



KATHERINE A. KLAUSMEIER
County Executive

March 20, 2025

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

Jacob and Goldie Milner jacobmilner@gmail.com
7516 Seven Mile Lane
Baltimore, MD 21208

RE: Petition for Variance
Case No. 2025-0021-A
Property: 7516 Seven Mile Lane

Dear Petitioners:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB:dlm
Enclosure

c: Richard Abramson richard@parkheightsgroup.com
Avil Fogel avi@parkheightsgroup.com

IN RE: PETITION FOR VARIANCE
(7516 Seven Mile Lane)
3rd Election District
2nd Council District
Jacob and Goldie Milner
Legal Owners

Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS OF
* BALTIMORE COUNTY
* **CASE NO. 2025-0021-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Jacob and Goldie Milner (“Petitioners”), owners of the property located at 7516 Seven Mile Lane, Baltimore County, Maryland (the “Property”). Petitioners request a variance from Baltimore County Zoning Regulations (“BCZR”) §1B02.3.C.1 to permit a side yard setback of 3ft. 10 inches in lieu of the required minimum side yard setback of 10 ft.

A public hearing was conducted on March 12, 2025, using the virtual platform WebEx in lieu of an in-person hearing. The Petition was properly advertised and posted. Petitioners appeared at the hearing and provided testimony in support of their Petition and were assisted by Richard Abramson with the Park Heights Group. There were no other interested parties or Protestants at the hearing.

Petitioner submitted the following exhibits which were admitted into the record: (1) Site Plan; and (2) Floor Plan. Zoning Advisory Committee (“ZAC”) comments were received from the following county agencies: (1) Department of Planning (“DOP”); (2) Department of Plans Review (“DPR”) on behalf of DPR/DPWT/Rec & Parks; and (3) Department of Environmental Protection & Sustainability. ZAC comments do not indicate any objections to the requested relief.

Findings of Fact

The Property is approximately 9,500 sq. ft. in land area and is zoned DR 5.5. The Property is improved with a single-family dwelling that will be razed to construct a replacement dwelling¹ as indicated on the Site Plan. *See* Pet. Exhibit 1. The surrounding community is predominantly single-family residential in nature. However, the lots immediately to the south of the subject lot are improved and used as a religious institution (synagogue) with recent approval and construction for expansion. Mr. Abramson testified that the need for the variance is triggered by providing driveway access on the south-side of the lot from Seven Mile Lane, thus restricting the available buildable area for the dwelling.

Conclusions of Law

Pursuant to BCZR § 307.1, "...the [Administrative Law Judge] shall have ...the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to public health, safety and general welfare..." A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

¹ A review of available GIS mapping shows that the replacement dwelling will largely occupy the same or similar footprint as the existing single-family dwelling.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The Property is unique in that it lies adjacent to a religious institutional use (synagogue) in this predominantly residential neighborhood. Petitioners will experience practical difficulty or hardship if the variance is denied as the side yard setback is necessary to provide driveway access to the property while accounting for the impact of the institutional use to the south. I further find that the side yard setback variance is within the spirit and intent of the BCZR and it will not harm the public health, safety or welfare. The replacement dwelling will occupy largely the same footprint as the existing dwelling and conforms to the character, setback, and massing of most other single-family homes along this portion of Seven Mile Lane. The effect of the variance is merely to shift the dwelling slightly to the north which matches existing single-family dwellings along this portion of Seven Mile Lane.

THEREFORE, IT IS ORDERED, this 20th day of **March, 2025**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, Section 1B02.3.C.1 to permit a side setback of 3ft. 10 inches in lieu of the required 10 ft. side setback be, and is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

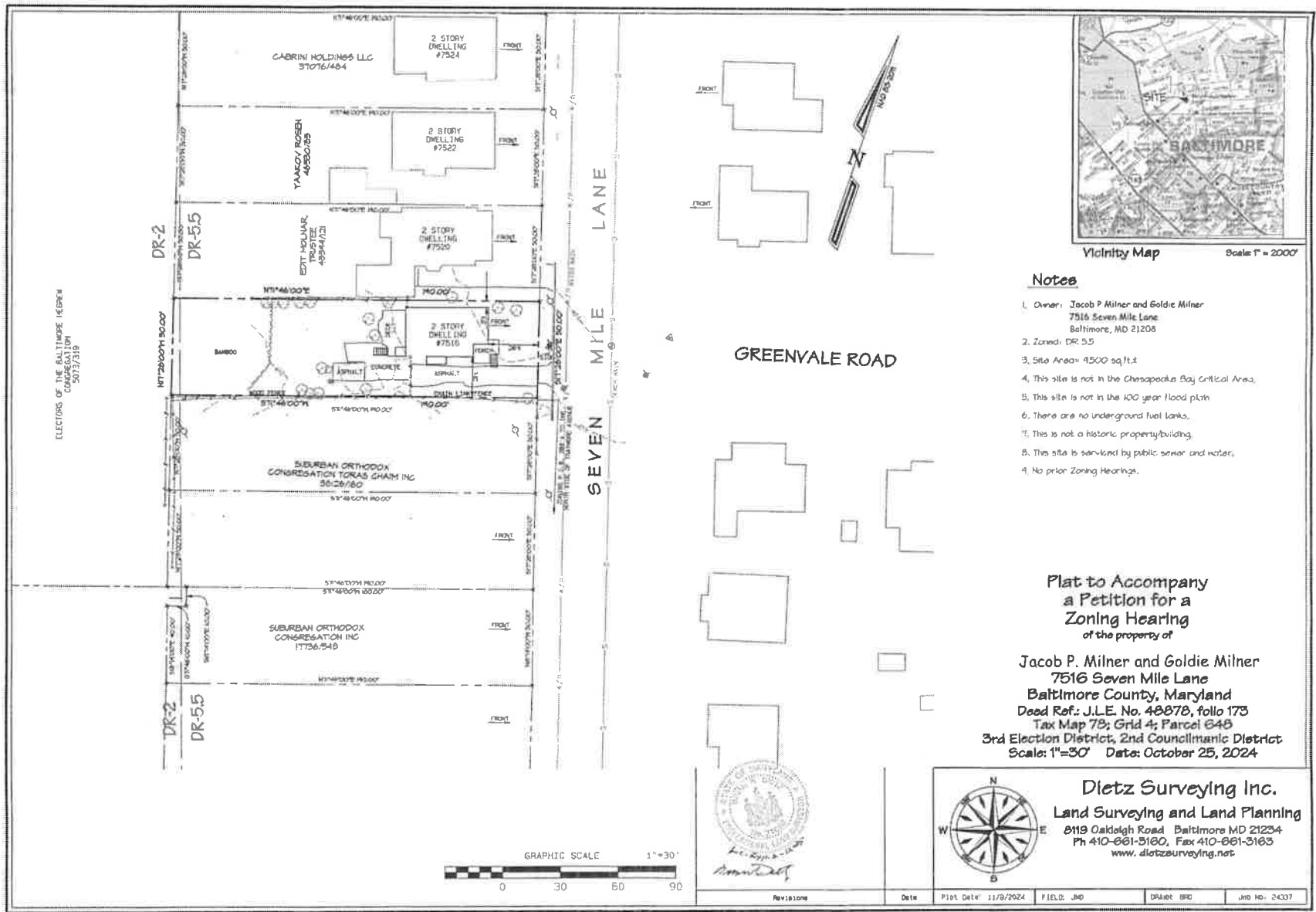
1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition; and
2. Petitioners Site Plan is hereby incorporated into this Order, a copy of which is attached and made a part hereof.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



DEREK J. BAUMGARDNER
Administrative Law Judge for
Baltimore County

DJB/dlm



FILE NUMBER: 7, Seven Mile Lane 7516 JOB# 24037, SEVEN MILE LN 7516.PDF



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 7516 Seven Mile Ln Currently Zoned DR5.5
Deed Reference 49721 / 00218 10 Digit Tax Account # 0303024300
Owner(s) Printed Name(s) Jacob and Goldie Milner

(SELECT THE HEARING(S) BY MARKING AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. a **Variance** from Section(s)

See Attached

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: **(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING").**

The subject property at 7516 Seven Mile Lane is a home located on an undersized lot with a width of 50 feet, which is below the current standard of 55 feet. To accommodate the proposed home, specifically designed to meet our unique needs, we are requesting approval for a 3'-1 0" side yard setback on the north side of the property, in place of the 10-foot setback required under current regulations. This variance is essential due to the lot's dimensions, which create unavoidable challenges in adhering to standard setback requirements while designing a home that fits our needs and is both functional and appropriate for the property.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print Jacob Milner , Name #2 - Type or Print Goldie Milner

Signature #1 [Signature] , Signature #2 [Signature]

Mailing Address 7516 Seven Mile Ln Baltimore Md
City State

Zip Code 21208 , Telephone #'s (Cell and Home) 3015384168 , Email Address JacobMilner@gmail.com

Attorney for Petitioner:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print Richard Abramson

Signature

Mailing Address City State

Zip Code 410 , Telephone # 410-413-1407 , Email Address

Case Number 2025-0021-A Filing Date 1/28/25 Do Not Schedule Dates _____ Reviewer JK

Attachment

To permit a variance from Section 1B02.3.C.1 of the BCZR to permit a right side setback of 3'10" in lieu of the required minimum of 10' side setback.

Dietz Surveying, Inc.

8119 Ookleigh Road, Baltimore, MD 21234
Phone 410-661-3160 Fax 410-661-3163

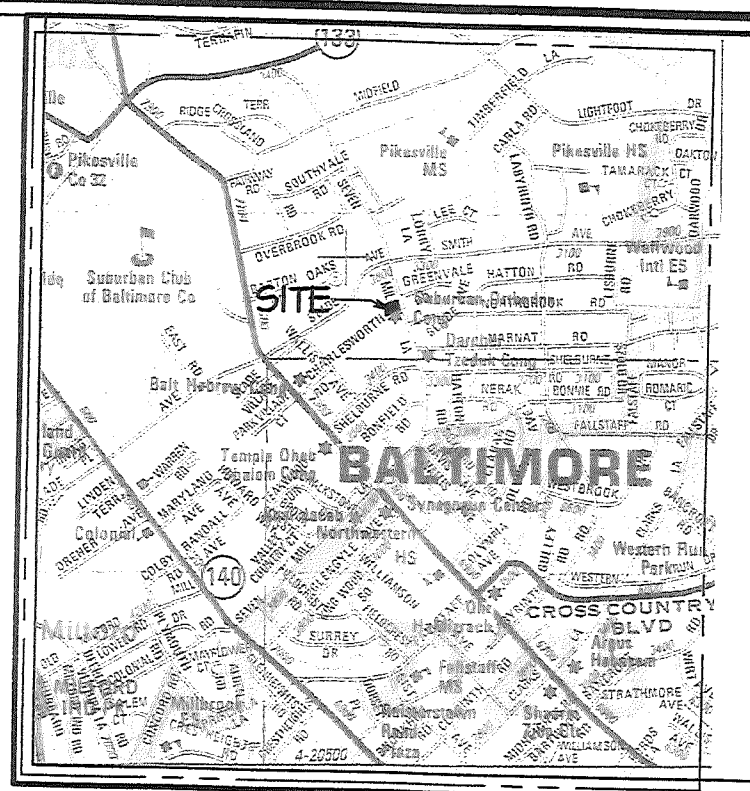
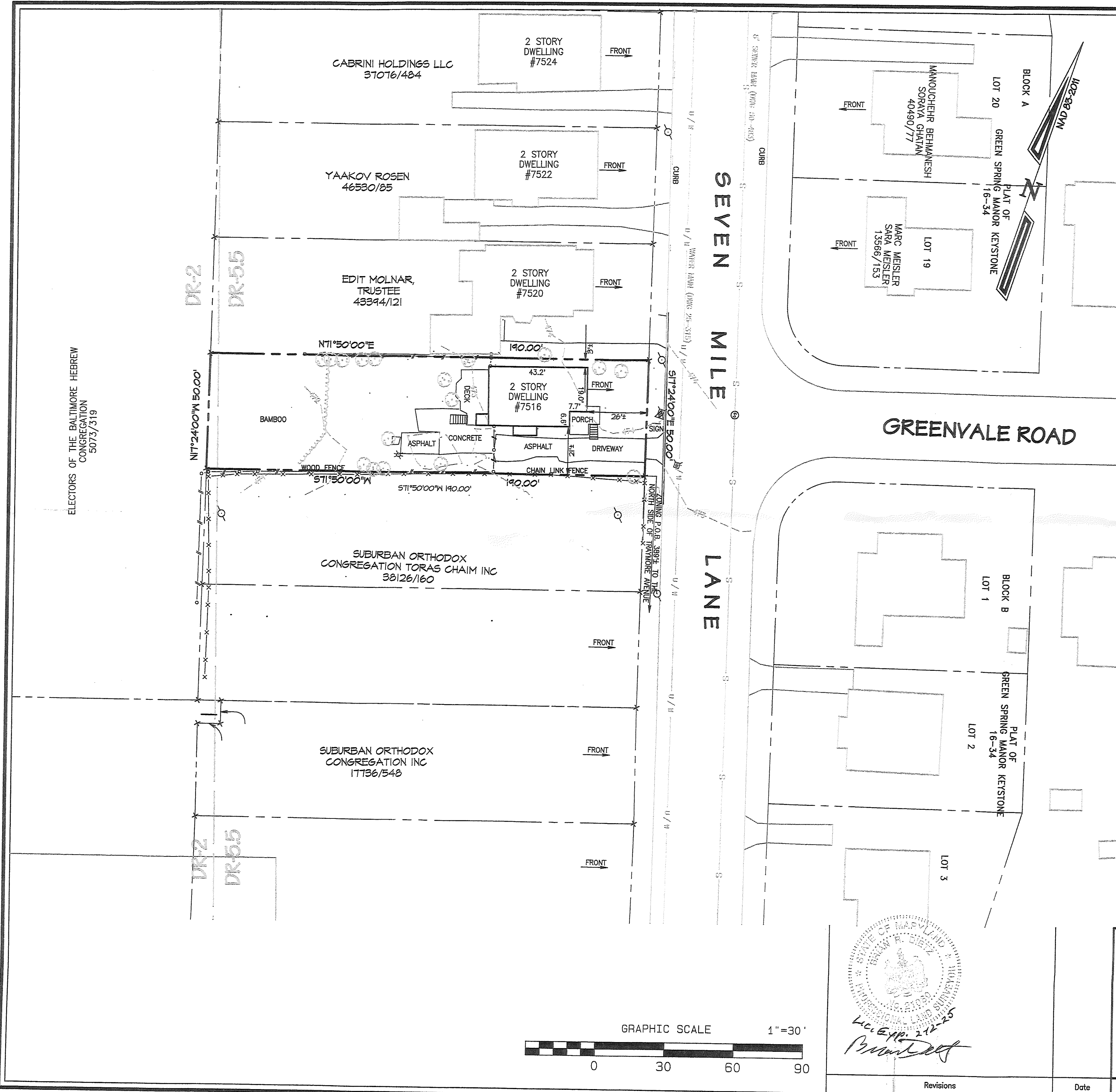
Zoning Description
For
7516 Seven Mile Lane
November 12, 2024

Beginning on the West side of Seven Mile Lane (40' R/W), distant 398 feet+/- from the North side of Traynmore Avenue (50' R/W), thence leaving the West side of Seven Mile Lane and running on the lines of the herein petition:

1. South 71 degrees 50 minutes 00 seconds West 190.00 feet.
2. North 17 degrees 24 minutes 00 seconds West 50.00 feet.
3. North 71 degrees 50 minutes 00 seconds East 190.00 feet, and
4. South 17 degrees 24 minutes 00 seconds East 50.00 feet. to the place of beginning.

Containing 0.21 &Ac. or 9,500 square feet of land more or less. Being known as 7516 Seven Mile Lane and located in the 3rd Election District, 2nd Councilmanic District.



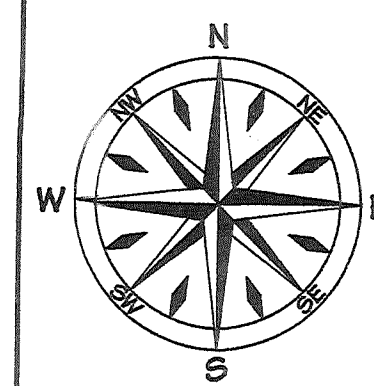
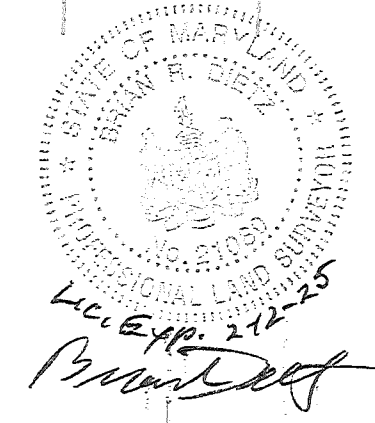


Vicinity Map Scale: 1" = 2000'

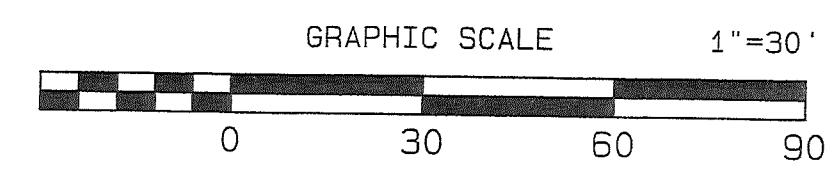
Notes

1. Owner: Jacob and Goldie Milner
7516 Seven Mile La.
Baltimore MD. 21208
2. Zoned: DR 5.5
3. Site Area= 9,500 sq.ft.±
4. This site is not in the Chesapeake Bay Critical Area.
5. This site is not in the 100 year flood plain.
6. There are no underground fuel tanks.
7. This is not a historic property/building.
8. This site is serviced by public sewer and water.
9. No prior Zoning Hearings.

**Plat to Accompany
a Petition for a
Zoning Hearing**
of the property of
**Jacob Milner
Goldie Milner**
7516 Seven Mile Lane
Baltimore County, Maryland
Deed Ref.: J.L.E. No. 48878, folio 173
Tax Map 78; Grid 4; Parcel 648
3rd Election District, 2nd Councilmanic District
Scale: 1"=30' Date: October 25, 2024



Dietz Surveying Inc.
Land Surveying and Land Planning
8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsurveying.net



Revisions	Date	Plot Date: 1/2/2025	FIELD: JMD	DRAWN: BRD	Job No. 24337
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File Name: Z:\Seven Mile Lane 7516 Job# 24337\SEVEN MILE LN 7516.pro

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/ neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2025-0021-A -----

Property Address: 7516 Seven Mile Ln _____

Legal Owners (Petitioners): Jacob Miner -----

Contract Purchaser/Lessee: -----

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Jacob Miner -----

Address: 7516 Seven Mile Ln _____

Telephone Number: 3015384168 -----

* Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.



PETITION FOR ZONING HEARING(S)

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Contract Purchaser/Lessee:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print Jacob Milner , Name #2 - Type or Print Goldie Milner

Signature #1 [Signature] , Signature #2 [Signature]

Mailing Address 7516 Seven Mile Ln Baltimore Md
City State

Zip Code 21208 , Telephone #'s (Cell and Home) 3015384168 , Email Address JacobMilner@gmail.com

Attorney for Petitioner:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print Richard Abramson

Signature

Mailing Address City State

Zip Code 443-413-1407 Telephone # Email Address

Case Number 2025-0021-A Filing Date 1/28/25 Do Not Schedule Dates _____ Reviewer JK

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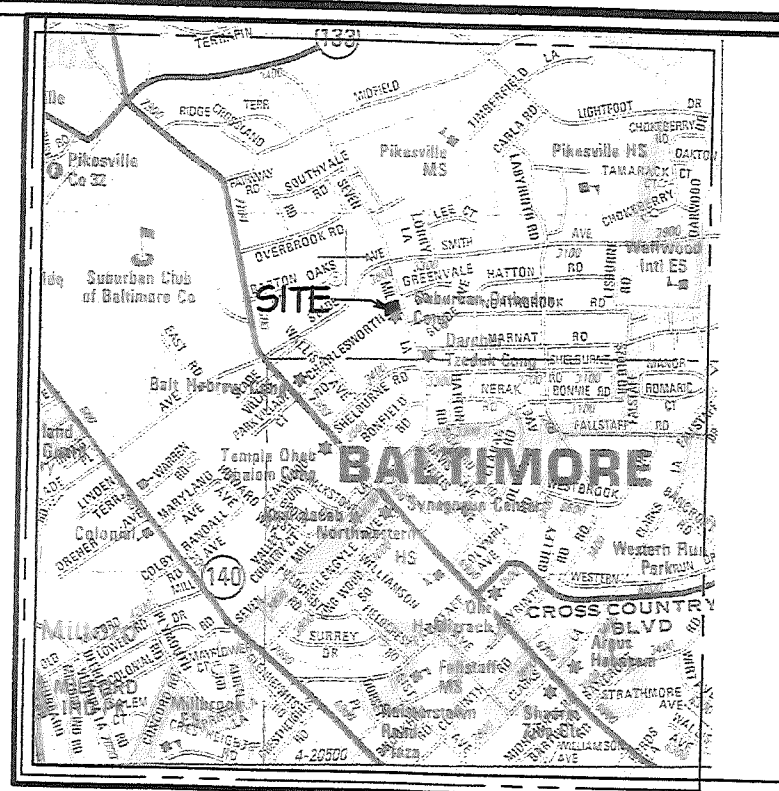
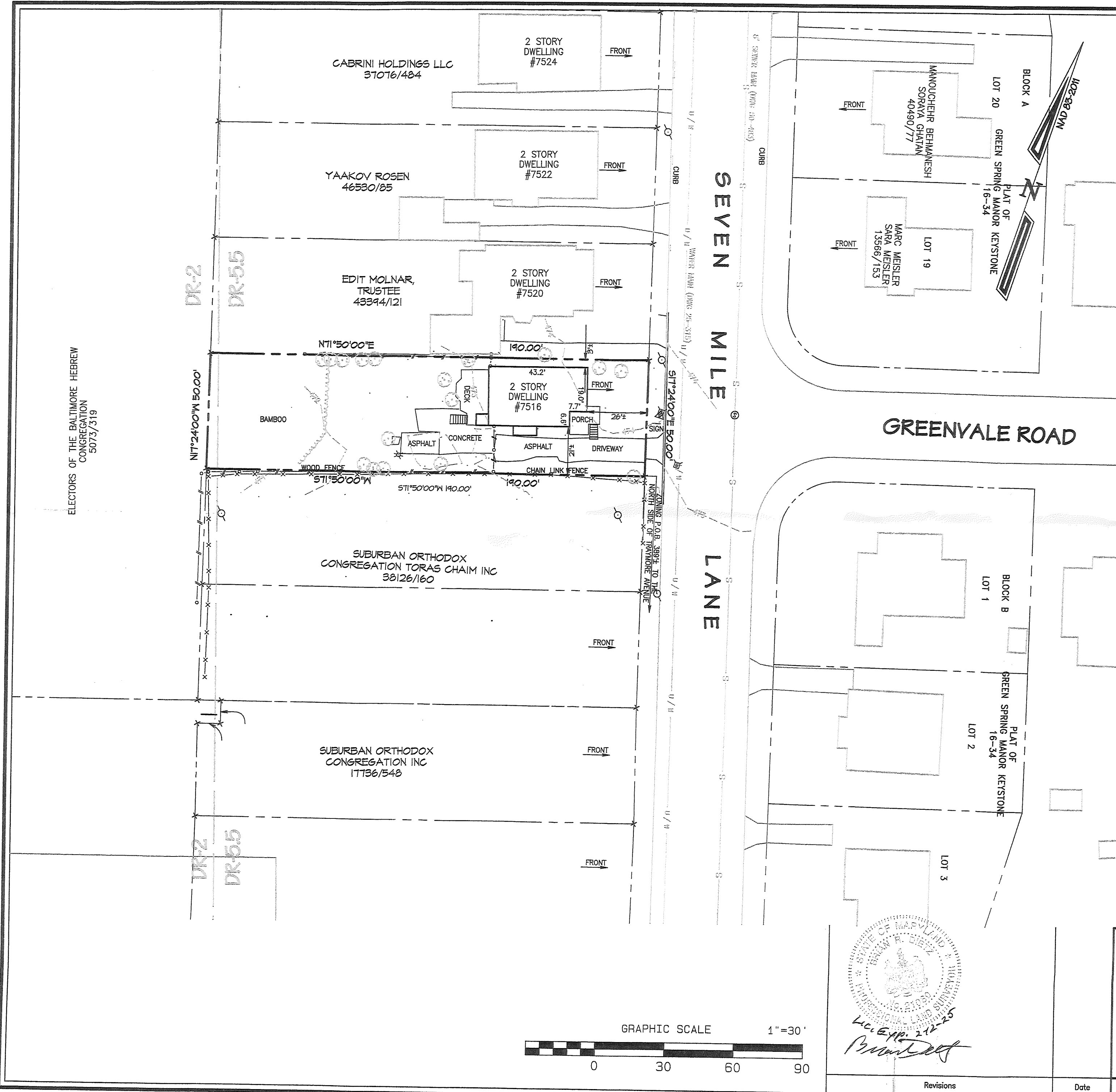
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Containing 0.21 &Ac. or 9,500 square feet of land more or less. Being known as 7516 Seven Mile Lane and located in the 3rd Election District, 2nd Councilmanic District.



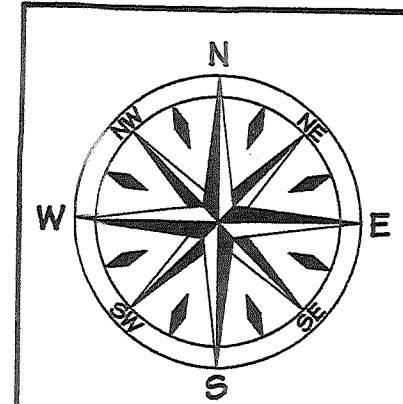
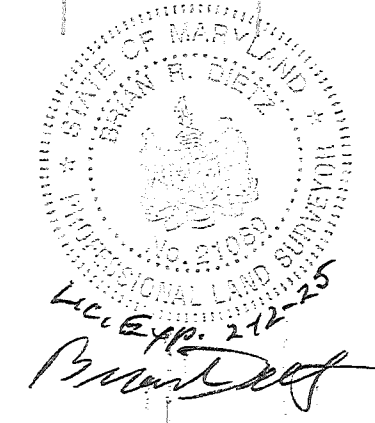


Vicinity Map Scale: 1" = 2000'

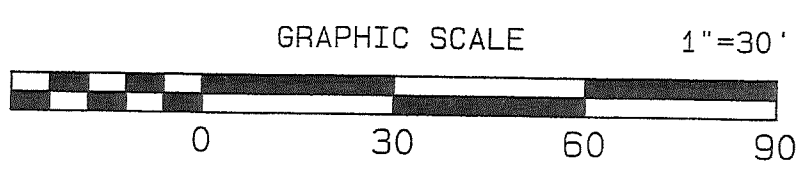
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Baltimore MD. 21208
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3. Site Area= 9,500 sq.ft.±
4. This site is not in the Chesapeake Bay Critical Area.
5. This site is not in the 100 year flood plain.
6. There are no underground fuel tanks.
7. This is not a historic property/building.
8. This site is serviced by public sewer and water.
9. No prior Zoning Hearings.

**Plat to Accompany
a Petition for a
Zoning Hearing**
of the property of
**Jacob Milner
Goldie Milner**
7516 Seven Mile Lane
Baltimore County, Maryland
Deed Ref.: J.L.E. No. 48878, folio 173
Tax Map 78; Grid 4; Parcel 648
3rd Election District, 2nd Councilmanic District
Scale: 1"=30' Date: October 25, 2024



Dietz Surveying Inc.
Land Surveying and Land Planning
8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsurveying.net



Revisions	Date	Plot Date: 1/2/2025	FIELD: JMD	DRAWN: BRD	Job No. 24337
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ELECTORS OF THE BALTIMORE HEBREW CONGREGATION 5073/519

File Name: Z:\Seven Mile Lane 7516 Job# 24337\SEVEN MILE LN 7516.pro

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 2/18/2025

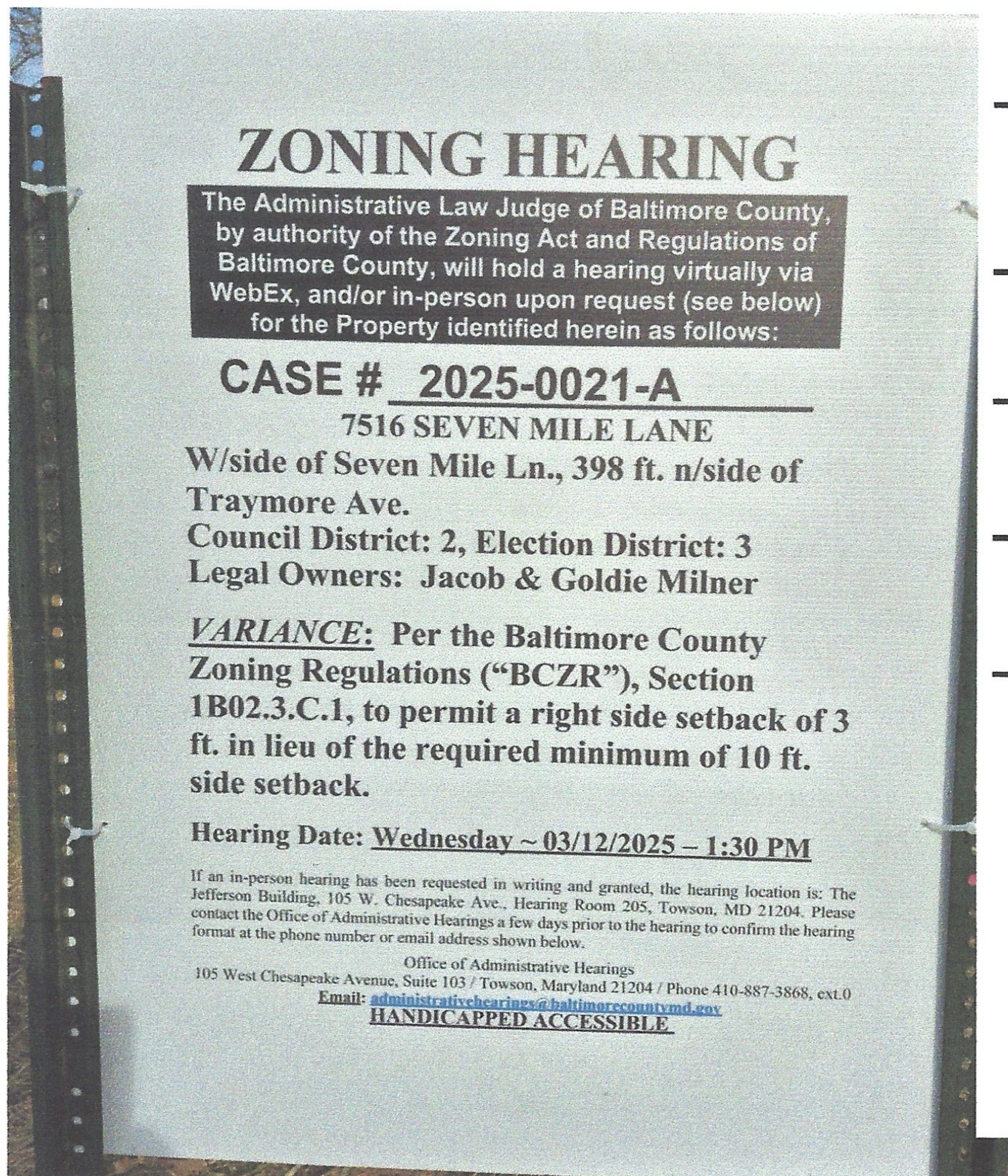
Case Number: 2025-0021-A

Petitioner / Developer: PARK HEIGHTS GROUP &
JACKIE & GOLDIE MILNER

Date of Hearing: MARCH 12, 2025

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
7516 SEVEN MILE LANE

The sign(s) were posted on: FEBRUARY 18, 2025



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: February 18, 2025

SUBJECT: DEPS Comment for Zoning Item # 2025-0021-A
Address: 7516 SEVEN MILE LANE
Legal Owner: Jacob & Goldie Miller

Zoning Advisory Committee Meeting of February 18, 2025.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Additional Comments:

Reviewer: Earl Wrenn

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: February 11, 2025

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2025-0021-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: No Exception taken.

Landscaping: No comment.

Recreations & Parks: No comment LOS & No Greenways affected.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 2/24/2025

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2025-0021-A

INFORMATION:

Property Address: 7516 Seven Mile Lane
Petitioner: Jacob & Goldie Milner
Zoning: D.R. 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

Variance - From Section 1B02.3.C.1 of the Baltimore County Zoning Regulations to permit a right side setback of 3'10" in lieu of the required minimum of 10' side setback.

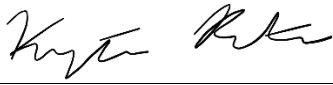
The proposed site is a 9,500 square foot property zoned D.R. 5.5. It is surrounded by mostly residential properties and is currently improved with existing structures. The applicant proposes to raze the existing structure and construct a new dwelling with a larger footprint.

The existing land use is currently a residence. The proposed dwelling will be a 43.2'X25.6' two-story home. The requested zoning relief, as said in above request, appears to have minimal impact on adjacent properties and the public right of way. The proposed dwelling will be setback from the road at a distance that is compatible with the other neighboring homes, continuing the defined street edge. It does not appear to encroach upon neighboring lots or impede vehicular or pedestrian circulation. It is understood the request is consistent with the narrow, deep lots that make up the neighborhood. The proposal does not counter the current fabric and character of the existing neighborhood and achieves a desired design with the assistance of minimal relief.

Planning has no objections to the requested setback relief as the new dwelling's location does not appear to present any adverse impacts on the health, safety, and wellness of the community.

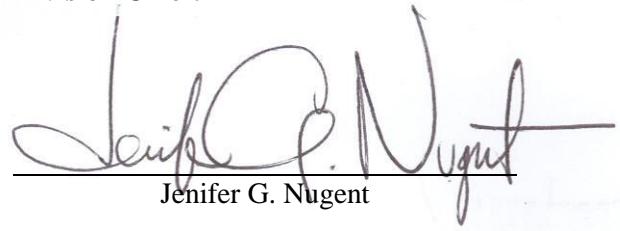
For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Richard Abramson
Sydnie Cooper, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

Real Property Data Search ()
 Search Result for BALTIMORE COUNTY

[View Map](#) [View Ground Rent Redemption](#) [View Ground Rent Registration](#)

Special Tax Recapture: None
 Account Number: District• 03 Account Identifier - 0303024300

Owner Information

Owner Name: MILNER JACOB P Use: RESIDENTIAL
 MILNER GOLDIE Principal Residence: YES
Mailing Address: 7516 SEVEN MILE LN Deed Reference: /49721/ 00218
 BALTIMORE MD 21208-4533

Location & Structure Information

Premises Address: 7516 SEVEN MILE LN Legal Description: LT WS SMITH AVE
 BALTIMORE 21208-4533 7516 SEVEN MILE LAWS
 308 S SMITH AVE

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
 0078 0004 0648 3050069.04 0000 2023 Plat Ref:
 Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1922 1,526 SF 9,500 SF 04

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
 1 1/2 YES STANDARD UNITSIDING/4 2 full

Value Information

	Base Value	Value As of 01/01/2023	Phase-in Assessments	
			As of 07/01/2024	As of 07/01/2025
Land:	76,900	85,500		
Improvements	171,800	224,400		
Total:	248,700	309,900	289,500	309,900
Preferential Land:	0	0		

Transfer Information

Seller: 7516 SEVEN MILE LANE LLC Date: 12/26/2024 Price: \$489,999
 Type: ARMS LENGTH IMPROVED Deed1: /49721/00218 Deed2:
 Seller: SIMMONS KEITH L SR Date: 03/20/2024 Price: \$325,000
 Type: ARMS LENGTH IMPROVED Deed1: /48878/ 00173 Deed2:
 Seller: FRIEDMAN EDITH F Date: 06/29/2001 Price: \$0
 Type: NON-ARMS LENGTH OTHER Deed1: /15362/00311 Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2024	07/01/2025
County:	000	0.00
State:	000	0.00
Municipal:	000	0.0010.00

Special Tax Recapture: None

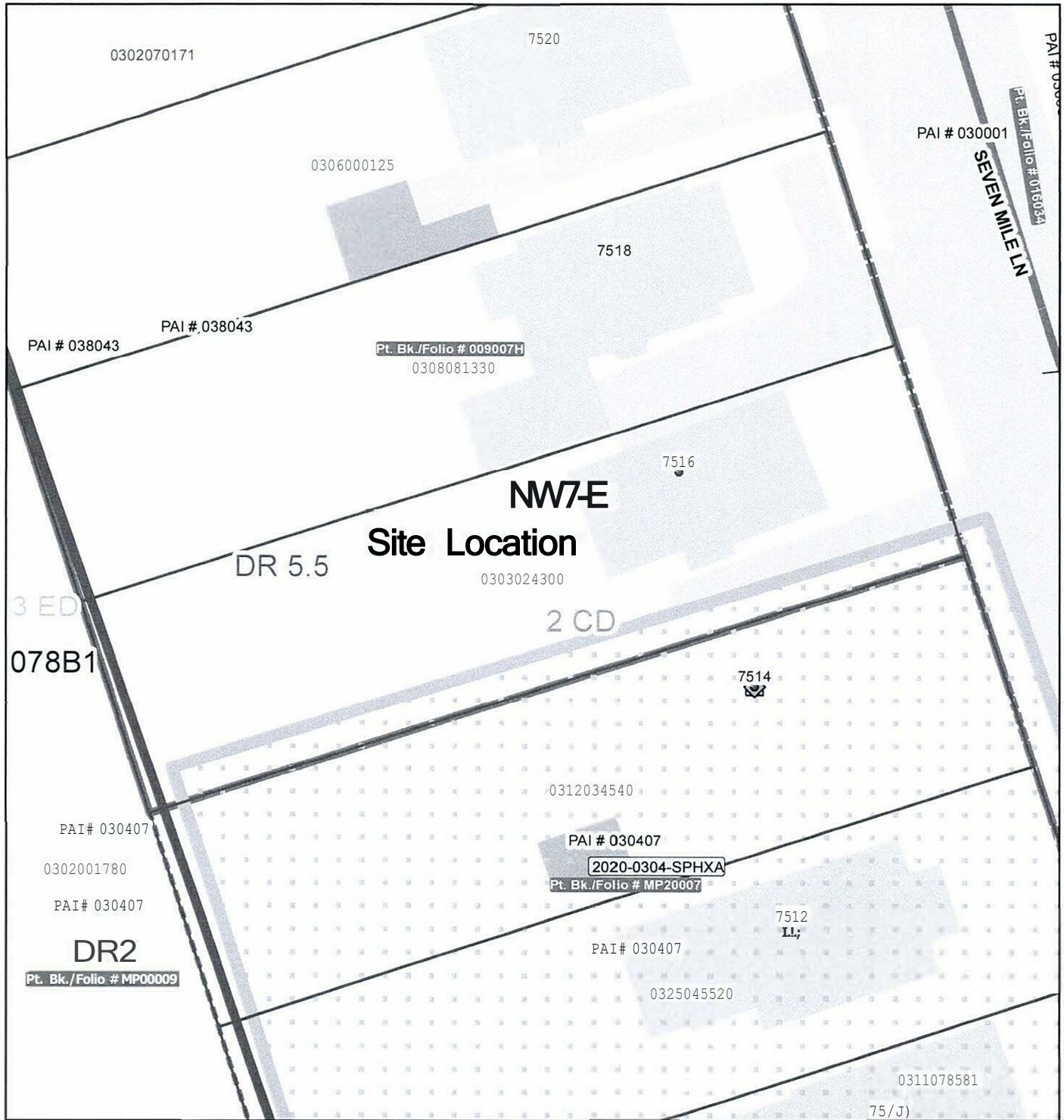
Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

7516 Seven Mile Ln



Publication Date: 1/24/2025



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 5 10 20 30 40
Feet

1 inch = 30.810826 feet