

361
87-482-A
H 361
Miser-Weber Assoc., Inc. 87-482-A
E/S Tyson Rd., 1,130' S of
Stablersville Rd. (19109 Tyson Rd.)
7th E.D.
3d C.D.

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 1A03.4 B.3 to permit a minimum diametral

Variance from Section _____
dimension of 295 feet in lieu of the required
300 feet.

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

LOT WAS PURCHASED AS IS WITH A MINIMUM
DIAMETRAL DIMENSION APPROXIMATELY 295 FEET

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:	Legal Owner(s):
(Type or Print Name)	MISER-WEBER ASSOC., INC.
Signature	Signature Robert S. Miser, Jr./Pres.
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	1500 Pinnacle Road 821-8055
(Type or Print Name)	Address Phone No.
Signature	TOWSON, MARYLAND 21204
Address	City and State
City and State	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Attorney's Telephone No.:	Name
	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of April, 1987, 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 9th day of June, 1987, at 10:00 o'clock a.m.

[Signature]
Zoning Commissioner of Baltimore County.
(over)

PETITION FOR ZONING VARIANCE
7th Election District - 3rd Councilmanic District
Case No. 87-482-A

LOCATION: East Side Tyson Road, 1,130 feet South of the Centerline of Stablersville Road (19109 Tyson Road)
DATE AND TIME: Tuesday, June 9, 1987, at 10:00 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 Zoning Variance to permit a minimum diametral dimension of 295 feet in lieu of the required 300 feet

Being the property of Miser-Weber Assoc., Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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 JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ZONING DESCRIPTION

BEGINNING for the same at a concrete monument found in the ninth course of a tract of land owned by Stanley Baker (deceased) and recorded among the Land Records of Baltimore County in 1506r 2528 Folio 128, and thence running and binding reversely on said course South fifty-eight degrees, forty-five minutes, and no seconds East 278.22 feet to a concrete monument found, a corner of the Marcia E. Shields property and the R. Stanley Wisnom and wife property, thence running and binding on the said Wisnom property, South twenty-six degrees, forty minutes, twenty-one seconds West 617.77 feet to a P.R. nail set in center line of TYSON ROAD thence in the center line of the road North thirty-four degrees, eight minutes, thirty-six seconds West 68.36 feet, North forty-two degrees, eleven minutes, four seconds West 43.18 feet, North thirty-eight degrees, twenty-two minutes, three seconds West 45.92 feet, North thirty-degrees thirty-eight minutes, fifty seconds West 30.65 feet, North thirteen degrees, forty-six minutes, fifty-four seconds West 14.57 feet, North six degrees, no minutes, thirty-two seconds East 87.21 feet, South 15 degrees, forty-seven minutes, forty-seven seconds West 161.44 feet, North sixteen degrees, twenty minutes, thirty-eight seconds East 109.20 feet, North sixteen degrees, thirty-four minutes, twenty-six seconds East 87.64 feet, North twenty-four degrees, thirteen minutes, sixteen seconds East 90.65 feet, to a nail set in the center line of the road, thence leaving said TYSON ROAD and running South fifty-eight degrees, forty-five minutes, no seconds East 24.37 feet to the place of beginning.

CONTAINING 3.42 acres, more or less.

This property is 1130 feet from the intersection of Tyson Road and Stablersville Road.

Beginning on the eastside of Tyson Road 18 feet wide, proposed 50 feet wide, at a distance of 1,130 feet south of the centerline of Stablersville Road.

Also known as 19,109 Tyson Road in the 7th election district.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S Tyson Rd., 1,130' S of C/L : OF BALTIMORE COUNTY
of Stablersville Rd. (19109 :
Tyson Rd.), 7th District
MISER-WEBER ASSOC., INC., : Case No. 87-482-A
Petitioner

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.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 20th day of May, 1987, a copy of the foregoing Entry of Appearance was mailed to Robert S. Miser, Jr., President, Miser-Weber Assoc., Inc., 1500 Pinnacle Rd., Towson, MD 21204, Petitioner.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

IN RE: PETITION FOR ZONING VARIANCE : BEFORE THE
E/S Tyson Road, 1,130' S of : DEPUTY ZONING COMMISSIONER
the c/l of Stablersville Road :
(19109 Tyson Road) :
7th Election District : OF BALTIMORE COUNTY
3rd Councilmanic District :
Miser-Weber Assoc., Inc. : Case No. 87-482-A
Petitioner

The Petitioner herein requests a variance to permit a minimum diametral dimension of 295 feet in lieu of the required 300 feet.

Testimony by the Petitioner indicated that the subject property was acquired in 1986 and was deeded separately with its present metes and bounds. The Petitioner proposes to construct a residence on this lot, which appears to meet subdivision and density requirements but falls short of the required diametral dimension requirements. Otherwise, the proposed improvements will meet all Baltimore County Zoning Regulations (BCZR). Including, but not limited to, setback requirements. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 11th day of June, 1987 that a dimetral dimension of 295 feet for a residence, in accordance with the plan submitted, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED from and after the date of this Order.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

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

ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

June 2, 1987

Mr. Robert S. Miser, Jr.
President
Miser-Weber Assoc., Inc.
1500 Pinnacle Road
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
E/S Tyson Rd., 1,130' S of the c/l of Stablersville Rd. (19109 Tyson Rd.)
7th Election District - 3rd Councilmanic District
Miser-Weber Assoc., Inc. - Petitioner
Case No. 87-482-A

Dear Mr. Miser:

This is to advise you that \$73.72 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to the Treasurer, Baltimore County, Maryland, and remit to the Treasurer, Baltimore County, Maryland.

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

DATE 6/3/87 ACCOUNT 8-01-615-000

SIGN & POST RETURNED

RECEIVED FROM Miser-Weber Assoc., Inc., 6805 York Road, Baltimore, Md. 21212

ADVERTISING & POSTING COSTS RE CASE #87-482-A

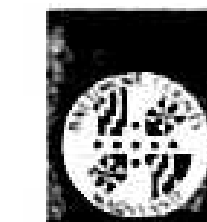
FOR 8 8017*****737214 3094F

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

Arnold Jarlon
Zoning Commissioner

June 4, 1987



Dennis F. Rasmussen
County Executive

Mr. Robert S. Miser, Jr.
President, Miser-Weber Associates, Inc.
1500 Pinnacle Road
Towson, Maryland 21204

RE: Petition for Zoning Variance
E/S Tyson Road, 1,130' S of
the c/l of Stablersville Road
(19109 Tyson Road)
7th Election District
3rd Councilmanic District
Case No. 87-482-A

Dear Mr. Miser:

Pursuant to the hearing recently held on the above-referenced case, enclosed please find a copy of the decision rendered. Your Petition for Zoning Variance has been Granted in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bjs

Enclosures

cc: People's Counsel

Office of
PATUXENT
10750 Little Patuxent Pkwy
Columbia, MD 21044

May 28 19 87

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR ZONING VARIANCE

was inserted in the following:

☐ Catonsville Times
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the 23 day of May 19 87 that is to say,
the same was inserted in the issues of

May 21, 1987

PATUXENT PUBLISHING CORP.
By *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

vs.
Defendant

CERTIFICATE OF PUBLICATION OF

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 774 Date of Posting: 3/17/87
Posted for: Miser-Weber Assoc., Inc.
Location of property: E/S Tyson Rd., 1,130' S. of Stablesville Rd.
Location of Sign: 19109 Tyson Rd., across E. S. 1st St. and 1st St.
Remarks: on property of petitioner
Posted by: [Signature] Date of return: 3/22/87
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 21, 1987.

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 May 21, 1987.

THE JEFFERSONIAN,

[Signature]
Publisher

32.17

Mr. Robert S. Miser, Jr., President
Miser-Weber Assoc., Inc.
1500 Pinnacle Road
Towson, Maryland 21204

April 30, 1987

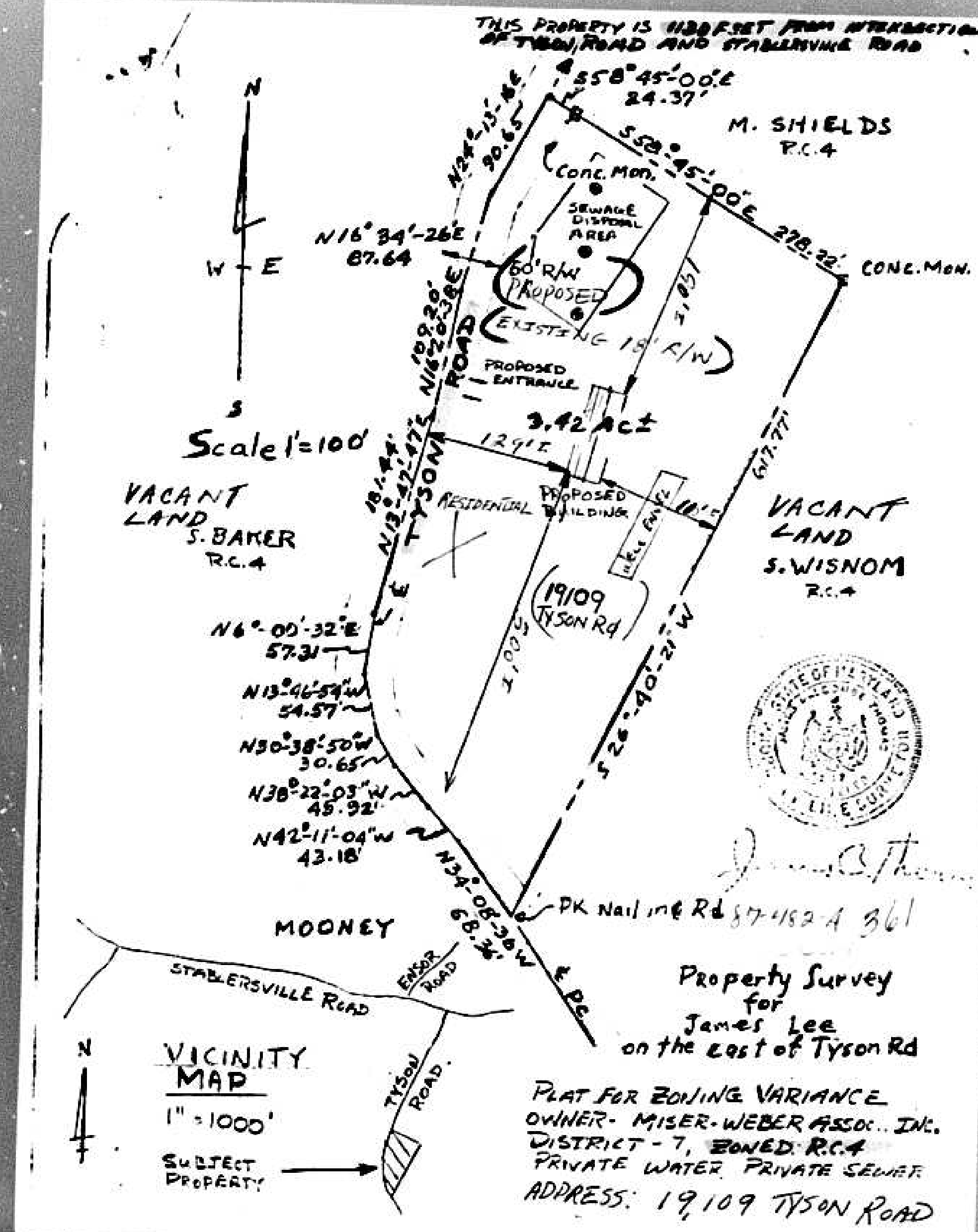
NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
E/S Tyson Rd., 1,130' S. of the c/l of
Stablesville Rd. (19109 Tyson Rd.)
7th Election District - 3rd Councilmanic District
Miser-Weber Assoc., Inc. - Petitioner
Case No. 87-482-A

TIME: 10:00 a.m.
DATE: Tuesday, June 9, 1987
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 32430
DATE 3/17/87 ACCOUNT Rev. 315-000
AMOUNT \$ 32.17
RECEIVED FROM [Signature]
FOR Partial VARIANCE
B 8113*****35003 8120F
VALIDATION OR SIGNATURE OF CASHIER



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 day of April, 1987
Received by: [Signature]
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
FROM: Office of Planning and Zoning
Norman E. Gerber, AICP, Director
SUBJECT: Zoning Petitions No. 87-472-A, 87-475-A, 87-476-SpH, 87-480-A, 87-481-A, 87-482-A, 87-485-X, 87-486-A and 87-487-A

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

[Signature]
Norman E. Gerber, AICP
Director

NEG:JGH:sib

RECEIVED
MAY 11 1987
ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 21, 1987

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

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
County Administration
Industrial Development

Mr. Robert S. Miser, Jr., President
Miser-Weber Assoc., Inc.
1500 Pinnacle Road
Towson, Maryland 21204

RE: Item No. 361 - Case No. 87-482-A
Petitioner: Miser-Weber Assoc., Inc.
Petition for Zoning Variance

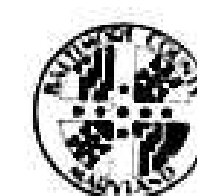
Dear Mr. Miser:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced 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,
[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kib
Enclosures



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

C. Richard Moore
Acting Director

April 17, 1987

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

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 360, 361, 362, 363, 364, 365, 359, and 366.

Very truly yours,
[Signature]
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204 2566
494-4500

PAUL H. REYNOLDS
CHIEF

March 19, 1987

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

RE: Property Owner: Robert Miser
Location: E/S Tyson Rd., 1,130' S. of centerline Stablesville Road
Item No.: 361
Zoning Agenda: Meeting of 3/24/87

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 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 [Location] 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.

REVIEWED: [Signature] 3/17/87 Noted and Approved: [Signature]
Planning Group Special Inspection Division Fire/Prevention Bureau



**BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204**

**TED ZALESKI, JR.
DIRECTOR**

April 16, 1987

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

Dear Mr. Jablon:

Comments on Item # 361 Zoning Advisory Committee Meeting are as follows:

Property Owner: Robert Miser
Location: E/S Tyson Road, 1,130 ft S of centerline Stablersville Road
District: 7th

APPLICABLE ITEMS ARE CIRCLED:

- A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1) - 1980 and other applicable Codes and Standards.
- B. A building and other miscellaneous permits shall be required before the start of any construction.
- C. 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.
- D. 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.
- E. All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. B-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1107, Section 1106.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 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 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

J. Comments:

- K. 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 W. Chesapeake Avenue, Towson, Maryland 21204.

Mark E. Burman
BY: C. E. Burman, Chief
Building Plans Review

4/27/87
Early Hearing
19 900-100
Come file

MISER-WEDER ASSOC.
1500 PINNACLE RD.
TOWSON, MD. 21204
821-8055

4/17/87
TO JD 7
S
File with
Hick
sol

APRIL 2, 1987

ARNOLD JABLON
ZONING COMMISSIONER
BALTO. CO. OFFICE OF PLANNING & ZONING
111 W. CHESAPEAKE AVE.
ROOM # 113, ZONING OFFICE
TOWSON, MD. 21204

GENTLEMEN:

ON MARCH 11, 1987, WE APPLIED FOR A
VARIANCE ON A 3.42 ACRE LOT ON TYSON RD.,
ITEM # 361. WE WOULD APPRECIATE ANY
POSSIBLE EXPEDITING OF THIS PROCESS, BEING
A SALE OF THIS LOT IS PENDING THE
OUT COME.

THANK YOU FOR YOUR ASSISTANCE.

SINCERELY
ROBERT F. MISER, JR.
Robert F. Miser, Jr.
PRES. AWWA, INC.

MISER-WEDER ASSOC. INC.