55 PETITIC. FOR ZONING VARANCE 87-161-A TO THE ZONING COMMISSIONER OF BALTIMORE COLLEGE IN RE: PETITION FOR ZONING VARIANCE NE/S of Pikesville Rd., 251.5' The undersigned, 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 accessory structures [pool and shed] to be located in the side yard in lieu of the rear ward. of the Zoning Regulations of Baitimore County, to the Zoning Law of Baitimore County; for the following reasons: (indicate hardebly or practical difficulty) We installed an above ground pool in our side yard four years ago for structures (swimming pool and shed) to be located in the side yard in lieu of We have no rear yard.
 This gives us good visibility from our house for the safety of our children while swimming. the required rear yard. Baltimore County Zoning Regulations (BCZR) which require that accessory struc-Property is to be posted and advertised as prescribed by Zoning Regulations tures be placed in the rear yard. He was informed by the Department of Permits 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 soning regulations and restrictions of Battimore County adopted pursuant to the Zoning Law For Battimore County. and Licenses that no permit was required for the shed/dog house because it is I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition required exercise by his wife (Petitioner's Exhibit 2, Page 15), was built four years ago by a pool company (Petitioner's Exhibit 2, Page 3), which apparently Contract Purchase Legal Owner(s) 20 did not obtain a permit. The neighbor to the south does not object to the (Type or Print Nam .0.3 variance requested (Petitioner's Exhibit 2, Page 16). Refet M. Buch 4-248 site is concerned that there is no gate preventing access to the pool. In Bucker addition, she and her 88-year old mother are greatly disturbed by the noise from City and State the continuously operating pool filter located between the pool and her home. N33,560 M35990 8825 Pikesville Rd. 484-0527 Phone No. appearing that strict compliance with the Baltimore County Zoning Regulations Michael Frolle -Pikesville Md - 21208 . (RCZR) would result in practical difficulty and unreasonable hardship upon the LOS Dosly Are Petitioners, it is determined that the variance requested would not according Name, address and phone number of legal owner, con actions the health, safety, and general welfare of the community and should Touran 21204 Robert & Susan Brooks Attorney's Telephone No.: 321-0640 8825 Pikesyille Rd. OF DERED By The Zoning Commissioner of Baltimore County, this 4th of September 19.86, that the subject matter of this potition be advertised, as required by the Zening Law of Baltimore County, in two nowspapers of general circulation throughout Baltimore County, the property be posted, and that the public hearing be had before the Zening Commissioner of Baltimore County in Room 105, County Office Building in Townson, Baltimore County, on the 15th day of October ..., 19.86 , at 10:00 o'clock Zoning Countilssioner of D. CHRYSPICATE OF POSTING ARTMENT OF BALTWORE COUNTY 87-161-A Towns, Marriani Date of Posting 9-23-86 Variance Politicas Polit H Brooks et ux Location of property. NE/S pt Piperille Rd. 251.5 SE of the Location of property of Mary of Malson da, (882.5 Phonolly Real).
Location of Separation front of 882.5 Phonolly Real.

Posted by Do anta

ARNOLD JADION

Mr. & Mrs. Robert H. Brooks 8825 Pikesville Road Pikesville, Maryland 21208

RE: Petition for Zoning Variance NE/S of Pikesville Road, 251.5' SE of the R/W of Mt. Wilson Lane 3rd Election District Case No. 87-161-A

Dear Mr. & Mrs. Brooks:

Enclosed please find a copy of the decision rendered in the above referenced case. Please be advised that your Petition for Zoning Variance has been granted, in accordance with the enclosed Order.

If you have any further questions on the subject matter, please do not

Very truly yours Jan M. N. JEAN M. H. JUNG eputy Zoning Commissione

JMRJ:b1

Factosures

cc: Ms. May Elgin 8825 Pikesville Road Pikesville, Maryland

Being the property of Robert H. Brooks, et ux plan filed with the Zonine Office. , as shown on plat

Wednesday, October 15, 1986, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit accessory structures (pool and shed)

DETITION FOR ZONTHE WARTANCE

3rd Flaction District

Case No. 87-161-A

in the side ward in lieu of the required year ward

LOCATION -

DATE AND TIME.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Coemissioner will, however, entertain any request for a stay of the issuemenc of axid permit during this period for good cause shown. Such request must be received in writing by the date of the hearing, etc.

SY OPDER OF ARNOLD JALLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Northeast Side of Pikcaville Road, 251.5 feet Southeast of the right-of-way of Mt. Wilson Lane (8825 Pikesville Road)

Beginning at a point on the Northeast side of Pikesville Rd. [40' Wide] at a distance of 251.5' Southeast of the right of way of Mt. Wilson Lane and being lots 3 & 4 as shown on the plot of " Pikesville Farms ". Which is recorded in the LR3C in Plot Book MPC No 7 , Folio 7 , Know as 8825 Pikesville Pond in the 3rd Election District.

PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER PETITION FOR VARIANCE : NE/S of Pikesville Rd., 251.5' SE of Right-of-Way of Mt. Wilson: La. (8825 Pikesville Rd.) OF BALTIMORE COUNTY

ROBERT H. BROOKS, et ux.

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order

Phyllis Cole Friedman
Phyllis tole Friedman
Peuple's Counsel for Baltimore County

Peter Max ?

Peter Max Zimmerman Deputy People's Counsel Room 223, Court Royse Towson, Maryland 21204 494-2188

I PERESY CERTIFY that on this 23rd day of September, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Robert H. Brooks, 8825 Pikesville Rd., Pikesville, MD 21208, Petitioners

> Peter Max 2 Peter Max Zimmerman

Date of return: 9-26-86

Therefore IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 7th day of November, 1986, that the herein request for a zoning to permit accessory structures (swimming pool and shed) in the side yard, in accordance with Petitioner's Exhibit 1. is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

At all times the pool must be completely enclosed by fencing/gate as required by Baltimore County regulations.

2) The pool fitter shall be enclosed and so insulated and sound treated that the noise level shall not exceed 55 dBA at a distance of 25 feet from the enclosure from 8:00 ALM. to 9:00 P.M. and 50 dBA from 9:00 P.M. to 8:00

DEPUTY ZONING COMMISSIONE

OF BALTIMORE COUNTY

Coso No. 07-161-4

The Petitioners herein request a zoning variance to permit accessory

Testimony by one of the Petitioners indicates that he was unaware of

100 square feet in size. The swimming pool, used for medically

A resident who occupies a dwelling on a life/10 year estate within the

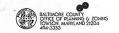
after due consideration of the testimony and evidence presented, and 1

SE of the R/W of Mt. Wilson La.

18825 Diverville Road

3rd Flection District

Petitioners



JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

October 7, 198

Mr. Robert H. Brooks Mrs. Susan L. Brooks 8825 Pikesville Road Pikesville, Maryland 21208

RE: PETITION FOR ZOHING VARIANCE NE/S of Pikesville Rd., 251.5' SE of the right-of-way of Mt. Wilson La. (8825 Pikesville Rd.) 3rd Election District Robert H. Brooks, et ux - Petitioners Case No. 87-161-A

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from projecty from the time it is placed by this office until the day of the hearing itself.



mbor 12. 1986

NOTICE OF HEARING RE: PETITION FOR ZONING VARIANCE NE/S of Pixewrille Rd., 251.5' SE of the right-of-way of Mt. Wilson La. (8825 Pixewrille Rd.) 3rd Election District Robert H. Brooks, et wx - Petitioners Game No. 87-161-A

Madagaday Ostober 15, 198

PLACE: Room 106, County Office Building, 11: West Chesapeake Avenue, Towson, Maryland



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 9, 1986

Bureau of

Department of France South Come Bareau of Health Department Project Planning Board of Education Toning Administrat

Industrial

Mr. Robert H. Brooks 8825 Pikesville Road Pikesville, Maryland 21208

RE: Item No. 55 - Case No. 87-161-A Petitioner: Robert H. Brooks, et ux Petition for Zoning Variance

The Zoning Flams Advisory Committee has reviewed the Alass modelited with the above-referenced petit by a committee of the configuration of the configuratio

Exclosed are all coments submitted from the members of the Committee at this time that offer or request information on your petition. If similar consenses for your petition, if similar consenses for the committee of the committ

Very truly yours, James E. Delen IKKB JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:kkt



Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 SEPTEMBER 15. 1986

Re: Zoning Advisory Meeting of August 19, 1986 Item 1 55 Property Owner: ROBERT H. BROOKS, OTHIX Location: NE/S PAROSVILLE RD. 251.31

SE OF RIW OF MT. WILSON LANE The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

The Courty Period Trough Feature and Trough Feature

Lindiscaping: Mist comply with Baltimore County Landscape Manual.
The property is located in a deficient service area as defined by
Bill 178-9; building permit may be issued until a fleserve
Capacity Use Certificate has been issued. The deficient service is

In property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

Additional comments.

David Fields, Acting Chief Current Planning and Develo



TOWSON, MD., September 25 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspeper printed

_ September 25 .. 19 .. 86

LANDMARK COMMUNITY NEWSPAPERS OF

THE JEFFERSONIAN. Shisan Suder Obrect

> Cost of Advertising 24.75

BALTIMORE COUNTY. MARTLAND

INTER-OFFICE CORRESPONDENCE

Date September 18, 1986 Norman E. Gerber, AICP, Director

SURJECT .. Zoning .Patition. No. . 87-153-A, 87-159-A, 87-160-A and 87-161-A

There are no comprehensive planning factors requiring com

RECEIVED

SEP 19 1986

ZONING OFFICE

NEG- IGH-sin

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550

STEPHEN E. COUNS DIRECTOR

September 5, 1986

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

The Department of Traffic Engineering has no comments for items number 45, 46, 47, 48, 49, 50, 51, 53, 54, 55, 56, 57, 59, 60, and 61.

Very truly yours,

Michael S. Flantoan Trairic Engineer Associate II 9

MSF-11

DALTIMORE COUNTY
DEPARTMENT OF PERMITS 6 INCENSES
ONSON, MARYLAND 21204
494-36-10

TED ZALESKI, JR. DIRECTOR

Comments on Itua # 55 Loning Scrippory Committee Marting are as full west

Property Comer:
Robert H. Brooks, et ux
Location:
RE/S Pikesville Road, 251.5 feet SE of right-of-way of Mt. Wilson La.
3rd.

All structures shall confuse to the Bultimore (proof public ("do as adapted by Commit) bill \$17-55.
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a building and other miscellaneous possite shall be required before the etert of my quantization Separate parmits are required for the pool, fence, shed. C. Sesimential: Two note of construction drawings are required to file a posmit application. The seal of a registered in Rayland Architect or Engineer 15/2 no; required on plans and technical data.

Commercial: Three cors of construction drustage scaled and aigned by a registered in Rayland Architect or Engineer shall be required to file with a permit amplication. Expressed scale are not acceptable.

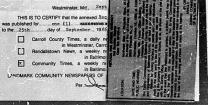
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County building Code.

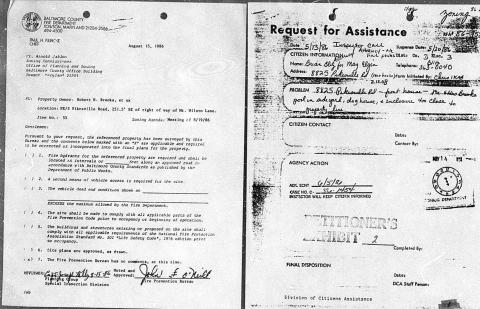
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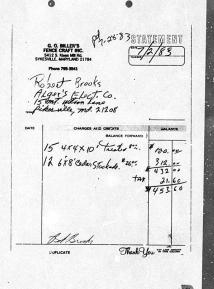
(2) Community Swimming pools shall comply with Section 616.0. Sheds over 100 square feet in area require building parmits.

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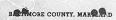


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INTER-OFFICE CORRESPONDENCE

Date August 12, 1983

FROM James Thompson . Item No. 55

Please note that the above subject potition is an active

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ALLEGE BOING TOLATION

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T. M. HOFFMAN and ASSOCIATES, INC. Inner City and Suburban Land Surveyors and Planners 5502 STONINGTON AVENUE . BALTIMORE, MARYLAND 2120

> INVOKE NO 85116 OCT. 4,1985

MR ROBERT H. BROCKS 8825 PIRESINCIE AD PIRESULLE 190

MAY PHINEPIA ELGIN

BALTO. MD-21208 486-584

DEFENDANT'S DESCRIPTION: Driver's Licenses Wt. ... Hair Red ... Eyes

ESTABLISH OUTLINE SEXEG 10 WESTATE ALEA IN RECATION TO No 8825 PIKESVILLE RD

Torge AMOUT Dec 300.00

DISTRICT COURT OF MARYLAND FOR BALTIMORE COUNTY.
Located at 110 Counters MILLAN Dudgelelly County

Pec Eyes Complexion MED: DOB:
Other Age CONTROL 37
APPLICATION FOR STATEMENT OF CHARGES

1, the undersigned, apply for a statement of charges and a summons or warrant which may lead to it arrest of the above-named Oxfordant because on or about CARDER 17. IMS 0.2.35F./m.

arrest of the above-named Oxfordant because on or about CARDER 18. If the above-named Defends

STAP A November 18. I have been been been the state of the superior of the

PY-

| have reviewed this Application for Statement of Charges and have determined probable cause exists for the issuance of a charging document.

| Probable cause does not exist for the issuance of a charging document.

DC/CR 1 (Rev. 7/85)

SUSAN L. BEACHS BALTO NO LOS 486-055

Sex F RACE W HI518

CC. E 618398

DISTRICT COURT OF MARYLAND FOR BALTIMERE COUNTY Located at ,110 Painters Hill Rd. . Owings Hillease No. 62053600 6825 Pikesville Road, (Front Pikesville, Maryland 21208 CC/ E518398 CRIMINAL SUMMONS ON CHARGING DOCUMENT State of Maryland, Baltimore County to wit To the Defendant YOU ARE HEREBY SUMMONED AND COMMANDED to appear for trial in this Court on 1:15 the charge(s) lodged against you in the charging document attached hereto. NOTE WELL: If you fail to appear at the place, time and date set forth above, a warrant for your arrest may be issued. Issued 10/18/85 XXXXXXX Balto. Co. Police Dept. I acknowledge receipt of a copy of this Summon and Common and Comm RETURN OF SERVICE ☐ I certify that I delivered a copy of this Summons and Charging Document to the Defendant personally at resulfy that the Defendant could not be found.

CRIMINAL SUMMONS ON CHARGING DOCUMENT

10: 14.3. 3- - 2 15.7 Supertine Blumber 14C Department Permits & License Plumbing Division - Inspection Report District: Property Location: 8825 Pilewille Be Owner's Name 1 147 Acres Bearladdress: Complainant sian A. Blix Est Address: See a tlacked Letter at follows . If it a mot in compliance with the Muniting thele Inspector's Report & Recommendation: ince a consilion Heter with . 30 day To cored, 5-19-86-net his Elgin - she explained problem
- fort gauge on hose of samell house
house - dray ped 5 ps: - Turned hose
off at sig house - torned Inspection |

K.S. C. At Smill house - dropped P 12/10/76 to 45/25i,

BRUCE H. SINDLER, M.D. BEDFORD EQUARE SUITE 101
BALTIMORE, MARYLAND 21206 BUOMP (201) 653 4151

Sept. 25, 1985

Sincerely.

My patient Susan Brooks must have use of her pool for

Brever Sinck .

Bruce H. Sindler, M.D.

A & A TREE EXPERTS, INC Pikesville, Md. 21208-6098



October 2, 1986

TO MHOM IT MAY CONCERN:

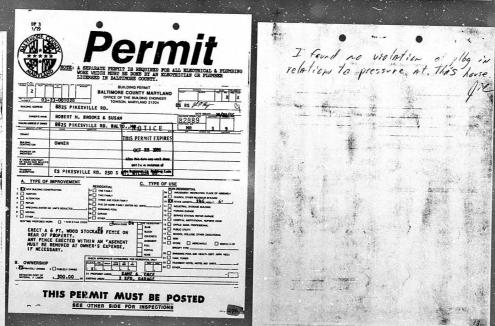
Mr. Brooks is my immediate neighbor on the north sio, of my house My living room, dining room and bedroom windows face his house on the side that he has a swimming pool and dog pen.

At no time, have I found the pool, the dog pen or the activities related to these structures to be a problem to myself. Mr. Brooks has made every reasonable effort to landscape these structures and to be a responsive and cooperative neighbor.

V. I. orem Ronald L. Oren

PIO/clm

Licensed and Fully Insured. Members: Maryland Arborists Association • International Society of Arboriculture



Frondsul

N. D. En expelse and symmon pools motoly 5 (301)256-1104
Divisions of Max Enterprises Inc. 5313 Pelsits Ray Batto, Md. 21236-1996

Robert Susan Brooks 484-0527 6/16/83 Robert - Susan Brooks 8825 Pikesville Road Baltimore Md. 21208 Approximate Start 7/6/63 Rep. S. A.D. Approximate Finish 7/20/29 484-0527 Installing 18x27 Extruded J. Wabove ground Pool Cost \$ 2026.00 Optione! Extres EC-40 Hayward 1 491.39 Filter \$ 341.00 ASC storter chamicals & Equipment Package \$ 104.00 1052.00 Hub derk swiming pool todier \$ 46.39 1.3569.39 Total 178,47 Sales Tav _ . \$ 3747.86 Total E Understand the houling of execute dirt, digging

Representation of the control of the

etc. In the regal, positions against julimentary, you must get positions and regardleshing so indicates, singularity to the regal to th

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/THIS DEED, Made this/23 day of May, 1979, by and between EDMA A. WAREPRER and MAY M. ELCIH, parties of the first part, Grantors, and ROBERT M. BROOKS and SUSAM L. BROQKS, his wife, parties of the second part, Grantess.

WITNESSETH:

TMAT in consideration of the sum of Forty-Sight Thousand Dollars (\$48,000.00), receipt of which is hereby acknowledged, the Grantors do hereby grant, convey and easing unto the Grantees, in fee simple, subject to the hereinafter created life estates, all those lots of ground situate, lying and being in the County of Baltimore, State of Maryland, and described as follows:

ryland, and described as follows:

BEDINNING FOR INE FIEST on the mortheast side
of Fikewvills Foad at the southwest corner of tor
No. 2 as shown on the Plat of Fikewvills Paras.
W.P.C. No. 7, folio 7; thence southeasterly binding on the northeast side of said Road, one hunressterly binding on said lot No. 4 two hundred and
three and fifty-seven one-hundredths feet to the
outline of the whole property of which this is a
five degrees, thirty induces west one hundred and
fourteen one-hundredths feet, more or less, to
the southeast corner of said Lot No. 2; thence,
S. southwesterly one hundred and innerty-sight and
resety-four one-hundredth feet to the place of
the property of the southwest of the southwest order or less, to
the southwest corner of said Lot No. 2; thence,
S. southwesterly one hundred and innerty-sight and
resety-four one-hundredth feet to the place of
blat aforesaid, and

BEGINNING FOR THE SECOND on Pikesville Road and being known and designated as Lot No. 4 on the Plat of Pikesville Farms, said; at being recorded among the Land Records of baltimore County in Plat Book W.P.C. No. 7, folio 7.

BERNC the same lots of ground which by deed dared December 18, 1964 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4412, Folio 428, were granted and conveyed by The Garlan Company, a body corporate, unto Dema A. Marremer.

NA 4974

TOGETHER with the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

LBER 6 0 2 5 PAGE 6 6 L

By hew joining herein, MAY M. ELGIN hereby consents to this conveyance of said lots of ground and relinquishes any and all right to and interest in said lots of ground which she may possess under the deed, described above, by which The Garlan Company, a body corporate, granted and conveved said lots unto DMMA A. WARDERER

TO HAVE AND TO HOLD the said described lots of ground and premises unto and to the proper use and benefit of the said Grantees, their heirs and assigns, forever in fee simple, subject, however, to successive estates for life reserved to EMMA A. WARRENER and MAY M. ELGIN. her daughter, in the cear portion of that lot of ground designated as Lot No. 3 on the Plat of Pikesville Farms duly recorded in the Land Records of Baltimore County in Plat Book W.P.C. No. 7, Folio 7, and more particularly described as that portion of Lot No. 3 measuring approximately 86 feet long by 58 feet wide, such length to begin 4 feet from the property line designated as S.35°30'E.1305.0' on the aforesaid Plat and such width to begin 22 feet from the property line shown to extend 198.24 feet on the aforesaid Plat, together with the right of access thereto from Pikesville Road; provided, however, that in the event both life tenants vacate the abovedescribed portion of the property subject to the successive life estates for a continuous period of six months, said life estates shall terminate automatically and any and all interest held by the successive life tenants, or the survivor of them, shall be extinguished and shall revert to the Grantees, their personal representatives, heirs and assigns, in fee simple.

And the Grantors hereby covenant to warrant specially the property hereby granted and conveyed, and to execute such other and further assurances as may be requisite.

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nu III









Chairman, Zoning Plans Advisory Conmittee







LIBER 6 G 2 5 PAGE 6 G 2

WITNESS the hands and seals of the said Grantors.

WITNESS:

Immett Brooker Emmett Brooks

STATE OF MARYLAND) CITY OF BALTIMORE

I HEREBY CERTIFY that on this 23,4 day of May, 1979, before me, a Notary Public of the State aforesaid, personally appeared EMMA A. WARRENER, the within named Grantor, known to me to be the person whose name is subscribed to the within instrument, who signed the same in my presence, and acknowledged. that she executed the same for the purposes therein contained. WITNESS my hand and notarial seal.

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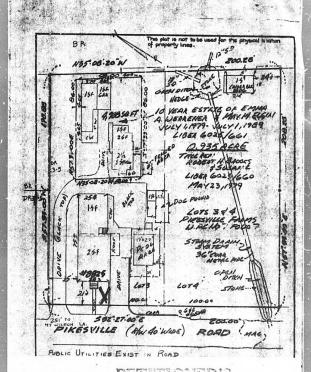
OSShhara PLANG Commission Expires 7/1/82.

STATE OF MARYLAND CITY OF BALTIMORE)

I HEREBY CERTIFY that on this 23.1 day of May, 1979, before me, a Notary Public of the State aforesaid, personally appeared MAY M. ELGIN, the within named Grantor, known to me to be the person whose name is subscribed to the within instrument, who signed the same in my presence, and acknowledged that she executed the same for the purposes therein contained.

o'd for ic...2d MAY 25 10:9 at mand and notarial seal.

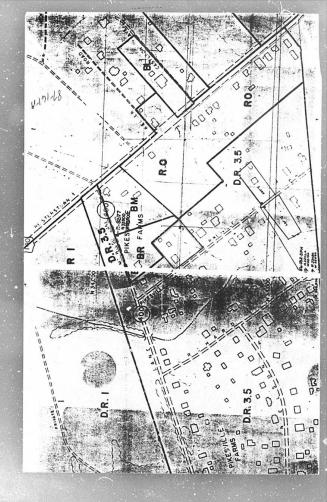
My Commission Expires 7/1/82

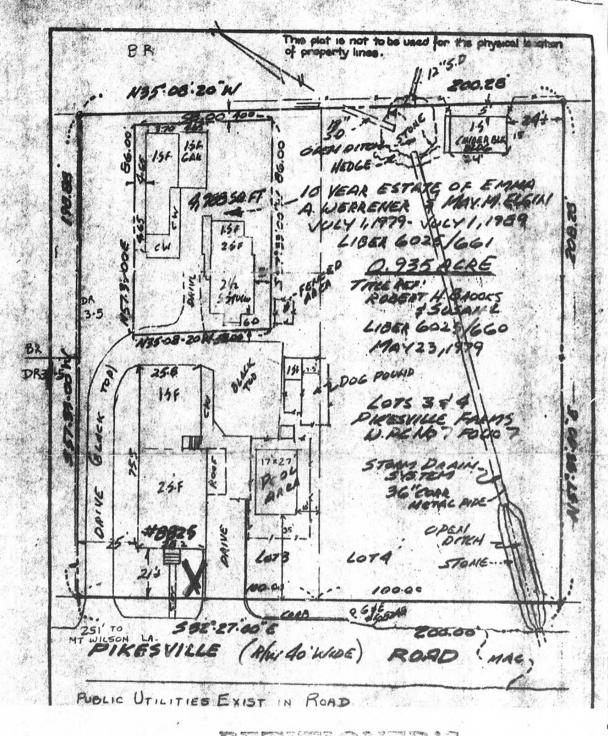




OFFICE COPY

DR 3.5 ZONE 3RT DISTRICT 1" - 30"







OFFICE COPY 87-761-A

DR 3.5 ZONE 3RD DISTRICT 1"=30"