

76-75-A When No. 34) **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, William & Carole Turner, legal owner(s) 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 in lieu of 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)

- 1) We would like to have a pool in rear yard; however, due to the location of our existing septic tank it virtually eliminates the placing of the pool in the rear yard. If we must expand septic in the future our rear yard is suitable for expansion.
- 2) Also, electrical and telephone wires are crossing over our rear yard feeding the two adjacent homes and ours.
- 3) Also, being in front yard between house and water it is less susceptible to malicious destruction.

See attached description

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

DATE October 20, 1975 BY William I. Turner
Contract purchaser Address 4126 Beachwood Rd.
Legal Owner Address 21222

AS Leslie Russett Petitioner's Attorney Address 9000 Harford Rd.
Protestant's Attorney Address

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day

of August, 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 18th day of October, 1975 at 11:00 clock

By Eric DiNenna
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE
Northeast side of Beachwood Road
725 feet Northwest of Lynhurst Road,
15th District
WILLIAM TURNER, Petitioner
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 76-75-A

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.

Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I hereby certify that on this 30th day of September, 1975, a copy of the foregoing Order was mailed to Mr. William I. Turner, 4126 Beachwood Road, Baltimore, Maryland 21222, Petitioner.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: October 3, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-75-A Petition for Variance for an Accessory Structure (Swimming Pool).
Northeast side of Beachwood Road, 725 feet Northwest of Lynhurst Road.
Petitioner - William Irving Turner and Carole O. Turner

15th District

HEARING: Monday, October 6, 1975 (11:00 A.M.)

The staff of the Office of Planning and Zoning will offer no comment on this petition at this time.

William D. Fromm
William D. Fromm, Director
Office of Planning and Zoning

WDF:NEG:rw



Mr. & Mrs. William I. Turner
4126 Beachwood Road
Baltimore, Maryland 21222

RE: Petition for Variance
NE/S of Beachwood Road, 725' NW
of Lynhurst Road - 15th Election
District
William I. Turner, et ux -
Petitioners
NO. 76-75-A (Item No. 34)

Dear Mr. & Mrs. Turner:

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

Very truly yours,

S. ERIC DINENNA
Zoning Commissioner

SED/srl

Attachments

cc: Mr. Leslie Russett
9000 Harford Road
Baltimore, Maryland 21234

John W. Hession, III, Esquire
People's Counsel

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

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

September 19, 1975

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

Re: Item #34 (1975-1976)
Property Owner: William and Carole Turner
N/ES of Beachwood Rd., 425' N/W of its intersection with
Beachwood Rd.
Existing Zoning: MH-1M
Proposed Zoning: Variance from Sec. 400.1 to permit an
accessory structure (swimming pool) in the front yard in
lieu of the required rear yard.
District: 15th

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:

Baltimore County utilities and highway improvements are not directly involved. Additional fire hydrant protection may be required in the vicinity.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #34 (1975-1976).

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:PMR:se

cc: William Munchel

E-W Key Sheet
8 NE 31 Pos. Sheet
SE 3 H Topo
104 Tax Map

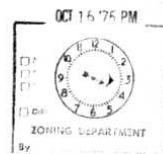
4126 Beachwood Road
Baltimore, Maryland 21222
October 9, 1975

Department of Permits
111 W. Chesapeake Avenue
Towson, Maryland 21204
Gentlemen:

By this letter, we, the undersigned, do hereby release Baltimore County of any responsibilities in the issuance of a building permit for a swimming pool at the above location.

William I. Turner
William I. Turner

Carole O. Turner
Carole O. Turner



BALTIMORE COUNTY **ZONING PLANS** **ADVISORY COMMITTEE**



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND **DEPARTMENT OF HEALTH**

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

August 20, 1975

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

Dear Mr. DiNenna:

Comments on Item #34, Zoning Advisory Committee Meeting, August 19, 1975, are as follows:

Property Owner: William & Carole Turner
Location: NE/S of Beachwood Road 425' NW of its intersection with Beachwood Road
Existing Zoning: MH-1M
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (swimming pool) in front yard in lieu of the required rear yard.

No. of Acres:
District: 15th

Revised plot plan showing complete septic system.

Very truly yours,

Thomas R. Devlin
Thomas R. Devlin, R.S., Director
Bureau of Environmental Services

g THD/alc

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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of October, 1975, that the herein Petition for the aforementioned 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 Works and the Office of Planning and Zoning.

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, this day of 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204
Franklin T. Hogans, Jr.
XXXXXXXXXXXXXX
Chairman

September 9, 1975

Mr. William Irving Turner
4126 Beachwood Road
Baltimore, Maryland 21222

RE: Variance Petition
Item 34
William & Carole Turner -
Petitioners

Dear Mr. Turner:

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 northeast side of Beachwood Road, approximately 425 feet northwest of its intersection with Beachwood Road. The petitioner is requesting a Variance to permit an accessory structure (swimming pool) in the front yard of this waterfront lot in lieu of the required rear yard.

Field inspection revealed an existing aboveground swimming pool to be located in the yard area between the house and the street. This existing aboveground pool had suffered apparent irreparable damage as a result of a tree, or parts thereof, felled during a recent windstorm in the area.

Mr. William Irving Turner
Re: Item 34
September 9, 1975
Page 2

Adjacent properties are improved with single family detached dwellings.

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

FTH:JD

Enclosure

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 15, 1975

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

Z.A.C. Meeting of: August 19, 1975

Re: Item 34
Property Owner: William & Carole Turner
Location: NE/S of Beachwood Rd. 425' N.W. of its intersection with Beachwood Road.
Present Zoning: M.H.-I.M.
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure (swimming pool) in the front yard in lieu of the required rear yard.

District: 15th
No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich, Jr.
W. Nick Petrovich, Jr.,
Field Representative.

WNP/ml

H. ENSLEY PARKS, President
EUGENE C. NESE, Vice-President
MRS. ROBERT L. BERNY

MARCUS M. BUTSARIS
JOSEPH N. MUDGOWAN
ALVIN LORICK
JOSHUA R. WHEELER, Superintendent

T. BAYARD WILLIAMS, Jr.
RICHARD W. TRACEY, Jr.
MRS. MICHAEL K. HILL

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Wm. T. MELZER
DIRECTOR DEPUTY TRAFFIC ENGINEER

August 15, 1975

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

Re: Item 34 - ZAC - August 19, 1975
Property Owner: William & Carole Turner
Location: NE/S of Beachwood Rd. 425' NW of its intersection with Beachwood Road
Existing Zoning: MH-IM
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (swimming pool) in the front yard in lieu of the required rear yard.

No. of Acres:
District: 5th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to permit a swimming pool in the front yard.

Very truly yours,
Michael S. Flanigan
Traffic Engineering Associate

MSF/bza

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



August 27, 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 #34, Zoning Advisory Committee Meeting, August 19, 1975, are as follows:

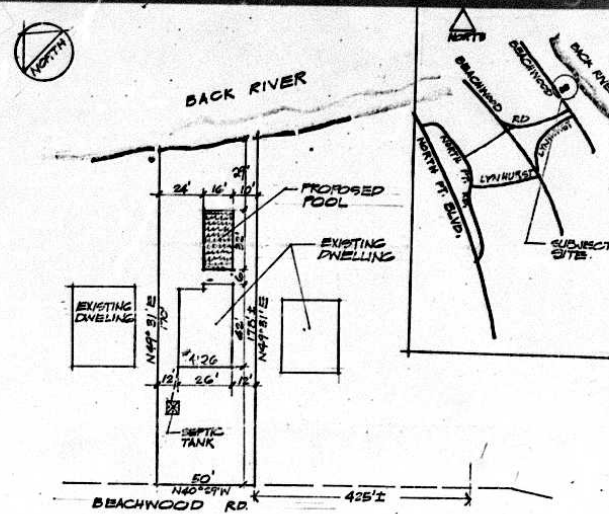
Property Owner: William and Carole Turner
Location: NE/S of Beachwood Road 425' NW of its intersection with Beachwood Road
Existing Zoning: M.H.-I.M.
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (swimming pool) in the front yard in lieu of the required rear yard.
No. of Acres
District: 1th

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



PETITION FOR ZONING VARIANCE
FOR
WILLIAM, CAROLE TURNER
#4126 BEACHWOOD RD 21222

ELECT. DISTRICT - 15th.
ZONED MH-IM
"BEACHWOOD"
LOT 12

SCALE 1" = 40'

DEC 02 1975

PETITION FOR A VARIANCE 15th DISTRICT

ZONING: Petition for Variance for an Accessory Structure (Swimming Pool).
LOCATION: Northeast side of Beachwood Road 1/2 mile Northwest of Lighthouse Road.
DATE & TIME: Monday, October 6, 1975 at 11:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from the Zoning Regulations of Baltimore County to permit an accessory structure (swimming pool) on the first year instead of the required year 1980.

The Zoning Regulations to be changed as follows:
Section 401 - Accessory Buildings shall be located only in the rear yard and shall occupy not more than 40% thereof.

All that parcel of land in the Fifteenth District of Baltimore County, beginning at a point on the northeast side of Beachwood Road 1/2 mile Northwest of Lighthouse Road, and being Lot No. 12 of the Plan of Beachwood, Later 10 Folio 123, being the property of William Irving Turner and Carol Turner, as shown on plat plan filed with the Zoning Department.

Also known as 4126 Beachwood Road.
Hearing Date: Monday, October 6, 1975 at 11:00 A.M.
Public Hearing Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
By Order of:
S. ERIC DINENNA
Zoning Commissioner of Baltimore County
Sept. 15.

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 18, 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 in each of one time successive weeks before the 6th day of October, 1975, the next publication appearing on the 18th day of September, 1975.

THE JEFFERSONIAN.

L. L. Lusk
Manager

Cost of Advertisement, \$ _____

PETITION FOR A VARIANCE 15th DISTRICT

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Also known as 4126 Beachwood Road.
Hearing Date: Monday, October 6, 1975 at 11:00 A.M.
Public Hearing Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
BY ORDER OF:
S. ERIC DINENNA
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

Sept. 26/9 75

THIS IS TO CERTIFY, that the annexed advertisement of Zoning Commissioner of Baltimore County, S. Eric Dinenna in matter of petition of William Turner was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once once before the 19th day of September, 1975; that is to say, the same was inserted in the issues of

SEPTEMBER 18, 1975

Kimbel Publication, Inc.

Publisher.

By *Kimbel E. O'Neil*

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall 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: <i>F. P. H.</i>	Revised Plans: Change in outline or description <u>Yes</u> <u>No</u>									
Previous case: _____	Map # _____									

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#76-75-19

District 15th Date of Posting 9/18/75
Posted for: Nearby Monday Oct 6, 1975 @ 11:00 A.M.
Petitioner: Mr. Turner
Location of property: N.E. 1/2 of Beachwood Rd. 22.5 A.C. of Lighthouse Rd.
Location of Sign: 1 1/2 m. South in Front of N. 4126 Beachwood Rd.
Remarks: Facing Street
Posted by: Paul H. Hines Date of return: 9/18/75
Signature

BALTIMORE COUNTY, MARYLAND No. 23344

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Aug. 25, 1975 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED BY S. G. Hines Contractors, Inc. 9000 Harford Rd.
FROM Balto., Md. 21234 Petition for Variance for Mr. Turner
FOR #76-75-19

107 AUG 26

2500 MS

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 25923

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Oct. 16, 1975 ACCOUNT 01-662

AMOUNT \$45.00

RECEIVED BY William Turner, 4126 Beachwood Rd., Balto., Md. 21222
FROM Advertising and posting of property
FOR #76-75-19

107 AUG 16

4500 MS

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Mr. William Irving Turner
4126 Beachwood Road
Baltimore, Maryland 21222

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

Your Petition has been received and accepted for filing this 18th day of August, 1975

S. Eric Dinenna
S. Eric Dinenna,
Zoning Commissioner

Petitioner William Irving Turner

Petitioner's Attorney _____ Reviewed by Franklin T. Hoggans, Jr.
Chairman,
Zoning Plans
Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Mr. William Irving Turner
4126 Beachwood Road
Baltimore, Maryland 21222

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

Your Petition has been received and accepted for filing this 18th day of August, 1975

S. Eric Dinenna
S. Eric Dinenna,
Zoning Commissioner

Petitioner William Irving Turner

Petitioner's Attorney _____ Reviewed by Franklin T. Hoggans, Jr.
Chairman,
Zoning Plans
Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 7th day of August, 1975. Filing Fee \$ 25. Received ✓ Check _____ Cash _____ Other _____

S. Eric Dinenna
S. Eric Dinenna,
Zoning Commissioner

Petitioner Turner

Submitted by Hobbs Contractors
Petitioner's Attorney _____ Reviewed by F. T. Hoggans

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