

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 103.3 (1A00.3B.3) to permit a side and rear yard setback of 20' in lieu of the required 50'.

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

1. This is the only flat portion of the lot.
2. To obtain the best southern exposure.
3. To move the house location as far west from house on Lot 31.

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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

City and State

Name

Address

City and State

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of September, 1985, 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 15th day of October, 1985, at 9:45 o'clock.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING

DATE *Oct 23 1985*

BY *John A. Kellard*

ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 23, 1985

Mr. and Mrs. John W. Miley
405 Edgevale Road
Baltimore, Maryland 21210

RE: PETITION FOR VARIANCE
S/S Fairwood View Court,
629' W of the c/1 Cooper Road
10th Election District
John W. Miley, et ux,
Petitioners
Case No. 86-157-A

Dear Mr. and Mrs. Miley:

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

Very truly yours,

John M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:og

Attachments

cc: People's Counsel

RE: PETITION FOR VARIANCE
S/S Fairwood View Ct.,
629' W/Centerline of
Cooper Rd., 10th District
JOHN W. MILEY, et ux,
Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-157-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 18th day of September, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. John W. Miley, 405 Edgevale Rd., Baltimore, MD 21210, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

October 10, 1985

Mr. & Mrs. John W. Miley
405 Edgevale Road
Baltimore, Maryland 21210

RE: Petition for Variance
S/S Fairwood View Court, 629' W/
centerline of Cooper Road
10th Election District
John W. Miley, et ux, Petitioners
Case No. 86-157-A

This is to advise you that \$ 54.76 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, Office Building.

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

No. 012488

DATE *10-23-85* ACCOUNT *201-615-000*

AMOUNT \$ *54.76*

RECEIVED FROM *John W. Miley*

FOR *Advertising & Posting 86-157-A*

VALIDATION OR SIGNATURE OF CASHIER

ly,

Arnold Jablon
JABLON
Commissioner

PETITION FOR VARIANCE
10th Election District

LOCATION: South side of Fairwood View Court, 629' West of the centerline of Cooper Road

DATE AND TIME: Tuesday, October 15, 1985 at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West 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 from Section 103.3 (1A00.3B.3) to permit a side and rear yard setback of 20' in lieu of the required 50'.

Being the property of John W. Miley, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
September 30, 1985

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

Mr. and Mrs. John W. Miley
405 Edgevale Road
Baltimore, Maryland 21210

RE: Item No. 31 - Case No. 86-157-A
Petitioners - John W. Miley, et ux
Variance Petition

Dear Mr. and Mrs. Miley:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-captioned petition. 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.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

Mr. & Mrs. John W. Miley
405 Edgevale Road
Baltimore, Maryland 21210

September 13, 1985

NOTICE OF HEARING

RE: PETITION FOR VARIANCE
S/S Fairwood View Court, 629' W/
centerline of Cooper Road
10th Election District
John W. Miley, et ux, Petitioners
Case No. 86-157-A

TIME: 9:45 a.m.

DATE: Tuesday, October 15, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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

No. 007398

DATE *10-24-85* ACCOUNT *201-615-000*

AMOUNT \$ *35.00*

RECEIVED FROM *John W. Miley*

FOR *Filing fee for Item #31*

VALIDATION OR SIGNATURE OF CASHIER

ORDER RECEIVED FOR FILING

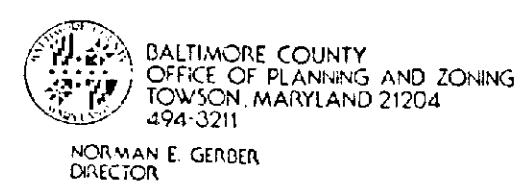
DATE *Oct 23 1985*

BY *John A. Kellard*

ADMINISTRATIVE ASSISTANT

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

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



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

SEPTEMBER 23, 1985

Re: Zoning Advisory Meeting of August 6, 1985
Item # 31
Property Owner: JOHN W. MILEY, et ux
Location: S/S FAIRWOOD VIEW COURT, 629' W. OF THE E. OF COOPER RD.

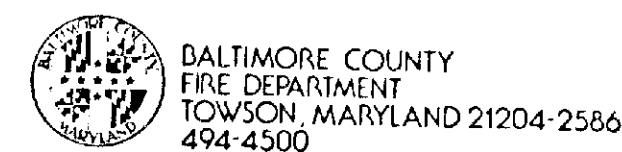
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-89 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on _____.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and as conditions change are re-evaluated annually by the County Council.
- ☐ Additional comments: _____

cc: James Hoswell

Eugene A. Sober
Chief, Current Planning and Development



PAUL H. REINCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: John W. Miley, et ux

Item No.: 31

Zoning Agenda: Meeting of August 6, 1985

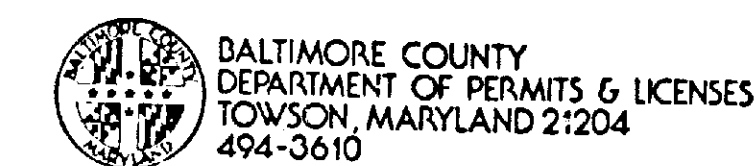
Gentlemen:

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 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 dead end 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 operation.
- ☒ 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.
- ☒ 7. The Fire Prevention Bureau has no comments, at this time.

VIEWER: Sgt. Joseph Kelly, et ux Noted and Approved: Roy W. Kemmer
Planning Captain Fire Prevention Bureau
Special Inspection Division

/mb



TED ZALESKI, JR.
DIRECTOR

August 26, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 31 Zoning Advisory Committee Meeting are as follows:

Property Owner: John W. Miley, et ux
Location: S/S Fairwood View Court, 629' W. of the e/l of Cooper Road
District: 10th.

APPLICABLE CODES ARE CIRCLED.

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, the Maryland Code for the Handicapped and Aged (A.H.C.A. #1174 - 1980) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a Registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- ☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ☒ All Use Groups except Residential Single-Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. Two Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built 30' or more interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line.
- ☒ The structure does not appear to comply with Table 905 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 905 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- ☒ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with the Change of Use/Occupancy Permit indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architects or Engineers shall be usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____ See Section 312 of the Building Code.
- ☒ The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #11-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

2. Comments:

3. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204.

By: _____
Baltimore County

PETITION FOR VARIANCE
John Miley District
LOCAL PLAN: South side of Fairwood View Court, 629' West of the centerline of Cooper Road.
DATE AND TIME: Tuesday, October 15, 1985 at 5:00 p.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 on the Petition for Variance from Section 312.1 (A) (1) (a) to (c) of the Building Code, as amended, to the property of John W. Miley, et ux, located at the site shown on the plan filed with the Zoning Office.
In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, continue to require the use of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing, or before or made at the hearing.
By Order Of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Sept. 26

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 26, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on September 26, 1985.

THE JEFFERSONIAN,

18 Kentish

Publisher

Cost of Advertising

22

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

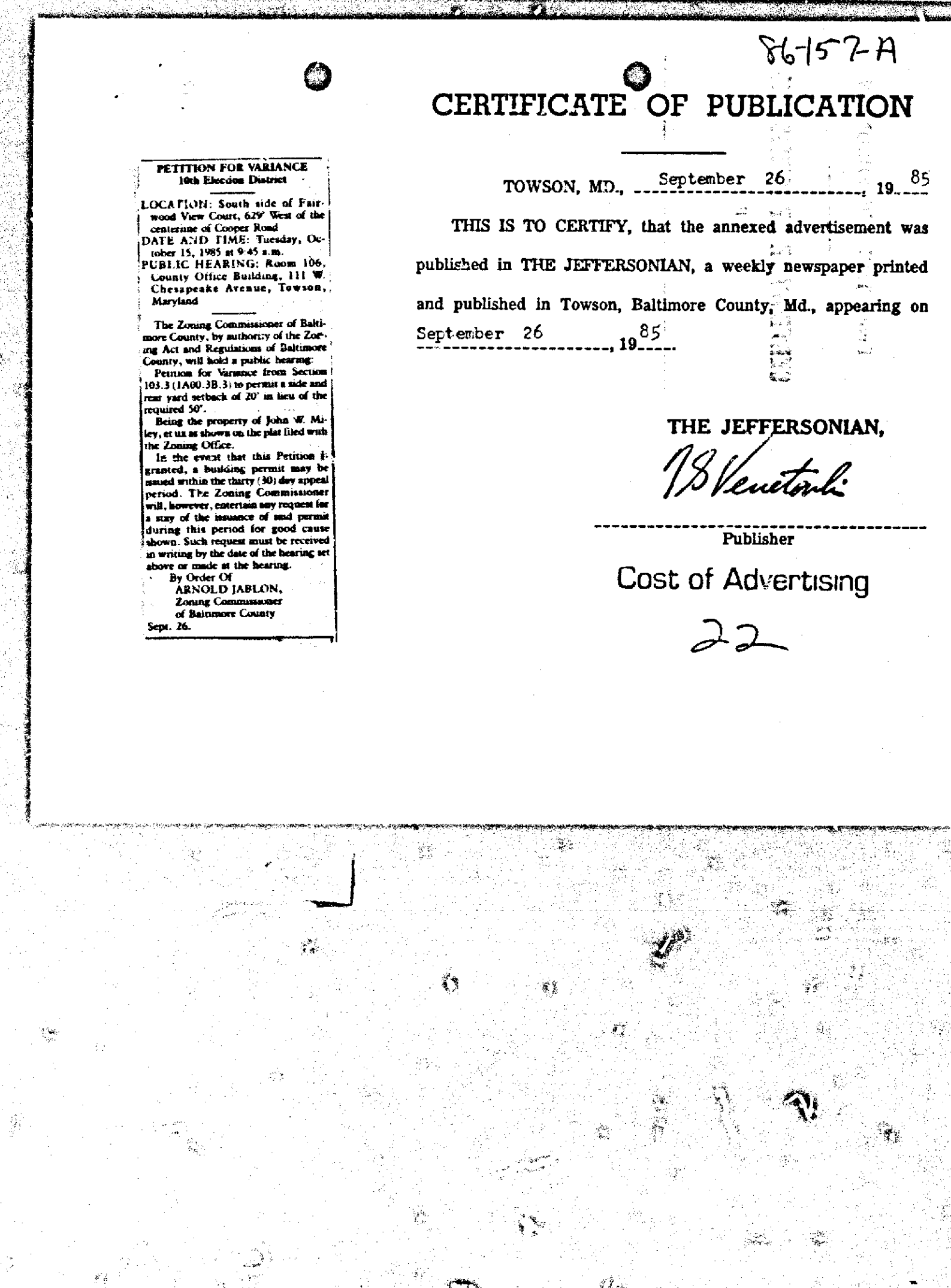
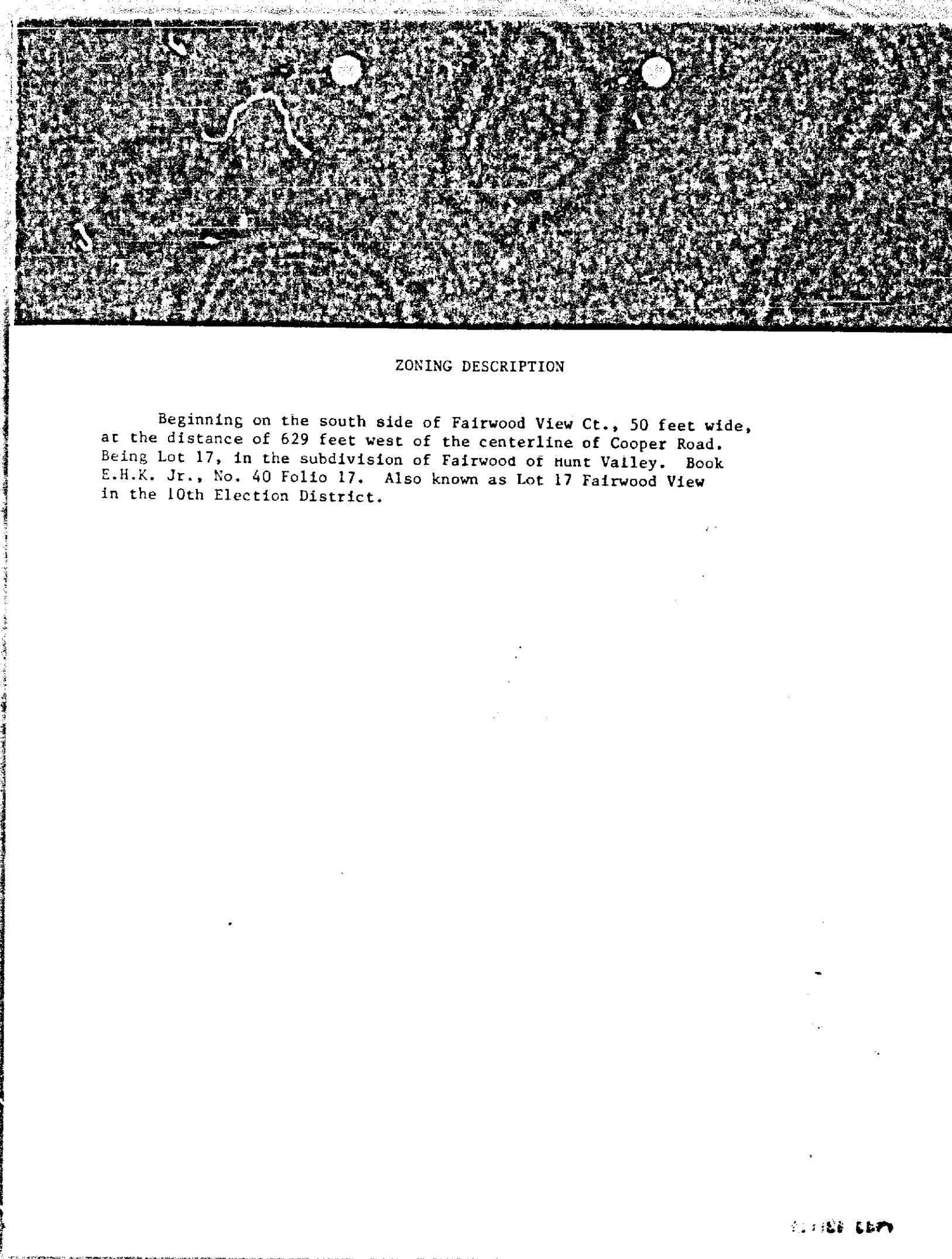
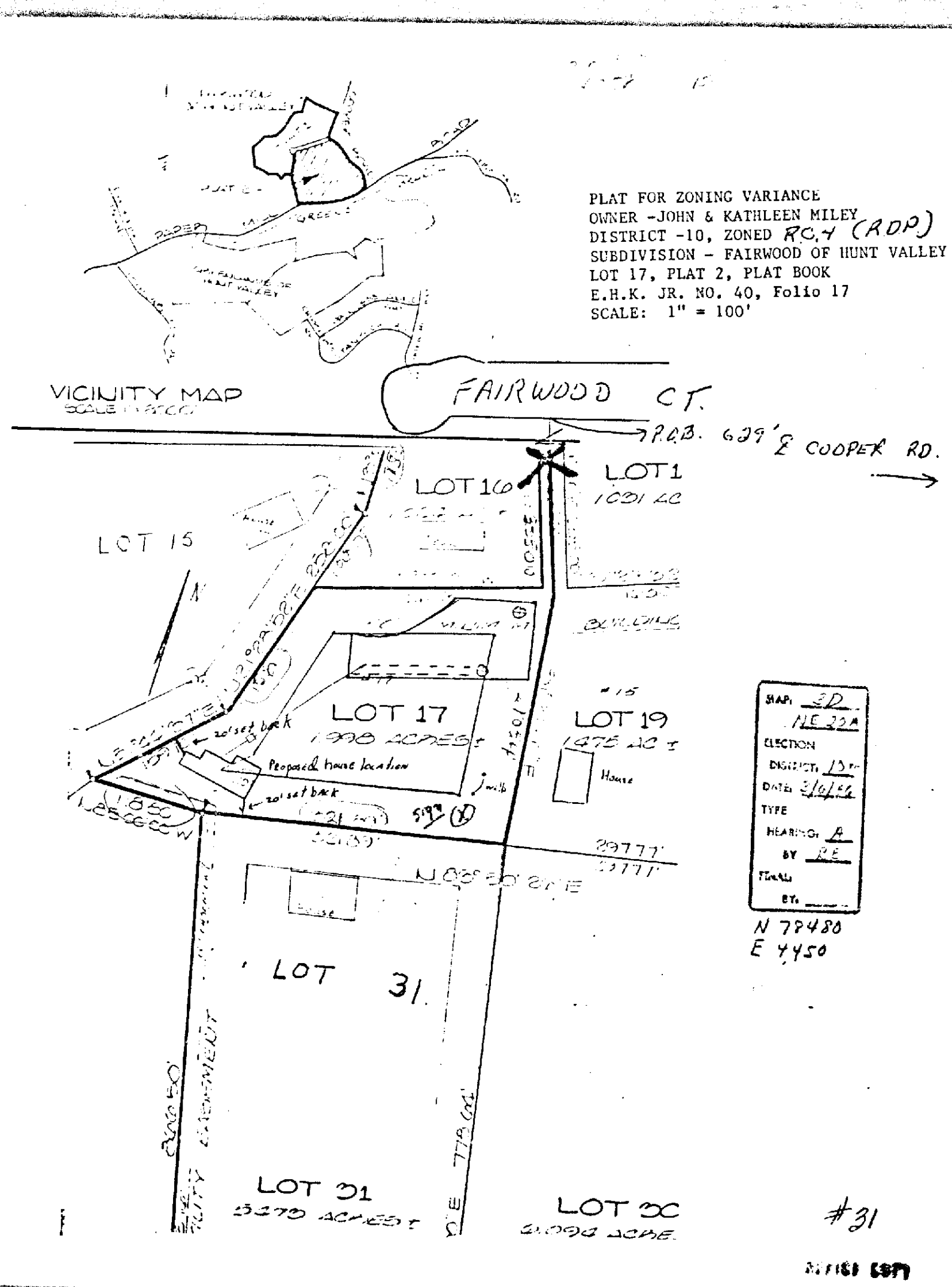
To: Arnold Jablon
Zoning Commissioner
FROM: Norman E. Gerber, Director
Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-145-A, 86-146-A, 86-147-A, 86-148-A, 86-149-A, 86-150-A, 86-151-A, 86-152-A, 86-153-A, 86-154-A, 86-155-A, 86-156-A, 86-157-A, 86-158-A, 86-160-A, 86-161-A and 86-163-A.

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber per Patricia M. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm



☒ Existing Prop.
☐ Petitioner Property

435-7143
76-157-11
Fairwoodview Ct.
35 Fairwoodview Ct.
129' W. Miley, et ux

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 10 Th Date of Posting 9/76/85
Posted for: Variance
Petitioner: John W. Miley, et ux
Location of property: 5/5 of Fairwoodview Ct. & 1/4 of side yard abutting
35 Fairwoodview Ct. 129' W. Miley, et ux (as shown)
Location of Signs: Approx. 20' on roadway, on property of petitioner
the corner of property & side yard, on abutting 1/4 Miley
Remarks: Property identified by owner of property & door
Posted by J. H. Healy Date of return: 9/27/85
Signature
Number of Signs: 1

86-157-A

VARIANCE
10th F
LOCATION: South side of Fairwoodview Court, 629' West of the centerline of Cooper Road
DATE AND TIME: Tuesday, October 15, 1985 at 9:45 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 on the Petition for Variance from Section 103.3 (1A00.3B.3) to permit a side and rear yard setback of 20' in lieu of the required 50'.
Being the property of John W. Miley, et ux as shown on plat filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

UNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., Sept. 26 1985

IFY that the annexed Req. #L82173 P.O. #69188

(1) successive weekdays previous
y of Sept. 1985, in the

ounty Times, a daily newspaper published
in Westminster, Carroll County, Maryland.
wn News, a weekly newspaper published
in Baltimore County, Maryland.
Times, a weekly newspaper published
in Baltimore County, Maryland.

ITY NEWSPAPERS OF MARYLAND, INC.

Per James E. Dyen

Case No. 86-157-A

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
10th day of September, 1985.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner
Received by: James E. Dyen
JAMES E. DYEN, Chairman
Zoning Plans Advisory Committee

Petitioner John W. Miley, et ux
Petitioner's
Attorney