

72-110-A **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Oscar and Judith T. Kantt, legal owners 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 Sect. 3.400.1.1 to permit an accessory structure (swimming pool) to be located in the side yard rather than the required rear yard.

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

- The back yard has a very steep grade that would require extensive grading and preventing drainage into the pool would be a major problem.
- The back yard has very old and pretty popular trees that would be necessary to remove in order to build the pool there.

See attached description

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.

Contract purchaser: Oscar and Judith T. Kantt
Address: 6627 Charlesway
Baltimore, Maryland 21204
Petitioner's Attorney: [Signature]
Protestant's Attorney: [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of October, 1971, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 28th day of October, 1971, at 10:00 o'clock.

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

RE: PETITION FOR VARIANCE from Section 400.1 of the Zoning Regulations S/S Charlesway Road 406.15' W. of Charles Street 9th District Oscar and Judith T. Kantt, Petitioners

BEFORE: COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY No. 72-110-A

OPINION

This case comes before the Board on an appeal by the Protestants from an Order of the Zoning Commissioner, dated December 14, 1971, granting the petitioned variance.

The Petitioner herein seeks a variance from Section 400.1 of the Zoning Regulations to permit an accessory structure (swimming pool) to be located in the side yard rather than the rear yard of his lot. He claims that the rear yard would require extensive grading; that preventing drainage into the pool would be a major problem, and that large trees would have to be removed.

The Protestants objected to granting the variance because a side yard pool would be in closer proximity to their houses than a rear yard pool thereby affecting their privacy; that there would be problems of drainage onto their lots; that trees would also have to be removed if the pool were located in the side yard, and that they knew of no variances of any nature being granted in their subdivision, which is known as Charleswood. They had no objection to a pool being properly located in the Petitioner's rear yard as permitted by the regulations.

There was testimony that it is physically possible to locate the pool in the Petitioner's rear yard, which is permissible without a variance.

The Petitioner has failed to overcome the burden of proving that strict compliance with the Zoning Regulations would result in practical difficulty and unreasonable hardship; therefore, the Board hereby reverses the Zoning Commissioner's Order of December 14, 1971, and denies the requested variance.

Oscar and Judith T. Kantt - #72-110-A

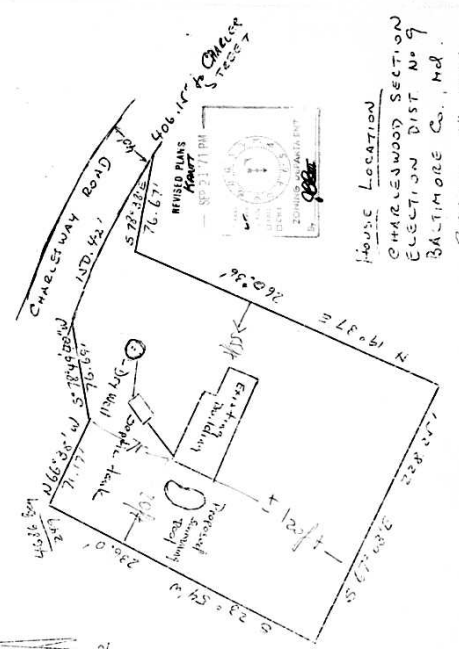
ORDER

For the reasons set forth in the foregoing Opinion, it is this 9th day of November, 1972, by the County Board of Appeals, ORDERED that the variance petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

[Signatures]
John A. Slowik
Walter A. Reiter, Jr.
John A. Miller



HOUSE LOCATION
CHARLESWOOD SECTION
ELECTION DIST No. 9
BALTIMORE CO., MD.
SCALE 1" = 50'

OSCAR & JUDITH T. KANTT
6627 CHARLESWAY
BALTIMORE, MD 21204
9.18.71

PROPERTY DESCRIPTION

6627 Charlesway, Baltimore
Baltimore County

Being located on the South side of Charlesway Road, 406.15 feet West of Charles Street, known as DB 6627 Charlesway, being the same lot of ground which by Deed dated January 3, 1961, and recorded among the Land Records of Baltimore County in Liber W.J.R. No 3795, Folio 203, was granted and conveyed by Florence A. Maskol, widow, unto the within grantors.

WILLIAM S. BALDWIN
ATTORNEY AT LAW
24 WEST PENNSYLVANIA AVE
TOWSON, MARYLAND 21204
VALLEY 3-0200

December 22, 1971

The Honorable S. Eric DiNenna,
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
S/S of Charlesway Road, 406.15'
W of Charles Street - 9th District
Oscar Kantt, et ux - Petitioners
No. 72-110-A (Item No. 22)

Dear Mr. DiNenna:

Please enter an Appeal to the Baltimore County Board of Appeals on behalf of Dr. John R. Davis and wife, from your Order of December 14, 1971 granting the variance in the above captioned matter.

Enclosed herewith is my check in the amount of \$35.00 payable to Baltimore County, Maryland.

Very truly yours,

[Signature]
William S. Baldwin

WSB/mjs
Enclosure
CC: Dr. John R. Davis
6629 Charlesway
Towson, Maryland 21204

WILLIAM S. BALDWIN
ATTORNEY AT LAW
24 WEST PENNSYLVANIA AVE
TOWSON, MARYLAND 21204
VALLEY 3-0200

October 14, 1971

S. Eric DiNenna,
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

RE: OSCAR KANTT - PETITION FOR VARIANCE
6627 Charlesway - 9th District
Case No.: 72-110A, Date of Hearing -
October 28th, 10:00 a.m.

Dear Mr. DiNenna:

Please enter my appearance as attorney for Protestants in the above captioned matter, John Russell Davis and Joanne Davis, his wife, who reside at 6629 Charlesway.

My clients are strongly opposed to the granting of this variance as the requested variance to allow the construction of a swimming pool in the location asked for, would be immediately to the rear of my client's residence.

Please notify me of any postponements, etc.

Very truly yours,

[Signature]
William S. Baldwin

WSB/mjs

TO: Attention: Mr. Ryers, Zoning Commissioner DATE: July 30, 1971

FROM: Lieutenant Thomas R. Kelly
Fire Department

SUBJECT: Property Owner:

Oscar and Judith T. Kantt

Location: S/S Charlesway Road, 406' W of Charles Street

ITEM # 22 Zoning Agenda July 27, 1971

The Fire Department has no comment on the proposed site.

Respectfully submitted,

[Signature]
THOMAS R. KELLY
Fire Prevention Bureau

Pursuant to the advertisement, posting of property, and public hearing on the above petition, and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners,

the above Variance should be had; and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community,

to permit an accessory structure (swimming pool) a Variance to be located in the side yard instead of the required rear yard

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of December, 1971, that the herein Petition for a Variance should be and the same is granted from and after the date of this order, to permit an accessory structure (swimming pool) to be located in the side yard instead of the required rear yard, subject to the approval of a site plan by the Bureau of Public Services, Zoning Commissioner of Baltimore County and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of December, 1971, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 31, 1971

OFFICE OF THE ZONING COMMISSIONER
213 CHARLESWAY RD.
BALTIMORE, MARYLAND 21204

OLIVER L. MYERS
Chairman

MEMBERS:

JUDITH T. KANTT

DEPARTMENT OF

PLANNING AND ZONING

STATE OF MARYLAND

DEPARTMENT OF

HEALTH, PHYSICAL EDUCATION

AND RECREATION

PROJECT PLANNING

BALTIMORE COUNTY

DEPARTMENT OF

PLANNING AND ZONING

STATE OF MARYLAND

DEPARTMENT OF

HEALTH, PHYSICAL EDUCATION

AND RECREATION

PROJECT PLANNING

BALTIMORE COUNTY

DEPARTMENT OF

PLANNING AND ZONING

STATE OF MARYLAND

Mr. Oscar Kantt
6627 Charlesway
Baltimore, Maryland 21204

RE: Type of Hearing: Variance
Location: S/S Charlesway Road, 406' W. of Charles Street
Petitioner: Oscar and Judith T. Kantt
Committee Meeting of Tuesday, July 27, 1971
9th District
Item 22

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently improved with a dwelling, with the surrounding properties improved with same, five to twenty years of age, in excellent repair. Charlesway Road is presently improved insofar as concrete curb and gutter is concerned.

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway improvements or utilities are not involved.

This property is utilizing a metered water connection from the existing public water main. However, public sanitary sewerage is not available; therefore, this property is employing a private on site sewage disposal system.

DEPT. OF TRAFFIC ENGINEERING:

The subject variance should have no effect on traffic.

Mr. Oscar Kantt
Page 2
August 31, 1971

BUILDINGS ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations when plans are submitted.

HEALTH DEPARTMENT:

A revised plot plan must be submitted showing the private sewage disposal system location and description of same on plan prior to hearing.

BOARD OF EDUCATION:

No bearing on student population.

FIRE DEPARTMENT:

This office has no comment on the proposed site.

ZONING ADMINISTRATION DIVISION:

A revised site plan must be submitted to this office indicating the type and location of the private sewage disposal system on the property.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

OLH:JO
Enc.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Blumens Date: August 2, 1971
ATTN: Oliver L. Myers
FROM: Ellisworth N. Myers, P.E.

SUBJECT: Item 22 (1971-1972)
Property Owner: Oscar and Judith T. Kantt
S/S Charlesway Road, 406' W. of Charles Street
Present Zoning: D.R. 2
Proposed Zoning: Variance from 400.1 - swimming pool in a side yard
District: 9th
No. Acres: 225' x 225'

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway improvements or utilities are not involved.

This property is utilizing a metered water connection from the existing public water main. However, public sanitary sewerage is not available; therefore, this property is employing a private on site sewage disposal system.

Ellisworth N. Myers, P.E.
Chief, Bureau of Engineering

END:ENR:PM:res

cc: William M. Greenwalt

0-25 Key Sheet
36 W 3 Position Sheet
NW 9 A Topo
69 Tax Map

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204

INTER-OFFICE CORRESPONDENCE

TO: Edward D. Hardesty Date: July 28, 1971
ATTN: Oliver L. Myers
FROM: C. Richard Moore
SUBJECT: Item 22 - ZAC - July 27, 1971
Property Owner: Oscar & Judith T. Kantt
Charlesway Road W. of Charles St.
Variance from 400.1 - swimming pool in a side yard

The subject variance should have no effect on traffic.

C. Richard Moore
Assistant Traffic Engineer

CRM:mr

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Date: July 27, 1971
FROM: Jack Dietrich - Plans Review Kantt
SUBJECT: #22 Oscar and Judith T. Kantt
S.S. Charlesway Road
406' W. of Charles St.
District: 9

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations when plans are submitted.

Jack Dietrich - Plans Review

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers Date: August 10, 1971
FROM: Ian J. Forrest
SUBJECT: Item 22 - Zoning Advisory Committee Meeting, July 27, 1971

22. Property Owner: Oscar and Judith T. Kantt
Location: S/S Charlesway Rd., 406' W of Charles Street
Present Zoning: D.R. 2
Proposed Zoning: Variance from 400.1 - swimming pool in a side yard
District: 9
No. Acres: 225' x 225'

A revised plot plan must be submitted showing the private sewage disposal system location and description of same on plan prior to hearing.

Chief
Sewer and Water Section
BUREAU OF ENVIRONMENTAL HEALTH

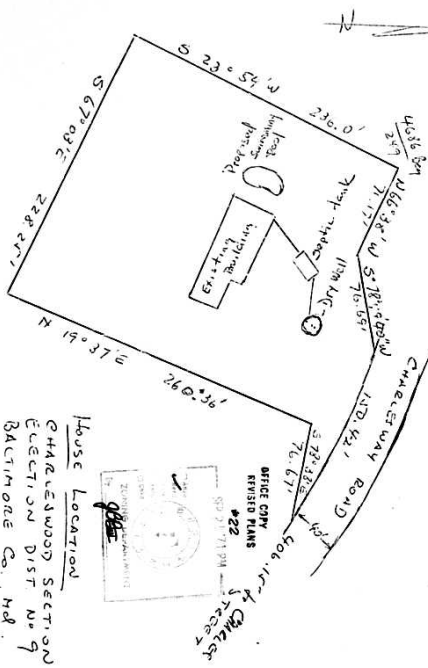
HVB/sam

BALTIMORE COUNTY, MARYLAND

ZONING ADVISORY COMMITTEE MEETING
OF JULY 27, 1971

Petitioner: Oscar & Judith T. Kantt
Location: S/S Charlesway Rd., 406' W of Charles St.
District: 9
Present Zoning: D.R. 2
Proposed Zoning: VAR - SWIMMING POOL
No. of Acres: 225' x 225'

Comments: NO BEARING ON STUDENT POPULATION



OSCAR B. JORDAN T. KANT
6627 CHARLESWAY
BALTIMORE, MD. 21204
5.18.71

PETITION FOR A VARIANCE
The Board of Commissioners of Baltimore County, Maryland, do hereby certify that the following is a true and correct copy of the petition for a variance from the Zoning Ordinance of Baltimore County, Maryland, as amended, filed with the Board of Commissioners of Baltimore County, Maryland, on the 11th day of October, 1971, at 10:00 A.M., and that the same is now on file in the office of the Board of Commissioners of Baltimore County, Maryland, and is available for public inspection.

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 7, 1971.
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 7th day of October, 1971, the 7th day of October, 1971, appearing on the 7th day of October, 1971.

THE JEFFERSONIAN
L. Leach, Jr., Editor
Manager

Cost of Advertisement, \$

PETITION FOR A VARIANCE
The Board of Commissioners of Baltimore County, Maryland, do hereby certify that the following is a true and correct copy of the petition for a variance from the Zoning Ordinance of Baltimore County, Maryland, as amended, filed with the Board of Commissioners of Baltimore County, Maryland, on the 11th day of October, 1971, at 10:00 A.M., and that the same is now on file in the office of the Board of Commissioners of Baltimore County, Maryland, and is available for public inspection.

ORIGINAL
OFFICE OF
THE TOWSON TIMES
TOWSON, MD. 21204
October 11 - 1971

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dinenna, Zoning Commissioner of Baltimore County, was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one successive week before the 11 day of October 1971 that is to say, the same was inserted in the issue of October 7, 1971.

STROMBERG PUBLICATIONS, Inc.

By: *Eric Dinenna*

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <i>J.P. Kant</i>	Revised Plans: Change in outline or description Yes No								
Previous case:	Map # 9-3C								

Oscar Kantt
6627 Charlesway
Baltimore, Maryland 21204
Item 22
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received and accepted for filing
this 12th day of October 1971
S. Eric Dinenna
Zoning Commissioner
Petitioners: Oscar and Judith T. Kantt
Petitioner's Attorney: Reviewed by: *Eric Dinenna*
Chairman of Advisory Committee

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COUNTY HOUSE
TOWSON, MARYLAND 21204
No. 85000
DATE: Oct. 4, 1971
To: Oscar Kantt, 6627 Charlesway, Baltimore, Md. 21204
Billed: 25.00
RETURN THIS PORTION WITH YOUR REMITTANCE
DETACH AND RETURN TO: OFFICE OF FINANCE, REVENUE DIVISION, COURTHOUSE, TOWSON, MARYLAND 21204
MAIL TO: OFFICE OF FINANCE, REVENUE DIVISION, COURTHOUSE, TOWSON, MARYLAND 21204

1560 72-110-A
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 9th
Date of Posting: Dec. 30, 1971
Posted for: ADRIAL
Petitioner: OSCAR & JUDITH T. KANTT
Location of property: 9th OF CHARLESWAY ROAD 406.5 W. OF
OF CHARLES STREET
Location of Signs: 6627 CHARLESWAY ROAD
Remarks:
Posted by: *Charles T. Kantt*
Date of return: Jan. 7, 1972

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
1464
DATE: Dec. 27, 1971 ACCOUNT: 01-662
AMOUNT: \$35.00
DISTRIBUTION: WHITE - CASHIER, PINK - AGENCY, YELLOW - CUSTOMER
No. 72-110-A - Charlesway Road W. Charles St. Ave.
Oscar Kantt, et ux, petitioner -
Wm. S. Baldwin, Esq.,
35.00 CASH

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 235
DATE: Oct. 26, 1971 ACCOUNT: 01-662
AMOUNT: \$42.50
DISTRIBUTION: WHITE - CASHIER, PINK - AGENCY, YELLOW - CUSTOMER
Oscar Kantt, M.D.
6627 Charlesway
Baltimore, Md. 21204
Advertising and posting of property 72-110-A
42.50 CASH