

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Mr. & Mrs. Howard V. Scotland, 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 Section 400.1 To permit an accessory structure (swimming pool) in the front 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)
Existing ground conditions, trees and access make it impossible for the installation of a swimming pool in rear of house. We feel that since our lot is 2.178 acres this represents no problem to surrounding dwellings or looks to the neighborhood.

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.

Howard V. Scotland Contract purchaser
Address: 203 Margate Road
Lutherville, Md. 21093

Howard V. Scotland Legal Owner
Address: 203 Margate Road
Lutherville, Md. 21093

Howard V. Scotland Petitioner's Attorney
Howard V. Scotland Protester's Attorney

ORDERED BY THE Zoning Commissioner of Baltimore County, this 12th day of April, 1974, 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 held before the Zoning Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 16th day of May, 1974, at 10:00 o'clock.

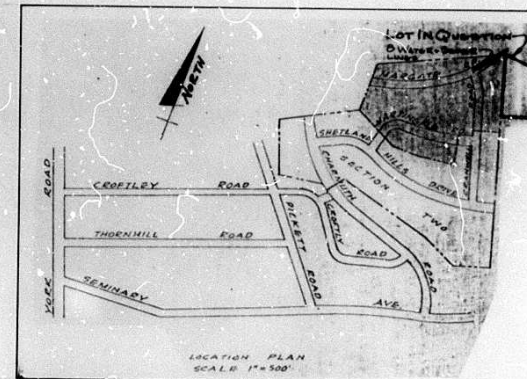
Howard V. Scotland
Zoning Commissioner of Baltimore County

ira c. ringer inc. aquatech pool division

Beginning at a point on the east side of Margate Road, (60' wide) approximately 20' from the intersection of Gothard and Margate Roads, and running the following courses and distances:

N. 64° 03' 58" E. 25.77 feet;
S. 84° 00' 24" E. 242.42 feet;
S. 17° 26' 09" E. 360.02 feet;
S. 72° 33' 51" W. 225.0 feet;
N. 17° 26' 09" E. 356.02 feet;
N. 60° 20' 35" W. 7.39 feet;
and binding along Margate Road by a line curving to the left with a radius of 442.00' for 50'.

Being lot #P.T.8 of "Shetland Hills" recorded in the Land Records office of Baltimore County in W.S.R. 23, Folio 45.



Variance Plan for Howard V. Scotland 203 Margate Rd. Lutherville, Md. 21093

NOTES:
1. 6" WATER MAIN AND 8" SEWER LINE RUNNING IN MARGATE RD.
2. NO NOTABLE LANDMARKS IN AREA COVERED BY THIS MAP



Baltimore County Fire Department

J. Aust. J. Ortiz
Chief

Towson, Maryland 21204
875-7516

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Mr. & Mrs. Howard V. Scotland

Location: SE/C of Gothard & Margate Roads

Item No. 148 Zoning Agenda March 5, 1974

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 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 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 operations.
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 "The Life Safety Code", 1973 Edition prior to occupancy.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments at this time.

Reviewed: James H. Smith Noted and Approved: Paul H. Reincke
Planning Group Deputy Chief
Special: Inspection Division Fire Prevention Bureau

mls
4/16/73

Mr. Howard V. Scotland
Re: Item 148
Page 2

March 21, 1974

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,

James B. Byrnes, III
JAMES B. BYRNES, III
Chairman,
Zoning Advisory Committee

JBB:JD

Enclosure

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 20, 1974

Mr. Howard V. Scotland
203 Margate Road
Lutherville, Maryland 21093

RE: Variance Petition
Item 148
Mr. & Mrs. Howard V. Scotland -
Petitioners

Dear Mr. Scotland:

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.

These 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 appropriateness of the requested zoning.

The subject property is located at the southwest intersection of Margate and Gothard Roads and is presently improved with a two-story residence and a free-standing garage. The property lies adjacent to the Shetland Hills subdivision, which is improved with single family dwellings.

The petitioner is requesting a Variance to permit a swimming pool in the front yard instead of the required rear yard.

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

Baltimore County, Maryland Department of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Division of Engineering
ELLENWORTH H. DYER, P. E. CHIEF

March 22, 1974

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

Re: Item #148 (1973-1974)
Property Owner: Mr. and Mrs. Howard V. Scotland
S/S corner of Gothard and Margate Roads
Existing Zoning: R-1
Proposed Zoning: Variance to permit an accessory structure (swimming pool) in the front yard rather than required rear yard
No. of Acres: 2.178 District: 8th

Dear Mr. DiNenna:

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

General:

The submitted plan is to be revised. This site is adjacent to, but not part of the recorded subdivision of Section 3, Shetland Hills (S.L.B. 23 Folio 145) nor of Plat 3, Section 2, York Manor (S.L.B. 23, Folio 146). Public utilities do not exist as indicated. The indicated "frontage" of this site upon Margate Road comprises a portion of lot 8, Block "M" of Section 3, Shetland Hills subject to a Baltimore County utilities easement 5 feet wide; the revised plan shall provide title information as to this irregularly shaped part of lot 8, Block "M".

Highways:

Margate Road is a County road, improved as a 36-foot closed-type roadway cross-section on a 60-foot right-of-way. No further highway improvements are required.

Gothard Road, if improved along the frontage of this property as a public road, will be as a 30-foot closed-type roadway cross-section on a 50-foot right-of-way, as it has been improved to the common outline of the two recorded subdivisions mentioned above. Highway right-of-way including any necessary reversible easements for slopes will be required in connection with any future easterly extension of the existing Gothard Road.

Item #148 (1973-1974)
Property Owner: Mr. and Mrs. Howard V. Scotland
Page 2
March 22, 1974

Sediment Control:

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, endangering private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of the soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewers:

Public water supply exists in Margate Road and Gothard Road northwesterly and is assumed to be serving this property.

Public sanitary sewerage exists in Margate Road, in Gothard Road northwesterly and also in Cranwell Road. However, this property is employing private onsite sewage disposal. It appears that connection to existing public sewerage may require private off-site right-of-way. Further, the lowest elevation of the three public sanitary sewers in the vicinity are critical in relation to the cellar elevation of the residence on this site.

Very truly yours,

Ellenwirth H. Dyer
ELLENWIRTH H. DYER, P.E.
Chief, Bureau of Engineering

END:RAN:PDH:SS

cc: J. Soers

1-25 Key Sheet
1-25 2 Pos. Sheet
1-12 J. Topo
61 Tax Map

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) in the front yard instead of the required rear yard should be granted.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 7TH day of MAY, 1974, that the herein Petition for a Variance should be and the

same be granted, from and after the date of this order, subject to the construction of a six foot high fence to extend from the garage in a northerly direction between the pool and property line to a point opposite the northeasternmost rear corner of the dwelling located at 201 Margate Road; said property is to be further landscaped or screened between said fence along the property line with four foot high hemlocks on ten foot centers; and approval of a site plan by the Department of Public Works and the Office of Planning and Zoning which also indicates said fence and hemlocks.

Deputy Zoning Commissioner of Baltimore County

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 197, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

March 8, 1974

DONALD A. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 148, Zoning Advisory Committee Meeting March 5, 1974, are as follows:

Property Owner: Mrs. & Mrs. Howard V. Scotland
Location: SE Cor. Margate & Gothard Rds.
Proposed Zoning: Variance to permit an accessory structure (swimming pool) in front yard instead of required rear yard.
No. Acres: 2.178
District: 8

Metropolitan water is available.

Swimming Pool Comments: Prior to approval of a pool, complete plans and specifications must be submitted to the Baltimore County Department of Health for review and approval.

Revised plot plan must be submitted showing location of sanitary sewer.

An elevation study must be submitted prior to Health Department approval.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mdg

cc: Mr. K.A. Schmidl

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: March 13, 1974

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

Meeting of: March 5, 1974

Re: Item 148

Property Owner: Mr. & Mrs. Howard V. Scotland
Location: SE/C of Gothard & Margate Roads
Present Zoning: Variance to permit an accessory structure (swimming pool) in the front yard rather than required rear yard

District: 8th
No. Acres: 2.178

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
Field Representative

WNP/ml

H. CHELSE PARKS, PRESIDENT
EUGENE S. HESS, VICE-PRESIDENT
MRS. ROBERT L. BERNICK

MARCUS M. BOTSARIS
JOSEPH N. MAGUIRE
ALVIN LEPECK
JOSHUA R. WHEELER, CLERK

F. HATARD WILLIAMS, JR.
RICHARD W. TRACY, JR.
MRS. RICHARD A. LUCIFER

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 9, 1974

DONALD A. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Revised comments on Item 148, Zoning Advisory Committee Meeting March 5, 1974, are as follows:

Property Owner: Mr. & Mrs. Howard V. Scotland
Location: SE Cor. Margate & Gothard Rds.
Proposed Zoning: Variance to permit an accessory structure (swimming pool) in front yard instead of required rear yard.
No. Acres: 2.178
District: 8

Metropolitan water is available.

Swimming Pool Comments: Prior to approval of a pool, complete plans and specifications must be submitted to the Baltimore County Department of Health for review and approval.

Private septic system appears to be working satisfactorily.

No revised plat plans needed.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/ca

May 7, 1974

Mr. & Mrs. Howard V. Scotland
203 Margate Road
Lutherville, Maryland 21093

RE: Petition for Variance
E/S of Margate Road, 20' SW of
Gothard Road - 8th District
Mr. & Mrs. Howard V. Scotland -
Petitioners
NO. 74-242-A (Item No. 148)

Dear Mr. & Mrs. Scotland:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JED/me

JAMES E. DYER
Deputy Zoning Commissioner

Attachments

cc: Mr. John H. Cimbel
1515 Cranwell Road
Lutherville, Maryland 21093

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLOPPER, P.E.
DIRECTOR
Wm. T. MELER
DEPUTY TRAFFIC ENGINEER

April 10, 1974

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

Re: Item 148 - ZAC - March 5, 1974
Property Owner: Mr. & Mrs. Howard V. Scotland
SE/C Gothard and Margate Roads
Variance to permit an accessory structure (swimming pool) in the front yard rather than required rear yard
District 8

Dear Mr. DiNenna:

The subject petition has no effect on traffic.

Very truly yours,

C. Richard Moore
Assistant Traffic Engineer

CRH/pk

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 496-3311 ZONING 496-3351



By Ruth Morgan

Cost of Advertisement, \$_____

District: 8th Date of Posting: 4-11-74
 Posted to: Hearns, W. J. May 14 1974 C. 16122 RPH
 Position: Howard R. Scotland
 Location of property: 5/6 of Wright St. 20' S.W. of Scotland St.
 Location of Sign: 1 sign. Road right corner Mac Scotland Ave
Box # 263.
 Remarks:
 Posted by: Walter J. New Date of return: 4-18-74

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	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										

Revised by: *ML*

Revised Plans:
Change in outline or description Yes
No

Previous case: N.

Map #

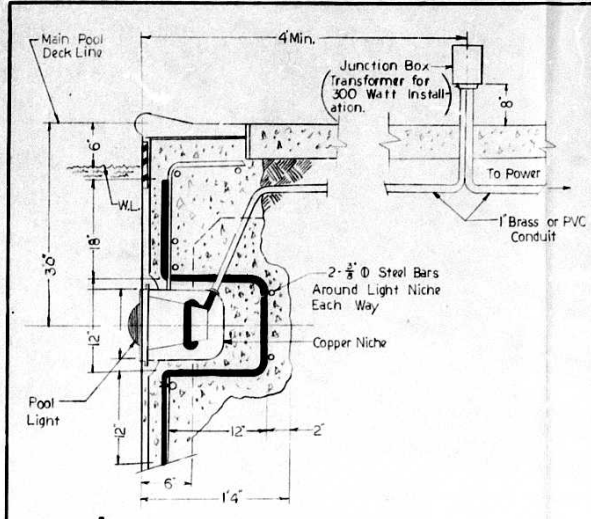
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

Petitioner MR. Edward V. Scotland
 Petitioner's Attorney _____ Reviewed by James H. [Signature]
 Chairman,
 Zoning Advisory Committee

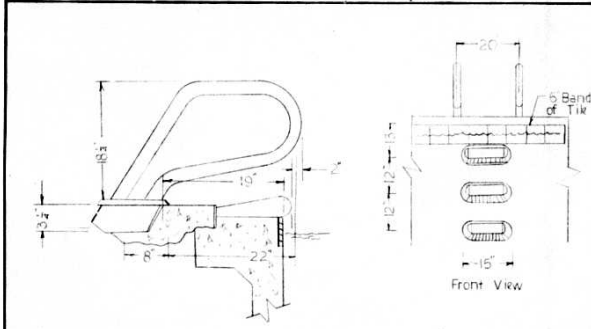
Ira C. Rigger, Inc.
10100 Marble Court
Cockeysville, Md. 21030
Petition for Variance for Howard Scotland

Advertising and posting of property -- 471-242-A

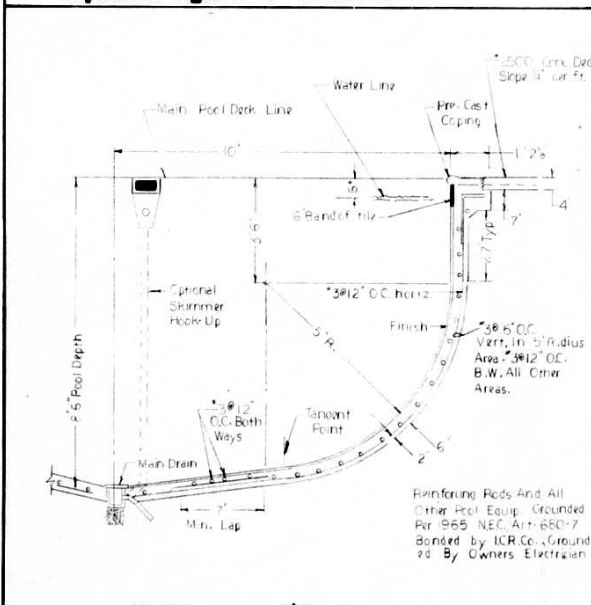




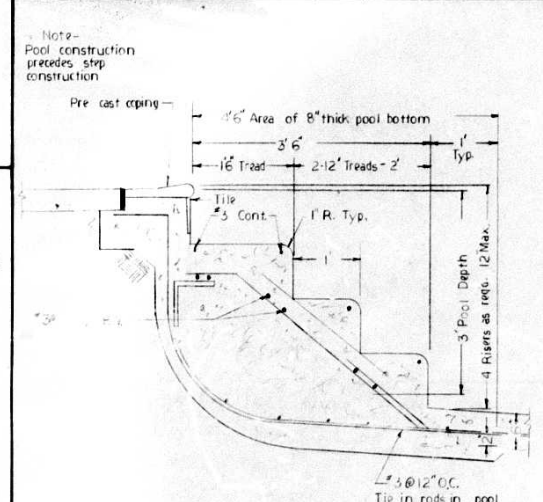
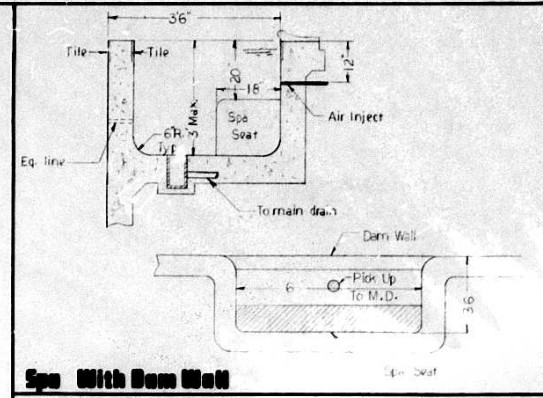
300 & 500 Watt Wall Light Installation



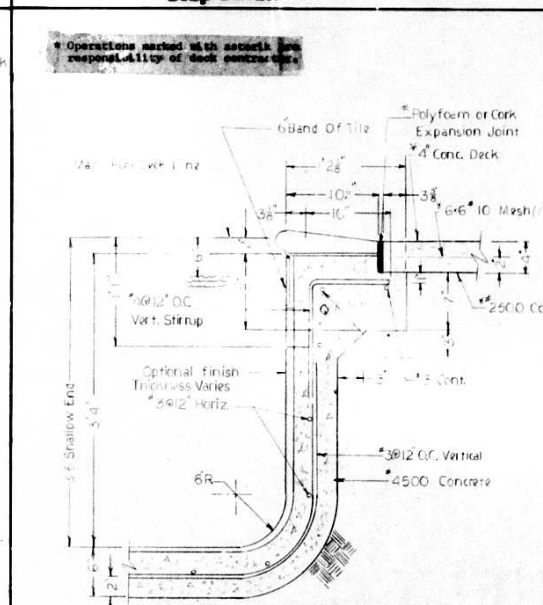
Aquatex Figure "4" Grabralls



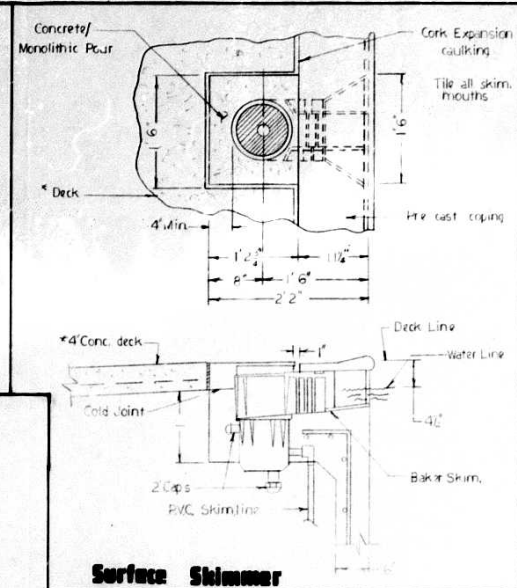
Wall Section @ 8' Depth



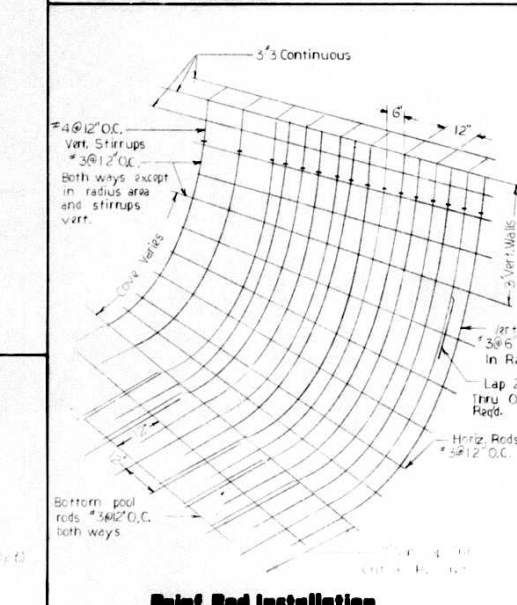
Step Detail



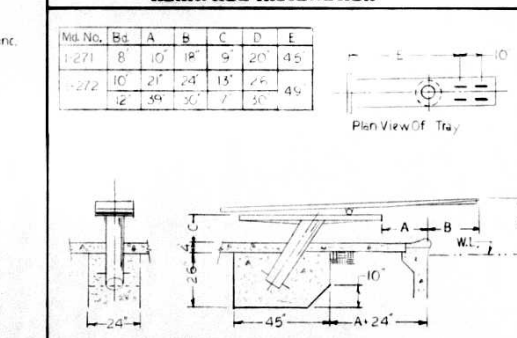
Bond Beam @ 3' 6\"/>



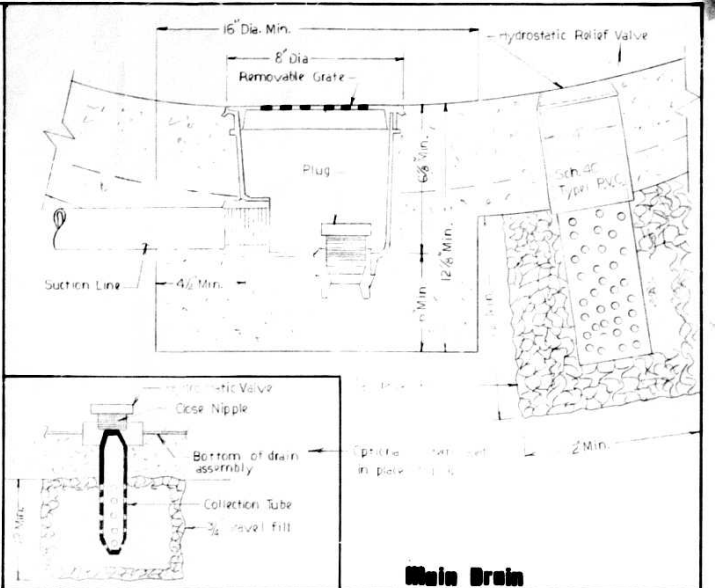
Surface Skimmer



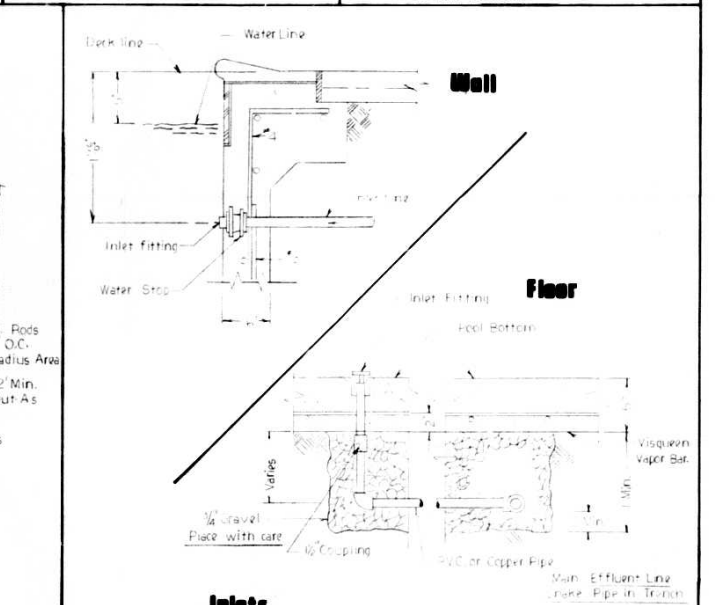
Reinf. Rod Installation



Deck Level Stand



Main Drain



Inlets

This is to certify that the structural portion of the work complies with requirements of the Baltimore City Building Code, and, that I hereby assume the responsibility for its design and the periodic review of its construction.

Harvey Silbermann, P.E.

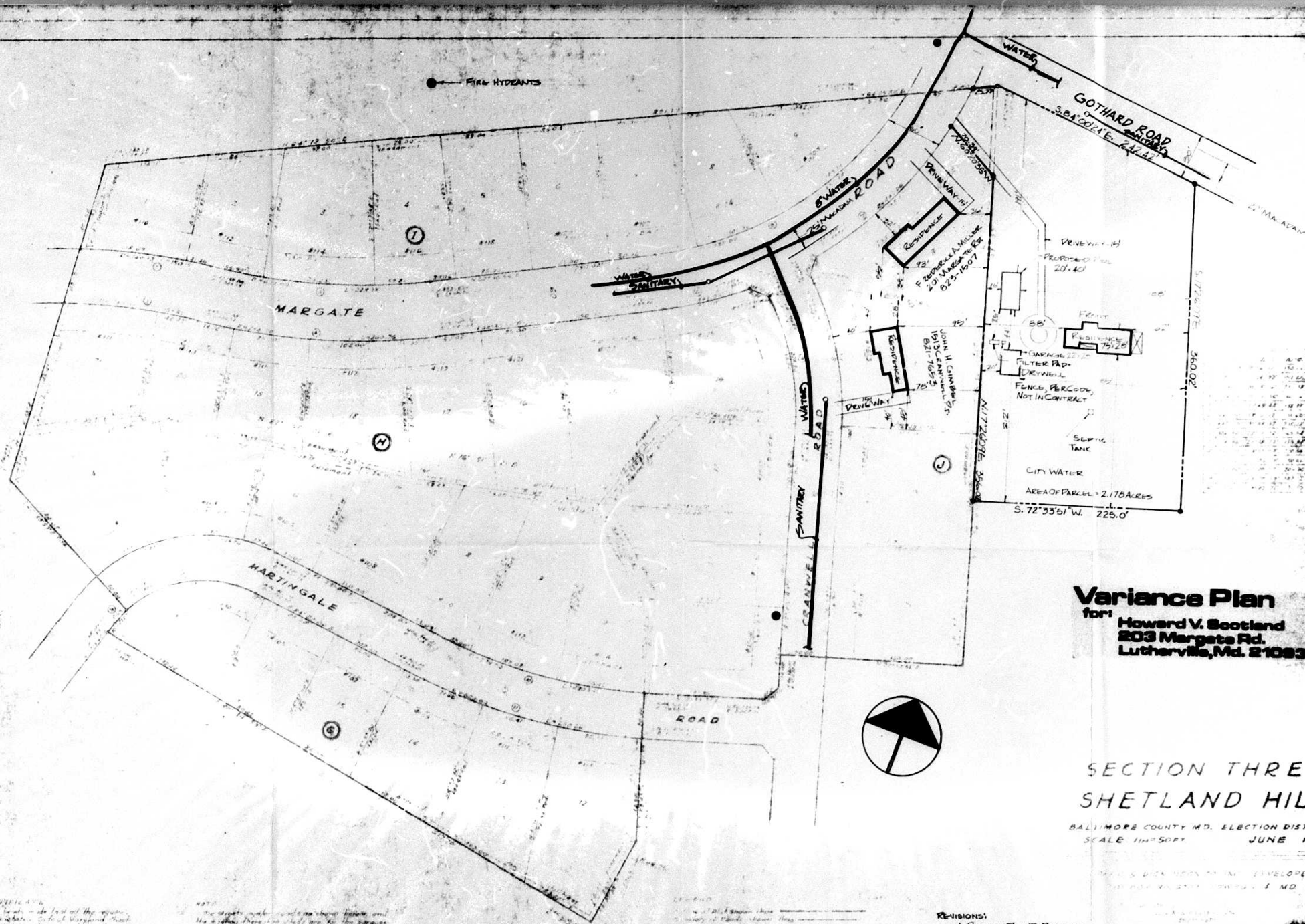


Residential Construction Standards

ira c. rigger inc.
10100 Marble Court
Cockeysville, Md. 21030

BY: *[Signature]* DATE: 4/1/73





Variance Plan
for
Howard V. Scotland
803 Margate Rd.
Lutherville, Md. 21093

SECTION THREE SHETLAND HILLS

BALTIMORE COUNTY MD. ELECTION DISTRICT NB
SCALE 1"=50' JUNE 1956

MADE & DRAWN BY THE DEVELOPERS
FOR THE BALTIMORE COUNTY BOARD OF ZONING

REVISIONS:

1. REVISED LOCATIONS TO REFLECT EXACT LOCATIONS OF EXISTING WATER & SEWER LINES.
2. IT IS THE OWNERS RESPONSIBILITY TO PROVIDE FOR ADEQUATE SANITARY DISPOSAL, IN ACCORDANCE WITH HEALTH DEPT. HAVING CONTRACTED ENGINEERING LEFT THE MATTER TO HIS OWN DECISION AS TO HOW TO RECTIFY THIS MATTER.
3. RESUBMITTED TO ZONING OFFICE
- 7 COPIES OF SURVEYORS LEGAL DESCRIPTION.



ON THE 19th day of June 1956, the undersigned, a duly qualified Surveyor of Baltimore County, Maryland, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in the records of the Baltimore County Board of Zoning.

Richard H. Opler
Surveyor of Baltimore County, Maryland

CERTIFICATION
The undersigned, a duly qualified Surveyor of Baltimore County, Maryland, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in the records of the Baltimore County Board of Zoning.

John H. Harkins, Jr.
Surveyor of Baltimore County, Maryland

ON THE 19th day of June 1956, the undersigned, a duly qualified Surveyor of Baltimore County, Maryland, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in the records of the Baltimore County Board of Zoning.

William H. Harkins, Jr.
Surveyor of Baltimore County, Maryland

William H. Harkins, Jr.
Surveyor of Baltimore County, Maryland

ON THE 19th day of June 1956, the undersigned, a duly qualified Surveyor of Baltimore County, Maryland, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in the records of the Baltimore County Board of Zoning.

William H. Harkins, Jr.
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