THO A	TON
PETITION I JR ZONING RE-CLAS IFICA'	IION
AND/OR SPECIAL EXCEPTION	*69-35X
TO THE ZONING COMMISSIONE OF BALTIMOBE COLNTY. EVAN "SELECTAL ADACTOR and I, or we, "MYCOMES, Stalley, Exeld a, legal owner, of the property size County and which is described in the description and plast attacked hereto and manerely petition (1) that the zoning status of the herene described property be recli to the Zoning Law of Baltimere County, from an	ate in Baltimore MAP
zone; for the following reasons	3H2-7 4-D
See attached description	
Taning Demilities	one of Paltimore
and 2) for a Special Exception, under the said Zoning Law and Zoning Regulation	
County, to use the herein described property, for . Community building a	nd swittening be
pool.	
Property is to be posted and advertised as prescribed by Zoning Regulations.	
I, or we, agree to pay expenses of above re-classification and/or Special Exce	
posting, etc., upon filing of this petition, and further agree to and are to be box	
regulations and restrictions of Baltimore County adopted pursuant to the Zoning i	aw for Baitimore

Course Dauger Agent Carroll Manor Swimming Club, Inc.

Contract Dauger Agent Carroll Manor Swimming Club, Inc.

Contract purchaser

Address. J.M. Hardwin Lagal Address 39 Houses Tallace Baldwin, Maryland 21013 Poet WASHINGTON A.T Chenson 11d 21152 Petitioner's Attorney ORDERED By The Zoning Commissioner of Paltimore County, this. 2nd day 196. 8, 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, Baltimor County, on the 14th day of August A- M at 2 - 40 PM → 35-

BALTT 'ORE COUNTY, MARY' AND OFFICE OF FINANCE Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204 FROM THE OFFICE OF GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC. ENGINEERS P. U. BUX #6818, TU-ISON, HD. 21204

*69-35X

Rud Stalle

TOWNON, MD. 4140

7450 POWER AND MOSNI

ng:
Prillion for S, ecial Exception for
a Community Building and Swim-ming Pool.
All that parcel of land in the
Eventh Building Com-

Beginning for the same at an iron pipe set in the second line of the land described in the deed from James E. Hancock, unmarried, to H. Chapline Staley, Jr. and wife, dated September 17, 1945 and recorded among the Lend Records of Baltim County in Liber R.J.S. No. 1406 folio 233, at the distance of 90 feet from the mentioned road, said crossing being 260 feet west of the intersection of Devembrook Road as shown on the said plat of Carroll Manor Extension, 426 feet thence by a line of division as now established South 59° 59'. 10" West 308.9 feet, thence South 11° 39' 30" East 308.9 feet, thence North 78° 20' 30" East 428 fact to the place of beginning; containing 3.03 acres of land, more or less.

logether with the use, in common with others entitled thereto, of a right of way 20 feet wide adjacent to the east line of the whole tract of which the rbove described lot is part, and extending from the northeast corner of the above described lot to the Carroll Manor Road, for purposes of ingress and egress.

Being all of the first parcel of land described in the deed dated June 19, 1962 which was conveyed by H. Chapline Staley, Jr. et ux to Evan Shipman Jackson et ux and recorded in the Land Records of Baltimore County in Liber W.J.R. 4004

EXT. 3	BAI	IMORE COUNTY, OFFICE OF FIT	AVINCE	No. 56218
33.0	Ideard D. Burger Fronkline Road aldein, Hd. 21013	COURT HOUSE TOWSON, MARYLAND	21204 ENLED Zoning Dept. of Ba	
56.25 mg	Aivertising and post	DETACH ALONG PERFORATION AND	NATHER PORTION WITH YOUR KEEP THIS PORTION FOR YOU S. Floid	TOTAL AMOUNT \$56.75
	RTANT: MAKE CHECKS	PAYABLE TO BALTIMORE ON & RECEIPTS, COURT F	COUNTY, MARY	LAND

EVAN SHIPMAN JACKSON,
BARBARA S. FIELD,
CARROLL MANOR SHIMMING CLUB, INC.
Appellants
Appellants
Appellants * FOR * BALTIMORE COUNTY COUNTY BOARD OF APPEALS John A. Slowi's Walter A. Reiter, Jr. John A. Miller RE: PETITION FOR SPECIAL EXCEPTION FOR COMMUNITY BUILDING AND SWIMMING POOL
North Side of Countryside Land *
260 Feet West of Devonbrook
Road 11th District PETITION FOR EXTENSION OF TIME TO TRANSMIT RECORD Appellants respectfully petition as follows:

1. The transcript in the above matter is due to be file in this Court on September 2, 1969.

2. The stenographer has advised counsel that, due to vacations and backlog, that he will not be able to have the transcript prepared for a period of sixty (60) days after the due date

WHEREFORE, it is prayed that this Honorable Court grant an extension of sixty (60) days within which to file the record in this Court.

WILLIAM F. MOSNER Attorney for Appellants

ORDER

Upon the aroregoing Petition it is this 2 day of August, 1969 by the Circuit Court for Baltimore County ORDERED that an extension of sixty (60) days from 9/2/69 be and the same is hereby granted to Appellants for filing the record in this Court.

/ Leston BARRETT a copy of the aforegoing Petition and Order was mailed to Trank E. Cloone, Esquire, First National Bank Building, Towson, Maryland 21204, Attorney for Appellees.

WILLIAM P. MOSNER

TOWSON LINES TOWSON, MD, 21204 July 29, THIS IS TO CERTIFY, that the annexed advertisement of

John G. Rose, Anning Commissioner of Baltimore County

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for Une. weeks before the 29th inv or July. 19 68 that is to say, the san was inserted in the issue/of July 25, 1968.

STROMBERG PUBLICATIONS, Inc.

By Little Magone

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

OUANTITY	DATACH ALONG PERFORATION AND RESPONDENCE OF THIS PORTION OF THE PORT OF THE PO	N WITH YOUR REMITTANCE	75.
71 178	Cost of appeal - property of Evan S. Jakeson, et al No. 69-35-X l sign	70. 00 5. 00	\$75.
75.00 mg	4		

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

CERTIFICATE OF PUBLICATION

day of _____ Avoust _____ 19 48, the first publication appearing on the ... 25th ... day of ... July

THE JEFFERSONIAN

TELEPHONE 623.3000 EXT. 387	OFFICE OF FINANCE	65651 4/29/40
To: 21 V	TOWSON MARYLAND 21204	14/4
OBANTIT	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECAING	
1 30 C4	of of cortified decumants - Case No. 40-25-35 Even Shipmen Jockson, Backson S., Fladd (Countil Atoma Seriembry Chib, Inc., contr., par.) (14/5 of Countypide Losse 550° W. of (14h Disorter)	20.00
00 C 00 (4)	TANT, MAKE CHECKS PAYABLE TO BALTIMODE SHAPE	

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21224

Re: Petition for Special Exception Petition for Special Exception
For Community Building &
Swimming Pool - N/S of
Countryside Lane 260° W, of
Devonbrook Road, 11th
District - Evan S, Jackson and Barbara Stalev Field

ING

DATE 4/3

Sefore

Baltimore County

No. 69-35-X

The petitioners requested a special exception for a Community Building and Swimming Pool on property located on north side of Countryside Lane 200 feet west of Devonbrook Road, in the Eleventh District of Baltimore County.

As the petitioners have complied with Section 502.1 of the As the petitioners have complied with Section 202, 10 the Beltimore County Zoning Regulations except that an adequate public road has not been constructed to serve the facility, the special exception should be granted with restrictions provided in this Order.

It is this force to the community building and Swimming Pool, should be and the same is granted with the same is granted. If the same is granted, from and after the date of this Order, subject to the following:

That the owners and operators of the proposed Community Building and Swimming Poul may not use the facility until such time as a public road is constructed to serve the Community Building and Swimming Poul.

The site plan is subject to approval of the Bureau

of Public Services and the Office of Planning and Zoning.

Zoning Commissioner

Jackson-Field - No. 69-35-X - 3 -

subtitle B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

John A. Slowik, Acting Chairman

FRANK E. CICONE Attency At Law FIRST NATIONAL BANK BLDG September 25, 1963



Mr. John G. Rose
Zoning Commissioner
Baltimore Country Office
of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 2:204

Re: Pertition for Special Exception N/S Countryside Laue 260' W. Devombook Road, 11th District Even S. Jackson and Barbara S. Field, Pertitioners No. 69-35-X.

Dear Mr. Rose:

I am hereby taking an appeal to the County Board of Appeals on behalf of Mr. and Mrs. Robert Lentz, Mr. and Mrs. Bettem H, Morales, Mr. Eckert Christian J. Bitters, Mr. and Mrs. Richard Batter St. Mr. and Mrs. Richard Batter St. Mr. and Mrs. Protessing Mr. and Mrs. Elmer R, Haile, Jr., et al., Protessing to the Order rendered in the above-entitled case on the 30th day of August, 1968.

I am enclosing herewith a check to cover the cost of this

Very truly yours,

Frank E. Cicone Attorney for Protestants

ZONING FILE 169-35-X EVAN SHIPMAN JACKSON, BARBARA S. PIELD, CARROLL MANOR SWIMMING CLUB, INC. Appellance CIRCUIT COURT VS. COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY POR John A. Slowik Walter A. Reiler, Jr. John A. Miller RE: PETITION FOR SPECIAL ENCEPTION FOR COMMUNITY BUILDING AND SHIMMING FOOL North Side of Country-side Lane 260 Feet Mest of Devonbrook Road lith District Case No: 4279 Folio:

ORDER OF DISMISSAL

MR. CLERKI

Please enter the appeal in the above case "dismissed".

WYLLTAM F. HORNER WILLIAM F. MOSHER
Attorney for Appeliants
21 West Susquehanna Avenue
Towson, Maryland 21204
823-1250

I HUREBY CERTIFY, that on this / day of December, 1969, a copy of the aforegoing Order of Dismissal was mailed to the County 'oard of Appeals, County Office Building, 111 West Chesanuake Avenue, Towson, Naryland 21204 and to Frank E. Cicone. Esquire, Pirst National Bank Building, Towson, Maryland 21204.

GEG:bm

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE FOR COMMUNITY BUILDING AND SWIMMING POOL COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Evan Shipman Jackson Barbara S. Field Petitioners
Carroll Manor Swimming Club, Inc. : No. 69-35-X

> OPINION

This case comes before the Board on an appeal by the Protestants from an Order of the Zoning Commissioner granting the petition.

The subject property is located on the north side of Countryside Lane, 260 feet west of Devonbrook Road, in the 11th Election District of Baltimore County. The present zoning is R-6, and the requested swimming pool is a permitted use in an R-6 zone by authority of a special exception. The tract is 3.03 acres in size. The proposes pool will be approximately 35 feet by 75 feet, plus an cifset for a diving area. A

There was testimony that neither public sewer nor water service the site. and it would be necessary to have a deep well and a septic sewerage system installed. The Supervisor of the Sail Testing Division of the Baltimore County Health Department testified that based on soil tests n...de by his department, a septic sewerage system is

Under cross-examination the Petitioner responded that there are no public roads connecting to the site at present. However, Mr. Charles Comeau, the builder of the adjacent Devonbrook and Carroll Manor developments, testifying for the Petitioner stated that he has cut and graded for the bed of the proposed street extension of Country vacant lots. This is planned to be done in the next aighteen months, and these streets

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

SUBJECT Petition 69-35-X, Special Exception for a Community Building and Swimming Pool. North side of Count de Lune 260 feet west of Devenbrook Road.

Evan S. Jackson, et al. Petitioners.

The staff of the Office of Planning and Zoning has reviewed the subject petition for Special Exception for a Community Building and Swimming Pool. It has the following advisory comments to make with respect to pertinent planning factors:

Approved subdivision plans for the Carroll Manor Extension left Country-

Approved subdivision plans for the control manage Extension term Country-side Lane terminating at the southeaster corner of the subject property. The subdivision plan contemplared the extension of their road to link with future development of adjacent properties and to provide alternate means of ingress and egress to the area of large from either Manor Road or Carroll Manor Road. Although alternative alignments for the extension may be possible, any extension of Countryside Lane would affect the subject property.

All County agencies agree that Countryside Lane should be extended. Failure to require such extension would place the subject petition in violation of the requirements of Section 502. Le of the Zoning Regulations.

Are the conditions of ground water supply and soil type adequate to support the proposed swimming racility without adversely affecting adjoining properties?

HEARING: Wednesday, August 14, 1968 (10:00 A.M.)

TO Mr. John G. Rose, Zoning Commissioner Date August 2, 1968

FROM George E. Gavrelis, Director of Planning

1th District

Jackson-Field - No. 69-35-X

tentile volume

- 2 -

public works agreement with the County to build the roads.

will serve the subject property. He acknowledged that he had not yet entered into a

rated by the swimming pool would be minor and would be at other than peak

traffic hours. He also stated that the streets would be able to adequately handle the

that their properties, valued in the \$35,000.00-\$40,000.00 range, would be adversely

affected due to increased traffic and commercial vendors using their residential streets.

Also they feared an increase in noise, litter and aggravated sewer and water problems

affecting their homes. They also felt that even when the streets are extended the pool

still would be located on a dead end residential street with only one way in and out for

is vague and that the use of residential streets for pool traffic would be detrimental to the

complainants. The Board finds that the Patitioner has failed to overcome the burden of

satisfying the requirements of Section 502. I of the Zoning Regulations in that granting

the petition would be detrimental to the health, safety and general welfare of the

locality involved; and the decision of the Zoning Commissioner is hereby reversed.

The Board is of the opinion that the testimony regarding street con

A recognized traffic expert testified that in his opinion the traffic

Several nearby neighbors protested the petition. Briefly, they complain

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 10th day of July, 1969, by the County Board of Appeals ORDERED, that the special exception petitioned for be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100,

69-35-X

SALTENORE COUNTY OFFICE OF PLANNING AND ZONING COUNTY OFFICE BUTLDING TONSON, MARYLAND 21204

SUBJECT: Special Exception for commanity building, for Evan located V/End Countryside La V of Dovembrook Read 11th District (Tues A, July 2, 1968)

#69-35 X

The Zening Advisory Countities has reviewed the subject petition and has the following essents to offer:

SUREAU OF ENGINEERING.

MEANN SEPARTHEFT:
Filer be sepreved of the building application for the peol and bathhouse
the complete section of less must be submitted to the Health Squarkment for
review and approved, Also, a soil overhealth must be cateraine the
statishity of the soil for embergreened sample disposal and for disposal
of the filtered bedonesh unter. The unter unil must be desired to
managements in determine if designate user can be obtained for this opera-

Zunima Administration DIVISION:

If the petition is granted, no eccupancy may be made until such time as plans
there been submitted and approved and the property inspected for compliance to
approved plan.

the zoning Tolther represents are not intended to judicate the appropriatement of present and the zoning Tolther represent, but to essure that all parties are note energy rions or problems that may have a bearing on this case. The Director entire the Office of Plonning and Carding will bearing with the propriet of the Office of Plonning and Carding will bear the Zoning Commissioner's hearing.

The fellowing members had no com

Project Flanning Division Bureau of Traffic Engineer Bureau of Fire Prevention State Reads Commission Building Engineer Beard of Education Industrial Development

Very truly yours,

JAMES BL OVER,

c: Carlyle 3rmon-Bur. of Engr. William Greenemit-Health Dept.

FOWER AND MOSNI

EVAN SHIPMAN JACKSON, BARBARA S. FIELD, CARROLL MANOR SWIPMING CLUB, INC. CIRCUIT COURT Appellants FOR BALTIMORE COUNTY COUNTY ROARD OF APPEALS OF BALTIMORE COUNTY John A. Slowik Walter A. Reiter, Jr. John A. Hiller PETITION FOR SPECIAL EXCEPTION*
POR COMMUNITY BUILDING AND POR COMMUNITY BULLDING ASSESSMENT POOL
North Side of Countryside Lane
260 feet West of Devonbrook
Road 11th District

NOTICE OF APPEAL

MR. CLERK:

Please enter an appeal to the Circuit Court of Baltimore County from the Order of the County Board of Appeals entered in the above case on July 10, 1969.

WYLLIAM F. MOSNER Attorney for Appellants 21 W. Susquehanna Avenue TOWSOn, Maryland 21204 21204

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 3 / day of July, 1969 a copy of the aforegoing Notice of Appeal was served on The County Board of Appeals of Baltimore County, County Office Building, Towson, Maryland 21234, and a copy mailed to Frank E. Cicone, Esquire, Pirst National Bank Building, Towson, Maryland 21204, attorney for protestants.

Music WILLIAM P. MOSNER

EVAN SHIPMAN JACKSON, BARRARA S. FIELD, CARROLL MANOR SMINHING CLUB, INC. Appellants COUNTY BOARD OF APPEALS

IN THE CIRCUIT COURT

BALTIMORE COUNTY John A. Slowik Walter A. Reiter, Jr. John A. Miller

RE: PETITION POR SPECIAL EXCEPTION PETITION FOR SPECIAL EXCEPTION FOR COMMUNITY BUILDING AND SWIMMING POOL North Side of Countryside Lane 260 Feet West of Devonbrook Road 11th District

PETITION

Appellants, by POWER AND MOSNER their attorneys, file this Petition in compliance with Maryland Rule B 2(e):

- 1. The action appealed from is the order of the County Board of Appeals dated July 10, 1965, denying to Appellants a Special Exception for a Community Building and Swimming Pool to be located on the Nor h Side of Countryside Lane in the 11th District of Baltimore County. A copy of the Opinion and Order of the County Board of Appeals is attached hereto as Exhibit I.
- 2. The County Board of Appeals committed error in finding that the granting of the Petition would be detrimental to the health, safety and general welfare of the locality involved in that there was no evidence presented to such effect and there was creditable evidence presented by Appellants to show that granting the Petition would not be detrimental to the health, safety and general welfare of the locality involved.
- 3. Appellants pray that this Honorable Court reverse the decision of the County Board of Appeals and affirm the original Order of the Zoning Commissioner which granted the Petition.

WILLYAM P. POSNER Attorney for Appellants 21 W. Susquehanma Avenue Towson, Maryland 21204 823-1250

Offeel . DEPARTMENT OF BALTIMORE COUNTY #69-35-X

Date of Posting Oct-17-68 Particles of Property It's I Country Soil Served Mina Landon of Color Twation of Signe 1 Fort of April 240 Mok of Desembrech Rd

Date of return Oct 29 - 68

CERTIFICATE OF POSTEM DEPARTMENT OF SALTIMORE COL

Posted for Hearing Wed aug 14" 1965 @ 10: 20 2 AM Posted for Maring, Med. My 14-14ht a 12 20-14 Mb.
Pretitioner: Clinic Shyuman Joshum Et
Loration of reporty. N. 5 g. Cauntry belle Lines 266' M. g. Duranhood
Rosel .

Location of Signs. O. Posted gard Sta West y Sinhaland. Bel Jessey.

Cauntypiel Some

---POWER AND MOSNE

69-35-X

CERTIFICATE OF SERVICE

a copy of the aforegoing Petition was served on The County

attorney for protestants.

Board of Appeals of Baltimore County, County Office Building,

Towson, Maryland 21204, and a copy mailed to Frank E. Cicone,

Esquire, First National Bank Building, Towson, Maryland 21204,

I HEREBY CERTIFY, that on this 30 day of July, 1969,

WILLIAM F. MOSNES

Posted by Merel H. Sugar

