

77-1-A PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Leonard Gilmer, Legal owner 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 100-1 to permit the installation of a swimming pool in the side yard in the rear of the property.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (Indicate hardship or practical difficulty.)

1. No other acceptable and ample space exists on the property.

2. Sever line prevents putting pool in rear of home on property.

See attached description

DATE July 6, 1976
SECTION 100-1
SUBJECT Swimming Pool
FILE NO. 77-1-A
TIME 10:00
BY Eric D. DiMenna
BY John W. Heslian, III

Property is to be posted and advertised as prescribed by Zoning Regulations. We, the undersigned, 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 John W. Heslian, III Legal Owner
Address 10 Garrison Farms Court, Pikesville, Maryland 21204

Petitioner's Attorney Charles E. Kowitz, Jr. Protestant's Attorney John W. Heslian, III

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of July, 1976, 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 106, County Office Building in Towson, Baltimore County, on the 15th day of July, 1976, at 10:00 o'clock.

Eric D. DiMenna
Zoning Commissioner of Baltimore County.

(over)

10/00
7/11/76

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S of Garrison Farms Court 381' E of : OF BALTIMORE COUNTY
Garrison Farms Rd., 3rd District
GILMER, DR. LEONARD, et ux, : Case No. 77-1-A
Petitioners

ORDER TO ENTER APPEARANCE

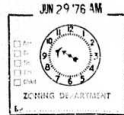
Mr. Commissioner:

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. Kowitz, Jr. John W. Heslian, III
Charles E. Kowitz, Jr. John W. Heslian, III
Deputy People's Counsel People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 28th day of June, 1976, a copy of the foregoing Order was mailed to Dr. & Mrs. Leonard Gilmer, 10 Garrison Farms Court, Pikesville, Maryland 21208, Petitioners.

John W. Heslian, III
John W. Heslian, III



DESCRIPTION FOR VARIANCE

Beginning at a point on the Southeast end of the Garrison Farms Court cul-de-sac, 381' East of Garrison Farms Road, and being lot number 17 of the revised plat of Section 2 of "Garrison Farms" (S.M.C. 30, Folio 98).

Also known as "Garrison Farms Court."

July 6, 1976

Dr. & Mrs. Leonard Gilmer
10 Garrison Farms Court
Pikesville, Maryland 21208

RE: Petition for Variance
7/5 of Garrison Farms Court,
381' E of Garrison Farms Road -
3rd Election District
Dr. Leonard Gilmer, et ux -
Petitioners
IO 77-1-A (Item No. 240)

Dear Dr. & Mrs. Gilmer:

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

Very truly yours,

S. ERIC DI MENNA
Zoning Commissioner

SED/scw

Attachments

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

ORDER RECEIVED FOR FILING

DATE

TIME

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: June 24, 1976

FROM: William B. Fromm, Director of Planning

SUBJECT: Petition #22-1-A... Petition for a Variance for an Accessory Structure (swimming pool).
East side of Garrison Farms Court 381 feet East of Garrison Farms Road
Petitioner - Leonard Gilmer, MD. and Sandra B. Gilmer

3rd District

HEARING: Tuesday, July 6, 1976 (10:00 A.M.)

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

William B. Fromm
William B. Fromm
Director of Planning

WDF:JGH:rw

To Whom It May Concern:

Re: Permit # 20576-25
In Garrison Farms Ct
Leonard and Sandra Gilmer

Re: Case NO. 77-1-A

Please accept the letter that the original
accepts any requests and sent for appeal
to your Order - the above case.

Leonard Gilmer
Leonard Gilmer



Paul H. Heinke
Chief

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

Attention: Mr. Frank Rogers, Chairman
Zoning Advisory Committee

Re: Property Owner: Leonard & Sandra B. Gilmer

Location: N/S Garrison Farms Ct. 381' E. Garrison Farms Rd.

Item No. 240

Zoning Agenda June 8, 1976

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 rear of the property is to be corrected.
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 "Life Safety Code", 1970 Edition prior to occupancy.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments at this time.

Reviewed: Paul H. Heinke Noted and Approved: Eric D. DiMenna
Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-3500

STEPHEN E. COLLINS
DIRECTOR

July 13, 1976

Mr. Eric D. DiMenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 240 - SAC - June 8, 1976
Property Owner: Leonard & Sandra B. Gilmer
Location: N/S Garrison Farms Ct. 381' E Garrison Farms Road
Existing Zoning: R.M. 2
Proposed Zoning: Variance to permit a pool in the side yard in the rear of the rear yard.

Acres:

District: 3rd

Dear Mr. DiMenna:

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

Very truly yours,

Michael S. Planigan
Michael S. Planigan
Traffic Engineer Associate

MSF:rc

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 same Variance should be had, and it further appearing that by reason of the fact that 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 side yard in lieu of the required rear yard should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of July, 1976, 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. 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 21st day of July, 1976, that the above Variance be and the same is hereby DENIED.

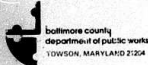
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



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

Re: Item #240 (1975-1976)
Property Owner: Leonard & Sandra B. Gilmer
825 Garrison Farms Ct. 381 E. Garrison Farms Rd.
Baltimore County, MD 21204
Proposed Zoning: D.R. 2
Proposed Variance: Variance to permit a pool in the side yard in lieu of the rear yard.
District: 3rd

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 highway and utility improvements are not directly involved.

The existing, 8-inch public sanitary sewer and 10-foot drainage and utility easement along the south side of this property, lot 15 of the "Revised Plat of Section Two 'Garrison Farms' (B.L.G. 39, 1st 58), is not indicated on the submitted plan.

The Petitioner is cautioned that no encroachment by construction of any structure, including footings will be permitted within County rights-of-way or utility easements. During the course of grading or construction on this site protection must be afforded by the Contractor to protect the existing 8-inch public sanitary sewer (B.L.G. 39, 1st 58). Any damage sustained would be the full responsibility of the Petitioner.

Additional fire hydrant protection may be required in the vicinity.

Very truly yours,

Elsworth H. Nives, P.E.
Chief, Bureau of Engineering

END: EAM: PWR:13
cc: J. March
O-NW Key Sheet
37 x 38 18 18 204. Sheet
W 10 E Topo
68 Tax 124



Paul H. Reincke
Chief

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

Attention: Mr. Frank Wagners, Chairman
Zoning Advisory Committee

Re: Property Owner: Leonard & Sandra B. Gilmer

Location: 825 Garrison Farms Ct. 381 E. Garrison Farms Rd.

Item No. 240

Zoning Agenda June 8, 1976

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and its 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 '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: *John L. Wimbles* Noted and Approved:
Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau



WILLIAM D. FREEMAN
DIRECTOR

June 23, 1976

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 #240, Zoning Advisory Committee Meeting, June 8, 1976, are as follows:

Property Owner: Leonard and Sandra B. Gilmer
Location: 825 Garrison Farms Court 381 E. Garrison Farms Road
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a pool in the side yard in lieu of the rear yard
Acres:
District: 3rd

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. Wimbles
John L. Wimbles,
Planner III
Project and Development Planning

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

17E Bldg.
17th and
Lancaster 21204

June 21, 1976

Franklin T. Rogers, Jr.
Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
PUBLIC WORKS
STATE ROADS COMMISSION
BUREAU OF
FIRE PROTECTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
DEVELOPMENT

Dr. Leonard Gilmer
10 Garrison Farms Court
Pikesville, Maryland 21208

RE: Petition for Variance

Item 240
Leonard & Sandra B. Gilmer - Petitioners

Dear Dr. Gilmer:

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 east side of Garrison Farms Court, 381 feet east of Garrison Farms Road, and is currently improved with a brick dwelling. The petitioner is requesting a Variance to permit the location of a swimming pool in the side yard in lieu of the required rear yard. Field inspection revealed the location of the pool as proposed to be the only practical area for its location.

Adjacent properties are located with single family 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

Dr. Leonard Gilmer
Re: Item 240
June 21, 1976
Page 2

filing certificate, will be forwarded to you in the near future.

Very truly yours,

Franklin T. Rogers, Jr.
FRANKLIN T. ROGERS, JR.
Chairman, Zoning Plans
Advisory Committee

PTH:JD

Enclosure

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 14, 1976

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

Z.A.C. Meeting of: June 8, 1975

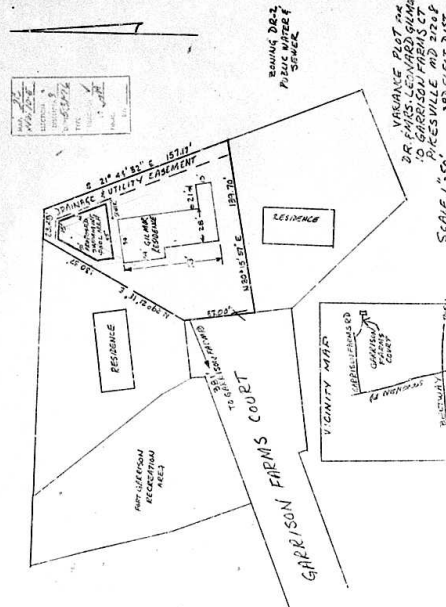
Re: Item 240
Property Owner: Leonard and Sandra Gilmer
Location: 35 Garrison Farms Ct. 381' E Garrison Farms Rd.
Present Zoning: DR 2
Proposed Zoning: Var.

District: 3
No. Acres:

Dear Mr. DiNenna:
No hearing on student population

M2/ai

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich,
Field Representative.



CERTIFICATE OF PUBLICATION

TOWSON, MD. June 11, 1976

THIS IS TO CERTIFY, that the annex advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., at one time successive weeks before the 6th day of July, 1976, the 1976 publication appearing on the 17th day of June, 1976.

THE JEFFERSONIAN

W. Nick Petrovich
Manager

Cost of Advertisement, \$



TOWSON, MD. 21204 June 16, 1976

THIS IS TO CERTIFY, that the annex advertisement of Petition for a Variance--- Gilmer was inserted in the following:

- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Dundalk Times
- ☐ Arbutus Times
- ☐ Essex Times
- ☐ Community Times
- ☐ Suburban Times East
- ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 16th day of July, 1976, that is to say, the same was inserted in the issues of June 16, 1976.

STROMBERG PUBLICATIONS, INC.

BY: *E. J. Schick*

1-SIGN

77-1-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3 Date of Posting: June 19, 1976
Posted for: PETITION FOR VARIANCE
Petitioner: DR. LEONARD GILMER
Location of property: E/S of GARRISON FARMS COURT 381' E of GARRISON FARMS RD.
Location of Sign: FRONT #10 GARRISON FARMS COURT
Remarks: POSTED AT 2:35 A.M.
Posted by: Thomas A. Deland
Date of return: JUNE 24, 1976

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

No. 33433

DATE: June 11, 1976 AMOUNT: 01-662

AMOUNT: \$25.00

RECEIVED BY: Leonard Gilmer, 5016 Balto. Met. Pike, Balto. MD. 21229
FOR: Petition for Variance #77-1-A

3307 JUN 11 25.00

VALIDATION OR SIGNATURE OF CASHIER

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

No. 33487

DATE: July 5, 1976 AMOUNT: 01-662

AMOUNT: \$39.75

RECEIVED BY: Leonard Gilmer, 5016 Balto. Met. Pike, Baltimore MD. 21229
FOR: Petition for Variance #77-1-A

3307 JUL 5 39.75

VALIDATION OR SIGNATURE OF CASHIER





baltimore county
department of health
TOWSON, MARYLAND 21204

case 97-1-19
H.D. 7/16/76

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

October 8, 1976

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

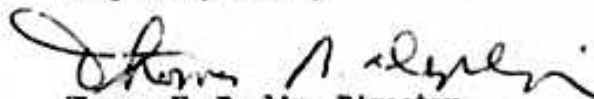
Dear Mr. DiNenna:

Comments on Item #240, Zoning Advisory Committee Meeting, June 1, 1976,
are as follows:

Property Owner:	Leonard and Sandra B. Gilmer
Location:	E/S Garrison Farms Ct. 381' E. Garrison Farms Rd.
Existing Zoning:	D.U.2
Proposed Zoning:	Variance to permit a pool in the side yard in lieu of the rear yard.
Acres	
District:	3rd

Since this is a variance for a swimming pool, and metropolitan water
and sewer are available, no health hazards are anticipated.

Very truly yours,


Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD:HEB/B:EG

CC: J.A. Messina