

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Mr. & Mrs. C. Dwight Moose, 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) to be built 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)

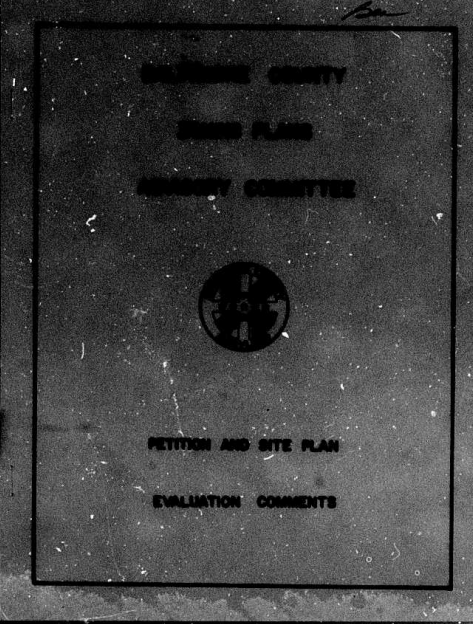
Locating the pool in the northeast corner of the lot would place it in close proximity to neighboring properties on the north and the west; septic system located in northeast corner.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulation. 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: Mr. & Mrs. C. Dwight Moose
Legal Owner
Address: 1400 Broadway Road
Lutherville, Maryland 21093
Petitioner's Attorney: _____
Plaintiff's Attorney: _____
Address: _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 30th day of November 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 17th day of January, 1977, at 11:00 A.M.
Zoning Commissioner of Baltimore County.



Mr. & Mrs. C. Dwight Moose
1400 Broadway Road
Lutherville, Md. 21093

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

RECEIVED
this 30 day of November 1976.

Yours Petition has been received and accepted for filing

Petitioner: C. Dwight Moose, et ux
Petitioner's Attorney: _____
Reviewed by: Nicholas B. Chondari
Planning & Zoning Associate III

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

January 10, 1977

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Chondari
Acting Chairman

MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROAD COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
GENERAL DEVELOPMENT

RE: Variance Petition
Item 103
C. Dwight Moose, et ux -
Petitioner

Dear Mr. Moose:

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.

This site, zoned R.C. 5, and located on the northwest corner of Broadway and Ridgmont Roads, in the 8th Election District, is currently improved with a 2-1/2 story dwelling. Adjacent properties are similarly zoned and improved with dwellings on large lots.

This Variance is necessitated by your proposal to construct a pool in the side yard in lieu of the required rear third of this lot farthest removed from Ridgmont Road.

Particular attention should be afforded the comments of Charles E. Burnham, Plans Review Chief.

Mr. C. Dwight Moose
Re: Item 103
January 10, 1977
Page 2

of the Department of Permits and Licenses, and a revised site plan indicating the correct zoning of your property should be submitted prior to the hearing.

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,
Nicholas B. Chondari
NICHOLAS B. CHONDARI,
Acting Chairman, Zoning
Plans Advisory Committee

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THOMSON M. MEYER, P.E.
DIRECTOR

December 20, 1976

Re: Item #103 (1976-1977)
Property Owner: Mr. & Mrs. C. Dwight Moose
N/W cor. Broadway Rd. & Ridgmont Rd.
Existing Zoning: DR 5.5
Proposed Zoning: 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.
Acres: 175.44 x 172.92 District: 8th
194.00 x 202.28

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan 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.

Public water supply and sanitary sewerage are not available to serve this property which is utilizing private onsite facilities. This property is beyond the Baltimore County Metropolitan District and the Urban Rural Demarcation Line. The Baltimore County Comprehensive Water and Sewerage Plan, adopted January 1976, indicates "Planned Service" in the area in 11 to 30 years.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #103 (1976-1977).

Very truly yours,
Thomson M. Meyer
THOMSON M. MEYER, P.E.
Chief, Bureau of Engineering

END:ENH:PMW:ss
cc: R. Norton
C. Marfield
S-W Key Sheet
55 NW 16 Pos. sheet
NW 14 P Topo
59 The Map

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 434-3610

JOHN D. SEYFERT
DIRECTOR

November 24, 1976

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

Dear Mr. DiNenna:

Comments on Item # 103 Zoning Advisory Committee Meeting, November 30, 1976 are as follows:

Property Owner: Mr. & Mrs. C. Dwight Moose
Location: NW/4 Broadway Road & Ridgmont Road
Existing Zoning: DR 5.5
Proposed Zoning: 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.
Acres: 175.44 x 172.92
194.00 x 202.28
District: 8th

The items checked below are applicable:

☒ A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
(Fence shall be required)
☒ B. A building permit shall be required before construction can begin.
☒ C. Three sets of construction drawings will be required to file an application for a building permit.
☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit. If the pool is in ground structural type.
☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
☐ F. No comment.
☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,
Charles E. Burnham
Charles E. Burnham
Plans Review Chief
CEB:rrj

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 434-3211

December 30, 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 #103, Zoning Advisory Committee Meeting, November 30, 1976, are as follows:

Property Owner: Mr. & Mrs. C. Dwight Moose
Location: NW/4 Broadway Road & Ridgmont Road
Existing Zoning: DR 5.5
Proposed Zoning: 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
Acres: 175.44 x 172.92
194.00 x 202.28
District: 8th

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 plan 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
Planner III
Project and Development Planning

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 19th day of January, 1977, 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 Zoning Commissioner of Baltimore County 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 day of 1977 that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



Paul H. Reincke
Chief

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

Attention: Mr. Nicholas B. Commodari
Zoning Advisory Committee

Re: Property Owner: Mr. & Mrs. C. Dwight Moose

Location: NW/4 Broadway Rd. & Ridgmont Rd.

Item No. 10)

Zoning Agenda 11/30/76

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 FIGURE 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 shown.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *H. J. [Signature]* Noted and Approved
Planning Group
Special Inspection Division
Acting Battalion Chief
Fire Prevention Bureau



STEPHEN COLLINS
DIRECTOR

Mr. Eric S. DiMenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 103 - SAC - November 30, 1976
Property Owner: Mr. & Mrs. C. Dwight Moose
Location: NW/4 Broadway Rd. & Ridgmont Rd.
Existing Zoning: D.H. 5.5

Proposed Zoning: 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.
Acres: 175.44 X 172.92
134.00 302.28
District: 8th

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. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

HSF:nc



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

December 21, 1976

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

Dear Mr. DiMenna:

Comments on Item 103, Zoning Advisory Committee Meeting, November 30, 1976, are as follows:

Property Owners: Location: Existing Zoning: Proposed Zoning:	Mr. & Mrs. C. Dwight Moose NW/4 Broadway Rd. & Ridgmont Rd. D.H. 5.5 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. 175.44/394.00 X 172.92/302.28 8th
---	--

Since this is a variance for a swimming pool and the existing water well and septic system are functioning, no health hazard is anticipated.

Very truly yours,

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

TID/HJH/tb*

January 19, 1977

Mr. & Mrs. C. Dwight Moose
1400 Broadway Road
Lutherville, Maryland 21093

RE: Petition for Variance
NW corner of Broadway and Ridgmont Roads - 8th Election District
C. Dwight Moose, et ux -
Petitioners
NO. 77-125-A (Item No. 103)

Dear Mr. & Mrs. Moose:

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

Very truly yours,

/s/
S. ERIC DI MENNA
Zoning Commissioner

SED/elz

Attachments:

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

DESCRIPTION FOR VARIANCE
PROPERTY OF MR. & MRS. C. DWIGHT MOOSE
8TH ELECTION DISTRICT

Beginning at a point on the Northwest corner of Broadway Road and Ridgmont Road and being known as Lot 5, Block "A", Section 1 of "Ridgmont", recorded in the Land Records of Baltimore County in Liber 23, Folio 48.

Also Known as 1400 Broadway Road.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: January 6, 1976
FROM: Norman E. Garber, Acting Director of Planning
SUBJECT: Petition #77-125-A. Petition for Variance for an Accessory Structure (swimming pool).
Northwest corner of Broadway and Ridgmont Roads.
Petitioner - C. Dwight Moose and Audrey D. Moose

8th District

HEARING: Monday, January 17, 1977 (11:00 A.M.)

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

Norman E. Garber
Norman E. Garber
Acting Director of Planning

NEG:JGH:rw



RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NW/C of Broadway and Ridgmont Rds., : OF BALTIMORE COUNTY
8th District :
C, DWIGHT MOOSE, et ux, Petitioners : Case No. 77-125-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.
Charles E. Kountz, 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 12th day of January, 1977, a copy of the foregoing Order was mailed to Mr. & Mrs. C. Dwight Moose, 1400 Broadway Road, Lutherville, Maryland 21093, Petitioners.

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

OFFICE OF THE TIMES NEWSPAPERS TOWSON, MD. 21204 Dec. 30, 1976

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

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

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 17th day of January, 1977, that is to say, the same was inserted in the issues of Dec. 30, 1976.

STROMBERG PUBLICATIONS, INC.
BY *Don Sink*

CERTIFICATE OF PUBLICATION

TOWSON, MD. December 30, 1976
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. one time one time before the 17th day of January, 1977, the 1977 publication appearing on the 30th day of December, 1976.

THE JEFFERSONIAN
Harold L. Schmitt
Manager
Cost of Advertisement, \$.....

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 November 1976 Filing Fee \$25.00 Received ☒ Check ☐ Cash ☐ Other

John W. Heslian, III
S. Eric O'Connell
Zoning Commissioner
Petitioner *C. Dwight Moose* Submitted by *Richard Landwehr*
Petitioner's Attorney Reviewed by *John W. Heslian, III*
• This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: *8th* Date of Posting: *Jan. 1, 1977*
Posted for: *Petition for Variance*
Petitioner: *C. Dwight Moose*
Location of property: *NW corner of Broadway and Ridgmont Rds.*
Location of Sign: *NW corner of Broadway and Ridgmont Rds.*
Remarks:
Posted by: *John W. Heslian, III* Date of return: *Jan. 7, 1977*

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 42826
DATE: Dec. 23, 1976 ACCOUNT: 01-662
AMOUNT: \$25.00
RECEIVED: *Ima C. Rieger, Inc.* 10100 Marble Court, Cockeysville
Md. 21030
FOR: *Petition for Variance for C. Dwight Moose*
#77-125-A
30-200-23 25.00 CKE
VALIDATION OR SIGNATURE OF CLERK

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 42850
DATE: Jan. 17, 1977 ACCOUNT: 01-662
AMOUNT: \$42.50
RECEIVED: *C. Dwight Moose, 1400 Broadway Rd., Lutherville*
Md. 21093
FOR: *Advertising and posting of property*
#77-125-A
30-200-23 42.50 CKE
VALIDATION OR SIGNATURE OF CLERK

