

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Donald B. Foster and Anne E. Foster, legal owners 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 Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve and issue a permit for parking in an area zoned RDP.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing 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: Donald B. Foster
 Legal Owner: Anne E. Foster
 Address: Monkton Road
Monkton, Maryland 21111
 Petitioner's Attorney: W. Miles Cole
406 Jefferson Building
Towson, Maryland 21204
 Protestants Attorney: _____

ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of December, 1974, 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 22nd day of January, 1975, at 10:15 o'clock A.M.

DEC 20 '74 PM



Zoning Commissioner of Baltimore County

(over)

W. Miles Cole, Esquire
 406 Jefferson Building
 Towson, Maryland 21204

RE: Petition for Special Hearing
 S/S of Monkton Road, 250' E of
 York Road - 7th District
 Donald Foster - Petitioner
 NO. 75-158-SPH (Item No. 113)

Dear Mr. Cole:

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

Very truly yours,

James E. Dyer
 JAMES E. DYER
 Deputy Zoning Commissioner

JED/mc

Attachments

DESCRIPTION

BEGINNING for the same at a point on the southern side of the Monkton Road two hundred and fifty feet from the centerline of the York Road, which point is also where the dividing line between the areas zoned BL-CR and RDP on the existing zoning maps of Baltimore County, Maryland intersect the aforesaid edge of the Monkton Road, thence East along the edge of the aforesaid road 120.2 feet more or less to a pipe set at the beginning of the third or S 07°16' W 234.5 foot line of the lot of ground which by deed dated January 7, 1952 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2071 folio 157, which was conveyed by John E. Foster and wife to the Hereford Volunteer Fire Company, Inc., also being the third line of the Confirmatory Deed dated December 12, 1953 and recorded among the aforesaid Land Records of Baltimore County in Liber G.L.B. No. 2409 folio 127 from John E. Foster and wife to the Hereford Volunteer Fire Company, Inc., and running thence S 07°16' W 128 foot more or less to a point, S 83°45' W 111 feet more or less to intersect the aforesaid zoning division line thence binding on said zoning division line N 03° E 125 feet more or less to the place of beginning.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: January 21, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition 75-158-X, South side of Monkton Road 250 feet East of York Road. Petition for Special Hearing for Off-Street Parking in a Residential Zone. Petitioner - Donald B. Foster and Anne E. Foster

7th District

HEARING: Wednesday, January 22, 1975 (10:45 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comment to offer.

There are no planning factors requiring comment for this request.

William D. Fromm
 William D. Fromm
 Director of Planning

WDF/NEG/mac



BALTIMORE COUNTY, MARYLAND
 JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. WM. T. MCELLEN
 DIRECTOR DEPUTY TRAFFIC ENGINEER

January 30, 1975

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

Re: Item 113 - ZAC - December 17, 1974
 Property Owner: Donald B. & Anne E. Foster
 Location: S/S of Monkton Road 250 ft. E of York Road
 Existing Zoning: RDP
 Proposed Zoning: Special Hearing to approve an issue a permit for parking.
 No. of Acres: 74,335 sq. ft.
 District: 7th

Dear Mr. DiNenna:

No major traffic problems are expected by the requested parking in a residential area.

Very truly yours,
Michael S. Flanagan
 Michael S. Flanagan
 Traffic Engineering Assoc.

MSF/lb

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

W. Miles Cole, Esq.
 406 Jefferson Bldg.
 Towson, Md. 21204 BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
 21204

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

Your Petition has been received and accepted for filing this 18th day of December, 1974

S. Eric DiNenna
 S. Eric DiNenna,
 Zoning Commissioner

Petitioner Donald B. & Anne E. Foster

Petitioner's Attorney W. Miles Cole

Reviewed by *Franklin S. Hornsby*
 Franklin S. Hornsby, Jr.
 Chairman,
 Zoning Advisory
 Committee

WILLIAM D. FROMM
 DIRECTOR
 S. ERIC DINENNA
 ZONING COMMISSIONER



December 19, 1974

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 #113, Zoning Advisory Committee Meeting, December 17, 1974, are as follows:

Property Owner: Donald B. and Anne E. Foster
 Location: S/S of Monkton Road 250 ft. E of York Road
 Existing Zoning: R.D.P.
 Proposed Zoning: Special Hearing to approve an issue a permit for parking
 No. of Acres: 74,335 sq. ft.
 District: 7th

The 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
 John L. Wimbley
 Planning Specialist II
 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 the Petitioner's plans meet the requirements set forth in Section 409.4 of the Baltimore County Zoning Regulations, and that the health, safety and general welfare of the locality involved not being adversely affected, the Special Hearing for Off-street Parking in a Residential Zone, in accordance with the plat dated May 16, 1974, revised September 9, 1974, October 7, 1974 and November 21, 1974, and approved January 29, 1975, by John L. Wimbley, Planning Specialist II, Project and Development Planning Division, Office of Planning and Zoning for Baltimore County, said plat having been filed as Exhibit "A" in this proceeding and which is incorporated by reference hereto as a part of this Order, should be granted.

IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of January, 1975, that the herein Petition for Special Hearing for Off-street Parking in a Residential Zone should be and the same is GRANTED, from and after the date of this Order, subject to compliance with the above mentioned site plan approved on January 29, 1975.

James E. Hays
Deputy Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of _____

the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
TOWSON, MARYLAND 21204

January 15, 1975

JAMES B. BYRNES, III
CHAIRMAN

MEMBERS

ZONING ADMINISTRATION

HEALTH DEPARTMENT

BUREAU OF FIRE PREVENTION

DEPARTMENT OF TRAFFIC ENGINEERING

STATE HIGHWAY ADMINISTRATION

BUREAU OF ENGINEERING

PROJECT AND DEVELOPMENT PLANNING

DEPARTMENT OF PLANNING

BOARD OF EDUCATION

OFFICE OF THE BUILDING ENGINEER

W. Miles Cole, Esq.
Route 1, Box 2264
Parkton, Maryland 21120

RE: Special Hearing Petition
Item 113
Donald B. & Anne E. Foster -
Petitioners

Dear Mr. Cole:

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 south side of Monkton Road, 250 feet east of York Road.

The petitioner is requesting permission to use the rear portion of his property as off street parking area for existing and proposed hardware store buildings.

The entrance to this parking lot is from Monkton Road as we as York Road. Both roads are proposed to be widened as indicated in the comments of the State Highway Administration.

W. Miles Cole, Esq.
Re: Item 113
January 15, 1975

Page 2

This site is located in the Hereford business district and abuts vacant lands to the east owned by the Hereford Volunteer Fire Company and abuts to the south a mix of commercial and residential development fronting on York Road. On the north side of Monkton Road opposite the property under petition is located the operations of the Hereford Volunteer Fire Company.

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,

Franklin T. Hoggans, Jr.
FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure



Maryland Department of Transportation

State Highway Administration

December 9, 1974

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

Attention: Mr. Franklin Hoggans

Dear Sir:

The entrance channelization as indicated on the subject plan, is basically acceptable to the State Highway Administration. However, the right of way indicated for York Road is not in conformance with our records. The right of way is 66' in width, 33' from the centerline of York Road, and not 25' as indicated on the plan.

There is a 50' right of way proposed for Monkton Road that must be indicated.

The plan must clearly indicate proposed curb and gutter along York Road and concrete curb between the parking lot and the right of way line of both highways.

The plan should be revised prior to the hearing.

The 1973 average daily traffic count on this section of York Road is ... 3,700 vehicles, and on this section of Monkton Road is .. 2,200 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits
by: John E. Meyers

CLJ:EM:bkb

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

Baltimore County, Maryland Department of Public Works

COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

January 10, 1975

Bureau of Engineering
ELLENWORTH N. DYER, P.E. CHIEF

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

Re: Item #113 (1974-1975)
Property Owner: Donald B. & Anne E. Foster
S/S of Monkton Rd., 250' E. of York Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Special Hearing to approve an issue a permit for parking
No. of Acres: 74,335 Sq. Ft. District: 7th

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.

Highways:

York Road (Md. 45) and Monkton Road (Md. 138) are State Roads; therefore, all improvements, intersections, entrances and drainage requirements as they affect these roads come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentrations of surface waters. Correction of any problems which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #113 (1974-1975)
Property Owner: Donald B. & Anne E. Foster
Page 2
January 10, 1975

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property which apparently utilizes private onsite facilities. This property is beyond the limits of the Baltimore County Metropolitan District and the Urban Rural Designation Line. The Baltimore County Comprehensive Water and Sewerage Plan, amended July 1973, indicates No Planned Service in the area.

Very truly yours,

Ellsworth N. Dyer
ELLENWORTH N. DYER, P.E.
Chief, Bureau of Engineering

END:EM:FW:iss

cc: John Meyers - St. Hwy. Adm.
John Trenner

HH-SE Key Sheet
107 NW 9 Pos. Sheet
NW 27 C Topo
22 Tax Map

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

December 4, 1974

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

Dear Mr. DiNenna:

Comments on Item 113, Zoning Advisory Committee Meeting, December 17, 1974, are as follows:

Property Owner: Donald B. & Anne E. Foster
Location: S/S of Monkton Rd. 250 ft. E of York Rd.
Existing Zoning: RDP
Proposed Zoning: Special Hearing to approve and issue a permit for parking.
No. of Acres: 74,335 sq. ft.
District: 7th

Comments: Complete soil evaluation needed; must provide a potable water supply.

Very truly yours,

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

EHVB:ncg

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#75-158-SFH

District: 7th Date of Posting: 1-2-75
Posted for: Hearing held Jan 22, 1975 @ 10:45 A.M.
Petitioner: Donald Foster
Location of property: S/S of Monkton Rd. 250' East of York Rd.
Location of Sign: 180' North on Front Window of Mr. Foster's Store
Remarks:
Posted by: *Mark H. Hays* Secretary Date of return: 1-9-75

BY ORDER OF
S. ERIC DINENNA
COUNTY COMMISSIONER OF
BALTIMORE COUNTY
Jan. 2. (110)

January 2 1975

was inserted in the issues of January 2, 1975

By C. C. Ryan

Being the property of Donald B. Foster and Anne E. Foster, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, January 22, 1975 at 10:45 A.M.

Public Hearing Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By Order of
S. ERIC DINENNA
Zoning Commissioner of
Baltimore County

Jan. 2,

TOWSON, MD. January 2, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time successive weeks before the 22nd day of JANUARY, 1975, the first publication appearing on the 2nd day of JANUARY.

L. Frank Smith
Manager.

Cost of Advertisement, \$.....

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

Your Petition has been received * this 26th day of

1974. Item #


S. Eric DiNenna,
Zoning Commissioner

Petitioner Mr. DONALD FOSTER Submitted by MR. H. COLE
Petitioner's Attorney MR. H. COLE Reviewed by NBC

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

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

No 17452

DATE Jan. 23, 1975 ACCOUNT 01-66

AMOUNT 261.50

WHITE CASHIER

DISTRIBUTION
PINK - AGENCY

YELLOW - CUSTOMER

Foster Brothers, Inc
Monkton, Md. 21111

Advertising and posting of property-----~~206-6000~~
#75-158-SFH

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

No. 17408

DATE Dec. 30, 1974 ACCOUNT 01-66

AMOUNT	\$25.00
--------	---------

WHITE - CASHIER

DISTRIBUTION
FIRM - AGENCY

YELLOW - CUSTOMER

Meers, Moore, Hennegan, Brennan & Carney
Jefferson Building 406 Jefferson Building
timore, Md. 21204
Petition for Special Hearing for Donald B. Foster
#75-158-SPH
250

EXISTING INLET
ADJUSTED TO COME IN LINE WITH
CROSS STREET

MAP: 3E
NW-27-C
ELECTION
DISTRICT: 7
DATE: 12-1-74
TYPE: S.H.
HEARING: BY: LOU
FINAL: 3-11-75
BY: MH

STORE NAME: FOSTER BROS. HOME		LEGEND M/U--MANUFACTURERS DISPLAY UNIT B/D--BY OWNER P/U--PRESENT UNIT
ADDRESS: MONKTON RD		
CITY: MONKTON STATE: NJ		
PLAN # 1-12 DRAWN BY H.S. COLEMAN		
MERCHANDISED BY: N/A		
DATE: 1-16-1974 SCALE: 1"=15'		

PETITION FOR SPECIAL HEARING TO PERMIT
PARKING IN AN AREA ZONED R2D

NOTES

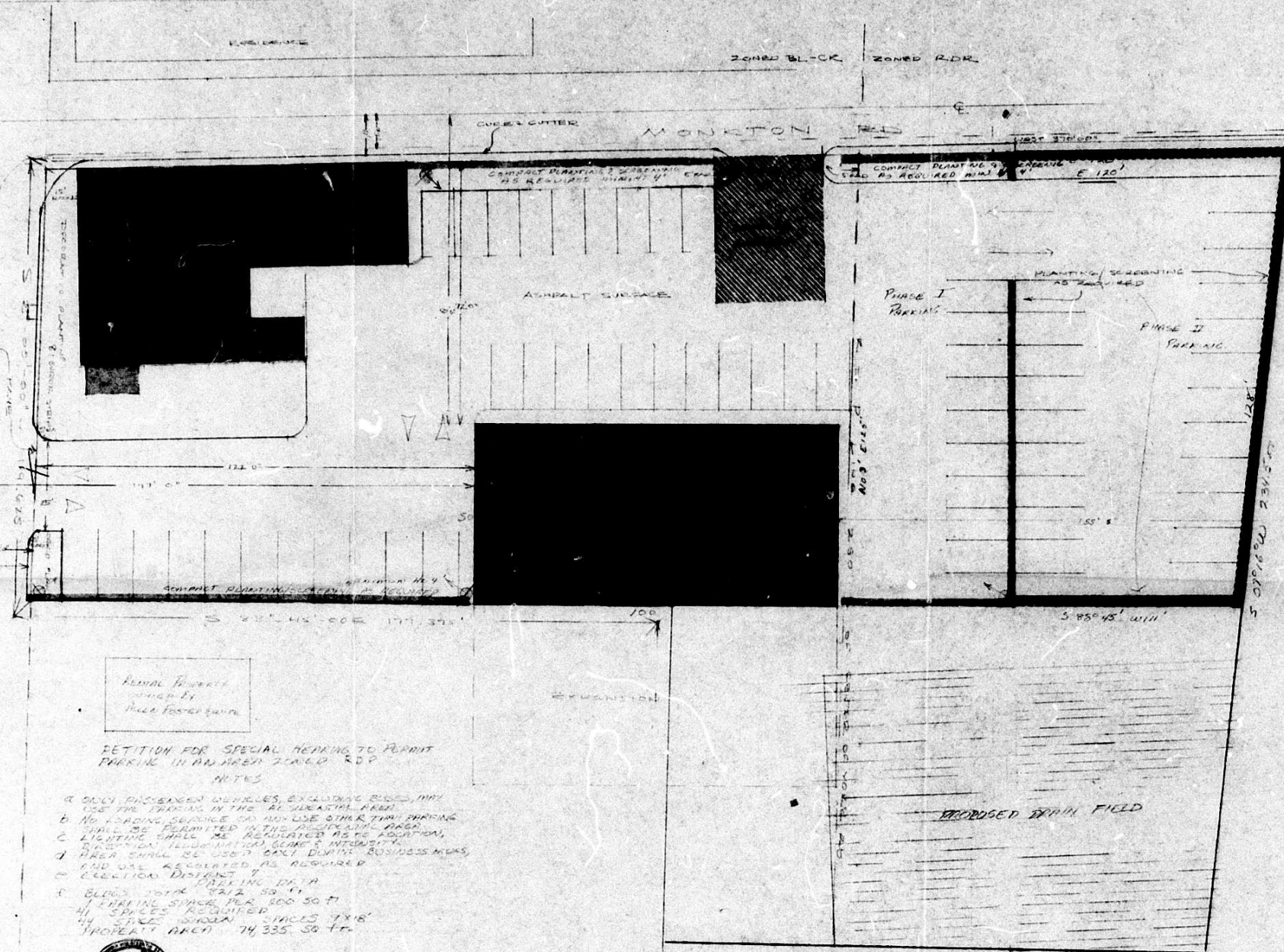
- ONLY PASSENGER VEHICLES, EXCLUDING BUSES, TRUCKS, AND TRAILERS, IN THE RECREATION AREA
- NO LOADING OR UNLOADING OR ANY USE OTHER THAN PARKING SHALL BE PERMITTED IN THE RECREATION AREA
- LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, ILLUMINATION, AND SCENE'S INTENSITY
- AREA SHALL BE USED ONLY DURING BUSINESS HOURS AND USE REGULATED AS REQUIRED
- ERECTOR DISTRICT 7
- BLOCK TOTAL PARKING SPACES: 100
- PARKING SPACES PER 100 SQ FT: 41
- SPACES REQUIRED: 41
- SPACES SHOWN: 41
- PROPERTY AREA: 74,335 SQ FT

RENTAL PROPERTY
OWNED BY
JAMES FOSTER BROS.



REVISION 5-19-74 HSR
COR 7-1974 JES
100-21-1974 DE

PROPERTY DIMENSIONS DERIVED FROM PLAT DATED OCT 2, 1972 BY WESLEY W. FARR, SURVEYOR, DE NO 1135



THE HARTFORD CONNECTICUT
FIRE COMPANY
GLB 201/157
DEED GLB 2401/127
1.765 AC ±

BEGAN B. Bell
GLB. 247/245
0.131 AC ±

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: John L. Winchell
DATE: 1-29-75
For parking area only
7th Dist.
Parking

