PETITION FOR ZONING VARIANCE FROM AREA AND I EIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

 or 'we,Mxx.&.Mxxx.Learry_Wheatlenegal owner#.of the property stuate in Baltimorounty and which is described in the description and plat attached hereto and made a part hereo by petition for a Variance from Section 400.1 - To permit an accessory structure (swimming pool) to be built 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)

Numerous trees make it impossible and financially impractical to build pool in rear yard. We feel that being in a sparsely populated area that a pool in the front yard represents no problems to the area.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

1, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this gitton, and further agree to and are to be bound by the zoning regulations and restrictions of more County adopted pursuant to the Zoning Law For Baltimore County.

Address Box 264, Rt. 439 White Hall, Maryland

75-10

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ORDERED By The Zoning Commissioner of Baltimore County, this __11th_

actober Q theben , 19k A, that the subject matter of this petition be advertised, as

21

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

..... Chairman

MINNERS TONING ADMINISTRATIO REALTH DEPARTMENT

NUMERAL OF FIRE PREVENTION DEPARTMENT OF TLAFFIC ENGINEERING STATE HIGHNAY ADMINISTRATION

BURET" OF ENGIN. NING PROJECT AND DEVELOPMENT PLANNING

INDUSTRIAL DEVELOPMENT

BUARD OF IDUCATION OFFICE OF THE BUILDINGS ENGINEER

October 11 1974

Mr. Larry P. Wheatley Box 264, Rte. 439 White Hall, Maryland 21161

RE: Variance Petition
Item 60
Mr. & Mrs. Larry Wheatley Petitioners

Dear Mr. Wheatley:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field 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 on the west side of Old York Road, approximately 256 feet south of Burke Road, in the 7th Election District comprising the result of the Property immediately adjacent to the north is improved with a similar dwelling, and the remaining adjacent properties oxist in corn fields.

The petitioner is requesting a Variance to permit an accessory structure (swimming pool) to be permitted in the front yard rather than 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

Practinggerine aquatech pool division

BEGINNING at a point on the West Side of Old York Road (Rt. 439) approximately 526, 00' from the intersection of Garrett Road and Old York Road, and running the following courses and distances:

S. 66 degrees 25' 00" W. - 441.0"

N. 31 degrees 8' 00" W. - 156.0"

N. 66 degrees 00' 00" E. - 343.3"

N. 69 degrees 30' 00" E. - 135. 2' N. 89 degrees 20' 00" E. - 24.0";

S. 9 degrees 25' 00" E. - 136.0"

To Place of Beginning being known as Box 264, Old York Road and containing 1.606 acres more or less.



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Larry P. Wheatley Item 60 October 11 1974

Mr. & Mrs. Larry Wheatley Box 264, Route 439 White Hall, Maryland 21161

Dear Mr. & Mrs. Wheatley:

JED/me

Attachments

RE: Petition for Variance

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

Very trul, yours.

JAMES E. DYER Deputy Zoning Commissioner

W/S of Old York Road, 526' S of

Garrett Road-7th District

not less than 30, nor more than 90 days after the date on the filling certificate, will be forwarded to you in the near future.

Very truly yours,

Come JE. Breeze I JAMES B. BYRNES,III Chairman, Zoning Advisory Committee

JBB:JD

Enclosure

cc: Ira C. Rigger, Inc. 10100 Marble Court Cockeysville, Maryland 21030

Baltimore County, Margland Bepartment Of Jubite Works

COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Bureau of Engineering

October 2, 1976

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 2120b

Re: Item #60 (197h-1975)
Property Owner: Nr. & Nrs. Larry Wheatley
W/S of Old York Rd. (Rt. #139) approximately 526,00° from
the intersection of Burke Rd. and Old York Rd.
Existing Zoning: NPP
Proposed Zoning: Variance from Section 100.1 to permit an
accessory structure (sufmuning pool) to be built in the
front yard rather than the required rear yard
No. of Acres: 1.606 District: 746

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.

The submitted plan must be revised to include a location map and to correctly relate the site to an intersecting read. This site is indicated as being 556.00° southeasterly from Burke load, whereas, the site is approximately a nile southeast countries of the site of the site of the southeasterly from Burke load, whereas, the site is approximately as this southeast utilities and birthery improvements are not directly involved. However, Did toy closed section roadway on a '0' tight-of-way. Highway improvements are not required at this time. However, high wight-of-way, Highway improvements are not required at this time. However, high with-of-way tighting including any necessary revertible escenate for alope. All be required in connection with any grading or building permit a g-list-tion.

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

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

Ttem #60 (197h-1975) Property Owner: Mr. & Mrs. Larry Wheatley Page 2 October 2, 1974

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property which lies beyond the Baltimore County Waterpolitan District and the Urban Sural Pawareation Line. The Baltimore County Comprehensive Water and Sewerage Plan, amended July 1973, indicates Two Planned Service in this area.

Very truly yours.

RISMORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: FWR: ss

cc: J. Somers

NN-NW Key Sheet 132 NE 13 Pos. Sheet NE 33 C Topo 13 Tax Map

Bea

Pursuant to the advertisant, posting of property, and public number on the above petition
and it appearing that by reason of the following finding of facts that strict compliance with
Baltimore County Zoning Regulations would result in practical difficulty and un
reasonable hardship upon the Petitioner
the above Variance should be had; and it further appearing that by reason of the granting of
she Yariance requested not adversely affecting the health, safety and general
welfate of the community
to permit an accessory structure (swimming pool) to be a Variang-built in the front yard instead of the required rear yard should be granted.
a Variance out it in the Front yet instead of the required rear yet should be granted. Deputy IT is ORDERED by the Zoning Commissioner of Baltimore County this
day of November, 1974, that the herein Petition for a Variance should be and the
same is granted, from and after the date of this order, subject to the approval of a site plan by the Department of Public Washes, and the Office of Planning and Zoning.
Deputy Zoning Commissioner of Baltimore County
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, thisday
of, 197, that the above Variance be and the same is hereby DENIED.
Zoning Commissioner of Baltimore County

Baltimore County Fire Department

J. Austin Deitz



owson. Maryland 21204

Office of Planning and Zoning Baltimore County Office Bilding Townon, Maryland 2120h

Re: Property Owner: Mr. & Mrs. Larry Wheatley

M/S of Old York Rd. (Rt. #139) approximately 526.00 feet from the intersection of Burke Rd. & Old York Rd. Coning Agenda September 17, 197h

Item No.

Pursuant to your request, the referenced property has been surveyed by this Eureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated that 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 read in accordance with Maliance 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.

() the he satisms allowed by the Fire Department.

() the he site shall be made to comply with all applicable parts of the
Fire Frewention Code prior to occupancy or beginning of operations.

() 5. The buildings and structures esting or proposed on the site shall
comply with all applicable requirements of the Hational Fire Fretection
Association Standard No. 101 "The Life Safety Code", 1770 Edition prior

() 6. Site plans are approved as drawn.

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

Deputy Chief Fire Prevention Bureau

BALTIMORE COUNTY. MARYLAND DEPARTMENT OF HEALTH-



DONALD J. ROOP, M.D., M.P.H.

September 20, 1974

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

Comments on Item 60, Zoning Advisory Committee Meeting, September 17, 1974, are as follows:

Property Owner: Mr. & Mrs. Larry Wheatley Location: W/S of Old York Rd (Rt. #439) approximately 526.00 feet from the intersection of Burke Rd. & Old York Rd.

intersection of Burke Rd. 4 Old York Re
Existing Zoning: RDP
Proposed Zoning: Variance from Section 400.1 to
perait an accessory structure
(seduming pool) to be built in
required rear yard.
No. of Acres 1.106
District: 7th

Comments: Water well and septic system in good physical condition; no health hazard anticipated.

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

SHVB/nc6

S FRIC DINENNA



October 14, 1974

Mr. S. Eric DiNenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building

Dear Mr. Di Nerna

Comments on Item #60, Zoning Advisory Committee Meeting, September 17, 1974, are as follows:

Property Owner: Mr. and Mns. Larry Wheelley
Lace ion; W '5 of Old York Road (Rr. 4/439) approximately 526,00 fee from the in errsers; in a critical of Burke Road and Old York Road
Exis ing Zoning; R.D.P.
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure

variance from Section 400.1 to permit an accessory structure (swimming pool) to be built in the front yard rather than the required rear yard

No. of Acress 1,666

District: 7th

This office has reviewed the subjec petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a

This plan has been reviewed and there are no site-planning factors requiring comment

John Zelimbles
John L. Wimbles
Planning Specialist II Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING ILDING 105 WEST CHESAPEAKE AVENUE

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204 Date: September 24, 1974

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

Z.A.C. Meeting of: September 17, 1974

Property Owner: Mr. & Mrs. Larry Wheatley

Location:

W/S of Old York Road (Rt. #439) approximately 526.00 ft. from the Intersection of Burke Road and Old York Road

Present Zoning: RDP

Proposed Zoning: Variance from Section 400.1 to permit an accessory structure (swimming pool) to be built in the front yard rather than the required rear yard.

District:

No. Acres:

WNP/m1

Dear Mr. DiNenna:

1.606

No bearing on student population.

Very truly yours, W hide tetrouch

WRG ROUGHT L. HERNEY ALVIN LORECK RICHARD W. TRACET, V M.D.

ELTIMORE COUNTY, MANUAND

INTER-OFFICE CORRESPONDENCE

TO S. Eric Dikanna, Zoning Commissioner

Date___October 30, 1974

FROM William D. Fromm, Director of Planning

SUBJECT Petition #75-102-A. West side of Old York Road 526 feet South of Garrett Road. Petition for Variance for an Accessory Structure (Swimming Pool). Petitioner - Larry P. and Nancy Wheatley

7th District

HEARING: Wednescay, November 13, 1974 (10:30 A.H.)

The staff of the Office of Planning and Zoning will offer no comment

WDF:NEG! D

BALTIMORE COUNTY, MARYLAND



DEPARTMENT OF TRAFFIC ENGINEERING EUGENE J. CLIFFORD. P.E. WM. T. MELZER

October 8, 1974

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

Item 60 - ZAC - September 17, 1974
Property Owner: Mr. & Mrs. Larry Wheatley
Location: W/S of Old York Rd. (Rt. #439) approximately
526.00 feet from the intersection of Burke Rd. & Old
York Road.
Existing Zoning: RDP
Proposed Zoning: NP
Ariance from Section 400.1 to persit

an accessory structure (swimming pool) to be built in the front yard rather than the required rear yard. No. of Acres: 1.606 District: 7th

Dear Mr. DiNenna

There have been no problems anticipated by the above subject of petition.

> Very truly yours, wichaef & thanisca Michael S. Flanigan Traffic Engineer Asso.

MSF/1b

1-SIGN

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY

District. 7th	Date of Posting OCT, 19 1924
Posted for: PETITION FOR LARVANCE	e.
Petitioner: LARRY LUHEATLEY	
Location of property: LU/S OF COAD V	RK Rd. 526 SOF GARRETT I
Location of Signar U/S of Chb York	Rd, 500'tax-Sof GARRUT Rd
Remarks	
Posted by Liouas L. Roland	Date of return CCT, 25, 1974

ORIGINAL OFFICE OF

TOWSON, MD. 21204

Oct. 21 - 19

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna

Zoning Commissioner of Baltitore County

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one

weeks/before the 21 day of Oct. 19 74hat is to say, the same was inserted in the issue of October 18 - 1974.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 17 19 74 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each appearing on the 17th day of October 19.74. THE JEFFERSONIAN,

Cost of Advertisement, \$_____

					89	
BALTIMORE	COUNTY	OFFICE	OF	PLANNING	AND	ZONI

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received * this 10+h day of

SEPT

Zoning Commissioner

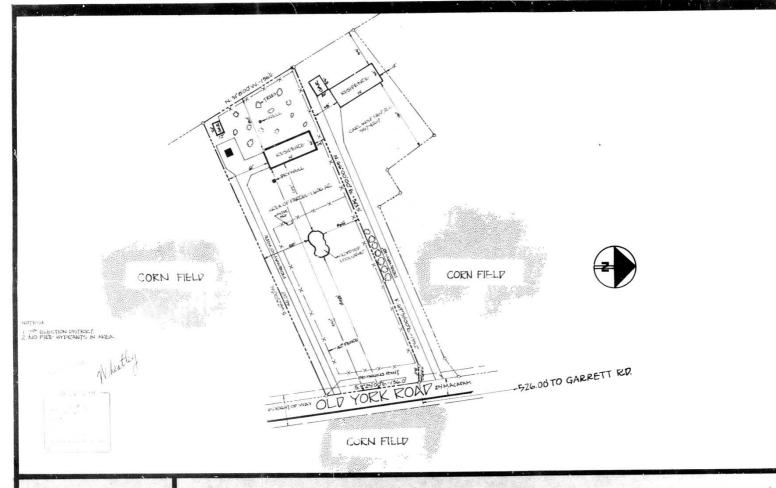
Petitioner MR. MRS ! NAME V Submitted by Mo VOINEX Petitioner's Attorney

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

	10m 60
BALTIMORE	COUNTY OFFICE OF PLANNING & ZONING
Hr. Larry P. Wheatley Not 264, No. 439 White Hall, Maryland 21161	County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204
Your I	Petition has been received and accepted
for filing this 11th	day of October 1974.
	S. ERIC DINENNA, Zoning Commissioner
Petitioner Mr. and Mrs. Larry	Mostley
Petitioner's Attorney CC: Ire C. Rigner, Inc. 10100 Marble Court	Reviewed by Chemica R Byrres, III hairman, 2001ing Advisory Committee

PETITION	M	APPI	NG	PRO	OGRE	SS	SHE	ET		
FUNCTION		Map		jinal		icole		cing	200	Sheet
Descriptions checked and outline plotted on map	date	by	date	by	date	by	date	by	date	by
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: 77. B. C.					d Pla e in ou		or desc	ripti	on'	
Previous case:			A	dap #					1000	140

BALTIMORE COUNT OFFICE OF FIN E - RE MISCELLANEOUS C	VENUE DIVISION	16940
DATE Oct. 14, 19	ACCOUNT 01-	662
	AMOUNT_	25,00
WHITE - CASHIER	PINK - AGENCY	YELLOW - CUSTOMER
Ira C. Rigger, In 10100 Marble Ct. Cockeysville, Md. Setition for Van	21030	eatley
#75-102A	85 5 0 km 15	25,00mc



WARIANCE PLAN
MR.S. MRS. LARRY WHEATLEY
BOX 264 RT. 439
WHITE HALL, MD.
BEALET AND DRAWN BY ACLUL



Ira c.rigger inc.

10100 MARBLE CJURT COCKEYSVILLE, MD. 21030 (301) 66(:-1800 aquatech pool division