

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Otis W. Jett and
Mary Louise Jett

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 Section 400.1 to allow a swimming pool to be located outside of the rear third of the lot farthest removed from the side street.

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

I have erected an above ground pool which is not in the furthest corner of my corner lot property. This pool is 16 x 32 and is presently filled with water. It would be a hardship to empty the pool of the water, disassemble the pool itself, re-erect the pool and then refill the pool. This would involve a substantial outlay of money. The pool is shielded by shrubbery so that it cannot be seen from the side street. Also, to move the pool to where it should be would also necessitate the demolition of at least one tree. See also attached photographs.

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
Otis W. Jett
Mary Louise Jett Legal Owners
Address: 5516 Windsor Mill Road
Baltimore, Maryland 21207

Gilbert Rosenthal
Petitioner's Attorney
Address: 1102 Blaustein Building
Baltimore, Maryland 21201

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of July 1975, at 10:15 o'clock P.M.

1975, 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, Baltimore County, on the 2nd day of July 1975, at 10:15 o'clock A.M.

Zoning Commissioner of Baltimore County

10:15A
7/2/75

PETITION FOR VARIANCE FOR AN ACCESSORY STRUCTURE (SWIMMING POOL), Northeast corner of Windsor Mill Road and Sunbriar Avenue 1st District

OTIS W. JETT AND MARY LOUISE JETT

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 76-2-A, Item 213

ORDER TO ENTER APPEARANCE

Mr. Commissioner:
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

John W. Heslan, III
People's Counsel

Charles E. Kountz, Jr.
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-3211

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 13th day of June, 1975 to Otis W. Jett and Mary Louise Jett, 5516 Windsor Mill Road, Baltimore, Maryland 21207, Legal Owners.

John W. Heslan, III
John W. Heslan, III

I will not attend, JWH.



DESCRIPTION FOR VARIANCE

Being located at the intersection of the Northeast side of Windsor Mill Road & Northwest side of Sunbriar Avenue and known as lots #2 and 3 as shown on plat of "Windsor Dale" which is recorded among the land records of Baltimore County in Plat Book W.P.C. #7, Folio 55.

Also known as 5516 Windsor Mill Road.

Gilbert Rosenthal, Esquire
1102 Blaustein Building
Baltimore, Maryland 21201

RE: Petition for Variance NE/corner of Windsor Mill Road and Sunbriar Avenue - 1st Election District
Otis W. Jett, et ux - Petitioners NO. 76-2-A (Item No. 213)

Dear Mr. Rosenthal:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

Attachments

cc: John W. Heslan, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: June 25, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-2-A, Petition for Variance for an Accessory Structure Northeast corner of Windsor Mill Road and Sunbriar Avenue. Petitioner - Otis W. Jett and Mary Louise Jett

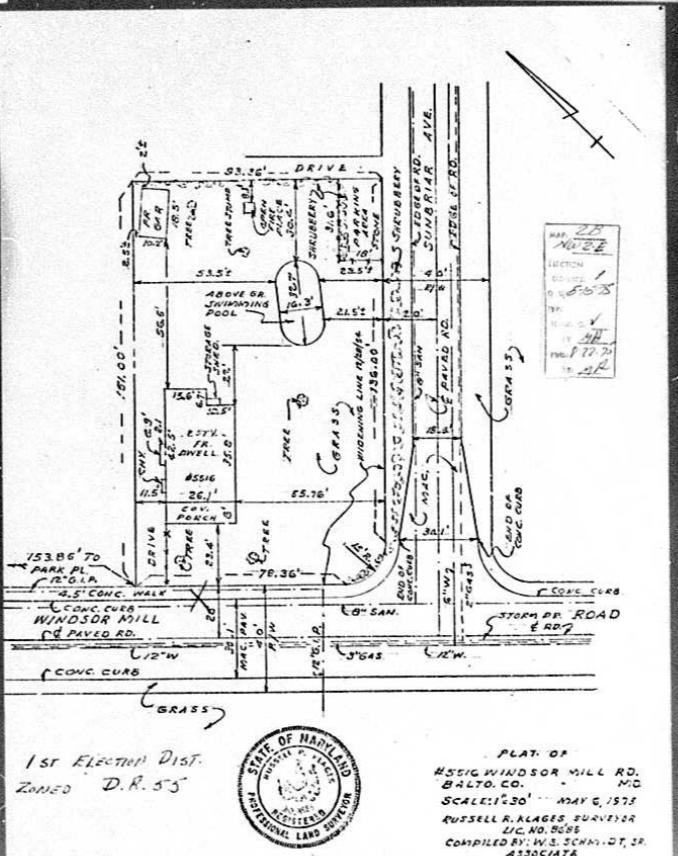
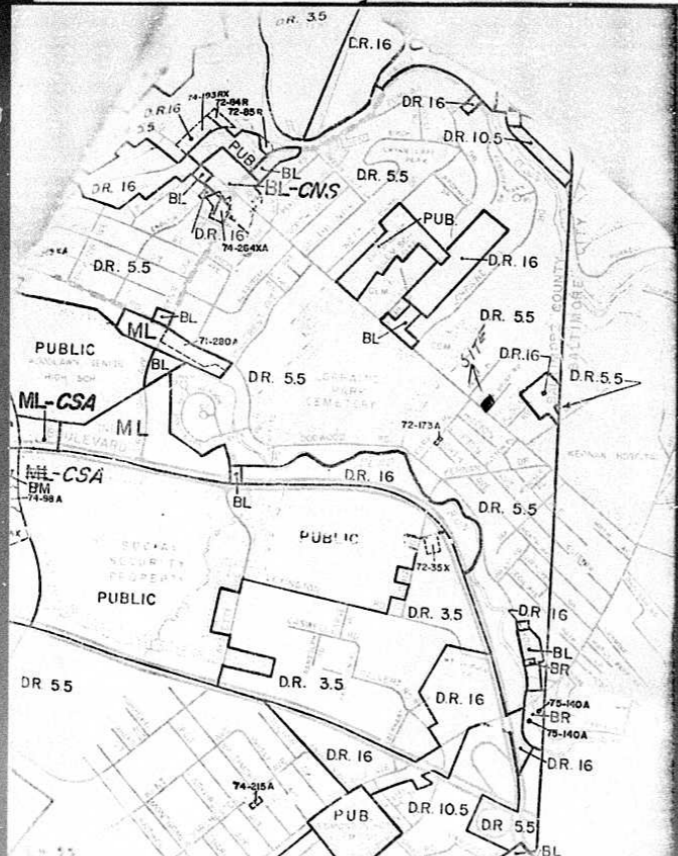
1st District

HEARING: Wednesday, July 2, 1975 (10:15 A.M.)

There are no comprehensive planning factors requiring comment on this petition at this time.

George H. Fromm, Acting Director
William D. Fromm, Director of Planning

WDF:NEG:fw



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

AUG 29 1975

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, the Variance to permit an accessory structure (swimming pool) to be located outside of the rear third of the lot farthest removed from the side street should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of July, 1975, that the herein Petition for a Variance to permit an accessory structure (swimming pool) to be located outside of the rear third of the lot farthest removed from the side street 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 Works 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 9th day of July, 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Item #213
Gilbert Rosenthal, Esq.
1102 Blaustein Building
Baltimore, Md. 21201

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 29th day of May, 1975

S. Eric DiNenna,
Zoning Commissioner

Petitioner Otis W. and Mary Louise Jett
Petitioner's Attorney Gilbert Rosenthal Reviewed by Franklin T. Hogans, Jr.
Chairman,
Zoning Advisory
Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 18, 1975

FRANKLIN T. HOGANS, JR.
CHAIRMAN

Gilbert Rosenthal, Esq.
1102 Blaustein Building
Baltimore, Maryland 21201

RE: Petition for Variance
Item 213
Otis W. and Mary Louise Jett -
Petitioners

Dear Mr. Rosenthal:

The Zoning Plans 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 on the northwest corner of Windsor Mill Road and Sunbriar Avenue, and is currently improved with a two-story frame dwelling, a frame garage and an aboveground swimming pool, which is the subject of this petition.

The petitioner is requesting a Variance to permit a swimming pool to be located outside of the rear third of the lot farthest removed from both streets. Adjacent properties in this area are developed with single family houses.

A field inspection revealed the swimming pool not to be visible from Windsor Mill Road,

- MEMBER
- ZONING ADMINISTRATION
- HEALTH DEPARTMENT
- BUREAU OF FILE PROVISIONS
- DEPARTMENT OF TRAFFIC ENGINEERING
- STATE HIGHWAY ADMINISTRATION
- BUREAU OF ENGINEERING
- PROJECT AND DEVELOPMENT PLANNING
- INDUSTRIAL DEVELOPMENT COMMISSION
- BOARD OF EDUCATION
- OFFICE OF THE BUILDING ENGINEER

Gilbert Rosenthal, Esq.
Re: Item 213
June 18, 1975
Page 2

and partially obscured from view from Sunbriar Avenue by shrubbery.

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,
FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

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

Bureau of Engineering
ELLSWORTH M. DIVER, P. E. CHIEF

June 13, 1975

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

Re: Item #213 (1974-1975)
Property Owner: Otis W. & Mary Louise Jett
Intersection of the N/S of Windsor Mill Rd. and N/W/S of Sunbriar Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 400.1 to allow a swimming pool to be located outside of the rear third of the lot farthest removed from the side street.
No. of Acres: 136 x 78.36
151 x 93.96
District: 1st

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.

Highways:

Windsor Mill Road, an existing County road, has been improved in this vicinity as a 30-foot closed section roadway on a 40-foot right-of-way.

Sunbriar Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 40-foot right-of-way. Highway improvements will be required in connection with any grading or building permit application.

Sediment Control:

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

Item #213 (1974-1975)
Property Owner: Otis W. & Mary Louise Jett
Page 2
June 13, 1975

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property. It appears that additional fire hydrant protection may be required in the vicinity.

Very truly yours,

Elsworth M. Diver
ELLSWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END:FAM:FW:iss

K-SM Key Sheet
7 NW 19 Pos. Sheet
NW 2 E Topo
95 Tax Map

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

May 21, 1975

DONALD J. 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 #213, Zoning Advisory Committee Meeting, May 27, 1975, are as follows:

Property Owner: Otis W. & Mary Louise Jett
Location: Intersection of the NE/S of Windsor Mill Rd. and NW/S of Sunbriar Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 400.1 to allow a swimming pool to be located outside of the rear third of the lot farthest removed from the side street.

No. of Acres: 136 x 78.36
151 x 93.96
District: 1st

Public water and sewer existing.

Since this is a variance for existing swimming pool, no health hazards are anticipated.

Very truly yours,

Thomas H. Doolin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/pj

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



June 9, 1975

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

Dear Mr. DiNenna:

Comments on Item #213, Zoning Advisory Committee Meeting, May 27, 1975, are as follows:

Property Owner: Otis W and Mary Louise Jett
Location: Intersection of the NE/S of Windsor Mill Road and NW/S of Sunbriar Avenue
Proposed Zoning: Variance from Sec. 400.1 to allow a swimming pool to be located outside of the rear third of the lot farthest removed from the side street
No. of Acres: 136 x 78.36
151 x 93.96
District: 1st

This office has reviewed the subject 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 bearing on this petition.

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 494-3211 ZONING 494-3311

AUG 29 1975

ORDER RECEIVED FOR FILING

DATE July 9, 1975



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Director
Wm. T. MELSER Deputy Traffic Engineer

June 9, 1975

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

Re: Item 213 - SAC - May 27, 1975
Property Owner: Otis W. & Mary Louise Jett
Location: Intersection of the NE/S of Windsor Mill Rd.
and NW/S of Sunbriar Ave.
Existing Zoning: D. R. 5.3
Proposed Zoning: Variance from Sec. 460.1 to allow a
swimming pool to be located outside of the rear third of
the lot farthest removed from the side street.
No. of Acres: 136 78.36
151 x 93.96
District: 1st

Dear Mr. DiNenna:
No traffic problems are anticipated by the requested variance to allow a
swimming pool to be located outside the rear third of the lot.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Associate

MSF/bza

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 9 day of
May 1975. Item # _____.

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner MRS. JETT Submitted by MRS. JETT
Petitioner's Attorney _____ Reviewed by MSF

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

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

822-7709

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Otis W. & Mary Louise Jett

Location: Intersection of the NE/S of Windsor Mill Road
and NW/S of Sunbriar Ave.
Item No. 213 Zoning Agenda May 27, 1975

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 _____ 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 _____
- () 4. EXCEEDS the maximum allowed by the Fire Department.
- () 5. The site shall be made to comply with all applicable parts of the
Fire Prevention Code prior to occupancy or beginning of operations.
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", 1970 Edition prior
to occupancy.
- () 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed by: *J. Thomas* Noted and Approved:
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

PETITION MAPPING PROGRESS SHEET

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										
Reviewed by: <u>MSF</u>	Revised Plans:		Change in outline or description _____ Yes _____ No							
Previous case: _____	Map # _____									

PETITION FOR A VARIANCE FOR ZONING
OTIS W. & MARY LOUISE JETT
VARIANCE FROM SECTION 460.1 TO ALLOW A SWIMMING POOL TO BE LOCATED OUTSIDE OF THE REAR THIRD OF THE LOT FARTEST REMOVED FROM THE SIDE STREET.
LOCATION: INTERSECTION OF THE NE/S OF WINDSOR MILL ROAD AND NW/S OF SUNBRIAR AVENUE.
EXISTING ZONING: D. R. 5.3
PROPOSED ZONING: VARIANCE FROM SECTION 460.1 TO ALLOW A SWIMMING POOL TO BE LOCATED OUTSIDE OF THE REAR THIRD OF THE LOT FARTEST REMOVED FROM THE SIDE STREET.
NO. OF ACRES: 136 78.36
151 x 93.96
DISTRICT: 1ST

OFFICE OF THE CATONSVILLE TIMES

CATONSVILLE, MD. 21228 June 12 1975

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION - NORTHWEST CORNER OF WINDSOR MILL ROAD
was inserted in THE CATONSVILLE TIMES, a weekly newspaper pub-
lished in Baltimore County, Maryland, once a week for one
successive week before the 2 day of July 1975, that is to say,
the same was inserted in the issues of June 12, 1975

STROMBERG PUBLICATIONS, Inc.

By: *A. Curran*

PETITION FOR A VARIANCE FOR ZONING
OTIS W. & MARY LOUISE JETT
VARIANCE FROM SECTION 460.1 TO ALLOW A SWIMMING POOL TO BE LOCATED OUTSIDE OF THE REAR THIRD OF THE LOT FARTEST REMOVED FROM THE SIDE STREET.
LOCATION: INTERSECTION OF THE NE/S OF WINDSOR MILL ROAD AND NW/S OF SUNBRIAR AVENUE.
EXISTING ZONING: D. R. 5.3
PROPOSED ZONING: VARIANCE FROM SECTION 460.1 TO ALLOW A SWIMMING POOL TO BE LOCATED OUTSIDE OF THE REAR THIRD OF THE LOT FARTEST REMOVED FROM THE SIDE STREET.
NO. OF ACRES: 136 78.36
151 x 93.96
DISTRICT: 1ST

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 12 1975
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 a week
for one (1) successive week before the 2nd
day of July 1975, the 19th publication
appearing on the 12th day of June
1975.

THE JEFFERSONIAN
L. Leank
Manager

Cost of Advertisement, \$ _____

1-SIGN 76-2-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

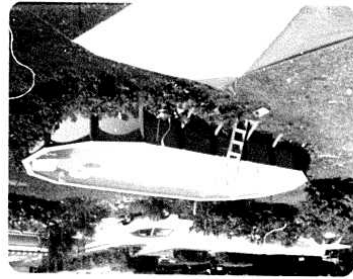
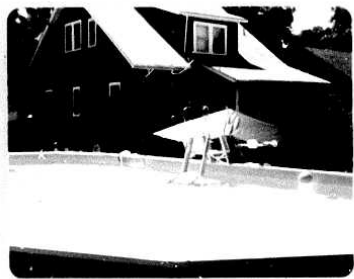
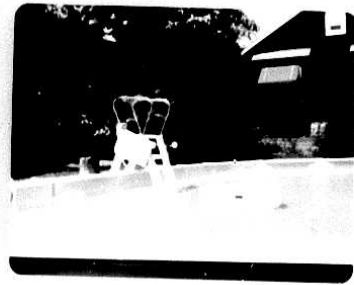
District: 1st Date of Posting: June 14, 1975
Posted for: PETITION FOR VARIANCE
Petitioner: OTIS JETT
Location of property: NE/S COR. OF WINDSOR MILL RD. AND SUNBRIAR
Ave.
Location of Sign: FRONT 5516 WINDSOR MILL RD
Remarks: _____
Posted by: *Thomas S. Boland* Date of return: June 19, 1975
Signature

BALTIMORE COUNTY, MARYLAND No. 20273
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE May 9, 1975 ACCOUNT 01-662
AMOUNT \$25.00 (Cash)
DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND No. 21655
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE July 2, 1975 ACCOUNT 01-662
AMOUNT \$19.50
DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
Cash
Advertising and posting of property for Otis W. Jett
#76-2-A
42544 2 49.50



PHOTOGRAPHS