

88-129-A

#28

NE/cor. Lafayette Ave. and Central Ave.  
(1316 Lafayette Ave.)

1st E.D.

8/28/87

Variance - filing fee \$35.00 - Harold Miller

8/28/87

Hearing set for 10/6/87, at 10:00 a.m., before Mr. Haines

9/29/87

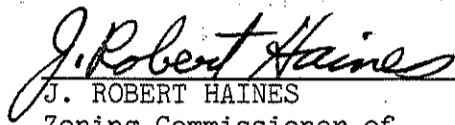
Advertising and Posting - \$69.68

10/8/87

Ordered by the Zoning Commissioner that the Petition for Zoning Variance to permit an accessory structure (swimming pool) in the outside of the third of the lot farthest removed from any street is DENIED.

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 ~~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 9th day of October, 1987, that the herein Petition for Variance(s) to permit an accessory structure (swimming pool) to be located outside of the third of the lot farthest removed from any street, be and is hereby DENIED.

  
J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

JRH:bjs

# PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

28  
88-129-A

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 400.1 TO PERMIT AN ACCESSORY STRUCTURE (Pool) TO BE LOCATED OUTSIDE OF THE THIRD OF THE LOT FARTHEST REMOVED FROM ANY STREET.

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

THE AREA IN WHICH THE POOL IS PERMITTED HAS A GROVE OF MATURE TREES WHICH WE WOULD LIKE TO REMAIN, AND THE GROUND HAS A KNOWN ROCK VIB, WHICH WOULD MAKE EXCAVATION VERY INVOLVED AND COSTLY.

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):

HAROLD MILLER (SOLE OWNER)

(Type or Print Name)

Harold Miller

Signature

(Type or Print Name)

Signature

Address

Phone No.

City and State

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

CAREFREE POOLS - DAN CARR

Name

14650 S. LAWN LANE ROCKVILLE MD 20850

Address

301 424 5400

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day

of August, 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 6th day of October, 1987, at 10:00 o'clock A. M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING 1/2 HR.  
AVAILABLE FOR HEARING  
MON./TUES./WED. - NEXT TWO MONTHS  
OTHER \_\_\_\_\_  
REVIEWED BY: CKR DATE \_\_\_\_\_

(over)

**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 400.1 to permit an accessory structure (pool) to be located outside of the third of the lot farthest removed from any street.

The area in which the pool is permitted has a group of mature trees which we would like to remain, and the ground has a known rock vein, which would make excavation very involved and costly.

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:  
Name: Harold Miller (sole owner)  
Signature: [Signature]  
Address: [Address]  
City and State: [City and State]

Legal Owner(s):  
Name: Harold Miller (sole owner)  
Signature: [Signature]  
Address: [Address]  
City and State: [City and State]

Attorney for Petitioner:  
Name: Dan Carr  
Address: 1460 S. Lawn Lane, Rockville, MD 20850  
City and State: [City and State]

ORDERED By The Zoning Commissioner of Baltimore County, this 23th day of August 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 6th day of October, 1987, at 10:00 o'clock A.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

LIBER 4167 PAGE 111

This Deed. Made this 3rd day of July

in the year one thousand nine hundred and sixty-three, by and between William G. Williamson and Rose E. Williamson, his wife, of Baltimore County in the State of Maryland, of the first part, and Harold J. Miller and Helen Miller, his wife, of the second part.

Witnesseth, That in consideration of the sum of five dollars (\$5.00) and other good and valuable considerations the said William G. Williamson and Rose E. Williamson, his wife,

do grant and convey unto the said Harold J. Miller and Helen Miller, his wife,

their heirs and assigns, in fee simple, all those lots of ground, situate, lying and being in Baltimore County, aforesaid, and described as follows, that is to say:—

Being known and designated as Lots numbered 22, 23, 24, 25, 26, and 27, 28, 29 in Block numbered 26, Plat numbered 2 of Catonsville Manor, which plat is recorded among the Land Records of Baltimore County in Liber W.P.C., No. 6, folio 116, being known as 1316 Lafayette Avenue, Catonsville Manor.

Being the same lots of ground which are described in a deed dated August 14, 1956, and recorded among the Land Records of Baltimore County in Liber G.L.B., No. 2993, folio 242 was granted and conveyed by Emma A. Cletcher, widow, to William G. Williamson.

PAID - Baltimore County Office of Finance



**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

Mr. J. Robert Haines  
TO: Zoning Commissioner  
Date: September 18, 1987

Norman E. Gerber, AICP  
FROM: Director of Planning and Zoning  
Zoning Petitions No. 88-122-SPA, 88-123-SPH, 88-124-SPH, 88-125-SPH, 88-126-SPA, 88-127-A  
SUBJECT: 88-122-A, 88-123-A, 88-124-A, 88-125-A

There are no comprehensive planning factors requiring comment on the above numbered petitions.

Norman E. Gerber  
Norman E. Gerber, AICP

DIARY DATE: 10/10/87

TO: [Signature]  
FROM: [Signature]  
RE: [Signature]  
Case No.: 88-129-A  
(If Applicable)

COMMENTS:

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: Mary Welcome  
ASST. COUNTY ATTORNEY  
DATE: January 7, 1988

FROM: J. Robert Haines  
Zoning Commissioner

SUBJECT: Harold Miller - 1316 Lafayette Avenue  
Petition for Zoning Variance

Attached hereto is a copy of our file, Case #88-129-A, Petition for Zoning Variance. I would appreciate your filing suit for outstanding cost for advertising and posting fees in the amount of \$69.68 and keep me advised of developments.

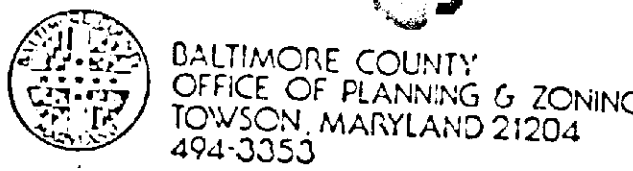
Thank you for your courtesy and cooperation.

JRH:md  
att.

Received by: [Signature]  
Petitioner: Harold Miller  
Attorney: [Signature]

Your petition has been received and accepted for filing this 19th day of August 1987  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204  
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

88-129-A



J. ROBERT HAINES  
ZONING COMMISSIONER

September 29, 1987

Mr. Harold Miller  
c/o Carefree Pools  
14650 South Lawn Lane  
Rockville, Maryland 20850  
ATTN: Mr. Dan Carr

RE: PETITION FOR ZONING VARIANCE  
NE/cor. Lafayette Ave. and Central Ave.  
(1316 Lafayette Ave.)  
1st Election District - 1st Councilmanic District  
Harold Miller - Petitioner  
Case No. 88-129-A

Dear Mr. Carr:

This is to advise you that \$69.68 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 Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,  
J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner

JRH:md

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: [Signature] Date of Posting: 9-18-87  
Posted for: [Signature]  
Petitioner: Harold Miller  
Location of property: NE/cor. of Lafayette Ave. and Central Ave. (1316 Lafayette Ave.)  
Location of Sign: NE/cor. of Lafayette and Central Ave.  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 9-24-87  
Number of Signs: 1

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

J. Robert Haines  
Zoning Commissioner

October 6, 1987



Dennis F. Rasmussen  
County Executive

Mr. Harold Miller  
1316 Lafayette Avenue  
Baltimore, Maryland 21207

RE: Petition for Zoning Variance  
NE/cor. Lafayette Avenue and Central Avenue  
1st Election District, 1st Councilmanic District  
Case No. 88-129-A

Dear Mr. Miller:

Pursuant to the recent hearing held on the subject case, enclosed please find a copy of the decision rendered. Your Petition for Zoning Variance has been Denied 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,  
J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner

JRH:bjjs

Enclosures

cc: Mr. Dan Carr  
Carefree Pools  
14650 S. Lawn Lane, Rockville, Md. 20850  
People's Counsel  
File

**PETITION FOR ZONING VARIANCE**  
Case No. 88-129-A

1st Election District - 1st Councilmanic District

LOCATION: Northeast Corner Lafayette Avenue and Central Avenue  
(1316 Lafayette Avenue)

DATE AND TIME: Tuesday, October 6, 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 an accessory structure (pool) to be in the outside of the third of the lot farthest removed from any street

Being the property of Harold Miller, 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.

J. ROBERT HAINES  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

September 3, 1987  
 Mr. Harold Miller  
 c/o Carefree Pools  
 14650 South Lawn Lane  
 Rockville, Maryland 20850  
 ATTN: Mr. Dan Carr

**NOTICE OF HEARING**

RE: PETITION FOR ZONING VARIANCE  
 NE/cor. Lafayette Ave. and Central Ave.  
 (1316 Lafayette Ave.)  
 1st Election District - 1st Councilmanic District  
 Harold Miller - Petitioner  
 Case No. 88-129-A

TIME: 10:00 a.m.  
 DATE: Tuesday, October 6, 1987  
 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

*J. Robert Haines*  
 J. ROBERT HAINES  
 Zoning Commissioner  
 of Baltimore County

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

COUNTY OFFICE BLDG.  
 111 W. Chesapeake Ave.  
 Towson, Maryland 21284

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

Mr. Dan Carr  
 Carefree Pools  
 14650 S. Lawn Lane  
 Rockville, Maryland 20850

RE: Item No. 28 - Case No. 88-129-A  
 Petitioner: Harold Miller  
 Petition for Zoning Variance

Dear Mr. Carr:

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

JED:kbb  
 Enclosures

Baltimore County  
 Fire Department  
 Towson, Maryland 21284  
 494-4300

Paul H. Reimick  
 Chief

August 5, 1987

Mr. Arnold Jablon  
 Zoning Commissioner  
 Office of Planning and Zoning  
 Baltimore County Office Building  
 Towson, MD 21284



Dennis F. Rasmussen  
 County Executive

Re: Property Owner: Harold J. Miller  
 Location: NE/C Lafayette Avenue and Central Avenue  
 Item No.: 28 Zoning Agenda: Meeting of 7/28/87

Gentlemen:

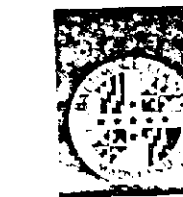
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 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.
- ( X ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carla...* Noted and Approved: *John F. O'Neill*  
 Planning Group Fire Prevention Bureau  
 Special Inspection Division

JRH

Baltimore County  
 Department of Public Works  
 Bureau of Traffic Engineering  
 Courts Building, Suite 405  
 Towson, Maryland 21284  
 494-3334



Dennis F. Rasmussen  
 County Executive

July 31, 1987

Mr. Arnold Jablon  
 Zoning Commissioner  
 County Office Building  
 Towson, Maryland 21284

Dear Mr. Jablon:

The Baltimore County Bureau of Traffic Engineering has no comments for items number 25, 26, 27, 28, 29, 30, 31, and 32.

Very truly yours,  
*Michael S. Flanigan*  
 Michael S. Flanigan  
 Traffic Engineer Associate II

MSF:lt

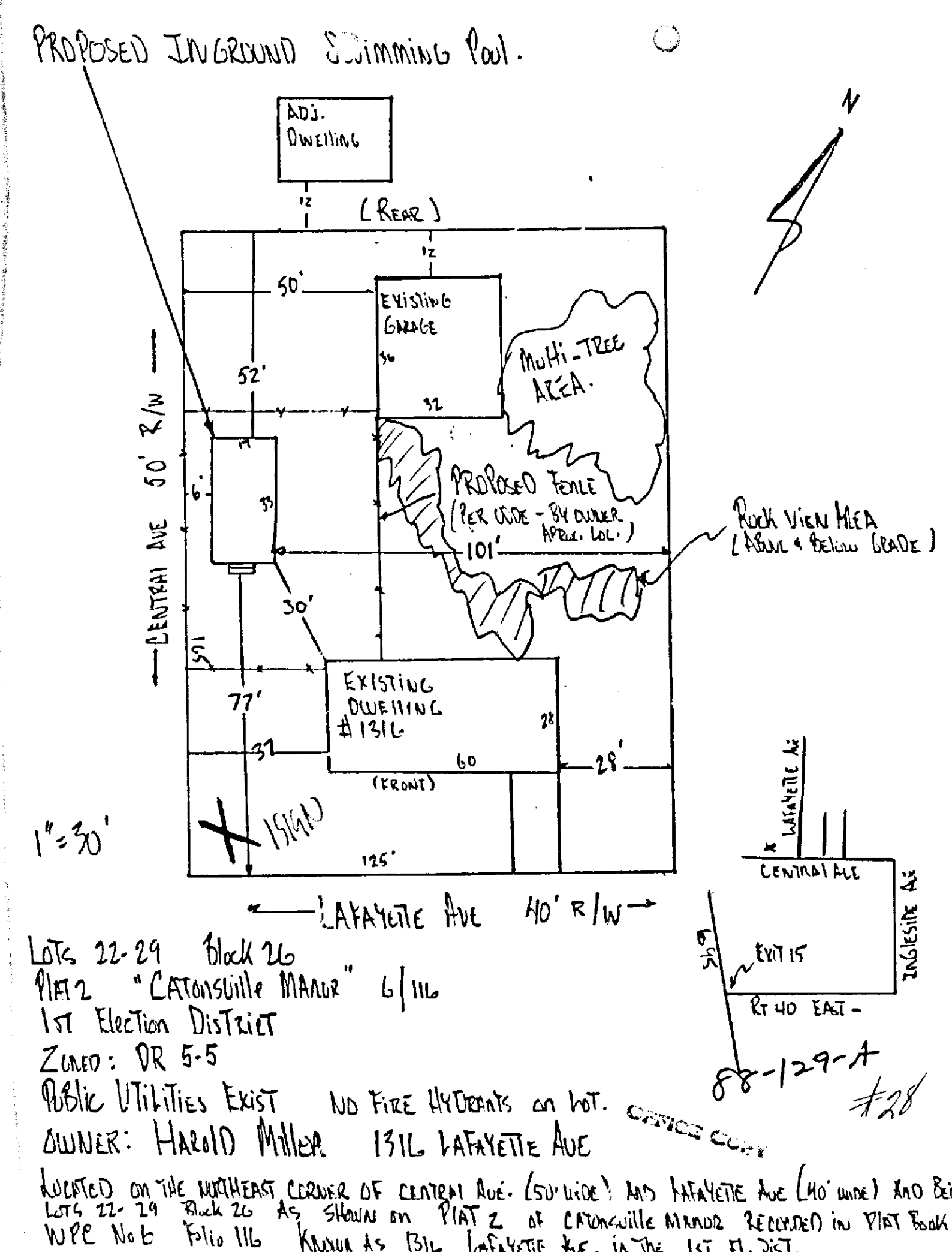
BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT  
 No. 37752  
 DATE: *9/17/87* ACCOUNT: *01416*  
 AMOUNT: \$ *25.00*  
 RECEIVED FROM: *Sue Hines*  
 FOR: *Finance Fee on Variance Item 28*  
 VALIDATION OR SIGNATURE OF CASHIER

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., *Sept. 17, 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 *Sept. 17, 1987*

THE JEFFERSONIAN,  
*Susan Leuder Obrecht*  
 Publisher

IMPORTANT MESSAGE  
 FOR *Bob* TIME *11:00* A.M.  
 DATE *11/28*  
 WHILE YOU WERE OUT...  
 RETURNED YOUR CALL  
 MESSAGE: *These people have not to pay bill, I've partial bill to you, was del. bill & letter.*  
 SIGNED: *Yes - come as Regis*



BALTIMORE COUNTY  
 OFFICE OF PLANNING & ZONING  
 TOWSON, MARYLAND 21284  
 494-3333  
 J. ROBERT HAINES  
 ZONING COMMISSIONER  
 September 29, 1987

Mr. Harold Miller  
 c/o Carefree Pools  
 14650 South Lawn Lane  
 Rockville, Maryland 20850  
 ATTN: Mr. Dan Carr

RE: PETITION FOR ZONING VARIANCE  
 NE/cor. Lafayette Ave. and Central Ave.  
 (1316 Lafayette Ave.)  
 1st Election District - 1st Councilmanic District  
 Harold Miller - Petitioner  
 Case No. 88-129-A

Dear Mr. Carr:

This is to advise you that \$69.68 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 Zoning Office, Room 112, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,  
*J. Robert Haines*  
 J. ROBERT HAINES  
 Zoning Commissioner  
 JRH:md

*This amount is due to be paid. SENT 10/15/87*

December 1, 1987

Mr. Harold J. Miller  
 Mr. Dan Carr  
 Care Free Pools  
 14650 S. Lawn Lane  
 Rockville, Maryland 20850

RE: Petition for Zoning Variance  
 NE/Corner Lafayette and Central Avenues (1316 Lafayette Avenue)  
 1st Election District; 1st Councilmanic District  
 Harold J. Miller - Petitioner  
 Case No. 88-129-A

Dear Messrs. Miller and Carr:

As you are aware, the opinion in the above-referenced case was issued on October 2, 1987. At that time there remained outstanding advertising and posting fees in the amount of \$69.68.

It is my understanding that this bill was not yet paid. Please be advised that if we have not received payment in full by December 15, 1987, we will have no alternative but to refer this matter to the Baltimore County Attorney's Office for collection.

Your cooperation in this matter will be appreciated.

Very truly yours,  
 J. ROBERT HAINES  
 Zoning Commissioner

JRH:md  
 cc: Mary Welton, Lequire  
 File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner  
Date: June 2, 1989

FROM: Barry Butanis  
Office of Law

SUBJECT: Harold J. Miller-Carefree Pools Petition for Zoning Variance  
NE/Corner Lafayette and Central Avenues, (1316 Lafayette Ave.)  
First Election District, First Councilmanic District  
Harold J. Miller - Petitioner  
Case No. 88-129-A 7

Attached hereto is check number 750 dated May 30th, 1989 in the amount of \$69.68, submitted as payment in full of the above captioned matter.

*Barry A. Butanis*  
BARRY A. BUTANIS  
Assistant County Attorney

BAB/dj

RECEIVED  
JUN 6 1989  
ZONING OFFICE

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

No. 008163

DATE 6/16/89 ACCOUNT R-01-615-000

AMOUNT \$ 69.68

RECEIVED FROM: PAUL MILLER, et ux

FOR: P-4 88-129-A

B B 140\*\*\*\*\*6968:a #19wF

DISTRIBUTION: WHITE-CASHER PINK-AGENCY YELLOW-CUSTOMER  
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
Inter-Office Memorandum

DUPLICATE

TO: Barry Butanis  
Asst. County Attorney  
Date: June 6, 1989

FROM: J. Robert Haines  
Zoning Commissioner

SUBJECT: Harold J. Miller, Petition for Zoning Variance  
Case #88-129-A  
Collection of \$69.68 for advertising and posting

I am in receipt of your memorandum dated June 2, 1989, with check attached. I wish to take this opportunity to thank you for your fine efforts in bringing about the payment of \$69.68 for Mr. Miller's advertising and posting fees.

Thanks again for your cooperation.

JSE:mmm

cc: Arnold Jablon, County Attorney