Potition Item Number 194 Petitioner - Carmela Mirabile

Dear Ms. Mirabile:

The Enning Plans Advisory Committee has reviewed the plans submitted with the above refere ced petition and has made an en site field inspection of the property. The following comments are a result of this review and the property of the following comments are not intended to indicate the appropriates comments are not intended to indicate the appropriates comments are not intended to indicate the appropriates are made aware of plans or to assure that all parties are made aware of plans to 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 came. The Director of Planning have a bearing on this came. The Director of Planning with recommendation with the Zonning Commissioner with recommendations as to the suitability of the requested zoning.

This currently vacant property, zoned B.R. and rawered by the Baltimore CountryCity line at its notthwesternment corner, is located or the wert side of Odell Avenue opposite the Phil-Mar Inn, which has received rect. fire damage. Adjacent properties to the west and north along Odell Avenue in the County are improved with detached dwellings.

This Variance is necessitated as a result of your property of the property of

Carmela Mirabile, et al

the restaurant would be demolished and rebuilt or remodeled using the existing setbacks.

As Cairman of this Committee, I took the liberty to forward a copy of this site plan to Mr. Larry Beich, Director of the City Plannied Committee, I have been a committee of the City Plannied Committee of the City Committ

This petitio, is accepted for filing on the date of the enclosed filine certificate. Notice of the filine certificate and the filine for the filine for the filing certificate, will be intwarded to you in the near future.

Very truly yours.

Micholas B. COMMODAPI

NBC:rf

cc: B. D. Lynch Company, Inc. Construction Layout 4907 Harford Road Baltimore, Maryland 21214



M.s. Caltrider

Marc! 23, 1978

Mr. S. Eric DiNenna Zoning Commissioner County Office Bldg. Towson, Md. 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Neeting, Narch 21, 1978
Item: 184
Proporty Owner: Carmela Nirabile, et al
Location: 87/C Pulaski Noy. (Ric. 40)
Existing Zoning: R.R. D.R. 515
Proposed Zoning: Variance to permit a
front satback of 257
in lieu of the required
50° and side setbacks
50° and side setbacks
60° of the required 10°
Acres: 9.22

Acres: 0.22 District: 14th

Dear Mr. DiNenna:

The plan notes future curb and gutter on O'dell Ave. It is not clear if the intent is to construct the highway improvement in conjunction with the development or at a latter date. This conjunction with the development or at a latter date. This should be made in conjunction with the development.

The plan also notes a proposed storm drain connection into the State highway storm drain system. This may not be permitted since nost of the site drains away from the highway. The State highway Austinistration will not allow any additional area to drain with its system beyond what presently drains in that direction.

CL: JEM: di

Very truly yours, Charles Lee. C. of Bureau of Engineering Access Permits

By: John E. Mevers

O Box 717 300 West Preston Street, Baltimore, Maryland 21201



April 28, 1978

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

Dear Mr. DiNerro

Comments on Item *134, Zoning Advisory Committee Meering, March 21, 1978, are as follows:

Property Curper: Carmela Mirabile, etal Property Owner: Carmela Mirabils, etcl
Location: NWY-Publish Highway and C'dell Avenue
Existing Zoning: B.R. and D.R.5.5
Proposed Zuning: Verlance to permit a front setback of 25' in lieu of the required 50' and
side setbacks of 20' and 25' in lieu of the required 30'. Acres: C.22

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

The site should have only one (1) driveway per County standard.

Very truly yours,

John Luch Hay John L. Wimbley

Current Planning and Developmen





PLANNING COMMISSION DEPARTMENT OF PLANNING LARRY RIJCH, Director 8th Floor, 222 Last Sayaboga Stirret, Baltimore,

APR 24'78 PM

CONTRACTOR OF THE PARTY OF THE

ZOIMING CL

CARMENT MIRABILE

BALTIMORE

April 19, 1978

Thank you for your referral of the above pending zoning case adjacent to

The case involves a variance of the setback requirements for a fast food restaurant at Pulaski Highway and Odell Avenue. This property is across from the recently complacted Hollander Ridge housing development operated by the Housing Authority of Baltimore City.

While the Flaning Department has no objection to the request, it is recommended that a comprehensive landscaping plan be developed for this cite. In addition to Hollander Ridge, the City has an approachemy improvement program for Fulanki Highway which emphasizes landscaping and sign control for new and existing private development.

Mr. Lee Greef Baltimore County Planning Department



March 29, 1978

Mr. S. Eric DiMenna Zoning Commissioner County Office Building

- EMC - March 21, 1978
Carmela Mirabile, et.al.
MM/C Pulask Rey. & O'dell Ave.
1 B.N. & D.N. 5.5
Variance to : salt a front setback of 25' in lieu of
the required 50' and side setbacks of 20' & 25' in
lieu of the required 30'.

The proposed variance to the front and side setback are not expected to cause any major traffic problems. The plan must be revised to show sidewalks, eliminate the proposed monumental entrance, and provide more stacking spaces.

Very truly yours, Tich of S. Ham Michael J. Planigan Traffic Engineer Associate



DONALD J. RCOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICE

April 25, 1978

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

D_strict:

Comments on Item \$184, Zoning Advisory Committee Meeting, March 21, 1978, are as follows:

Carmela Mirabile, 't al NM/O Pulaski Noy. & O'dell Ave. B.R. & D.R. 5.5 Variance to permit a front setback of 20' & 25' in lieu of the required 30'. 0.22 Lith Property Owner: Location: Existing Zonings Proposed Zonings

Metropolitan water and sewer are available, therefore a health hazard is not anticipated.

If a food service facility is proposed, complete plans and specifications must be substituted to the Division of Food Protection, Baltimore County Department of Health, for review and approval prior to construction.

Very truly yours.

chom Unleven Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

THD/KS/fth/e

oc: J. J. Dieter



Paul H. Reincke

Office of Plenning and Zoning Baltimore County Office Building Towson, Maryland 21304

Attention: N. Conmoderi, Chairman Zoning Adivecty Committee

Re: Property Owner: Carnela Mirabile, et al

Location: NW/C Pulaski Hwy. & O'doll Ave.

Zoning Agenda | Neeting of 3/21/78 Item No. 184

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 fina, plans for the property.

- Fire bycenets for the referenced property are required and shall be located at internals or accordance with saltimes from County Standards as published by the Department of Politic Veries.
- () 2. A second means of vehicle access is required for the site.
- () 3. The wehicle dead end condition shown at _____ EXCESS the maximum allowed by the Fire Department.
- () h. The site shall be made to comply with all applicable parts of the Pire Provention Code prior to occupancy or beginning of operations
- (x) 5. The buildings and structures clasting or proposed on the site shall comply with all applicable requirements of the McLional Pire Pro-toction Association Constant No. 101 "Life Safety Code", 1970 Edition prior to exempment.
- () 6. Site plans are approved as drawn.
- () 7. The Pire Prevention Bureau has no origents, at this time.

REVISION 14 The Willy for Planting Group of Special Imposition Birlinian Piro Provention Buronu



on Item # 184 Sening Advisory Countttoe Hosting. March 21, 1978

carnola Mirabile, et al.

MADA Disability Elghowy & O'Dell Ave.

MADA Disability Elghowy & O'Dell Ave.

MADA DISABILITY AVE.

Paralloco to permit a front setback of 25' in lieu of the
required 50' and side setbacks of 20' & 25' in lieu of the
required 30'.

March 23, 1978

E. Three sets of construction drawings will be required to file a application for a building penalt.

XJ. Communt: Provide parking in openhiance with handicapped code.

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON MARYLAND - 21204

Date: March 20, 1978

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

Z.A.C. Meeting of: March 21, 1978

RE: Item No: 184 Item 800 1884

Property Proper

District: 14th

No bearing on student population.

Very truly yours, lo. With Felout W. Nick Petrovich, Field Representative

WNP/bp

ALVIN LOREC. MRS. HILTON R. SMITH, JR.

EE.	CERTIFICATE OF PUBLICATION	
	TOWSON, MD	
	published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., of the second sec	
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BALTIMORE COUNTY OFFICE OF FAMILIES AND CONING

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

MAR. 1978. Filing Fee \$ 35. Received

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

Petitioner MIRABILE

	OFFICE OF	
Charles Common (1) III	NEWSPAPERS	_
The States Communication of	NEWSPAPERS	
	TOWSON, MD. 21204 May 4, 1978 19	
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PETITION					_		SHE	:1		
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Descriptions checked and outline plotted on map					3-9	-1 PA	İ			
Petition number added to outline										
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BALTIMORE COUNTY, MARYLAND OFFICE OF FING - REVENUE DIVISION MISCELLANFOUS CASH RECEIPT	BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT NO. 73327				
PATE /p-11 27, 1978 ACCOUNT 01-662	DATE June 12, 1978 ACCOUNT 01-562				
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Mrs. Carmela Hirabile, 100 Hirabile Ione, Balto.	PROM. Hre. Carmela Mirabile				
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