

19-250-A #178 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Margaret E. & Charles G. Mullen, 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 1404.383 to permit side yard setbacks of 38' & 49.25' in lieu of the required 50'.

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

Due to the 50' required setback it is impossible to attach a garage to the premises.

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 Charles G. Mullen Legal Owner
Address 221 Bentley Road
Parkton, Maryland 21120
Petitioner's Attorney John W. Hession, III
Office 5474997

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of May, 1979, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of June, 1979, at 9:30 o'clock A.M.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner
TO: Norman E. Gerber, Acting Director
FROM: Office of Planning and Zoning
SUBJECT: Petition #79-250-A, Item # 178

Petition for Variance to permit side yard setbacks of 38' and 49.25' in lieu of the required 50'.
East side of Bentley Rd., 1460' North of Kaufman Rd.
Petitioner - Charles Mullen, et ux

3rd District

HEARING: Wednesday, June 20, 1979 (9:00 A.M.)

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

Norman E. Gerber, Acting Director
Office of Planning and Zoning

NEG:JGH:aw

RE: PETITION FOR VARIANCES
E/S of Bentley Rd., 1460'
N of Kaufman Rd., 7th District
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
CHARLES MULLEN, et ux, Petitioners : Case No. 79-250-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524 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.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2186

I HEREBY CERTIFY that on this 31st day of May, 1979, a copy of the foregoing Order was mailed to Mr. and Mrs. Charles Mullen, 221 Bentley Road, Parkton, Maryland 21120, Petitioners.

John W. Hession, III
John W. Hession, III

Description

Beginning at a point on the East side of Bentley Road approximately 1460' North of Kaufman Road and known as lot 36 as shown on the plat of Section III, of Bentley Estates, and recorded among the land records of Baltimore County in Plat Book E. H. K., Jr. 37, Folio 15.
Also known as 221 Bentley Road.

June 27, 1979

Mr. & Mrs. Charles G. Mullen
221 Bentley Road
Parkton, Maryland 21120

RE: Petition for Variances
E/S of Bentley Road, 1460' N of
Kaufman Road - 7th Election Dis-
trict
Charles G. Mullen, et ux -
Petitioners
NO. 79-250-A (Item No. 178)

Dear Mr. & Mrs. Mullen:

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

Very truly yours,

William E. Hammond
Zoning Commissioner

WEH/eri

Attachment

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Charles G. Mullen
221 Bentley Road
Parkton, Maryland 21120

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this 1st day of May, 1979.

Eric Di Nenna
S. ERIC DI NENNA
Zoning Commissioner

Petitioner Mullen
Petitioner's Attorney Nicholas B. Commodari
Reviewed by Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 6, 1979

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

to
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Protection
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Charles G. Mullen
221 Bentley Road
Parkton, Maryland 21120

RE: Item No. 178
Petitioner - Mullen
Variance Petition

Dear Mr. & Mrs. Mullen:

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 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 suitability of the requested zoning.

Located on the east side of Bentley Road, northeast of Kaufman Road, in the 7th Election District, the subject property is presently improved with an existing dwelling. Because of your proposal to construct an addition to the side of said structure, this Variance is required. In addition, and as verified in our previous telephone conversation, the existing southerly side setback of 49.25 feet has been included with this request in order to legalize this setback.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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, Chairman
Zoning Plans Advisory Committee

NBC/sf
Enclosures

OCT 01 1979

Pursuant to the advertisement, posting of property, and public hearing on the 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(s), the Variance(s) should be had; and it further appears that the granting of the Variances requested will not adversely affect the health, safety, and general welfare of the community, and, therefore, the Variances should be granted.

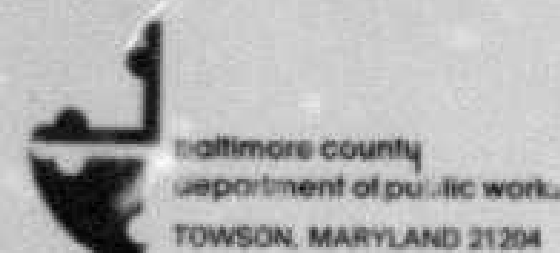
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of June, 1979, that the herein Petition for Variances to permit side yard setbacks of 38 feet and 49.25 feet in lieu of the required 50 feet should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E.
DIRECTOR

March 21, 1979

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

Re: Item #178 (1978-1979)
Property Owner: Charles G. & Margaret E. Mullen
E/S Bentley Rd. 1460' N. Kaufman Rd.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 38' in lieu of the required 50'.
Acres: 1.321 District: 7th

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:

This property comprises the plot of ground depicted on the "Revised Final Plat Lot 36 Section III Bentley Estates", recorded E.H.C., Jr. 39, Folio 110. As stated in the comments supplied in connection with the Zoning Advisory Committee review of this property for Item #217 (1975-1976), Baltimore County highway and utility improvements are not involved.

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 permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damage 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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review for this item #178 (1978-1979).

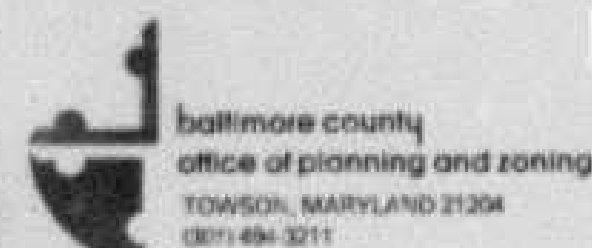
Very truly yours,

[Signature]
ELLSWORTH S. DIVER, P.E.
Chief, Bureau of Engineering

END:RAM:FWG:ss

cc: J. Wimbley, R. Norton

KK-SH Key Sheet
140 4141 NW 8 Pos. Shls.
NW 35 & 36 B Topo
7 Tax Map



LESLIE H. GRAEF
DIRECTOR

April 16, 1979

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 178, Zoning Advisory Committee Meeting, March 13, 1979, are as follows:

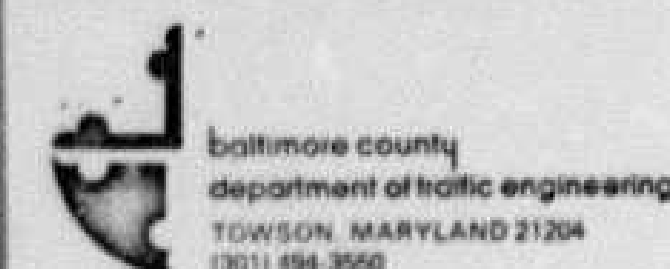
Property Owner: Charles G and Margaret E. Mullen
Location: E/S Bentley Road 1460' N. Kaufman Road
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 38' in lieu of the required 50'.
Acres: 1.321
District: 7th

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,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

April 4, 1979

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

RE: Zoning Comments

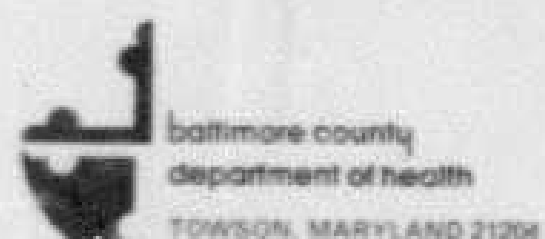
Dear Mr. DiNenna:

The Department of Traffic Engineering has no comments on Items: 177, 178, 179, 180, 181, and 186 of the Zoning Advisory Committee of March 13, 1979.

Very truly yours,

[Signature]
Michael S. Flanagan
Engineer Associate II

MSP/hnd



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

April 16, 1979

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

Dear Mr. DiNenna:

Comments on Item #178, Zoning Advisory Committee Meeting of March 13, 1979, are as follows:

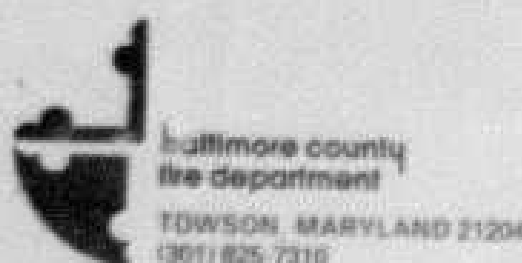
Property Owner: Charles G. & Margaret E. Mullen
Location: E/S Bentley Rd. 1460' N Kaufman Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 38' in lieu of the required 50'.
Acres: 1.321
District: 7th

The existing house is presently served by a private well and sewage disposal system, which appears to be functioning properly. The proposed garage will not interfere with the location of either the water well or sewage disposal system.

Very truly yours,

[Signature]
Ian J. Forrest, Acting Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/STP/eths



Paul H. Heinicke
CHIEF

March 21, 1979

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

Attention: W. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Charles G. & Margaret E. Mullen

Location: E/S Bentley Rd. 1460' N Kaufman Rd.

Item No. 178 Zoning Agenda Meeting of 3/13/79

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.

() 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 load and 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 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

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

REVIEWED: *[Signature]* 3/24/79 Noted and
Planning Bureau Approved: *[Signature]*
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: March 23, 1979
FROM: Ted Burnham
Zoning Advisory Committee Meeting
March 13, 1979
SUBJECT: _____

ITEM # 177 See attached comments
ITEM # 178 Standard comments - Permits required etc.
ITEM # 179 Standard comments - Permits required etc.
ITEM # 180 Standard comments - Permits required etc.
ITEM # 181 See attached comments
ITEM # 182 No comments
ITEM # 183 Standard comments - Permits required etc.
ITEM # 184 See attached comments
ITEM # 185 See attached comments
ITEM # 186 See attached comments

[Signature]
Ted Burnham, Chief
Plans Review

TS:rrj

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: March 8, 1979

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

Z.A.C. Meeting of: March 13, 1979

RE: Item No: 177, 178, 179, 180, 181, 182, 183, 185, 186
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

None of the above have any bearing on student population.

Very truly yours,

[Signature]
W. Nick Petrovich,
Field Representative

WNP/lp

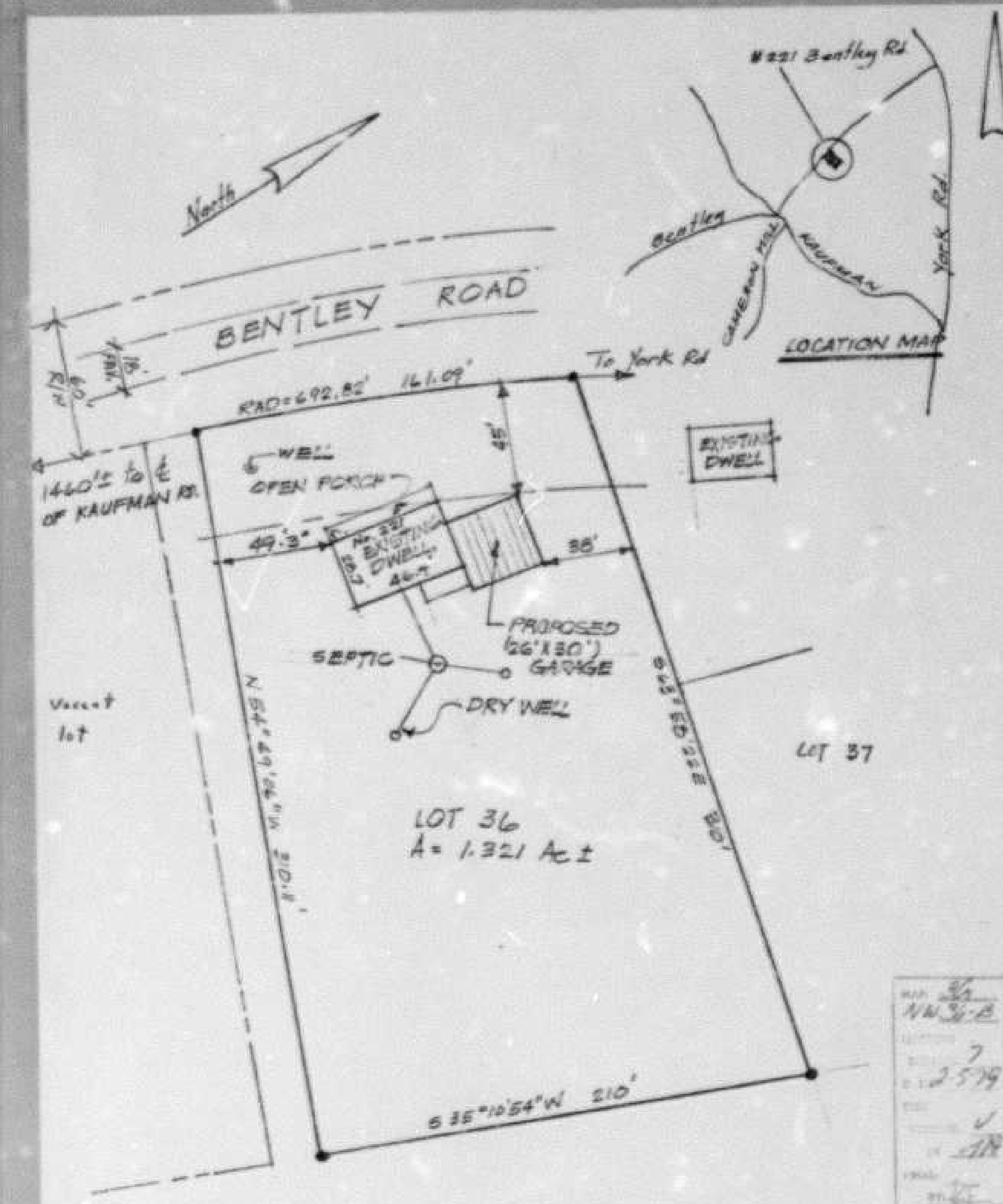
JOSEPH H. MCCOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BUTSARIS

THOMAS H. BOYER
MRS. LOURANE F. THURGOOD
ROGER B. HAYDEN

ROBERT T. DUBEL, SUPERINTENDENT

ALVIN LORECK
MRS. MILTON B. SMITH, JR.
RICHARD W. TRACY, D.V.M.

OCT 01 1979



PETITION FOR ZONING VARIANCE
 CHARLES & MARGARET MULLER
 7th DISTRICT
 BENTLEY ESTATES
 LOT 36 - SECTION III Folio 15
 ZONED R05
 SCALE: 1"=50'

PETITION FOR VARIANCE TO DISTRICT

NOTICE: Petition for Variance for side yard setbacks.

LOCATION: East side of Bentley Road, 1460 feet North of Kaufman Road.

DATE & TIME: Wednesday, June 20, 1979 at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

Petition for Variance to permit side yard setbacks of 10 feet and at 25 feet in lieu of the required 30 feet.

The Zoning Regulation to be amended is Ordinance 1484 (R05) - side yard setbacks.

All that parcel of land in the Seventh District of Baltimore County.

Beginning at a point on the East side of Bentley Road approximately 1460 feet North of Kaufman Road and known as lot 36 as shown on the plat of Section III of Bentley Estates, and thence along the said records of Baltimore County in Plat Book E.S.R. 14, 27, Folio 15.

Also known as 221 Bentley Road.

Being the property of Charles and Margaret Muller, as shown on the plan filed with the Zoning Department.

Hearing Date: Wednesday, June 20, 1979 at 9:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order of
 WILLIAM E. HAMMOND,
 Zoning Commissioner
 of Baltimore County
 May 31.

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 31, 1979

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 week, one time, successive weeks before the 20th day of June, 1979, the first publication appearing on the 31st day of May, 1979.

THE JEFFERSONIAN,
 L. Frank Strickland
 Manager.

Cost of Advertisement, \$

PETITION FOR VARIANCE TO DISTRICT

NOTICE: Petition for Variance for side yard setbacks.

LOCATION: East side of Bentley Road, 1460 feet North of Kaufman Road.

DATE & TIME: Wednesday, June 20, 1979 at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

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Also known as 221 Bentley Road.

Being the property of Charles and Margaret Muller, as shown on the plan filed with the Zoning Department.

Hearing Date: Wednesday, June 20, 1979 at 9:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order of
 WILLIAM E. HAMMOND,
 Zoning Commissioner
 of Baltimore County
 May 31.

OFFICE OF
THE TIMES
 NEWSPAPERS

TOWSON, MD 21204 May 31 1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Charles & Margaret Muller was inserted in the following:

- ☐ Catonsville Times
- ☐ Arbutus Times
- ☐ Essex Times
- ☐ Community Times
- ☒ Towson Times

weekly newspapers published in Baltimore County, Maryland, once a week for one successive week, before the 1st day of June, 1979, that is to say, the same was inserted in the issues of May 31, 1979.

STROMBERG PUBLICATIONS, INC.

BY Esth. Burger

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

No. 78729

DATE June 18, 1979 ACCOUNT 01-662

AMOUNT \$39.65

RECEIVED Charles G. Mullen

FOR Cost of Advertising and Posting Case No. 79-250-A

347 02 25 3965 MC

VALIDATION OR SIGNATURE OF CARRIER

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

No. 78681

DATE May 25, 1979 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED Charles G. Mullen

FOR Filing Fee for Case No. 79-250-A

250 01 25 2500 MC

VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 27 day of Feb 1979. Filing Fee \$ 25. Received Check

S. Eric Dineen
 Zoning Commissioner

Petitioner Margaret & Charles G. Muller Submitted by [Signature]

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

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

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	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, CC, CA									
Reviewed by: [Signature]	Revised Plans: Change in outline or description Yes No								
Previous case: [Signature]	Map # 25 27 25 25								

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 7th Date of Posting June 1, 1979

Posted for: PETITION FOR VARIANCE

Petitioner: MARGARET E. & CHARLES G. MULLER

Location of property: E/S of Bentley Road, 1460' N of Kaufman Road

Location of Signs: FRONT 221 Bentley Rd.

Remarks: [Signature]

Posted by Thomas S. Boland Signature Date of return: June 8, 1979

1-SIGN

