

457 88-48-A **PETITION FOR ZONING VARIANCE** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 use (swimming pool) to be located in the side yard in lieu of the required 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)

The extreme grading behind the house does not allow for the construction of a pool with the normal setback behind the backline of the house.

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.

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.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) John F. Dirzuweit, Jr.
Signature *John F. Dirzuweit, Jr.*
Address Patricia Q. Dirzuweit (wife)
(Type or Print Name)
Signature *Patricia Q. Dirzuweit*
City and State
Attorney for Petitioner:
(Type or Print Name) 1101 Piney Hill Road 343-1221
Address Phone No.
Monkton, Maryland 21111
City and State
Signature
Address Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State Name
Attorney's Telephone No.: Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of June, 1987, 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 28th day of July, 1987, at 9:40 o'clock A.M.

(over)

PETITION FOR ZONING VARIANCE

7th Election District - 3rd Councilmanic District
Case No. 88-48-A

LOCATION: South Side Piney Hill Road, approximately 3200 feet West of Monkton Road (1101 Piney Hill Road)

DATE AND TIME: Tuesday, July 28, 1987, at 9:40 a.m.

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

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 an accessory use (swimming pool) in the side yard in lieu of the required rear yard

Being the property of John F. Dirzuweit, Jr., et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

IN RE: PETITION FOR ZONING VARIANCE
S/S Piney Hill Road, approx.
3200' W of Monkton Road
(1101 Piney Hill Road)
7th Election District
3rd Councilmanic District
John F. Dirzuweit, Jr., et ux
Petitioners
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-48-A

The Petitioners herein request a variance to permit an accessory use (swimming pool) to be located in the side yard in lieu of the required rear yard.

Testimony by one of the Petitioners indicated that they propose the construction of a 20' x 40' swimming pool, partly in the side yard. The proposed location is a level area, mostly in the rear yard. However, a hill prevents the pool from being placed completely in the rear yard. The septic field is at a lower elevation than the house and proposed pool.

There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (ECZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 30th day of July, 1987 that an accessory use (swimming pool) to be located in the side yard in lieu of the required rear yard, in accordance with the plan submitted, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED from and after the date of this Order.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
Date 7/28/87
By *Patricia Q. Dirzuweit*

RE: PETITION FOR VARIANCE
S/S Piney Hill Rd., approx.
3200' W of Monkton Rd.
(1101 Piney Hill Rd.),
7th District
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-48-A
JOHN F. DIRZUWEIT, JR., et ux,
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned 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 Cole Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 30th day of June, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. John F. Dirzuweit, Jr., 1101 Piney Hill Rd., Monkton, MD 21111, Petitioners.

RECEIVED
JUL 1 1987

ZONING OFFICE

ZONING DESCRIPTION

Beginning at a point on the south side of Piney Hill Road approximately 3200' west of Monkton Road and running the following directions and distances, 1259' south 62 degrees 17 minutes 15 seconds west 52', south 48 degrees 11 minutes west 638', north 39 deg. 34 min. west 181', north 28 deg. 4 min. west 70', north 15 deg. 4 min. west 152', north 26 deg. 4 min. west 132', north 7 deg. 26 min. east 108', north 41 deg. 4 min. west 207', north 43 deg. 34 min. west 75.9', north 39 deg. 4 min. west 280.5' to a stone marked "B" north 39 deg. 4 min. west 30' to the south right of way line of Piney Hill Road 890' to the beginning point.

Also known as 1101 Piney Hill Road in the 7th election district.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

July 22, 1987

Mr. John F. Dirzuweit, Jr.
Mrs. Patricia Q. Dirzuweit
1101 Piney Hill Road
Monkton, Maryland 21111

RE: PETITION FOR ZONING VARIANCE
S/S Piney Hill Rd., approx. 3200' W of Monkton Rd. (1101 Piney Hill Rd.)
7th Election District - 3rd Councilmanic District
John F. Dirzuweit, Jr., et ux - Petitioners
Case No. 88-48-A

Dear Mr. and Mrs. Dirzuweit:

This is to advise you that \$100.58 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

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 property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 37811
DATE 7/28/87 ACCOUNT R-01-615-000
SIGN & POST
RETURNED
AMOUNT \$ 100.58
County Paving & Const. Co., 1101 Piney Hill Rd., Monkton, Md. 21111
RECEIVED FROM
ADVERTISING & POSTING COSTS RE CASE #88-48-A
FOR
\$ 8025*****100581a 8282F
VALIDATION OR SIGNATURE OF CARRIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

Arnold Jablon
Zoning Commissioner

July 30, 1987

Mr. & Mrs. John F. Dirzuweit, Jr.
1101 Piney Hill Road
Monkton, Maryland 21111

RE: Petition for Zoning Variance
S/S Piney Hill Road, 3200' W of Monkton Road
7th Election District, 3rd Councilmanic District
Case No. 88-48-A

Dear Mr. & Mrs. Dirzuweit:

Pursuant to the recent hearing held on the subject case, enclosed please find a copy of the decision rendered. Your Petition for Zoning Variance has been Granted in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbs

Enclosures

cc: People's Counsel

Mr. John F. Dirzuweit, Jr.
Mrs. Patricia Q. Dirzuweit
1101 Piney Hill Road
Monkton, Maryland 21111

June 17, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
S/S Piney Hill Rd., approx. 3200' W of Monkton Rd. (1101 Piney Hill Rd.)
7th Election District - 3rd Councilmanic District
John F. Dirzuweit, Jr., et ux - Petitioners
Case No. 88-48-A

TIME: 9:40 a.m.

DATE: Tuesday, July 28, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 36055
DATE 7/28/87 ACCOUNT R-01-615-000
SIGN & POST
RETURNED
AMOUNT \$ 35.00
County Paving & Const. Co., 1101 Piney Hill Rd., Monkton, Md. 21111
RECEIVED FROM
ADVERTISING & POSTING COSTS RE CASE #88-48-A
FOR
\$ 8133*****35001a 8088F
VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 27th
Posted for: John F. Dirzuweit, Jr., et ux
Petitioner: John F. Dirzuweit, Jr., et ux
Location of property: 3200' W. of Monkton Rd.
1101 Piney Hill Rd.
Location of Sign: Piney Hill Rd., approx. 10' E. of 3200' W. of Monkton Rd.
Remarks: on property of John F. Dirzuweit, Jr., et ux
Posted by: M. Staley
Number of Signs: 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
Case No. 88-48-A
LOCATION: South Side of Piney Hill Road, between 3200' W. of Monkton Road and 3200' W. of Monkton Road, 1101 Piney Hill Road.
DATE AND TIME: Tuesday, July 28, 1987, 10:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing for Zoning Variance to permit an accessory use (swimming pool) to be located on the site of the subject property.
Notice of the hearing of John F. Dirzuweit, Jr., et ux, is given on this day at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, at 10:00 a.m. In the event that the Zoning Commission is not in session on the day of the hearing, the hearing will be held on the next day on which the Commission is in session.
By Order of
ARNOLD JABLON
Zoning Commissioner
7/28 July 28

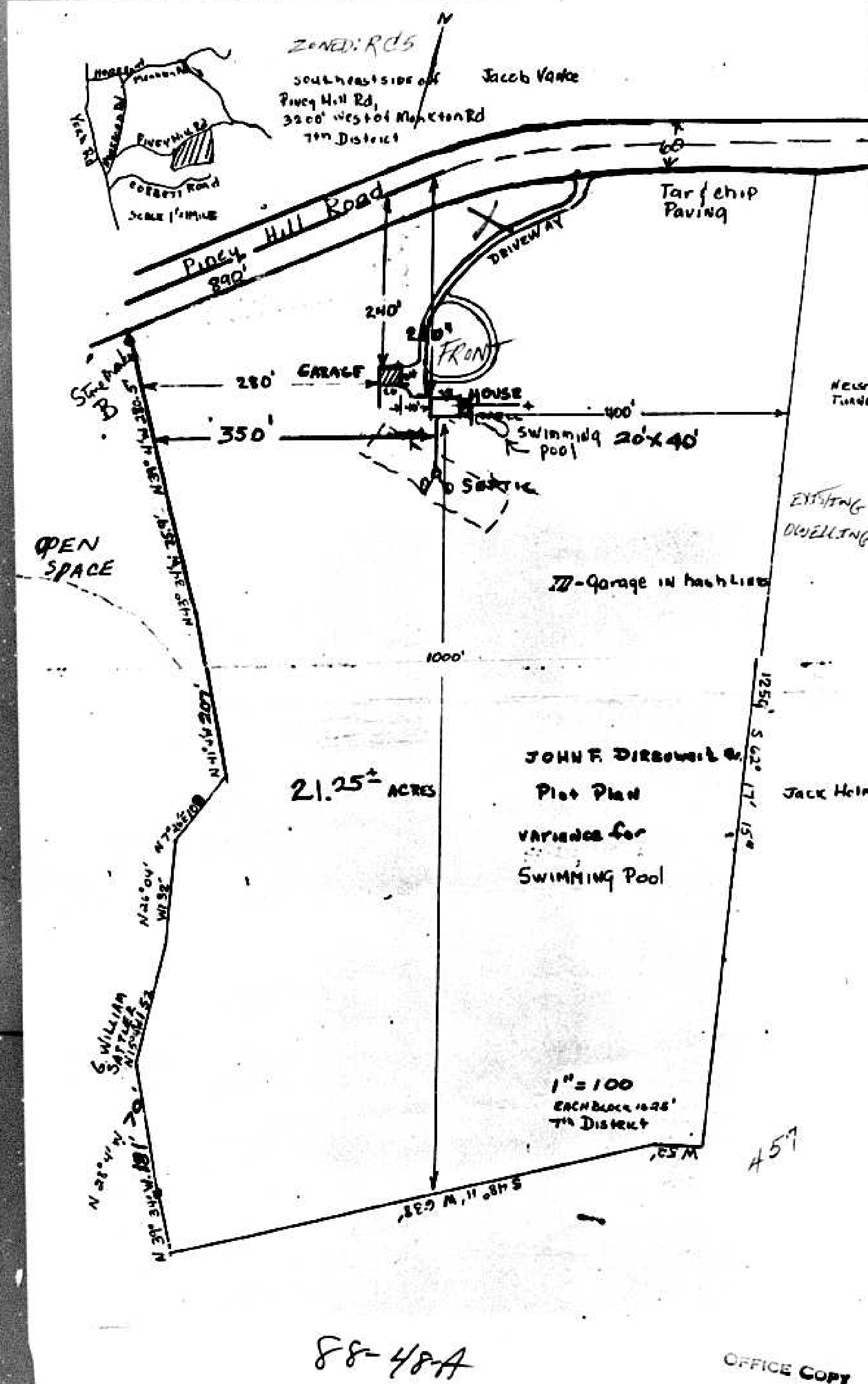
CERTIFICATE OF PUBLICATION

TOWSON, MD., July 9, 1987
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 9, 1987.

THE JEFFERSONIAN,

Sharon Leander Schmitt

Publisher



Case No. 88-48-A

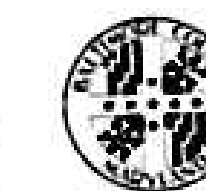
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this
5th day of June, 1987.

Arnold Jablon
Zoning Commissioner

Petitioner: John F. Dirzuweit, Jr., et ux Received by: James E. Dyer, Jr.
Petitioner's Attorney: Michael S. Flanigan Chairman, Zoning Plans Advisory Committee



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

STEPHEN J. KAZAK
DIRECTOR
C. Richard Moore
Acting Director

June 10, 1987

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

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 452, 453, 454, 455, 456, 457, 458, 459, 461, 462, 464, 465, 466, 468, 469, 471, and 473.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reutcke
Chief

May 26, 1987

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: John F. Dirzuweit, Jr., et ux

Location: S/S Piney Hill Road, 3200' +/- W. of centerline of Monkton Road

Item No.: 457 Zoning Agenda: Meeting of 5/19/87

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 operation.
- (X) 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," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: James E. Dyer, Jr. Noted and Approved: John F. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: June 30, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 88-38-A, 88-39-SpH, 88-40-SpH, 88-42-A, 88-44-A, 88-47-A, 88-48-A, 88-49-A, 88-50-A, 88-51-A and 88-54-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber, AICP
Norman E. Gerber, AICP
Director

NEG:JGH:elb

RECEIVED
JUL 1 1987
ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 15, 1987

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

ooo

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. John F. Dirzuweit, Jr.
1101 Piney Hill Road
Monkton, Maryland 21111

RE: Item No. 457 - Case No. 88-48-A
Petitioner: J. F. Dirzuweit, Jr.
Petition for Zoning Variance

Dear Mr. & Mrs. Dirzuweit:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following 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 suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:bjs

Enclosures

cc: File