

7C-108-A #60 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Donald & Reba Clouser, 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 a pool to be constructed in the front yard instead of the 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)

Distance from rear of house to rear property line is approx. 22', which makes the rear yard an impossible location for an in ground pool. Considering Baltimore County building codes governing property line setbacks, etc. rear yard should be a minimum of 36' deep for a 16' wide pool.

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 Donald R. Clouser
Legal Owner
Address 7716 Philadelphia Rd.
Baltimore, Md. 21237
Petitioner's Attorney _____
Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 7th _____ day of _____ 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ 17th _____ day of _____ 1975, at _____ o'clock _____ A. M.

Eric D. DiNenna
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE
Northwest side of Philadelphia Road
80 feet East of Beatty Avenue,
14th District
DONALD R. CLOUSER, Petitioner

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 76-108A

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

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

I hereby certify that on this 14th day of November, 1975, a copy of the foregoing Order was mailed to Mr. Donald R. Clouser, 7716 Philadelphia Road, Baltimore, Maryland 21237, Petitioner.

John W. Heslian, III

NOV 17 1975 PM



November 19, 1975

Mr. & Mrs. Donald Clouser
7716 Philadelphia Road
Baltimore, Maryland 21237

RE: Petition for Variance
NW/4 of Philadelphia Road, 80' E of
Beatty Avenue - 14th Election District
Donald R. Clouser, et ux - Petitioners
NO. 76-108-A (Item No. 60)

Dear Mr. & Mrs. Clouser:

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

Very truly yours,

George J. Martinak
George J. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

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

DESCRIPTION FOR VARIANCE
DONALD & REBA CLOUSER

BEGINNING AT A POINT 80 FEET WEST OF BEATTY AVENUE ON THE NORTH SIDE OF PHILADELPHIA ROAD, AS RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY IN LIRER 7 FOLIO 18, AND KNOWN AS SECTION 2 PLAT A, LOTS 5, 6 & 7 OF LONGVIEW.

OTHERWISE KNOWN AS 7716 PHILADELPHIA ROAD.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: November 14, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #76-108-A. Petition for Variance for an Accessory Structure.
Northwest side of Philadelphia Road 80 feet, East of Beatty Ave.
Petitioner - Donald R. Clouser and Reba Clouser

14th District

HEARING: Monday, November 17, 1975 (10:45 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has determined that there are no comprehensive planning factors requiring comments on this petition at this time.

William D. Fromm
William D. Fromm
Director of Planning

WDF:NEG:FW

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Mr. Donald Clouser
7716 Philadelphia Road
Baltimore, Maryland 21237

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

Your Petition has been received and accepted for filing this _____ day of _____ 1975

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Donald & Reba Clouser

Petitioner's Attorney
Charles E. Kauntz, Jr.
200 E. Johns Street
Towson, Md. 21204

Reviewed by Franklin T. Novana, Jr.
Chairman,
Zoning Plans
Advisory Committee

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

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

October 14, 1975

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

Re: Item #60 (1975-1976)
Property Owner: Donald & Reba Clouser
N/4 of Philadelphia Rd., 80' W. of Beatty Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 400.1 to permit a pool to be constructed in the front yard instead of the rear yard.
No. of Acres: .25 District: 14th

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 involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #60 (1975-1976).

Very truly yours,

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

END:EAM:FW:es

J-SE Key Sheet
S NE 15 Pos. Sheet
NE 2 E Topo
59 Tax Map

UNDER RECEIVED FOR FILING
DATE 11/11/75
J. H. P. L.

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, a Variance to permit an accessory structure (swimming pool) in the front yard instead of the required rear yard should be granted.

Deputy
IS ORDERED by the Zoning Commissioner of Baltimore County this 11/11/75 day of November, 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, State Highway Administration 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, 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

November 6, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

Franklin T. Hognans
Chairman

MEMBERS

ZONING ADMINISTRATION

HEALTH DEPARTMENT

BUREAU OF FIRE PREVENTION

DEPARTMENT OF TRAFFIC ENGINEERING

STATE HIGHWAY ADMINISTRATION

BUREAU OF ENGINEERING

PROJECT AND DEVELOPMENT PLANNING

INDUSTRIAL DEVELOPMENT COMMISSION

BOARD OF EDUCATION

OFFICE OF THE BUILDINGS ENGINEER

Mr. Donald Clouser
7716 Philadelphia Road
Baltimore, Maryland 21237

RE: Variance Petition
Item 60
Donald & Reba Clouser -
Petitioners

Dear Mr. Clouser:

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 north side of Philadelphia Road, 80 feet west of Beatty Avenue, and is currently improved with a single family dwelling. Unlike many of the houses along Philadelphia Road in this vicinity, this house is set back to the rear of its 180 foot lot.

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

Adjacent properties on the north side of Philadelphia Road are improved with single family detached dwellings.

Mr. Donald Clouser
Item 60
November 6, 1975
Page 2

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

cc: Hudkins Associates, Inc.
101 Shell Building
200 E. Joppa Road
Towson, Md. 21204

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

878-7510

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Donald & Reba Clouser

Location: N/S of Philadelphia Road 80' W of Beatty Avenue

Item No. 60 Zoning Agenda September 30, 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 _____ EXCEEDS 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", 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: *H. J. [Signature]* Noted and Approved: *Paul H. [Signature]*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

WILLIAM D. FROMM
DIRECTOR

October 22, 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 #60, Zoning Advisory Committee Meeting, September 30, 1975, are as follows:

Property Owner: Donald & Reba Clouser
Location: N/S of Philadelphia Road 80' W. of Beatty Avenue
Existing Zoning: D.R.5.5
Proposed Zoning: Variance from Sec. 400.1 to permit a pool to be constructed in the front yard instead of the rear yard.
No. of Acres: .25
District: 14th

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
department of health
TOWSON, MARYLAND 21204

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

October 8, 1975

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

Dear Mr. DiNenna:

Comments on Item #60, Zoning Advisory Committee Meeting, September 30, 1975, are as follows:

Property Owner: Donald & Reba Clouser
Location: N/S of Philadelphia Rd. 80' W of Beatty Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Variance from Sec. 400.1 to permit a pool to be constructed in the front yard instead of the rear yard.
No. of Acres: .25
District: 14th

Metropolitan water and sewer existing.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:dln

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 9, 1975

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

Z.A.C. Meeting of: September 30, 1975

Re: Item 60
Property Owner: Donald & Reba Clouser
Location: N/S of Philadelphia Rd. 80' W. of Beatty Ave.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 400.1 to permit a pool to be constructed in the front yard instead of the rear yard.

District: 14th
No. Acres: .25

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

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

H. EMILIE PARKS, President
EUGENE C. HERS, Vice-President
MRS. ROBERT L. BERNLEY

MARCUS H. BOTSARIS
JOSEPH N. MEDOWAN
ALVIN LORECK
JOSHUA B. WHEELER, Superintendent

T. DAYARD WILLIAMS, Jr.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD E. BUCKLEY

Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Administrator

October 6, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, MD. 21204
ATT. Mr. Franklin Hognans

Re: Z.A.C. meeting, 9-30-75 ITEM 60
Prop. Owner: Donald & Reba Clouser
Location: N/S of Philadelphia Rd.
(Rt. 7) 80' W of Beatty Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Variance from
Sec. 400.1 to permit a pool to
be constructed in the front yard
instead of the rear yard.
No. of Acres: .25
District: 14th

Dear Mr. DiNenna:

The subject site is residential; therefore, there will be no requirements by the State Highway Administration.

CLgjc

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

John E. Meyers
John E. Meyers



Re: Item 60 - AC - Sept. 30, 1975
Property Owner: Donald & Reba Clouser
Location: N/S Philadelphia Rd. 80' W. of Beatty Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Var. from Sec. 400.1 to permit a pool to be constructed in front yard instead of rear yard

No. of Acres: .25
District : 14th

October 8, 1975

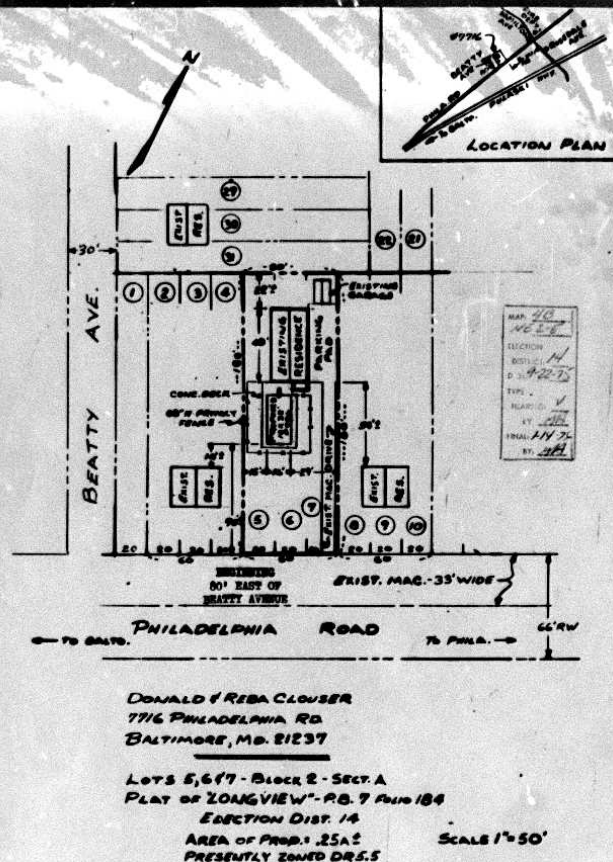
Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

MSP : nc



PETITION MAPPING PROGRESS SHEET									
FUNCTION	Well Map		Original		Duplicate		Tracing		GIS Sheet
	date	by	date	by	date	by	date	by	date
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									

Reviewed by: *JS*

Previous case: _____

Revised Plans:
Change in outline or description _____ Yes
_____ No

Map # _____

CERTIFICATE OF POSTING
JOHN'S DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

76-108-H

District: 14th Date of Posting: 10-30-75
 Posted for: Healey Min. Soc. 12 1975 @ 10-45 P.M.
 Postmaster: Donald S. Clouser
 Location of property: NW1/4 of Chula Rd. 80' East of South one
 Location of Sign: 1 sign. Corner of Hwy Chula Rd. @ H 7716
 Remarks:
 Posted by: Mark H. Hise Date of return: 11-6-75

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 16th day of September 1975. Filing Fee \$ 25.00. Received ☒ Check


S. Eric DiNenna,
Zoning Commissioner

Petitioner Donald + Reba Submitted by Edward F. [Signature]
 Petitioner's Attorney [Signature] Reviewed by [Signature]

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

CERTIFICATE OF PUBLICATION

ROSEDALE, MD., January 5, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in THE OBSERVER, a weekly newspaper published in Rosedale, Baltimore County, Md., one time before the 17th day of August 1975, the publication appearing on the 30th day of October 1975.

THE OBSERVER.
R. H. A. Zink
Advertising Mgr.

Cost of Advertisement \$19.20

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 30 _____, 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., ~~annexed~~ on the one time annexed before the 17th day of November 18 75, the next publication appearing on the 30th day of October 18 75

THE JEFFERSONIAN

Cost of Advertisement, \$.....

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

NO. 25986

NOV. 19, 1975

DATE

AMOUNT

455.00

AMOUNT

455.00

RECEIVED FROM: R. F. Bunkel, 321 Huntington Ct., Baltimore Johns
MD. 21206

FOR: Advertising and printing of property
for Donald B. Glower
976-168-4

NOV 19 1975

455.00

VALIDATION ON SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE
MISCELLANEOUS CASH RECEIPT

No. 25948

Date Oct. 27, 1975 ACCOUNT 62-442

AMOUNT \$25.00

RECEIVED FROM R. F. Smith, 601 Washington Court, Annapolis, MD
FOR Written for Purposes for Donald Smith

James
976-3084

43-2001-28 25.00 MS

VALIDATION OR SIGNATURE OF CAMBIA