

78-95-A 246 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, ROBERT L. BLOOM, 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 78-95-A 78-95-A 78-95-A to be located outside of the third of the lot farthest removed from the side street.

(Milner Rd.)

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

1. Topography of site dictates pool going as per plat.
2. Practical location to rear sliding door.

See attached description

MAX 246
ELECTION
DISTRICT
NO. 11
TOWN
TOWSON
NOV 2 1977

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.

DATE November 2, 1977

Contract purchase _____ Legal Owner _____

Address 81 Lovebird Court _____

Perry Hall, MD 21236 _____

Petitioner's Attorney _____ Protestor's Attorney _____

Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of August, 1977, 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 31st day of October, 1977, at 10:15 A.M.



(over)

10:15A
10/31/77

baltimore county
department of health
TOWSON, MARYLAND 21204

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

October 17, 1977

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

Dear Mr. DiNenna:

Comments on Item #6, Zoning Advisory Committee Meeting, August 30, 1977, are as follows:

Property Owners: Robert L. Bloom
Location: SE/C Lovebird Ct. & Milner Rd.
Blasting Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a pool to be located outside of the rear third of the lot farthest removed from the side street.
Acreage: 0.213
District: 11th

A revised plat must be submitted showing existing metropolitan water and sewer.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TMD/KS/ruc

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER

SE/corner of Lovebird Ct. & Milner Rd.,
11th District

ROBERT L. BLOOM, Petitioner : Case No. 78-95-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. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 11th day of October, 1977, a copy of the foregoing Order was mailed to Mr. Robert L. Bloom, 1 Lovebird Court, Perry Hall, Maryland 21236, Petitioner.

John W. Hession, III
John W. Hession, III



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: October 24, 1977

FROM: Leslie H. Graef, Director of Planning

SUBJECT: Petition #78-95-A
Petition for Variance for an Accessory Structure (Swimming Pool).
Southeast corner of Lovebird Court and Milner Road
Petitioner - Robert L. Bloom

11th District

HEARING: Monday, October 31, 1977 (10:45 A.M.)

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

Leslie H. Graef
Leslie H. Graef
Director of Planning

LHG:JGH:rw

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
301-66-3261

S. ERIC DINENNA
ZONING COMMISSIONER

November 2, 1977

Mr. Robert L. Bloom
226 Rickwood Road
Timonium, Maryland 21093

RE: Petition for Variance
SE/corner of Lovebird Court and
Milner Road - 11th Election District
Robert L. Bloom - Petitioner
NO. 78-95-A (Rem No. 46)

Dear Mr. Bloom:

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

Very truly yours,
S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

SED/sf

Attachm-ent

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

Description of Property

Being known as lot 19, block A, Section 2 as shown on the record plat of "Perry Hall Gardens", E.J.K., Jr. book 39, folio 58; located on the southeast corner of the junction of Lovebird Court, Lovebird Court, and Milner Road in the 11th District of Baltimore County.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



MAR 17 1978

ORDER RECEIVED FOR FILING
DATE 10/17/77

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 Petitioner.

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 third of the lot farthest removed from the side street (Milner Road) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27 day of November, 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 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

Mr. Robert L. Bloom
81 Lovebird Court
Perry Hall, Maryland 21226

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this 30th day of August 1977.

S. ERIC DI NENNA
Zoning Commissioner

Petitioner Mr. Robert L. Bloom

Petitioner's Attorney

cc: ERI Sylvan Pools
P.O. Box 159
Laurel, Maryland 20616

reviewed by
Nicholas B. Comandari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Mr. Robert L. Bloom
81 Lovebird Court
Perry Hall, Maryland 21226

RE: Variance Petition
Item Number 46
Petitioner - Robert Bloom

Dear Mr. Bloom:

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.

Located on the southeast corner of Milner Road and Lovebird Court in the 11th Election District, this property is presently improved with a single family detached dwelling.

This Variance is required by your proposal to construct a swimming pool closer to the side street (Milner Road) than is allowed under Section 402.1 of the Baltimore County Zoning Regulations.

In addition to the above, and coupled with the fact that this subdivision was covered by an approved

October 17, 1977

Mr. Robert L. Bloom
Page 2
Item Number 46
October 17, 1977

final development plan which limited the area on the property on which a structure could be constructed, an amendment to this plan was also required to be filed simultaneously with this Variance petition. This amendment was approved on September 21, 1977 by the Office of Planning and Zoning, and therefore, if this Variance is granted you may then proceed with your application for a building permit.

Particular attention should be afforded the comments of the Bureau of Engineering concerning the drainage and utility easement traversing the rear of this property.

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. COMANDARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: ERI Sylvan Pools
P.O. Box 159
Laurel, Maryland 20616

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

September 19, 1977

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

Re: Item #46 (1977-1978)
Property Owner: Robert L. Bloom
S/E cor. Lovebird Ct. & Milner Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a pool to be located outside of the rear third of the lot farthest removed from the side street.
Acres: 0.213 District: 11th

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 to be directly involved and are as secured by Public Works Agreement #15606, executed in conjunction with the development of "Perry Hall Gardens", of which this property is Lot 19, Block "A", Section 2, Perry Hall Gardens, as recorded E.R.E., Jr. 39, Folio 58.

However, the submitted plan is in error in regard to the indicated "5' Drainage and Utility Easement". This Baltimore County drainage and utility easement is 10 feet in width, as shown on the recorded plat. 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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #46 (1977-1978).

Very truly yours,

ELLSWORTH H. DYER, P.E.
Chief, Bureau of Engineering

END: EAM: PWR: ss

cc: J. Wimbley
B. Shalowitz
Q-5W Key Sheet - 43 NE 27 Pos. Sheet
N2 1/4 Topo - 63 Tax Map

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
1971-49-271

September 26, 1977

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

Dear Mr. DiNenna:

Comments on Item #46, Zoning Advisory Committee Meeting, August 30, 1977, are as follows:

Property Owner: Robert L. Bloom
Location: S/E Lovebird Court and Milner Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a pool to be located outside of the rear third of the lot farthest removed from the side street
Acres: 0.213
District: 11th

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
Planner III
Project and Development Planning

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
1971-49-250

STEPHEN E. COLLINS
DIRECTOR

September 22, 1977

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

Re: Item #46 - ZAC - August 30, 1977
Property Owner: Robert L. Bloom
Location: S/E Lovebird Ct. & Milner Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a pool to be located outside of the rear third of the lot farthest removed from the side street.
Acres: 0.213
District: 11th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to permit a pool to be located outside of the rear third of the lot farthest removed from the street.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

NEF/cmv

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
201-825-7310

Paul H. Reincke
Chief

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

Attention: Mr. Comandari, Chairman
Zoning Advisory Committee

Re: Property Owner: Robert L. Bloom

Location: S/E Lovebird Ct. & Milner Rd.

Item No. 46

Zoning Agenda August 30, 1977

Comments:

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 this site.
- () 3. The vehicle dead-end condition shown at _____ ~~violates~~ 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: *St. Velly*
Special Inspection Division

Noted and
Approved: *Henry M. G...*
Fire Prevention Bureau

MAR 17 1978

September 28, 1977

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

Dear Mr. DiNenna:

Comments on Item # 16 Zoning Advisory Committee Meeting, August 30, 1977
are as follows:

Property Owner: Robert L. Bloom
Location: 2/6/C Lovebird Court and Milner Road
Existing Zoning: R.A. 3.5
Proposed Zoning: Variance to permit a pool to be located outside of the rear third of the lot farthest removed from the side street.

Acres: 0.213
District: 11th

The items checked below are applicable:

- ☐ A. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☐ 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.
- ☐ E. Wood frame walls are not permitted within 3'-0" of a property line. Contact Building Department if distance is between 3'-0" and 4'-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. Burdick

Charles E. Burdick
Plans Review Chief
(301) 494-3610

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 25, 1977

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

Z.A.C. Meeting of: August 23, 1977

RE: Item No: 46
Property Owner: Robert L. Bloom
Location: SE/C Lovebird Ct. & Milner Rd.
Present Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a pool to be located outside of the rear third of the lot farthest removed from the side street.

District: 11th
No. Acres: 0.213

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH M. McGUIRE, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOUTMAN

THOMAS M. ROYER
WILLIAM P. CHURCH
ROBERT T. DUBEL, SUPERINTENDENT

ALVIN LORECK
WILLIAM M. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 13, 1977

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on each day of the week before the 13th day of October, 1977, the date of publication appearing on the 13th day of October, 1977.

THE JEFFERSONIAN,

L. Leland Smith
Manager

Cost of Advertisement, \$ _____

PETITION FOR A VARIANCE
The undersigned, Robert L. Bloom, of Baltimore County, Md., do hereby certify that the foregoing is a true and correct copy of the petition for a variance from the zoning ordinance of Baltimore County, Md., as filed with the Zoning Commission of Baltimore County, Md., on the 25th day of August, 1977, and that the same is being presented to the Board of Education of Baltimore County, Md., for its consideration.

Witness my hand and the seal of Baltimore County, Md., this 25th day of August, 1977.

Robert L. Bloom
Petitioner

Witness my hand and the seal of Baltimore County, Md., this 25th day of August, 1977.

W. Nick Petrovich
Field Representative



TOWSON, MD. 21204 October 13, 1977

THIS IS TO CERTIFY that the annexed advertisement of PETITION OF VARIANCE-ROBERT L. BLOOM 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 2nd successive weeks before the 14 day of October, 1977 that is to say, the same was inserted in the issues of October 13, 1977.

STROMBERG PUBLICATIONS, INC.

BY: *Ernie Burge*

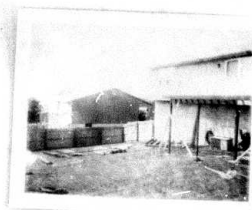
NOTICE OF PETITION FOR A VARIANCE
The undersigned, Robert L. Bloom, of Baltimore County, Md., do hereby certify that the foregoing is a true and correct copy of the petition for a variance from the zoning ordinance of Baltimore County, Md., as filed with the Zoning Commission of Baltimore County, Md., on the 25th day of August, 1977, and that the same is being presented to the Board of Education of Baltimore County, Md., for its consideration.

Witness my hand and the seal of Baltimore County, Md., this 25th day of August, 1977.

Robert L. Bloom
Petitioner

Witness my hand and the seal of Baltimore County, Md., this 25th day of August, 1977.

W. Nick Petrovich
Field Representative



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#71-95-A

District: 11th Date of Posting: 10-13-77
Posted for: Harvey Mordy, Oct. 13, 1977, 10:15 AM
Petitioner: Robert L. Bloom
Location of property: SE/C Lovebird Ct. & Milner Rd.
Location of Sign: 1 Sign, posted on front of No. 1, Lovebird Ct.
Remarks: None
Posted by: *Paul H. Jones* Date of return: 10-24-77

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received, this 10 day of August 1977. Filing Fee \$25. Received ☒ Check ☐ Cash ☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: *Robert Bloom* Submitted by: *K. H. Sylvan Pools*
Petitioner's Attorney: _____ Reviewed by: _____

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

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 57207

DATE: Oct. 1, 1977 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED K.H. Sylvan Pools, Inc. P.O. Box 159, Laurel, Maryland 20610
FOR: Petition for Variance for Robert L. Bloom #71-95-A

47 JUN 10 25.00 REC

VALIDATION OR SIGNATURE OF CASHIER

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

No. 65418

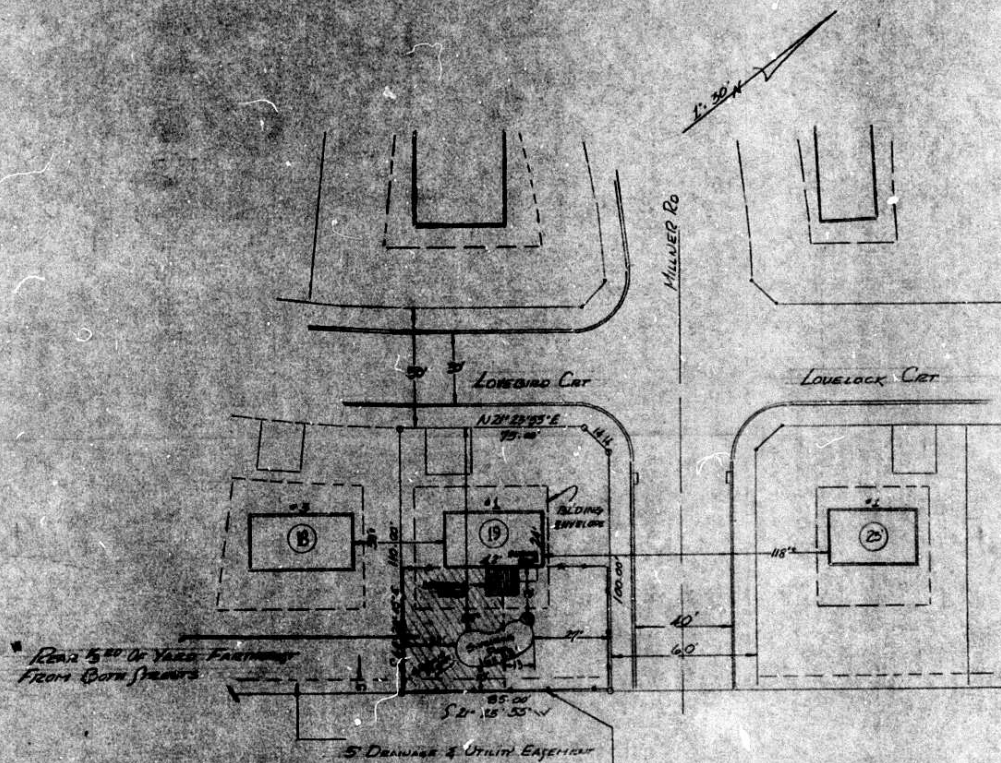
DATE: Jan. 24, 1978 ACCOUNT: 01-662

AMOUNT: \$44.00

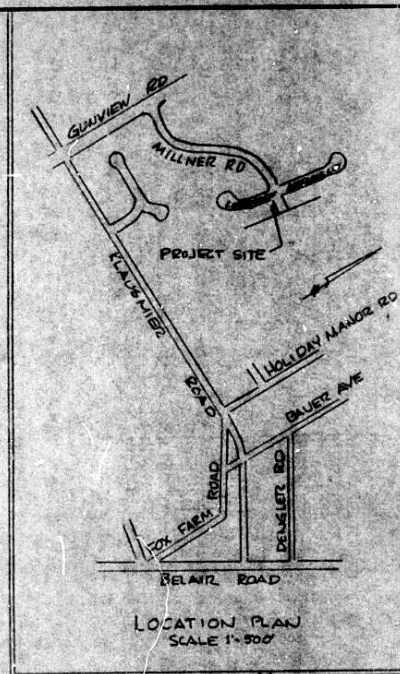
RECEIVED K.H. Sylvan Pools, Inc. Laurel, Md. 20610
FOR: Advertising and posting of property for Robert Bloom #71-95-A

47 JUN 24 44.00 REC

VALIDATION OR SIGNATURE OF CASHIER



* SITE INFO:
 LOT 19, Bldg A - SEC 2 'PERRY HALL GARDENS'
 ZONED DR 35 11TH DISTRICT
 ACCT # 17-00-002100 E.H.K. JR. 39, Falso 58



NAME	_____
ADDRESS	_____
CITY	_____
STATE	_____
ZIP	_____

KDI SYLVA POOLS	
ENGINEERED FOR CARE-FREE SWIMMING	
SCALE: 1" = 30'	APPROVED BY: _____
DATE: 8-77	DESIGNED BY: _____
CUSTOM DESIGNED FOR: ROBERT L. BLANT	
100' x 33' CRT	
SHAPE: KIDNEY	MODEL: 16' x 33'
DRAWING NUMBER: _____	

