

ORDER RECEIVED FOR FILING
DATE 10/29/79
BY John P. Connelley

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 Variances requested not adversely affecting the health, safety, and general welfare of the community, the Variances to permit a distance between a proposed retail store and existing motel units of 44 feet and 53 feet in lieu of the required 60 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of October, 1979, 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 State Highway Administration, 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 20th day of October, 1979, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 18, 1979

COUNTY OFFICE BLDG.
1001 W. MARYLAND 21204
TOWSON, MARYLAND 21204

Chairman

Members

Department of Engineering

Department of Public Engineering

State Road Commission

Bureau of Fire Protection

Health Department

Project Planning

Building Department

Department of Recreation

Zoning Administration

Industrial Development

Mr. Ronald W. Parker
11444 Pulaski Highway
White Marsh, Maryland 21162

RE: Item No. 95
Petitioner - White Marsh Motel, Inc.
Variance Petition

Dear Mr. Parker:

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 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.

Because of your proposal to construct a large building closer to the existing motel units than is permitted, this Variance request is required. Even though the submitted site plan indicates an existing trailer at the southeast corner of this property, the legality of this use has been questioned. This matter will be resolved at a future Zoning Violation Hearing (Case No. 79-212-V).

If this petition is granted and at the time of the application for the required building permits, the site plan must be revised to clearly indicate the comments of the State Highway Administration. In addition, particular attention should be afforded the comments of the Health Department, concerning the uses of the proposed stores.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be

Item No. 95 - Parker
Page 2
January 18, 1979

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. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

cc: David W. Dallas, Jr. & Sons
7006 Harford Road
Baltimore, Maryland 21234

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THOMAS M. MURPHY, P.E.
DIRECTOR

January 2, 1979

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

Re: Item #95 (1078-1079)
Property Owner: White Marsh Motel, Inc.
5/25 Pulaski Highway, 425' S/W Allender Rd.
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a rear setback of 44' in lieu of the required 60'.
Acres: 1.662 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.

Highways

Pulaski Highway (U.S. 40) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State 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.

Setback 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 Drainage

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

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

Water and Sanitary Sewer

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private on-site facilities.

This property is beyond the Urban-Rural Decommission Line. Baltimore County Water and Sewerage Plans W and S-178, as amended, indicate "Planned Service in 11 to 30 Years" in this area.

Very truly yours,

THOMAS M. MURPHY, P.E.
Chief, Bureau of Engineering

END: EAM:FWL:SS

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
JAN 29 1979

JOHN D. SEVERT
DIRECTOR

October 30, 1978

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

Dear Mr. DiNenna:
Comments on Item #95 Zoning Advisory Committee Meeting, October 24, 1978 are as follows:

Property Owner: White Marsh Motel, Inc.
Location: 5/25 Pulaski Highway - 425' S/W Allender Road
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a rear setback of 44' in lieu of the required 60'.
Acres: 1.662
District: 11th

The items checked below are applicable:

X1. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 3700 Building and the 1971 Supplement, State of Maryland Code for the Building Code and all other applicable codes.

X2. A building permit shall be required before construction can begin.

X3. Additional miscellaneous permits shall be required.

X4. Building shall be upgraded to new use - requires alteration permit.

X5. Three sets of construction drawings will be required to file an application for a building permit.

X6. 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.

X7. 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.

X8. Requested setback variances conflict with the Baltimore County Building Code. See Section

1. No Comment.

2. Comments

Very truly yours,
Charles E. DiNenna
Zoning Commissioner

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
JAN 29 1979

LESLIE H. GRAFF
DIRECTOR

January 5, 1979

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 #95, Zoning Advisory Committee Meeting, October 24, 1978, are as follows:

Property Owner: White Marsh Motel, Inc.
Location: 5/25 Pulaski Hwy 425' S/W Allender Road
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a rear setback of 44' in lieu of the required 60'.
Acres: 1.662
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 D. Wimbly
Planner III
Current Planning and Zoning

Maryland Department of Transportation
State Highway Administration

October 31, 1978

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

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, October 24, 1978
Item: 95
Property Owner: White Marsh Motel, Inc.
Location: 5/25 Pulaski Hwy. (Rte. 40)
425' S/W Allender Road
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a rear setback of 44' in lieu of the required 60'.
Acres: 1.662
District: 11th

Dear Mr. DiNenna:

The copies of the plan that were distributed, are difficult to read. The plan must clearly indicate standard concrete curb to be constructed along the parking setback line. The proposed roadside curb will block the flow of storm water from the highway to the inlet, therefore, a standard, grate and curb opening type inlet must be constructed at the curb, in the vicinity of the existing drain under the highway.

The plan must be revised prior to the hearing.

CL:JEN:dj

Very truly yours,

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

My telephone number is (301) 383-4320

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

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-3660

STEPHEN E. COLLINS
DIRECTOR

December 19, 1978

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

Re: ZAC - Meeting of October 24, 1978
Property Owner: White Marsh Motel, Inc.
Location: 5/25 Pulaski Hwy. 425' S/W Allender Road
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a rear setback of 44' in lieu of the required 60'.
Acres: 1.662
District: 11th

No traffic problems are anticipated by the requested variance to the rear setback.

Very truly yours,

Michael S. Flanagan
Engineer Associate II

HSF/sjm

Paul H. Heinke
Chief

November 6, 1978

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: White Marsh Hotel, Inc.

Location: SE/S Pulaski Hwy. 425' SW Allender Rd.

Item No. 95 Zoning Agenda Meeting of 10/24/78

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 _____
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (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", 1975 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *John J. Kelly* Noted and Approved: *John J. Kelly*
Planning Division Fire Prevention Bureau

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

December 13, 1978

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

Dear Mr. DiNenna:

Comments on Item #95, Zoning Advisory Committee Meeting of October 24, 1978, are as follows:

Property Owner: White Marsh Hotel, Inc.
Location: SE/S Pulaski Hwy. 425' SW Allender Rd.
Existing Zoning: Variance to permit a rear setback of 44' in lieu of the required 60'.
Acre: 1.662
District: 111B

The hotel is presently served by an existing water well. Public water is proposed for the area. The existing septic tank system appeared to be functioning properly. The approval of the proposed retail stores will involve making the existing house and the construction of a new septic tank system to serve the new building. The uses of the retail stores will be restricted in accordance with the stipulations in the attached letter from Ronald W. Parker dated November 14, 1978.

Very truly yours,

Thomas H. Davlin
THOMAS H. DAVLIN, Director
BUREAU OF ENVIRONMENTAL SERVICES

TJD/JED/rjh

cc: G. Hummel

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 23, 1978

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

Z.A.C. Meeting of: October 24, 1978

RE: Item No. 95

Property Owner: White Marsh Hotel, Inc.
Location: SE/S Pulaski Highway 425' SW Allender Rd.
Present Zoning: B.R.
Proposed Zoning: Variance to permit a rear setback of 44' in lieu of the required 60'.

District: 111B
No. Acres: 1.662

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

JOSEPH H. McGUIRE, President
T. NATHAN WILLIAMS, JR., Vice-President
MARCUS M. BETHUNE

THOMAS H. BOWEN
MRS. LORNAE F. CONNOR
ROBERT A. BATHEN

ROBERT T. DUBEL, Secretary-Treasurer

ALVIN L. HECK
BESSIE B. SMITH, JR.
RICHARD W. TRACY, D.V.M.

Mr. Ronald W. Parker
11444 Pulaski Highway
White Marsh, Maryland 21112

cc: David W. Dallas, Jr. & Sons
7006 Harford Road
Baltimore, Maryland 21234

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 19th day of December 8-1978.

S. Eric DiNenna

S. ERIC DI NENNA
Zoning Commissioner

Petitioner: Ronald W. Parker
Petitioner's Attorney

Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>11</i>					Revised Plans: Change in outline or description: Yes ☐ No ☐					
Previous case: <i>72-36X</i>					Map # _____					

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>01</i>					Revised Plans: Change in outline or description: Yes ☐ No ☐					
Previous case: <i>72-36X</i>					Map # <i>4545</i>					

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

Your Petition has been received * this *13th* day of *October* 1978. Fee *25.00* Received ☒ Cash ☐ Other ☐

S. Eric DiNenna
S. ERIC DI NENNA,
Zoning Commissioner

Petitioner: *Ronald Parker* Submitted by: *Ronald Parker*
Petitioner's Attorney: _____ Reviewed by: *Rene Clark*

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

78-1584

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *11* Date of Posting: *11/14/78*

Posted for: *Petition for Zoning*

Petitioner: *White Marsh Hotel, Inc.*

Location of property: *SE/S Pulaski Highway (C.S. 42.2) "44"*

Location of Sign: *front of property*

Remarks: _____

Posted by: *John J. Kelly* Date of return: *1/17/79*

PETITION FOR VARIANCE FOR DISTRICT 111B

THE JEFFERSONIAN

CERTIFICATE OF PUBLICATION

TOWSON, MD. JANUARY 11, 1979

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 or before the 11th day of January, 1979, the 11th day of January, 1979, the 11th day of January, 1979, appearing on the 11th day of January, 1979.

THE JEFFERSONIAN, Manager.

Cost of Advertisement, \$ *78.00*

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

No. 76076

DATE: *10-13-78* ACCOUNT: *01-662*

RECEIVED: *Ronald Parker*

FOR: *Variance*

AMOUNT: *\$25.00*

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE FOR DISTRICT 111B

CERTIFICATE OF PUBLICATION

TOWSON, MD. JANUARY 11, 1979

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 or before the 11th day of January, 1979, the 11th day of January, 1979, the 11th day of January, 1979, appearing on the 11th day of January, 1979.

THE JEFFERSONIAN, Manager.

Cost of Advertisement, \$ _____

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

No. 78591

DATE: *March 19, 1979* ACCOUNT: *01-662*

RECEIVED: *Ronald W. Parker*

FOR: *Cost of Advertising and Posting Case No. 79-158-1*

AMOUNT: *\$50.00*

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE
198 Model

ZONING: Petition for Variance for minimum distance between buildings.

LOCATION: Southeast side of Pulaski Highway, 425 feet Southeast of Alexander Road.

DATE & TIME: Monday, January 29, 1979 at 10:15 A.M.

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

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

Petition for Variance to permit a distance between a proposed retail store and existing retail store of 64 feet and 53 feet in lieu of the required 80 feet.

The Zoning Regulation to be accepted is as follows:

Section 236.2 (102.2) - Minimum distance between buildings.

All that parcel of land in the Eleventh District of Baltimore County.

BEFORE for the same on its southeastern side of Pulaski Highway (150 feet wide) at a point distant 425 feet more or less from Alexander Road and point being at the beginning of the second line of that tract of land which by deed dated September 30, 1974 and recorded among the Land Records of Baltimore County in Liber 5482 folio 883 etc. was conveyed to Whitmarsh Motel, Inc., then running with and ending on the second line of said deed and on the southeastern side of said Highway south 45 degrees 28 minutes 15 seconds west 200.00 feet, thence leaving road and running with and ending on the first, fourth and first line of said deed and three following courses and distances: south 44 degrees 53 minutes 47 seconds west 426.40 feet, north 8 degrees 29 minutes 44 seconds east 250.00 feet and north 44 degrees 33 minutes 47 seconds west 285.40 feet to the point of beginning.

CERTAINING: 1.812 acres of land more or less.

Being the property of White Marsh Motel, Inc., as shown on plan filed with the Zoning Department.

Hearing Date: Monday, January 29, 1979 at 10:15 A.M.

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

BY George J. Martinec
ZONING COMMISSIONER
BALTIMORE COUNTY



TOWSON, MD. 21204 January 12 19 79

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCE - White Marsh Motel, Inc.

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 one successive weeks before the
12th day of January 1979, that is to say, the same
was inserted in the issues of January 11, 1979

STROMBERG PUBLICATIONS, INC.

BY Ernie Burger

PETITION FOR VARIANCE
198 Model

ZONING: Petition for Variance for minimum distance between buildings.

LOCATION: Southeast side of Pulaski Highway, 425 feet Southeast of Alexander Road.

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Hearing Date: Monday, January 29, 1979 at 10:15 A.M.

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

BY George J. Martinec
ZONING COMMISSIONER
BALTIMORE COUNTY



TOWSON, MD. 21204 January 11 1979

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PETITION FOR VARIANCE - White Marsh Motel, Inc.

was inserted in the following:

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| ☐ Catonsville Times | ☐ Towson Times |
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| ☒ Essex Times | ☐ Community Times |
| ☐ Suburban Times East | ☐ Suburban Times West |

weekly newspapers published in Baltimore, County, Maryland,
once a week for one successive weeks before the
12th day of January 1979, that is to say, the same
was inserted in the issues of January 11, 1979

STROMBERG PUBLICATIONS, INC.

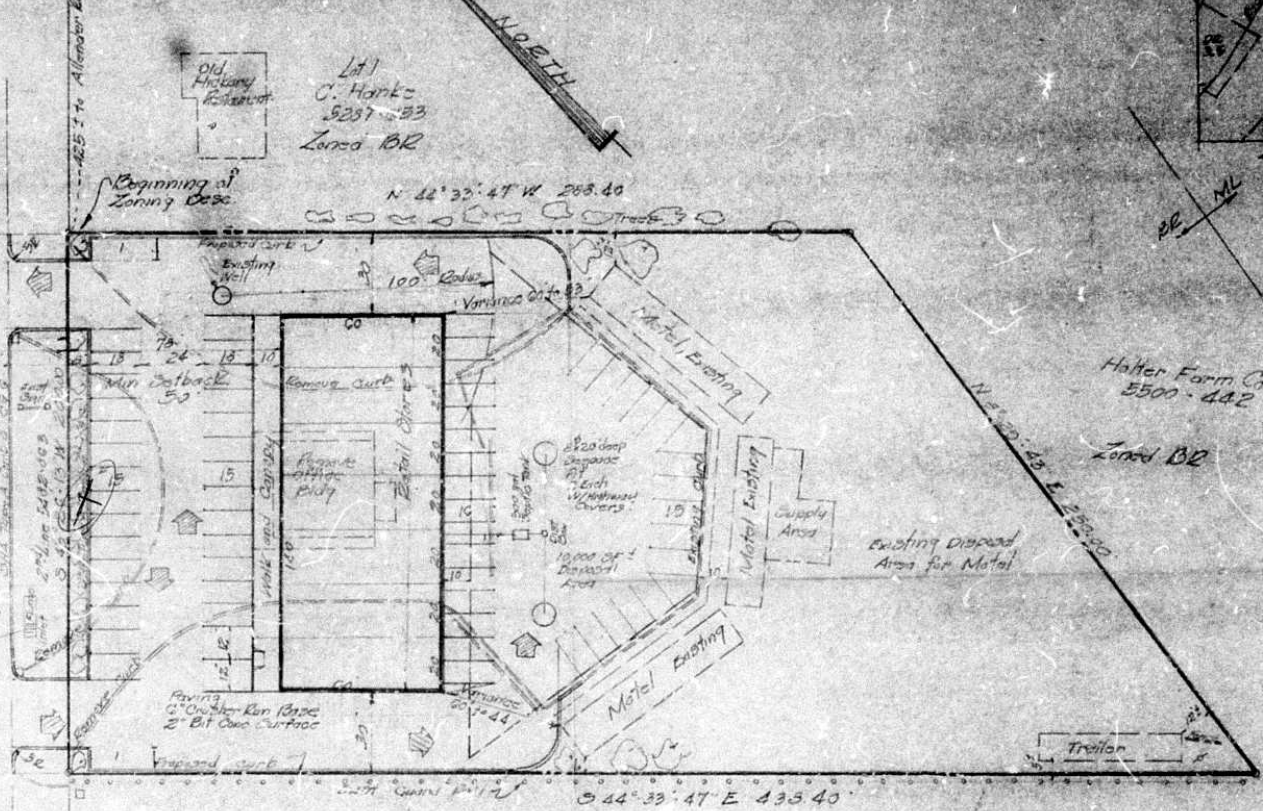
BY Ernie Burger





150' R/W
PULASKI HIGHWAY
U.S. Route 40

To Baltimore
To Philadelphia
Majoring Shoulder
425' to Alexander Rd



- ZONING DATA**
1. Gross Acreage of Tract 1.0021 Acres
 2. Existing Zoning of Tract BR
 3. Existing Use Whitmarsh Motel
 4. Proposed Use Motel and Retail Stores Bldg.
 5. Required Parking
Motel (12 Rooms) 21
Retail Stores 140 x 200/200
 6. Proposed Parking 25 Spaces
 7. Private on-site Water & Sewer Disposal 23 Spaces

VARIANCE TO ALLOW
REAR YARD OF 44' 53"
INSTEAD OF REQUIRED 60'

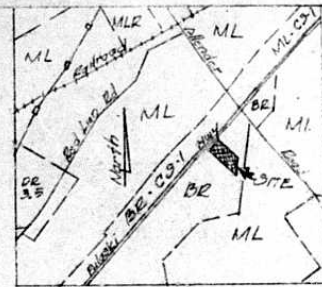
ZONING PLAT WHITEMARSH MOTEL SITE

11th Election District
Scale 1"=30'
Owner & Developer
Eunice W. Parker
11444 Pulaski Hwy
White Marsh Md 21162
Phone 335-1230
Dad 67-5432-863
Whitemarsh Motel, Inc.
Sept 30, 1974

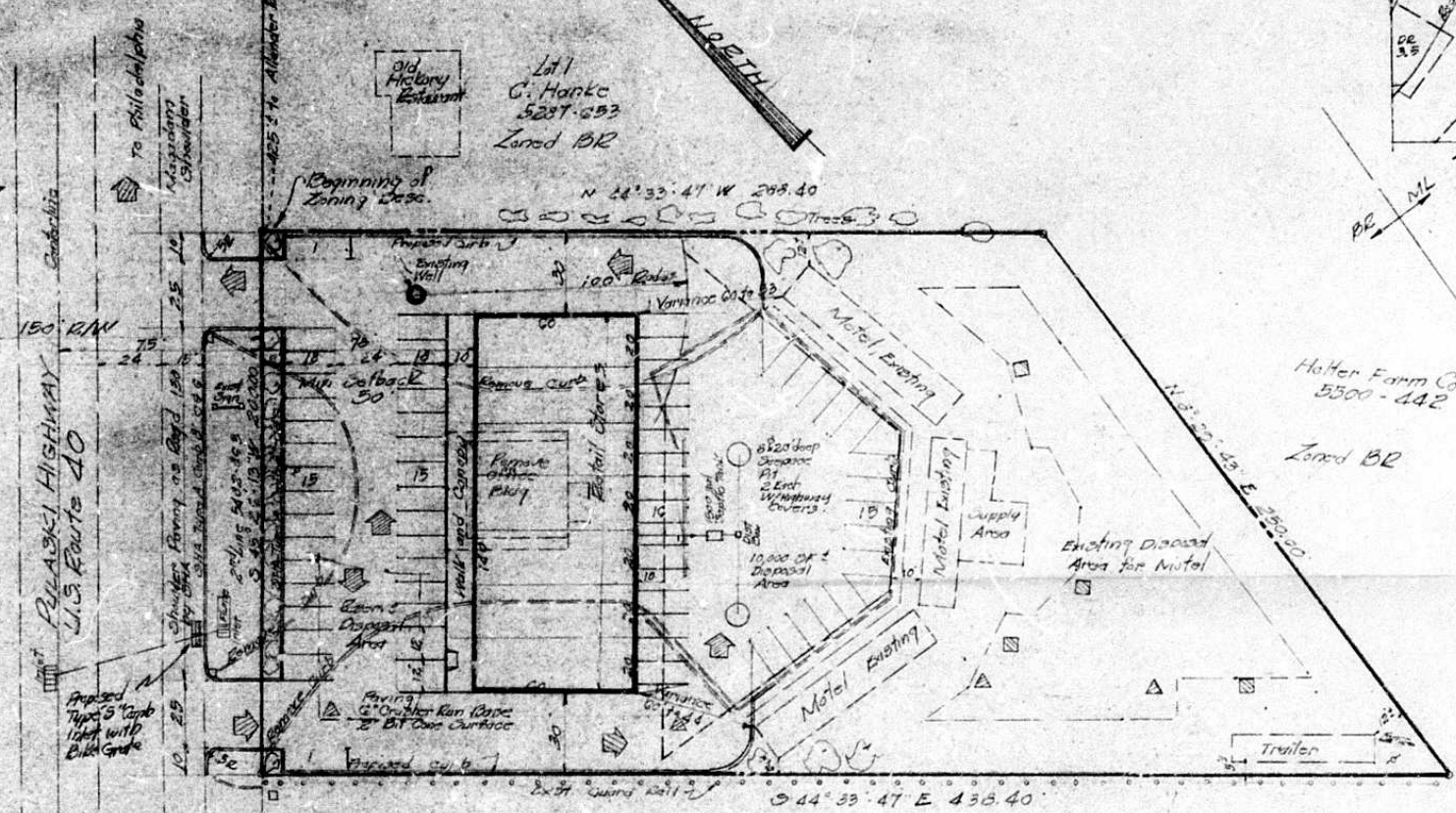
Baltimore County Md
Set 23, 1975

David W. Jallen
DAVID W. JALLEN, JR. & SONS
CIVIL ENGINEERS
7006 HARTFORD RD., BPTD, MD. 21284
254-4555





LOCATION & ZONING MAP
Scale 1"=1000'



ZONING DATA

1. Gross Acreage of Tract	1.0221 Acres
2. Existing Zoning of Tract	BR
3. Existing Use	Whitemarsh Motel
4. Proposed Use	Motel and Retail Stores Bldg.
5. Required Parking	
Motel (16 Rooms) x 1	18
Retail Stores 140 x 20/200	42
	60 Spaces
6. Proposed Parking	68 Spaces
7. Private onsite Visitor & Garage Disposal	

- LEGEND**
- 1. Approx. Location Exist. Septic Tanks
 - 2. Approx. Location Farm. Tests
 - 3. Disposal Area
 - 4. Exist. Well
 - 5. Exist. Curb
 - 6. Proposed Curb

C&E Enterprises
3025-253
Zoned BR

ZONING PLAT **WHITEMARSH MOTEL** **SITE**

VARIANCE TO ALLOW
REAR YARD OF 44 & 53
INSTEAD OF REQUIRED 60

11th Election District
Scale 1"=30'
Owner & Developer
Zoned LV Parking
11444 Pulaski Hwy
White Marsh Md 21162
Phone 335-1236
Dated 11/24/74
Whitemarsh Motel, Inc.
Sept 20, 1974

Baltimore County Md
Sept 28, 1974
Ex 24, 1974
David W. Dallas, Jr.
CIVIL ENGINEERS
7005 HARBOR RD., BALTIMORE, MD. 21234
254-4555

FILE NO 35C